

**Village of Walden
Board of Trustees Regular Special Meeting
November 19, 2024**

Mayor Ramos called the regular meeting of the Village of Walden Board of Trustees to order at 6:00pm.

On roll call the following were:	Mayor:	John Ramos
Present:	Deputy Mayor	Chris Batson
	Trustees	Becky Pearson
		Liz Kyle
		Bill Taylor
		Kristie Hall
		Ralph Garrison, Jr.

Absent:

Also Present:	John Revella, Village Manager
	Marisa Kraus, Village Clerk
	Dave Donovan, Village Attorney

Resolution 4-24-25 – 48 Riverview Street

Owner not present

Attorney Donovan: When we were here last, we asked and scope the service the outlined by Village Engineer. That was done yesterday. **read resolution into minutes**

Trustee Pearson: Who is doing the work?

Attorney Donovan: I don't know who's going to do the work. That's going to be up to the Building Department, the Village Manager, the Village Engineer.

Manager Revella: We're going to get a contractor to do the work and charge the homeowner.

Trustee Pearson: We don't have to go out to bid for it. We just get a contractor?

Manager Revella: We'll get bids for it.

Trustee Pearson: Is it including a sidewalk or not?

Manager Revella: It'll include all work necessary to abate. The homeowner will replace the sidewalk that they damaged or that's going to be damaged in the process of the work. We have to bid if it's over \$5000.

Attorney Donovan: Or at least solicit proposals.

Manager Revella: It's not like the formal bid process where you go in the newspaper and go out for bid. We have to get bids, solicit them. They can be the same day. If we get 3 people or companies to bid on it, then we're good. Can move forward.

Trustee Taylor: Your intent is to get on it and solicit 3 bids right off the bat and extradite this process.

Manager Revella: As soon as the resolution is passed, yes.

Deputy Mayor Batson made a motion to adopt Resolution 4-24-25 – 48 Riverview Street. Seconded by Trustee Kyle. All ayes. Motion carried.

Resolution – 5-24-25 - 36 Orange Ave

Attorney Donovan read resolution into minutes

Trustee Pearson: Same questions, is the village doing it? Is it going to bid?

Manager Revella: We would have to bid it as well. That's the plan.

Trustee Pearson: How do you get to be on somebody's property?

Manager Revella: By this resolution.

Trustee Kyle: How do we afford it?

Manager Revella: It's billed back to the property.

Trustee Taylor: John, the same bid and same expediting?

Manager Revella: I can only say that if it's under \$35,000, it's the same bid process. So, if we get estimates more, then we have to do a formal bid process, that's the only difference. 5 days required. It's not too long, but because of the scope it may be above that amount. I just want to be careful not mess with the bid process and hurt us. So, for this one, it's likely gonna be the 5 days. So, we can recoup the funds.

Trustee Hall: In this letter, if I'm reading it correctly, there is a design prepared already. A draft prepared. I assume that there's a cost on this.

Manager Revella: I don't know if there's a cost estimate. It was a draft prepared by the owner's engineer, initially.

Anthony Cabrera: I have some plans, a draft for the retaining wall and a letter from my attorney that should explain everything. I would like to give you some copies.

Trustee Kyle: What is the date of this because it says that the application will be submitted tomorrow? There's no date on the letter.

Anthony Cabrera: The application is tomorrow. Because it's in the right a way, need a permit to build the retaining wall. We are planning on applying tomorrow.

Manager Revella: The letter was written today. That's what they're clarifying. The letter was written today?

Anthony Cabrera: Yes.

Trustee Hall: Your engineer drew up a draft, did he tell you how much money?

Anthony Cabrera: No.

Mayor Ramos: When did the work start? What date?

Anthony Cabrera: I don't have the exact date.

Attorney Donovan: I can tell you, Mr. Mayor, the stop work order was issued April 12, 2024.

Trustee Hall: Here it shows that the contract needs to be finalized within a week. Is within a week, this week? Next week? There's no date.

Anthony Cabrera: That's a question between my attorney and the buyer.

Attorney Donovan: I can just speak to experience. I have many contracts that are dated and months and months and months go by before there's a closing. Not that it should make a difference to the board. The violation exists, whether Mr. Cabrera owns the property or whether someone else owns the property. If the board wants to consider giving any additional time. You can give additional time; after which you'll commence the work. Or you could just proceed. Understand the Mr. Cabrera, the board is considering a resolution that would authorize the scope of work that's been outlined by the Village Engineer that would authorize the commencement of that work and when the work is done, that you'll be billed for the cost. That's what's on the boards calendar now.

Trustee Kyle: We do the work and recoup the money by the property owner, regardless of who that property owner is.

Attorney Donovan: It's assessed in the manner of tax. So, whoever is the property owner is responsible.

Trustee Kyle: I don't see no problem starting the work.

