

**Village of Walden
Board of Trustees Regular Meeting
December 17, 2024**

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:	Mayor:	John Ramos (late)
Present:	Deputy Mayor	Chris Batson
	Trustees	Becky Pearson
		Kristie Hall
		Ralph Garrison, Jr
		Bill Taylor

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

Village Manager's Report

- Interviewed candidate for Deputy Treasurer/Clerk. Hopefully, starting December 30th
- Went over programs with Rec Coordinator, water/sewer projects with DPW Super and covered during time off
- Hired 2 new FT Police Officers. 1 started on the 9th, another will be starting shortly
- Went through Chief candidates. Will be discussing terms, conditions in exec
- Went over payment plans for residents for water/sewer bills
- Met with potential developer for 29 Grant St
- Went over some property maintenance concerns, updates to the 3 bids
- Went to the opening of the regional food bank
- Attended Christmas in the Square. Very well attended
- Went over potential new contract with Toshiba for the copiers in the village
- Rec and Parks, parks facilities have been winterized. Had the senior bus trip and Jets trip. Seemed to go well. Indoor pickleball going well. Looking at potentially adding another day. Community Center is having programs frequently. Indoor soccer is going well. Basketball registration is going on right now
- Building Dept, issued 15 new permits, 14 property violations, 2 stop work orders, 2 CO reports, 57 fire and safety inspections and 10 court proceedings for property violations
- Clerk has been updating Facebook/website, 207c, going over FOILs with myself and Village Attorney, handicaps, minutes, dig permits and responding to residents
- Finance Dept going over support calls with Edmunds, payroll, phone system updates, billing, journal entries, vouchers and vendors
- Public Works doing vehicle and equipment maintenance. Did have to salt and plow a couple times. Pressing sludge at sewer plant, checking stations. Water Dept conducted 5 mark outs, replaced 23 meters, 2 endpoints and 1 daily inspection. Sewer Dept assisted TAM at the Tin Brook Station while they're installing the new pumps and bypassing. Making sure things go smoothly and in compliance with the DEC. Did some preventative maintenance on well roads at 4, 5 and 6. There was some exposure from erosion from the brook so they put some rip rap stone to help that. They were working on the lead and copper report to the state. Flushing and jetting

- Police Dept, staffing is going pretty well. Couple people out for different things, but have enough to cover. They did 43 traffic stops, 11 summonses, 3 parking tickets, 2 mvias, 5 arrests, 212 blotters

Trustee Pearson: Did you happen to post for that job for the office?

Manager Revella: Not required to. We posted in the past.

Trustee Pearson: Why wouldn't we want to see who else is out there?

Manager Revella: We had interested parties that were qualified enough. What's the need for?

Trustee Pearson: Well, there might be somebody that's better or different. I just think it was worthwhile to do.

Manager Revella: We just posted 4 months ago. I don't see much difference happening.

Trustee Pearson: You never know. Somebody might be out of a job. Might have been laid off. Things happen all the time. You have a second person in DPW, and we've talked about this, why do you always have to go there when we pay somebody to be in charge?

Manager Revella: There are different things that they are not allowed to do. A Working Leader can work on the jobs they don't have permission to do certain ordering or request for staffing or other things like that. Don't have that authority, so I help with those things. He can't tell people you can go home early or you can come back late. He can't do that.

Trustee Pearson: Good for the grant from Youth Bureau. That's awesome. Short term rentals, you know anything about that? I know it was in compliance, does that mean they paid the fee or they are no longer doing it?

Manager Revella: No longer doing it.

Trustee Pearson: What's up with Orange County Transit?

Manager Revella: Sewer line, no. Water line, yes.

Trustee Pearson: They're already getting water from us.

Manager Revella: They had to install another water line, which they did.

Trustee Pearson: The one that was broken and we had paid \$27,000 for?

Manager Revella: Yes. The sewer, nothing.

Trustee Pearson: Why not? That's what we were waiting for. All this time. They were supposed to start in November.

Manager Revella: You can ask the compliance officer that question when we have a chance, but that seems to be a personnel matter. We could take it up with them. If there's a question about compliance, we can talk about that in exec, because that's a personnel matter.

Trustee Pearson: So, we'll put that on for executive session. Thank you. Cameras, how are they working? We're doing okay with the cameras?

