

**Village of Walden
Board of Trustees Regular Meeting
November 16, 2021**

Mayor Ramos called the regular meeting of the Village of Walden Board of Trustees to order at 6:30pm.

On roll call the following were:
Present:

Mayor:	John Ramos
Deputy Mayor	Willie Carley
Trustees	Lynn Thompson
	Brian Sebring

Absent:

John Elliot, Trustee
Patricia Maher, Trustee
Cheryl Baker, Trustee

Also Present:

John Revella, Village Manager
Marisa Kraus, Village Clerk
Dave Donovan, Village Attorney

Presentation – Gold Award Project – Mantel and Display Cases in Assembly Room

Elizabeth Zefi: I'm part of Troop 239. My Gold Award Project will be taking place in this room and we will be taking the mantle that you see in the back and we will be putting it putting it front and center for everybody to see. We will actually move Mr. Bradley's picture on top of the mantle. That way, it's kind of a focal point of the room and these display cases, we're kind of going to have a past, present and future. 1 of them will be artifacts from the Town, like how the Town was originally founded. Then we'll have one of them that are current events, such as events happening through the town. And the other one will be future events such as things that the Village is looking forward to doing and events that will be happening in the future. However, I cannot start any of this until I get approval from the Girl Scout Heart of the Hudson Council, and as soon as I get their approval, I'm going to be setting up a date to get this mantle up right away. The other aspect of this is the sustainability. These display cases are going to be updated about yearly. That way, everything is staying regulated and up to date with everything that is happening in the Village.

Deputy Mayor Carley: You said you're going to take that one (referring to the mantle) and put it there. I don't know the measurements. Is it going to cover the emergency lights?

Elizabeth Zefi: No, it's going to end under the emergency light and then Mr. Bradley's picture will go on top of the emergency light. The emergency light is not affected at all.

Mayor Ramos: Her father's a contractor and he's already eyeballed everything and we'll get this relatively easy project to do. I thank you for your time and I thank your family for coming here tonight also.

Orange County Transit

Allison Hauser: I'm covering for my colleague Anthony Mirando, who sends his apologies that he wasn't able to attend tonight but promise that he'll be back next month. First and foremost, we have the Department of Health and the DPW. No updates needed on that front. The Planning Board, we submitted the final resolution to the Village Clerk and then we worked with the Planning Board Engineer to eliminate the condition that was left over. Updated the pipe on the site plans. They've

been submitted to the Chairman for his signature. We're just waiting for that. And as you indicated last time we submitted a comprehensive table detailing all of our contact with the Department of Transportation. We've also reached out the first 2 weeks of November. We've yet to receive any response from them. Before we get a response and get a highway permit. We really can't continue with any sewer work or even start any sewer work. But on another front, the client has been working with your Building Inspector to move forward with other projects that aren't including the state right of way.

Mayor Ramos: Just in the past couple of weeks, we've been in dialog with Senator Skoufis. He has our ear. And I believe they're going to be mentioning that tonight at an event up in Port Jervis. I talked to Senator Skoufis's Chief of Staff, Christie, and she assures us that they're going to give DOT a little nudge. This has been going on way too long for a state agency to be defunct in their in their abilities. We thank you for your presence and in your briefing.

Manager's Report

Manager Revella: We've had some meetings on Overlook at Kidd Farm, there is a resolution, which will be discussed tonight. Went through bank recs and cash reports with the Village Treasurer. Olley Park Community Center project with DPW Superintendent and Village Engineer. Met with the contractor down there regarding progress. There was an issue with lumber that thankfully has been resolved, so it's going to be on track to get the concrete finished before the freeze. Went over Christmas in the Square with the Rec Coordinator. Got our tree picked out, it'll be arriving tomorrow. They're getting it at 8 a.m. It should be in the square by 9, depending on how the transportation goes. I was gone for 2 days for my birthday. Kept in contact through the phone and emails. Went over property maintenance with the Building Inspector. Met with Trustee Thompson on some Climate Smart and Community Energy Efficiency projects. Also discussed watershed protection. I went to the CEA meeting. Attended OCTC, the Transportation Council Planning meeting to discuss transportation updates in the region. We have another meeting coming up soon. There's a large project going on in Middletown that's up for discussion for funding. I was able to attend an event to celebrate the citizenship for the leader of the Buddhist Temple in Town. Very honorable event. It was nice. I gave him a certificate from the Village. Halloween went well. Unfortunately, weather dampened the Trunk or Treat that was planned. We'll have an alternate location if it happens again next year. Went over, some rehab loans with the Building Inspector and the Treasurer. Went over audited bills. Had a conference with special counsel and CSEA regarding some impact bargaining. Been going over PD coverage. Been some issues with people out. Somebody came back and is back out again. So, we have another full timer out again. We're trying to cover that. Recreation and Parks did their prep for winter. They're getting things ready now for Christmas in the Square. DPW is putting out the wreaths. They're getting decorations ready. Park has the playground updated. They did some work at Wooster with help from the committee for the 20th anniversary celebration at Woosters Grove. We're waiting for the final bid for Waterfront Park, so we can put that out for BID. Indoor soccer is beginning now. Basketball registration is ongoing. Christmas in the Square is set for December 2nd. Building Department is working on COs, building permits, fire & safety, working on rehab loans with me and doing the permit inspections. Clerk has been updating Facebook, website, 207c, workers comp matters, board minutes, County reports and assisting with issues in the office. Finance Department finalized the internal audit from 19-20. Working on the 20-21 now. We had a good meeting with auditors. There was discussion about next year's audit and the following year, we may have to discuss RFPs. DPW has been working on vehicle equipment maintenance, winter preparations. They did a lot of work at Olley Park Community Center for that project. They're still flushing and jetting sewers. They finished flushing hydrants. They did another drainage erosion alleviation project by the Tin Brook pump station from some state drainage that was running down the hill.