Trustee Taylor: We still have a safety significant issue here. At what point do we become a little concerned about a safety significant issue that is currently out there and we don't know what could evolve from that. Nothing's being done to correct that condition as it exists tonight. From a safety standpoint, the health and welfare of the residents of the village.

Trustee Garrison: My concern is the location right. We're coming into the winter months, so you're not going to get a lot done from now until March. Realistically. So, now we're talking about a full winter of snow, freezing rain, ice and freezing environment. Then you're looking at April, March, start time and now you're worried about melting snow, rain, water runoff and you took out a retaining wall that is adjacent to the main road coming in and out of the village. Do you see where the concern is? From my point of view. If anything happens and there's a massive runoff because that retaining wall is no longer there to prevent it and all of that runs down into the main road. That's catastrophic to the village as a whole. Now we're talking traffic issues, safety issues. That's a lot of concern. This was in April. The retaining wall was removed in April. Notice was sent in April. Now we're in November and it's exactly the same.

Anthony Cabrera: I understand and I'm very sorry because I ran out of funds. I'm trying to get this resolved.

Trustee Garrison: Respectfully, I understand your financial situation. But if you didn't have the ability to fix it when you took it out, why did you take out in the first place?

Anthony Cabrera: It was an accident. We were trying to build a small 16 inch retaining wall.

Trustee Garrison: Honestly, this is going to sound rude and I don't mean to come off as brash or rude, but your financial misfortune should not put the safety of other people at risk. It is. The way it sits now, it does. 1 tree sift, 1 rain runoff. Anything that shifts the ground and any of that landslide comes down onto the road. Now it's everybody's problem.

Anthony Cabrera: I'm trying to get the situation fixed and finally after so many months of trying to find a buyer, we finally have somebody that is willing to take over and repair this.

Trustee Garrison: Again, I'm just gonna come back full circle to how I started this conversation. We're in November, so if you sold that property tomorrow, he's still not going to be able to fix anything until March, April. Which still leaves us in the same exact situation that we're in now. You see what I'm saying? It's a problem.

Trustee Pearson: From the last meeting, I don't believe there's any approvals for any more than 1 apartment above that building. So, what were you working on to get cars up there for that?

Anthony Cabrera: We got approval for the parking up the ramp and that's what happened.

Trustee Pearson: From who?

Manager Revella: Planning Board.

Building Inspector Wallner: I think so.

Mayor Ramos: Let's stick to the issue at hand.

Trustee Taylor: My issue is still the same. We have eminent dangers and I'll use that word because it's been identified by our Building Department, but there's a significant safety issue there.

Trustee Garrison: Let's just vote on it.

Deputy Mayor Batson: Just so I understand what we're about to do. According to this engineering instructions, we are basically going to build his retaining wall for him. That outlines for his plan. We're going to build the retaining wall. It gets paid back. That's what's going to happen.

Manager Revella: Correct.

Trustee Hall: He can't sell the property until it's paid, right?

Manager Revella: It can be paid at sale.

Attorney Donovan: To be clear on that. The new owner, this is all speculation, they could take on that obligation. I don't know that they will though, but they could.

Deputy Mayor Batson: It says that in the letter. It says the buyer will undertake to deal with retaining wall as part of the contract. So, all we're doing is just building this for him, solving our problem. We get our money back.

Trustee Hall made a motion to adopt Resolution 5-24-25-36 Orange Ave. Seconded by Trustee Garrison. All ayes. Motion carried.

60 Main St

Attorney Donovan: According to my notes, we gave them to November 22nd to do the work and if we were going to do it. We now have scope from Lanc & Tully, but I think we discussed this at the last meeting. If you want me to go through the whole marigamarole again, I can.

Manager Revella: We get it back when they pay their taxes in '25. If they don't pay their taxes in '25, it comes back in '26 from the county.

Attorney Donovan: We gave him that time and then said that we would do it and they think the thing that's new is that we have the scope of work from Lanc & Tully.

Adjourn

Trustee Kyle made a motion to adjourn the meeting. Seconded by Trustee Garrison. All ayes.
Motion carried.

**Village of Walden Board of Trustees
Special Meeting
November 19, 2024
Motions & Resolutions**

Resolution – 4-24-25 - 48 Riverview Street

Deputy Mayor Batson made a motion to adopt Resolution 4-24-25 – 48 Riverview Street. Seconded by Trustee Kyle. All ayes. Motion carried.

Resolution 5-24-25 – 36 Orange Ave

Trustee Hall made a motion to adopt Resolution 5-24-25 – 36 Orange Ave. Seconded by Trustee Garrison. All ayes. Motion carried.

Adjourn

Trustee Kyle made a motion to adjourn the meeting. Seconded by Trustee Garrison. All ayes. Motion carried.