Manager Revella: Yes, the ones that are installed. We still have a few more to go.

Trustee Pearson: I saw that there was a bill in there for Spectrum. We had our guy from the cameras come in to do that. Was there something going that Spectrum messed up or what happened?

Manager Revella: We had to install new routers and that's been done.

Trustee Pearson: The other one was \$27,000 on Route 52. Spagnoli. Which I thought was in the bills before, which I looked at before. I didn't sign it the first time either, and I still haven't signed it because we were told that possibly that it was not going to be paid for by the village.

Manager Revella: Yes, we had to confirm and we did confirm. It was our pipe that was defective. We had to install instavalves overnight on the state highway.

Trustee Taylor: Back on Orange County Transit. Did the Building Department get any follow up on the staged vehicles that are there in complete disarray? They were cited for that.

Manager Revella: Did you hear back from the DEC on the vehicles that are there in disrepair?

Building Inspector Wallner: They did not respond.

Trustee Taylor: The condition of possible contamination to the Tin Brook still exists.

Manager Revella: Correct.

Trustee Taylor: And we're happy with that?

Manager Revella: No. But the DEC is the one that's in charge of compliance, and they're not responding to our Building Inspector.

Trustee Taylor: Can we respond as a board to the DEC on that?

Manager Revella: Certainly.

Trustee Taylor made a motion to approve a letter to be drafted on behalf of the Village Board in regards to the issue at Orange County Transit as discussed. Seconded by Trustee Hall. All ayes. Motion carried.

Manager Revella: I'll send a draft to everybody once I get it from Dave.

Deputy Mayor Batson: You said we have a potential buyer for the 29 Grant St. Project. Any ideas on timelines?

Manager Revella: To do the development? Depends on what the Planning Board allows. They have to go through Planning and Zoning Board process. There are only certain permitted uses down there.

Deputy Mayor Batson: But it in essence stays the same, some sort of apartments on top...

Manager Revella: I have a copy in my office that I can show.

Trustee Pearson: You were going to do something with a letter to the grant for them.

Manager Revella: Yes, not happening. We tabled that.

Approval of Minutes

Trustee Pearson made a motion to approve the November 12, 2024 Minutes. Seconded by Trustee Taylor. All ayes. Motion carried.

Trustee Pearson made a motion to approve the revised November 19, 2024 Special Meeting Minutes. Seconded by Trustee Hall. All ayes. Motion carried.

Trustee Pearson made a motion to approve the December 3, 2024 Minutes. Seconded by Trustee Garrison. 5 ayes. 1 abstention (Trustee Taylor) Motion carried.

Public Comment

Sue Taylor: How are we doing with the bank reconciliations?

Manager Revella: You want me to let her know how the Treasurer is doing in the performance of her duties? We still have more to go.

Sue Taylor: More I'm just asking because it's been 2 years, right?

Manager Revella: Yes.

Sue Taylor: How is it going to work for rental and the kitchen at the Anita Vandermark Community Center?

Manager Revella: The fee schedule is in place already for the use of the kitchen.

Sue Taylor: You may want to think about it. Having owned a business where I ran 3 ovens, they were gas, had a 6-foot walk in. Depending on what its use is going to be. It could be more expensive, given that if you're doing a full-service wedding, for instance, that oven could go on at 9 o'clock in the morning and it may not go off until after 8 o'clock at night. If you're doing hot hors d'oeuvres and physically cooking an entree, sides, whatever the case may be, versus somebody having a baby shower and going to throw in a pan of ziti to warm it up. You're going to be running a refrigerator 24/7, I'm assuming. It could be opened 5 times during the event or 100 times during the event. You might want to consider maybe hourly. I remember paying those bills. I turned my ovens on at 3 in the morning. I was there 3 days a week. Probably turned them off at 1-2 in the afternoon. The 6-foot walk in was going 24/7, whether I was there or not. I know what my bills were. You want to at least cover your expenses when you rent that kitchen out. How is it going to work with cleaning? After usage, are you going to ask the people that rented it clean it?

Manager Revella: They're required to clean. If they don't do it they forfeit the deposit.

Sue Taylor: Who's going to check that? If they don't exit the premises till 11:00 at night, let's say on a Friday night, you have an event and then you have another one coming in on Saturday. Who's going to check that everything is clean before the next group comes in to utilize the kitchen?

Manager Revella: One of the department staff.