Trustee Thompson: Our packet is very different this evening and I was just wondering why parts

of our packet have been left out. There was no dialog with anyone on the board about these changes. I also am wondering why the appointees that are hired by the Village Board, their reports are missing from the packet. I'm not having a major problem with Department Head reports missing, but I would really like to know why there was no dialog about that. When we were going back and forth about having liaisons with the various departments. We had countless board meetings and discussions about that over a 12 month period or more. It might have even been a longer time period. We talked about it. We voted on it. We did away with that so we didn't interfere with the daily operations in the various departments within the Village. And now there's not even any correspondence, which I understand that to a degree, but I really just am disturbed that there was no dialog.

Mayor Ramos: There was a memo issued by our counsel on the setbacks and drawbacks to having these types of reports in our packets. The reports are titled to the Village Manager and the Village Manager should be divulging any of the information that we need and feeding us whatever information that we need to complete our jobs.

Trustee Thompson: I'm not arguing with that. I'm the one who asked the Village Attorney for some information on confidentiality. I waited about a month to get that information. I understand what the memo said. It was a little generic. It didn't say anything was wrong. It didn't say anything was right. It just gave information. There was no discussion. There was no correspondence saying that this was going to be a new procedure. Nothing. Just the packet appeared and all the information is missing. There was no discussion.

Mayor Ramos: I don't think anything is missing.

Trustee Thompson: The way we've gotten our packets for the 5 years that I've been sitting on this board is not the same. There was no, this is what we're going to do. This is what we want to do. How do you feel? There was nothing. It's just removed. I thought that the Treasurer and the Clerk reported to the Village Board. Apparently, that is not true either.

Mayor Ramos: No, they do.

Trustee Thompson: Their reports are missing. There's nothing.

Mayor Ramos: The reports are generated to the Village Manager. If we want an individual report from the Village Treasurer and the Clerk, then it should flow through the Village Manager and then the Village Manager in turn, would turn that over to us.

Trustee Thompson: I guess my problem then is that this was all changed and there was a very big lack of communication that's disturbing to me.

Mayor Ramos: We're just going by what was documented by our Village Attorney through his memorandum of a record.

Trustee Thompson: His memorandum of record did not say that having those reports was a problem. Correct me, Mr. Donovan, am I wrong? It did not clearly say that this was a major problem.

Manager Revella: When did you pick up your packet?

Trustee Thompson: I picked up my packet several days ago.

Manager Revella: If you noticed something was missing then, you could have asked me.

Trustee Thompson: You were not here the day that I picked up my packet.

Manager Revella: I was meeting with you yesterday for almost 2 hours and you never asked me.

Trustee Thompson: We were focusing on something different that it didn't even occur to me. I was focused on what we were doing. The task at hand.

Manager Revella: I didn't receive a report from 1 of the people in question. I'm not sure how I can disseminate that, but we can discuss that later, if you'd like.

Trustee Thompson: I was very surprised that there was a change.

Manager Revella: It was the same in the last month's packet.

Trustee Thompson: I don't recall that and I look at my packet very carefully. I had 1 other question, did we not discuss that Mr. Revella would send a letter on behalf of the board to the DEC about what the delay seemed to be with moving forward with the Riverfront Park project? Did that letter ever go out? Did we ever get a reply from them?

Manager Revella: I've never heard anything back from the DEC on that or consent order or anything else we sent to DEC in probably a year. It is going forward. The engineer is doing the write up for the bid. We did get the approval since last time. They didn't tell us why there was a delay or why it took them so long. But they did say it was good to go ahead with the project.

Trustee Sebring: Last week, when they were supposed to have the Public Hearing to discuss the IDA of the Falcons Rest, myself and Brenda Adams showed up over there and we found out that they had the meeting on Monday. But nobody let us know that the meeting was canceled for that day.

Manager Revella: No, they didn't let us know either. We didn't know until the meeting was over.

Trustee Sebring: I didn't know that the meeting was on Monday. So, I made the point of going over there to be with the Village, to show support. But nobody let us know. Not even a message on my cell phone. Then I find out that day rescinded their application. I understand that. But if you're asking for help to go over there for whatever reason, if they cancel that, at least let us know.

Manager Revella: They posted the meeting and the minutes and we commented on it as well.

Mayor Ramos: I have to apologize to you and Brenda. I was leaving Middletown when the blurb on my telephone came on and their meeting was ongoing. I expressed my dissension. I expressed everything that I could to the executive director, Mr. Eckert and by the time I reached Montgomery, they were already disband and the meeting was over. I am still working at creating some dialog with the Chairman and the executive director. I thought it was wrong. They didn't post it for all eyes to see. There'll be more on that soon.

Brenda Adams: I agree with Brian. You all knew Monday. It would have been nice to get a text because we gave up the middle of our day to get over there.

Mayor Ramos: I agree and I totally apologize. But for about 5 hours, I was still arguing and my apologies. I should have said something to the board. I should have put something out on the

website. But I was befuddled and I was trying to get my brain straight for the arguments that are going to be ensuing right now. I was there for zero and they gave them half.