Sue Taylor: Okay, because you realize that when you're talking about food service, the refrigerator has to be cleaned and sanitized. Any steel surfaces cleaned and sanitized, anything in the oven, you're talking about cross contamination. You really need to have somebody that knows what they're doing when they go in and clean those surfaces, and that's sanitized so that the people that are coming in are assured that at least it was in a certain condition when they went in to use it. Also, I know you're having a suppression system. There are different items that are on that suppression system, those have to be cleaned and maintained. They get greasy. They have to be cleaned on a regular basis. I just don't know whether you realize how much maintenance there is and you have to figure in when you're renting that your depreciation on your equipment. I bought my equipment so I was very careful with it and diligent with it. When people tend to rent. You know the oven door gets slammed. The refrigerator door. You also have to maintain a certain temperature in that refrigerator. I think you need to think about how it's going to be maintained and how it's going to be cleaned and who judges whether the ovens clean the stove is clean. Did they sanitize your steel surfaces? Everything that's touched in there. I was taught when I opened my business, always think of the worse. Not that I had raw meat flying around on my steel tables and everything else, but you always have to think that that was a possibility and you have to sanitize accordingly. Thank you.

Mary Ellen Matise: I didn't know this was on the agenda by addressing this request for names for Kidd Farm. With all due respect to Mickey Millspaugh, who I miss tremendously. I think that maybe it's a good idea not to name streets after people and right off the top of the list here I'm going to tell you why, especially not in this climate today. You have William Irwin. He was an enslaver. So, probably not a good idea to name a street after him. I think that when Walden came in and they named all these streets after trees, you never have to change the name of the street. A lot of communities have been going through torture, pulling down statues, changing street names, locations. Maybe avoid it to start with and let's come up with something more generic for Kidd Farm. It's going to be called Kidd Farm anyway, and I don't know if Alexander Kidd had slaves, he might have. But we sure don't want to fall into that trap. It's an affront to a lot of our citizens and we shouldn't do it. Also, as your Village Historian, if you want my consultation on it in terms of these kinds of names. How would you like to say I live on Howie Steinhilber St. and you're 6 years old and your teacher says what's your address a little boy? You can't even spell it. We went through that when we discussed naming became Galloway Place. It was going to be Jacob T Walden Drive or something like that. We said a 6-year-old could never deal with that going to school. Maybe keep it simple. Not that I don't appreciate this list. Mickey made this list. And how do you determine that one person's more deserving than the other, to name a street for and then if somebody comes across Irwin and says, hey, wait a minute, in 1790, in the census, he had 3 enslaved people living in his house. I don't think it's the way to go these days. I would be more generic. Accessory building, sheds, I guess you're going to talk about this later. The big drawback to this though, is that how do you know how many sheds people wind up putting on their property? With no permit they could put 2-3, even in a small space, and then you're leaving this up to their discretion in section B3. Accessory structures located shall be allowed to remain in that same location, provided there is no encroachment upon any adjacent property. Well, what does encroachment mean? You're not enforcing setbacks. This is, to me, kind of vague and maybe you need to think this through some more and not create headaches for the Zoning Board.

Deputy Mayor Batson: Is there any sort of liability that we are up against with the kitchen of cross contamination of things like person on Friday night had peanuts, people on Saturday are deathly allergic to peanuts. Wasn't cleaned, wasn't sanitized? Now there's a significant health risk. Are we legally liable in situations like that?

Attorney Donovan: So my answer to almost every question is it depends on the circumstances. Generally speaking though, we're providing the facility, we're not providing food. So, someone is

renting that facility, is providing us insurance. 99 times out of 100 in my view, they would be assuming the risk of liability in that eventuality.

Deputy Mayor Batson: We still may need to review signage or things like that from contractual standpoint as they enter into agreements with us that they are aware of that because it is a change there.

Park Use Request – Alcohol Waiver - Zarate

Trustee Hall Made a motion to approve the Park Use Request – Alcohol Waiver for Zarate. Seconded Trustee Garrison. All ayes. Motion carried.

Park Use Request – Alcohol Waiver - Brander

Trustee Hall made a motion to approve Park Use Request – Alcohol Waiver for Brander pending fee confirmation. Seconded by Trustee Garrison. All ayes. Motion carried.

Discussion – False Alarm Law

Deputy Mayor Batson: Healthy document that the gist of it is, if you consistently have false alarms which will eat up police resources. I believe the first 2 are free for the year, the third 1 after that would be \$50 and then for each and every subsequent false alarm it would be \$200. Go through the normal fines process paid or eventually levied on taxes.

Trustee Garrison: We don't currently have anything like this in Walden.

Manager Revella: No.

Attorney Donovan: I don't know what Orange County does, a number of years ago, I let John know that the Village of Goshen actually drafted one for themselves, shorter than this, but basically what it says is you get a free pass the first time. The second time you are fined \$250. Third time is \$350 and then it's \$500 because you know it's more than a nuisance when you got a volunteer department and an alarm goes off for some office building, it gets piped into emergency services, they take off and then they got to go through the building and clear it, especially when it's empty at night. Municipalities that do this think there ought to be some penalty associated, because if there is none, then there's no incentive for them to fix their alarms.

Deputy Mayor Batson: I work for a company that works in 52 States and has 2800 stores, and I can tell you that this is common in every single market that I am familiar with. I'm surprised that we don't have this in place, but this is very, very, very common and quite frankly, I think these penalties are rather generous because in some it is significantly higher than this. As someone who's worked for a mass retailer their entire life, I can tell you that constant false alarms are a burden to everyone and this will provide an incentive to get these fixed and just as a note to this, these penalties are for the entire year. So if you have consistent false alarms and you have 3 a month, you're going to start to rack up significant penalties very quickly and they're going to carry out. This is one of the few times where I think that these penalties are high enough that they could be punitive enough to actually make a change. Reading through this, there's nothing in here that I am unfamiliar with. This is extremely common.

Trustee Hall: I'd probably make the fines a little bit more.

Deputy Mayor Batson: These are light.

Manager Revella: Some Goshen fines.

Attorney Donovan: From memory, the rule with fines, if they're tied in, if the penalty is a misdemeanor, you tied it to the penal law in terms of the maximum penalty. If it's not a crime, you're tied into whatever is reasonable in terms of the penalty. I would think that a substantial fine is for something like this. It's more than a nuisance. Because if you're a member of the Fire Department, a member of the Police Department and you don't know what's what you're facing when you come into a place. You don't know if someone, it may be a fire alarm. It may be a burglar. There may be someone in there that's armed. So, having a sufficient fine to make people fix their alarms, I think is justified. But that's ultimately your call.

Trustee Hall: Personally, I guess I would think the third and it's a calendar year, the third probably \$250 and the fourth go up to \$500. It's commercial, fix your stuff.

Trustee Taylor: What were the fees on the Goshen one?

Attorney Donovan: I thought was \$250, \$350, \$500, but I'll verify. I didn't look at it. I probably drafted that 10 years ago or more.

Trustee Taylor: The heftier the better. It's the only way it's going to get fixed.

Trustee Hall: First and second I don't know I would do. 2 a year, stuff happens.

Attorney Donovan: Goshen gave them a pass on the first one. Basically you got you got a warning on the first one, but then you started getting banged after that.

Trustee Pearson: Don't a lot of people who have an alarm systems have a code that when the alarm company calls them when something happens, they say a special word and it shuts out the alarm?

Attorney Donovan: Years ago my parents were in Florida. I'm checking their house. I punched in the wrong code, it set the alarm off. The phone rings a lady on the phone says, "Do you know your burglar alarm is going off?" I said "That's very help, what if I'm the burglar?"

Trustee Pearson: Does that not happen anymore?

Attorney Donovan: No, I think it does happen.

Deputy Mayor Batson: It does and not only that, there should be a call list. The problem is again as part of the burden piece, a lot of the call lists aren't updated. I had a manager, he was the first person on the call list. He no longer works for me. I didn't update the call list. The alarm company calls this guy, looks at his phone, 3 at night, I'm not answering that, police get dispatched.

Trustee Pearson: Do we have a lot of them here? Police and fire?

Manager Revella: Yeah. Because police respond to the alarms as well.

Trustee Pearson: Section 2 legislative findings, I know this is tailored for a higher government than us. But I'm guessing you're kind of changing words in this, what you want to do, and so all the Police Officers and First Responders firefighters have to have a valid permit. Is that something that we need to have? Do they have to have a permit to go to a call in the Village of Walden?