Manager Revella: I'm sorry, too. I didn't know who was and who wasn't attending, but I thought that they had blasted out that they had met. Then we started arguing with Connor about it and we were on the phone with him for several hours about the issues with posting. We didn't get any notification that they changed it. They just made the decision before we even knew.

Mayor Ramos: I presented them with their copy of their agenda, which was Tuesday, 1 o'clock.

Approval of October 19 & November 2, 2021 Minutes

Trustee Thompson: Page 6. I don't know if I misspoke or if it wasn't picked up properly, but it's the part about the park fees. I knew that we could not increase them for that particular project. What I was agreeing with was that for the future, perhaps we adjust what we were going to be asking for parkland fees. I wanted to say we should reevaluate that number for other projects, not for that particular project.

Trustee Sebring made a motion to approve the October 19, 2021 minutes with corrections. Seconded by Deputy Mayor Carley. All ayes. Motion carried.

Manager Revella: I just want to note for the board, if those are the exact words she used during the meeting, the minutes should stay. But you should note in the minutes of this meeting, the clarification.

Trustee Thompson made a motion to approve the November 2, 2021 special minutes. Seconded by Trustee Sebring. All ayes. Motion carried.

Public Comment on Business of the Board

Becky Pearson: 167 Walnut St. The Girl Scouts on Bradley. Did you guys vote on doing that or is that something you don't need to vote on her doing that to this room?

Mayor Ramos: No, I thought we were all in agreement.

Becky Pearson: When was that discussion?

Mayor Ramos: About 10-15 minutes ago.

Becky Pearson: That was the first time she came tonight?

Mayor Ramos: Yes.

Becky Pearson: I'm in design. So for me, I know that she wanted to put the fireplace back here. I think with Bradley, I think the fireplace should go there because you walk in and it's the first thing you see in this room and then you do your pieces past, present and future and the future comes up to the present board. Just a thought, because I think when you walk in the room, you're really going to miss that. When you walk in, that's the first thing you see. I didn't know if you voted on allowing her to do that or not. I don't know if that's because this is a public room.

Mayor Ramos: This is a project in start, let's put it that way. Her dad is a contractor and he mentioned that that was the first place we thought it was going to go. Because we have the ramp for ADA and the flooring itself is used for wheelchairs, in the event that we need to use wheelchair. And with the mantle coming out, it would impede the flow of the wheelchair.

Becky Pearson: The room is big enough for a mantle and wheelchair.

Mayor Ramos: If you have any input, I will give you her email.

Becky Pearson: I just wanted to say that, but I didn't know if you need to have a vote for that to make that happen up here. I'm not against the project, I just think that it should be there.

Trustee Sebring: Becky, A year-year and a half ago, Col Bradley came up and offered us that mantle. They went to a different bunch of Chairman's. It never came about, but they got the mantle up here. My feeling is with that going over there were the case is, is the door opening into here, which would have 2x4 studs or 2x8. But if you go against this or that side where you got concrete, you might be going into asbestos. The quickest and easiest way would be to put that over there. That was my talk with Dean a few times about where that should go. That's the quickest and easiest place to put it.

Becky Pearson: Quickest and easiest, but not the prettiest. I'm about the prettiest.

Mary Ellen Matise: 54 Gladstone. Good resolution draft number 2 about resolution number 6-21-22 about the Parkland Fees. I support it and I hope that the board supports it tonight. Actually just as long as we can comment on the cases. Nancy was upset that some of our pictures were taken out with the houses and probably thrown them away, I don't know where they are. I told John I have the key. I want this woman's club stuff back. I want the buttons back. The other issue with this too and the ongoing issue, not just Girl Scout projects, Boy Eagle Scout projects, is the follow up year after year after year. And they never build in enough follow up on their projects. I don't know who's going to supervise this young lady, if she gets her approval. When they finish their award and they graduate from high school. Who's going to look after it next year and the year after and the year after?

Mayor Ramos: That's why she included in the project, sustainability.

Mary Ellen Matise: That's what I'm asking. What is the sustainability?

Mayor Ramos: After last meeting, we had discussion on doing something nice for this room. She approached and wanted to set up this program.

Mary Ellen Matise: But 3 years from now, if she's in college, say at the University of Rochester, where's the sustainability coming from?

Mayor Ramos: Then the next person who's going to do her Gold Project is going to take over on that. I believe she's 15-16 years old. The troop will adopt this.

Mary Ellen Matise: Often that does not happen. Then it becomes an issue, because I know these have gotten stale, but it's easy for that to happen. I also would encourage that the whole thing about the Veterans Park be kept alive in the room, so that people are aware that it's an ongoing project that they can participate in and which is why I included it.

Mayor Ramos: We have some additional stuff from this past weekend.

Mary Ellen Matise: Some of the stuff I don't know what you want to do with. The guy who flew the flag in Iraq. That's something that the Village should hold on to. Whether you put it in your office, John, or where you want to put it.

Manager Revella: I'm not sure where everything came from. I'd like to talk to you about it.

Mary Ellen Matise: Me. And this bottom case was the library. The rest of it I made. Also, maybe she'd want to contact me based on all the information that I do have about the Village's history. I'd be more than happy to help them with the history. It's important that we get it right. I saw the picture on Facebook of Senator Skoufis at the park with all of you. He's really gone above and beyond to help our Village. I really hope that people in this Village remember that when they go to the ballot box next year. He's a great guy.