Attorney Donovan: I think the first the first level is to see if the board's interested in doing this. If you're interested in doing this, then there would be a draft of a local law for you to take a look at and most of those things would be modified because we're not a county, we're a village.

Trustee Pearson: Who keeps track of all the false alarms? Because fire comes in from different and police come in from different and how who keeps track of these? Who's gonna be responsible for that part of the job?

Manager Revella: We're going to have to put that into the draft local law. I think that we do keep track of statistics at the Police Department for calls and types of calls, so that's possible.

Trustee Taylor: John, when you say a lot, what's a lot?

Manager Revella: I don't know. Hundred a year.

Trustee Taylor: Has it been broken down, fire, police?

Manager Revella: It's usually dual, both at the same time, almost always. They both respond to the call. There's a couple addresses that are pretty frequent, at least once a week.

Trustee Pearson: Is it per building or per apartment? You'd have to think about that too.

Manager Revella: Per building. So, apt X has 1. Then apt Y. Still the same building. That's twice.

Attorney Donovan: I think we need more information on that just to verify how that goes into the emergency response system.

Deputy Mayor Batson: And if you look at our stats here, if you look at the alarm burglary, you would presume these are false because otherwise they would be categorized in a burglary attempt or actual burglary. This has 8 for the last 2-week cycle. Which is not insignificant. And maybe this aids not representative of the typical cycle.

Manager Revella: Is the board okay with Dave drafting something for next meeting?

Trustee Pearson: Dave, you said you have something in Goshen. Can you send that to us to read?

Attorney Donovan: Absolutely. I'll do that first. I did that 10 or 12 years ago. There may be improvements that I can plagiarize that into this law to make our law better.

Trustee Pearson: You want him to send it and read it or do you want him to prepare something?

Trustee Garrison: Can you send that out to us?

Attorney Donovan: Absolutely.

Designate Street Names for Overlook at Kidd Farm

Trustee Pearson: How many streets do we need, John?

Manager Revella: Do you have any street names you need?

Building Inspector Wallner: Several.

Trustee Garrison: Would it be biased for me to ask for Garrison Court? Historically, my family owned a massive coal and lumberyard in Walden. For many, many years and they provided coal

and lumber to almost every home in Walden to heat during that time. If we're looking at business people, wouldn't that fall under business people that helped develop Walden?

Trustee Taylor: Absolutely.

Trustee Garrison: I'm just throwing the hat in the ring. Feel free to shoot me down. Just saying they were a staple of this community for a long time. 5 generations deep still here.

Deputy Mayor Batson: It's as viable as Mary Ellen Matise Plaza.

Manager Revella: Do you know how many and when you need them by?

Building Inspector Wallner: 5 maybe. I will mention that I can't issue a building permit until I have street names.

Discussion on street names birds, flowers, etc

Kidd Farm Road – Main Rd
Shrade Lane
Woolen Way
Paper Place
Garrison Court
Fowler Road

Trustee Taylor made a motion to adopt the first 5 street names as discussed for Overlook at Kidd Farm. Seconded by Trustee Hall. 4 ayes. 1 abstention (Trustee Garrison). Motion carried.

Olley Park Kitchen Bid

Deputy Mayor Batson: When we last left off, there were some questions, mainly mine around the cost of the first piece which was 30+ thousand dollars for a stove. I think the bid here, still shocking, adequately at least describes that they have to go through 2 walls. They have to place a stainless steel panel in there. The follow up for this adequately answers my questions for it. Still find the price shocking. I do appreciate in the bid they just simply state there's 12% markup.

Trustee Pearson: I understand what we're going to come up with next with these quotes that we just got from the engineering firm and I can't believe we can't get them before a meeting. Just don't understand that. So, when I'm reading these and how much that's going to cost us, that we are most likely going to have to pay for, until we get paid back. And funding is an issue, I don't know how I feel about this only because of what has to happen after this. Can we not do everything? Can we put in a stove, refrigerator and the metal thing and do other things later on? Can that be split up? Do we have to do it all at once? I'm worried about funding. I'm worried about what this is going to take if we choose to do this these things from Lanc and Tully or what this is going to do. Just my comment. I have concerns about that and funding where the money is coming from. But there are things that maybe we don't need. Maybe we don't need the cabinetry right now. That was 30 some thousand dollars and maybe we don't need some of the things at this moment. Get it up and running for minimalistic and then go forward after that. That's my thought. I know I'm one that pushed for it, but now all these other things are coming up that we are responsible for.