Brian Paz: I'm here on behalf of the Overlook at Kidd Farm Project. We prepared a packet that I plan on handing to the Village Clerk and we are requesting the package be made part of the record in regards to this project. The package is very straightforward. It contains 4 sections. Prior to the 4 sections. It contains a summary statement regarding Parkland Fees and with regard to the Overlook a Kidd Farm project. 4 sections denoted A through D. Section A contains Village of Walden, Chapter 260 and some legal research regarding the NYS Village Law. Section 7-730 subsection 4 paragraphs A through C. B contains terms of approvals from the Planning Board as to the recreational facilities to be at the Project. C contains a transmittal to the Board of Trustees received on August 10, 2020, with estimated budget costs for those recreational facilities and notification and description of such facilities with a plan for those attached. D contains a letter and information regarding some items that were brought up at the October 19, 2021 meeting and with the belief that those items are addressed in that letter and the accompanying paperwork. I'm going to ask the Village Clerk to do is to stamp 1 copy so that I can have proof that it was submitted. The packet contains on the 1st page simply a summary statement.

Action Items:

Discussion – Local Law Zoning Updates

Manager Revella: I just want to make sure everybody had a chance to look at the local law from last time. There were some minor revisions. We have the comments from the Planning Board of the County and the Village. Those seemingly have been addressed. I'm not sure if anyone else had any comments or questions on it before you set a public hearing.

Attorney Donovan: The next step is if you want to make any changes or revisions, you can do that. Obviously it's your local law. If you think it's ready for a public hearing, you can schedule a public hearing, get the public input or you can take time to think about it. There are no time constraints that you're under relative to this.

Trustee Thompson: I've been at that Planning Board meeting where they generated the questions and there was question if they understood everything correctly, if they were reading the most current version. I went back and looked and went through the comp plan. I think this is fine. I don't see anything else that I would question on this.

Mayor Ramos: We've had this a little while and I think we're in consensus that we're good with the local law as it states, especially when Planning Board has dedicated so much time and due diligence for them. I'm in agreement to set up a public hearing for local law 5 of 2021.

Trustee Sebring made a motion to schedule public hearing for Local Law 5 of 2021 – Districts and Boundaries for December 7, 2021 at 6:30pm or soon thereafter. Seconded by Trustee Thompson. All ayes. Motion carried.

Discussion – Overlook at Kidd Farm – Parkland Fees

Mayor Ramos: Just for clarity and I realize this is a draft right now, but we are going to read this into the record.

Attorney Donovan: When you adopt it, it's no longer a draft. It's given to you in draft form in case anyone makes any modifications.

Mayor Ramos and Deputy Mayor Carley took turns reading resolution into the minutes

Deputy Mayor Carley made a motion to adopt Resolution 6-21-22 Parkland Fees. Seconded by Trustee Sebring. All ayes. Motion carried.

Grant Funding - EFC

Deputy Mayor Carley made a motion to authorize the Village Manager to submit a grant application for funding under the NYS Municipal Water Infrastructure Grant Program funded by NYSDEC Environmental Facilities Corp. Seconded by Trustee Sebring. All ayes. Motion carried.

Public Comment

Becky Pearson: I know you all know this, but we are not a mayoral form of government. We are a management form. Mayoral form of government is like Maybrook, Village Montgomery, where the mayor gets to do what he wants to do with the approval of the board. This board is a manager form of government where everyone sitting on this board has the same vote. You don't have to vote the same, but you are just 1 vote. There's no 1 person more important than the other. That being said, I FOIL'd for minutes to see if there was any vote, any time for a Treasurer salary and there has not been a vote taken in the public by this board on the salary of the Treasurer. I'd like to know what board member is going to sit here and make a motion and maybe second it to get a motion, to discuss and decide what salary you're going to charge and pay this person in this position. It has not been done yet. You're not doing your duty to the Village of Walden. You are not doing what is right. You're just kind of doing whatever you want to do. It's not what should be happening. You all are just 1 vote and that vote needs to be in public as spending taxpayer's money. So, I am at it still and 1 of these days, maybe 1 of you are going to open up and say, "I'm going to make a motion to talk about the salary of the Treasurer" and then there will be a second, hopefully. Step up to the plate, correct the action that should have happened in the beginning, and it hasn't happened. Lynn brought up some stuff about confidentiality again, which was brought up months ago and I discussed that as well because I did a lot of research on it. I have asked many times what constitutes confidentiality. A report from any Department Head or any person going to the manager is public information unless it's executive session material. That should be given to the board members as something that you should be looking at and that you should be doing. That's your job. You pay the manager to run the Department Heads. He's doing that. You people are in charge of the Clerk and the Treasurer. Those reports should be coming to you. Those are your responsibilities. The manager doesn't have any responsibility of them. He can't really tell the Clerk what she should be doing unless you direct him to do that. I've been sitting in a lot of meetings here and I have not seen any direction from this board to tell the manager what he should be doing with the Clerk and the Treasurer. That is your responsibility as a board. The Clerk and Treasurer worked for the board of trustees. They should be hired by the whole board and voted on and salaries set by the whole board, not just by 1 person. And that goes back to what I was saying before. If you were a mayoral form of government that may be happening, you can choose the salary, do whatever you want. But it's not that form of government. We don't work under that here. If he wants to do his Department Heads, great, but you should be in charge of the Treasurer and the Clerk. All report should be open to the public because we are spending taxpayer's money for those reports. They are working for us as well as working for you. So, why is that hidden? Why are these things being hidden and not being talked about if there are issues and somebody wants to talk about it. It should be talked about. It should not

be something confidential unless its personnel or they're having a problem. There are issues in the department that they're having fighting between people. That's what the executive session is for, not their public reports. Those reports are all public. We pay for those people to do that job. Every vote should contain a reason of why you're voting the way you do. Lots of times there's just votes of yes, I'm voting yes, voting no. When I was mayor and I may be different than everybody else, wanted to tell people in the public and in the audience, in the community why I was voting the way I was voting, because that was important to me. If you wanted to vote for me again, you knew why you were voting for me. If you didn't like me, you weren't going to vote for me. If you liked me and liked what I had to say, then you would vote for me. There's lots of votes up here that just yes and no, that all these discussions are taking place somewhere else that the public doesn't hear any of that discussion. That's not right for the public. Those discussions have to happen in public. I'm still all about open government, so I want to know who is directing the reports to not be discussed. If they're in the packet, why can't you discuss them? I don't understand it. It's public money being spent on these reports. These people are doing a job for us. My next question is, how many meetings do people have to miss before they're no longer a trustee? It's just ridiculous. There's probably no rule or regulation to that. But when somebody doesn't come to meeting, after meeting, after meeting, they're not doing service to this community either. Maybe there can be a policy set. I don't know if that can be done because they're elected by the public. But if there is a policy that if you miss 3 meetings in a row, maybe they should be replaced. It's not fair to the community for what you're voting on, things that are happening, things that are going on in the community. That's not right. Thank you for listening. Thank you for coming to Veterans Day. Thank you for supporting us. We appreciate that. Try to end on a good note. I don't mean to be negative all the time, but open government is a big issue for me and I do not see it happening and I don't understand the confidential reports. I think Lynn is correct. What she spoke about tonight, reports or reports. If you don't like what's being said, then you people have to deal with it. And you direct the manager to do the job that he's supposed to be doing. Thank you very much.

Brenda Adams: Becky actually just said what I was going to say about thanking you all for coming to Veterans Day. I also want to say Brian Sebring is 1 of our committee members and I want to thank Brian publicly for all the cutting down of the brush. Even though he was making me nervous because he was too close to the edge, and I want to thank Brian also and mayor for doing the logging and cutting down the big trees and I'm glad I wasn't watching you 2 at that time. Thank you for that. The other thing that actually just came to me while I was sitting here listening to Trustee Thompson speak about Treasurer and Clerk and manager reports not being in the packet, there's only 1 thing that I would caution you all. First off, I agree with what was said here that those 3 positions report to the board. So, you should really be paying attention to what's going on to all of them. A few years ago and I really can't remember how long, maybe 2 years, maybe a little more. The Monticello had a Village Manager and a board and they got in trouble for not following what was going on with the Treasurer. I don't remember exactly how that was written up, but it was written up in a way that made it sound like the board was not paying attention to what the Treasurer did. And I would imagine that would go with the Clerk, should there be any problems. And the board was reprimanded by the State. I don't remember all the details, but you might want to look it up to see what happened. But it did come back on the board that they weren't following through. Also, just recently in the newspaper, the Village of Montgomery doesn't have a Village Manager, they got their hands slapped by the State also for not following, I forget the word they used, but it was something like overseeing the Treasurer to a certain degree. That they had not done it to the expectations of the State. I don't think any of you want to be slapped like that in the newspaper. If some of you don't want to read it, those of the board that does want to read it. Somebody would oversee that. A lot of places have what they call a finance committee and they oversee what the Treasurer or the Clerk, just to make sure that there's another set of eyes looking at something. You might want to think about that because I don't like to see Walden get nasty comments in the newspaper, and I don't think any of you want your names in the newspaper like that. I think that

Trustee Thompson should follow through on that.

Manager Revella: I just want to clarify for the public that the Treasurer's report and my report were both made available to the full board. The Treasurer's report is not in the packet, but it was emailed to the full board. The Clerk provided a report, I just didn't find it in time for the packet. Just to clarify.

Mary Ellen Matise: Becky, we know a lot of people think you're negative, but I would call it constructive criticism. History. We've been coming to these meetings long enough. We sat on the board for 4 years. We went through everything you guys are going through now, maybe even worse because we were the first in there after a long period of kind of slumber, where the board just kind of rubber stamped everything. And when we came in, there was just so much work to do policies, procedures, laws, changes, comp plan, everything just hit us like a huge snowball. One after the other. John, thank you for clarifying where the Treasurer's report was, where your report was. But under the manager form of government and when we came in and we didn't understand it and we finally got to understand it. I guess at this point, Becky and I probably know it better than anybody in the whole Village. It's to your advantage to make sure that the board receives reports, because how else does the board know what kind of a job you're doing as manager? That's your defense to say DPW is doing this and Parks and Rec is doing this and everything is moving along and you don't give them the report that says the house on Harrison St flooded because of something that DPW did wrong. They don't get that report. They get the report that says how it was dealt with later, how it was corrected. They're not getting a report that's exposing them to litigation. So, if you extend this, you've got the Village Board, the Treasurer, the Clerk and the attorney. They are their appointments. We went through a long period with a former attorney, where he was running the show. That ain't supposed to happen, either. Yes, that person is there to give you advice and to keep you out of trouble. But the reports should never be of a nature that they're going to get you into trouble. Then it makes me think that maybe next June, I should come in here with my check made out for my Village taxes and then just tear it up in front of you. I'm paying for what these departments are doing. I'm not going to follow them around on the street. Anybody can, though. I would like to see the reports as a taxpaying citizen. I really don't see why they're not in the public packet. Never mind not in the trustees packets. I think we should all be told what's going on. We're paying for it. It's not a secret. I'm going to agree with Becky on that and if you think that she's a pain in the, you know where, then I am too.

Marc Sperry: I came at the end of September, I asked about the fence on North Montgomery Street by the firehouse. I was told it was hit by a drunk driver and you were taking the owner to court to get that fixed. I see there's a red fence. It's been up for well over a month now that they've kind of put a red snow fence up. Snow is going to happen soon, unfortunately. That fence isn't going to make it through the winter. Is there any way of getting a fence up? How'd that hearing go with the fence?

Manager Revella: I know the judge ordered the fence to be repaired. I'm not sure if they're waiting for a contractor to put the fence in at the expense of the homeowner. It was ordered to get the fence repaired. The owner didn't show up to court, was my understanding and the judge ordered to be repaired.

Marc Sperry: How long do we wait before we say we'll put the fence up and put it on his taxes?

Manager Revella: That's what they did. They ordered that. I think they're waiting for a contractor. I'm pretty sure Dean got the order.

Marc Sperry: Thank you. I see a lot of contractors are hanging signs on fence posts throughout the

Village. If you go up Wait St at the 4 way stop, there's 2 of them. They've been up there the whole summer. Are we allowing signs on poles? Are we going to call whoever owns the sign?

Manager Revella: So the public's aware, anytime there's a sign on a NYSEG pole, NYSEG has asked us to take them down. Anybody that sees them, take them down, because NYSEG does not allow them on there. NYSEG is really against them because they actually get caught on their employees when they go up and down the poles from the staples or screws or nails. So, if anybody sees signs on a NYSEG pole, please take them down. We try to as we go around. I'm not sure if they are on other polls.

Marc Sperry: On the 2nd floor years ago, 15 years plus, used to be a room where they had meetings for developments and there would be a map, of said development. Did they move that room? Kidd Farm, the maps were there 15 years ago when that was all going through with development and what it was supposed to be.

Manager Revella: They still have the 2nd floor meeting room.

Marc Sperry: The meeting room now is like the library or something. I just went before this meeting and they used to be hanging on the wall.

Manager Revella: There's a map room now in the building next door on the 2nd floor.

Marc Sperry: My question is because I read the Wallkill Valley Times, not that you can believe anything the newspapers put out, but it in that paper it said the developer or the owner of the property was looking for the Village to take the deed over for the Village, the roads.

Manager Revella: Only the small road on the 208 side for the commercial section. Not the road through the development. It has to be up to the Village specs before it's dedicated.

Marc Sperry: The Village roads are supposed to be what?

Manager Revella: I think its 30 feet or something.

Marc Sperry: Former Village Manager, he informed me that the roads had to be over 31 feet wide.

Manager Revella: It might be that spec. I don't know the exact numbers, but it has to be at that spec. I think it is 30 feet, maybe 31. And it has to be a certain thickness as well.

Marc Sperry: My question is on that, if I remember correctly, when I look at that map, those roads weren't. So, there is no way this Village should even come close to accepting that. Along with the fact that there's no off street parking anywhere else. There is going to be all kinds of parking problems and everything else in that whole development.

Manager Revella: You might be thinking about the development roads. Those are not 30 feet. I think they're 24.

Marc Sperry: 24 feet is smaller than Albany Avenue. Which isn't a 2 way street. Once you have that development, you have parking, emergency vehicles and everything else won't be able to get through that development.

Manager Revella: The Fire District reviewed the maps and the road widths as well and we can't speculate or speak for them.

Payment of Audited Bills

Trustee Thompson made motion to approve Payment of Audited Bills. Seconded by Trustee Sebring. All ayes. Motion carried.

Correspondence

Trustee Thompson: I received a letter from Stewart Shops. Is that something we're going to discuss?

Manager Revella: That's up to you guys if you want to.

Attorney Donovan: Do you want to indicate that you ran it past the DPW Superintendent?

Manager Revella: I had the DPW Super review. He received a copy as well. He's not in favor of granting the waiver, but that's up to the Board of Trustees. He's concerned about backflow prevention. When he goes and jets the lines, it creates a suction and having the traps helps to prevent the suction from taking in and effecting your utilities inside the building or back flow. That's why he's not in favor of removing them.

Trustee Sebring: The trap is also supposed to stop any sewer gas. To remove the traps, then you're worrying about sewer gas within the building. That's a health hazard to begin with. I understand their problem with the flow. But in order to keep the sewer gases out, you have to have that trap in there. For them to take care of their problem of the low flow, they should be doing just like we do, run water down there every so often to push the sewage or whatever out into our main. For them to want to take that trap out, I'm not in agreement with that.

Trustee Thompson: That's why I was asking if we were going to have a discussion about this or if it was going to become an agenda item at our next board meeting. I did read what Mr. Stickles sent us and I understood some of it, but I'm certainly not an engineer or a plumber or a DPW person. I was actually trying to look for a picture, so maybe I could understand it a little better in my mind. I also have concerns about doing this, but it does say on here that this goes all the way back to codes from 1973. I didn't know if there's been any type of update with the state. I just had a lot of questions and I didn't know if it was appropriate to ask for Mr. Perna to speak with us. I feel like I don't understand the issue enough to vote on this. It sounds like they're asking for the Village Board to make a decision. I don't feel equipped with my limited knowledge to make the appropriate decision without a little bit of education.

Deputy Mayor Carley: I agree 100%. I can't say you're right or you're wrong. I definitely need to be educated.

Mayor Ramos: We can do 1 or 2 things. We can have Mr. Perna, give us a breakdown, a summary on what this is or we can have him present at our next meeting. We'll put it on the agenda for our next meeting and hopefully we'll have some more information to clarify that issue. I'm in agreement with Brian. I'm familiar with it. He's absolutely right. Not only is sewage, you've got to worry about methane. It could be a carcinogen. But we will table it for next meeting. We'll have either Mr. Perna present or have a written summary on the pros and cons on what the issue is.

Trustee Thompson: Since you 2 gentlemen seem to be a little more well versed, if we do not grant the variance and we continue as is, is this just going to be an ongoing maintenance nightmare for this business?

Mayor Ramos: It's a household maintenance issue. Brian had said that you've got to pour water

down the drain. I don't know the amount of septic traffic that they have. I know they have a public bathroom. We don't know what they put in here. Those are issues where if we grant them this variance, I firmly believe that they're going to have worse trouble. Let's table this for the next meeting and we'll have all that pertinent information.

Trustee Thompson: I would feel better making a big decision like this know being a little more informed. I had correspondence, but I don't honestly remember the form it was in. It was from Supervisor Maher about the Hill Street Bridge. He was hoping that they were going to have funding. I don't remember if it was an email or a text.

Mayor Ramos: It was a text to everybody.

Trustee Thompson: I have not heard another word about that, but it sounded like the Town was hoping, perhaps, that they could in the very near future begin to move forward with repairs to the bridge. The only other correspondence I had was from a Village resident who feels that there should be more police presence with speeding throughout the Village. He did not give a particular street. He did not say where he lived. So, I don't know what he was referring to.

Mayor Ramos: I received the correspondence from Stewart. I also received the correspondence from Supervisor Maher. I'm still not hopeful about the trillion dollar price tag that the government has sent out with the building and roads and bridges infrastructure. I think we need to press the Supervisor to set up a plan in the near future to have the Hill Street Bridge fixed. It's been 12 years. I think we need to do that and get that bridge open and hopefully repair the 2nd bridge on Hill Street. I don't foresee the government loosening up the infrastructure bills until some of the massive bridges that need repair are taken care of the roadways. I think we're going to be caught at the bottom end of the rung of the ladder. I think we need to continue pressing the Town of Montgomery for the repair of Hill Street Bridge.

Miscellaneous Comments from the Board of Trustees

Trustee Thompson: Where are we getting the Christmas tree from?

Manager Revella: The same family that donated the tree last year. The Melvilles, they live on Berea Rd.

Trustee Thompson: I would also like to say that I attended the Veterans Day ceremony and the rededication of the playground. The Veterans Day ceremony was very, very well attended. It was a really, really nice event. Thank you to everyone who helped put that together. You do a great job every year, but it felt like to me that this year was really, really wonderful and the playground rededication went really well, too. I have been doing a 3 series webinar on Headwater Stream Protections. I had a homework assignment for tomorrow. I reached out to Mr. Stickles, our Clerk and our Village Manager was able to give me 100 pages to read. But it was a good thing because it is all about the wellhead protection that we have been trying since 2009 to get the Town of Montgomery to sign off on. This is the 100 page draft report. I am going to share some of this with our local water people and this may be the perfect time to get the Town to take another look at this. And maybe finally, we can get this implemented for our Village wells, which lay in the Town of Montgomery. It's been going on again, like the bridge for a very, very long time. I was actually a little bit excited as I read this thing.

Trustee Sebring: I'd just like to add on to what Lynn said about the wellhead. When they get that water line for 17k going, supposedly they're going to be getting water from the Bruderhof. The water vein that the Bruderhof has is somewhat in line with ours on 52 and Lake Osiris. I believe that that's all in the same water vein. At that time, that should be to their advantage to jump on this

wellhead protection because that's going to be their biggest source of water for that area. Maybe now they all understand why you've been trying to do this. Then the infrastructure bill, I think we could get that. They should be able to get some money out of that. Even though they said that they want to replace the other bridge that was replaced 30 years ago. I think they just threw that on there to up the price. Whereas they could do the other bridge for a lot cheaper. To me, they're just going to dance around the situation. They've been doing that for quite a while, but now they're getting a lot more money because of all of the warehouses that are coming online. That they should be able to put a little bit more money behind in their budget for things. For them to say maybe it's going to be another 3 or 4 years, that's not cutting it with me anymore. To me, they don't want to replace it. That's just the way it gets to me is that they don't want to replace it. We just got to keep on them. Lynn and I went out for signatures. We had 3-400 signatures to show that that bridge should be done. And I should have said it when she was talking about the reports from the Department Heads. There are a lot of things in there that are just minimal with what they do. That tells us what they do during the day and through the course of a week or 2 weeks. When they got DEC things that they have to be doing, they just put that down briefly that they did them. The Treasurer, if there's things that are confidential, don't put it down. Let that be in John's report. But I believe that we should be getting them from each and every Department Head because I don't believe that a lot of that stuff is confidential. It's just things that they have done for the past 2 weeks or the month or whatever. That's what I want to just get off my chest. We should have those reports back in our packet.

Deputy Mayor Carley: My question is to Mr. Donovan, please just clarify, I know the role of the Village Board and I know who the Treasurer reports to and the Village Clerk. What's required by law that we have presented here in public regarding the reports, because I see it as not a requirement and I could be wrong. But as a nicety and a way of saying that everything is governed accordingly. We have a Village Manager who manages the Village and the individuals that are in the administrative side and the Department Heads. I just need to know personally, is there a law regarding that or is it up to us if we want to have it or we don't want to have it. I see the benefit of both. I'm not married to like give me a report so I can see. But if there are problems, I know how to do that. That's me personally. Inquire quarterly or annually reports versus weekly or every board meeting report.

Attorney Donovan: Let me just say something else. I always want the board and the public to know I'm a little uncomfortable taking on a larger role. It seems that every meeting that the attorney is asked to call on something and give some advice on some position or another. I really like my role to be behind the scenes. I don't want to run anything. My job is to tell you what the law is or as I said a long time ago, I view my job as being telling you what you can and can't do not what you should or shouldn't do. I just want to say that I do feel somewhat uncomfortable personally, that there is a continuing that every meeting where there's some issue that I'm called upon to give an opinion.

Deputy Mayor Carley: Is that opinion from us or from the public? Because what I just asked you, is there a law?

Attorney Donovan: Everybody. But I had it on my mind, so I wanted to say. In terms of answering your question, I'm not aware of any law that requires that. I am aware that virtually every, whether it's a Town or Village and I do this in a number of different places, there are board reports. Oftentimes they are received and filed. That's basically what happens in those mayoral forms of government. Continuing on this evening's theme, I discussed with the manager earlier. I'm going to ask for an attorney client privilege session at the end of the meeting to discuss several or at least 2 freedom of information issues that I want to call to your attention that may require some board action at another time. Specific answer to your question was I'm not aware of any requirement, but it certainly is common practice that there are board reports. I generally don't see them as handed out

to the public. But that doesn't mean under certain circumstances they can't.

Deputy Mayor Carley: For my psyche, because I've seen it the same way where it's either there or it's not. It's not a not a requirement. It's a nicety, but it's okay either way, it goes and I understand the value of both. That's where I'm at. John, I think that should be brought up and we should discuss it so that we don't have to keep hearing it over and over, not just because of 1 or 2 people. Because if it ever comes up in another board, we can say that was a discussion of what we have and maybe it changes with the board, which I don't know how that would happen. If we're going to have a precedence, we set it. If we say that we're going to have the board reports available to the public, we will. If we don't, we don't. It should just be either or. The position that was brought up about confidentiality, what we consider to be public knowledge or something we should share open government doesn't mean that you hear everything and that we say everything, but it does mean that we're transparent and you have access to information that is not closed to the public. FOIL and everything else is open to everybody. I think we should just let's clarify, close that loop real soon so we can move on.

Trustee Sebring: We make the policies and procedures for all the employees here in the Village of Walden that work for us. As far as the reports, a lot of the other Villages have all the Department Heads sitting out there in the audience. So, if we have a question, we asked them directly. But sometimes your question may put them on the spot. That's why we don't have them here.

Manager Revella: You don't have them here, either, because that's not the form of government you're in. The Manager, the Clerk and Treasurer, all report to you and Dave so we can be included.

Trustee Sebring: I still say we should have a report every 2 weeks from the Department Heads.

Deputy Mayor Carley: That's fine, you can say that. But just like it was brought up, that's 1 vote. That's why we need a discussion.

Manager Revella: I have it on the agenda.

Mayor Ramos: We can further discuss that.

Mayor Ramos read community events into minutes

Mayor Ramos: Some of us had a great photo op with Senator Skoufis at our community center site presenting us a check for \$370,000. I attended the rotary coat drive and the craft fair at Wooster, which was tremendously attended. Veterans Day, I can't thank you Veterans Committee enough for a heartfelt day for us Veterans from the past and currently in the present. Wooster Grove rededication, 20 years ago during a hard time of 9/11. That group got together, I think 90 of them were there. Thank you, Mr. Wynkoop for initiating it and of course, our Parks and Rec crew and our DPW. All assisted in creating this this great day.

Executive Session – Personal History of a Particular Employee and Attorney Client Session

Trustee Sebring made a motion to enter executive session to discuss personal history of a particular person and attorney client session. Seconded by Trustee Thompson. All ayes. Motion carried.

Reconvene

Trustee Thompson made a motion to reconvene the regular meeting of the Board of Trustees. Seconded by Trustee Sebring. All ayes. Motion carried.

**Village of Walden Board of Trustees
Regular Meeting
November 16, 2021
Motions & Resolutions**

Approval of October 19 & November 2, 2021 Minutes

Trustee Sebring made a motion to approve the October 19, 2021 minutes with corrections. Seconded by Deputy Mayor Carley. All ayes. Motion carried.

Trustee Thompson made a motion to approve the November 2, 2021 special minutes. Seconded by Trustee Sebring. All ayes. Motion carried.

Discussion – Local Law Zoning Updates

Trustee Sebring made a motion to schedule public hearing for Local Law 5 of 2021 – Districts and Boundaries for December 7, 2021 at 6:30pm or soon thereafter. Seconded by Trustee Thompson. All ayes. Motion carried.

Discussion – Overlook at Kidd Farm – Parkland Fees

Deputy Mayor Carley made a motion to adopt Resolution 6-21-22 Parkland Fees. Seconded by Trustee Sebring. All ayes. Motion carried.

Grant Funding - EFC

Deputy Mayor Carley made a motion to authorize the Village Manager to submit a grant application for funding under the NYS Municipal Water Infrastructure Grant Program funded by NYSDEC Environmental Facilities Corp. Seconded by Trustee Sebring. All ayes. Motion carried.

Payment of Audited Bills

Trustee Thompson made motion to approve Payment of Audited Bills. Seconded by Trustee Sebring. All ayes. Motion carried.

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