Trustee Garrison: I think my only question for that is how do you charge somebody full price for not full kitchen? I think that's where we're gonna run into an issue.

Trustee Pearson: We've done bids before that haven't done the whole thing. What's a full kitchen? A full kitchen is a table that you can work on, a refrigerator, a stove, sink, dishwasher.

Trustee Garrison: I don't know the argumentative definition of a full kitchen. I just know that if I'm renting somewhere that says there's a working kitchen, I expect it to be a completed working kitchen. Personally, I'm just speaking from a consumer standpoint.

Trustee Pearson: I'm just talking about money. That's all I'm talking about.

Deputy Mayor Batson: I think the concern around finance especially since we don't have bank reqs and we don't have a clear snapshot of what is in that excess account. John might understand that these other bids here would potentially come from our general fund. How would we fund these?

Manager Revella: These would be paid general fund and charged back to the property owners. We would bill now. If they don't pay, it's levied on the June 1st tax bill. If they don't pay their June taxes, which most will because they're part of their mortgages. If they don't, then we relevel in November and we don't see the money until March.

Deputy Mayor Batson: I think hypothetically if you add up the cost of all of these plus the kitchen, they're right at roughly 10% of our general fund.

Trustee Pearson: How do we know? I didn't get any numbers on the general fund. I don't know what we're at. I would ask for those numbers. Did you get numbers?

Deputy Mayor Batson: I did not.

Manager Revella: Parkland fund I have \$55,000. The balance would have to come from surplus for now until we get the rest of parkland fund from the building permits that he's issuing.

Deputy Mayor Batson: I understand what you're saying about this kitchen, but would you agree that the 3 bills that we have in front of us are not negotiable? You would feel fine with these?

Trustee Pearson: That we really need to deal with, yes. I would say that maybe we want to start there and come back to the kitchen. I don't know, it's up to you.

Deputy Mayor Batson: That's viable.

Trustee Hall: None of the rental fees can go towards kitchen?

Manager Revella: The rental fees go to revenue. Revenue balances the expenses, whatever that goes to in the budget is up to you guys when we get there. If we get this much more revenue, that covers this much more cost, whatever that might be.

Trustee Pearson: I would almost talk about, Sue had good points about possibly raising the amount of money that it cost to do the kitchen. We may want to change some of that for a kitchen versus non kitchen with the expense of it.

Manager Revella read Facebook comments

Trustee Taylor: I'm kind of going along the same lines as Trustee Pearson. We've got these things that are relevant to this expense that we just got today. These things need to be addressed. If there's an opportunity to address some of the kitchen issues and not all at once.

Deputy Mayor Batson: If you saw the balance of the general fund in which this came, that would make you feel better about it? Right now, is the issue that you don't want to spend the money because we don't know the total. So, what financial impact it has or just a concern around the overall spend? Again, doing quick math, we know that the general fund had an excess, which we are presuming because we haven't seen it in a while. That this potentially doesn't even impact what we recommend for holding in the general fund, which is roughly 10% of the village's total budget. Understand that it is a presumption.

Trustee Hall: The prices aren't going to go down. Just do it and get it over with.

Trustee Garrison: I don't see kicking the can down the road being any anymore beneficial. We've already seen increases in everything else. We know there's going to be inflation on this and next year it could be \$20-30,000 more. We just don't know. I don't want to kick the can down the road anymore.

Trustee Taylor: I think we've talked about it forever and we've been looking to get this thing completed. So, let's just get it done.

Trustee Pearson: What's the time frame on this, John to have it done?

Manager Revella: Once you approve, the bid will go to contract and likely a 60-day window, depending on when they order the materials.

Trustee Garrison made a motion to approve the Olley Park Kitchen Bid to M&P Builders. Seconded by Trustee Taylor.

Trustee Pearson: I am so torn on this. Because I wanted it and I have not gotten any numbers from you that I asked for, for the last meeting.

Manager Revella: You're asking the wrong person. I asked the person that could get them and they don't have them.

Trustee Pearson: No, that's not an excuse to me. I asked you where the money was coming from and what money we had in the account and that's what I'm questioning, and I didn't get that.

Manager Revella: I can only give you the information that I'm given. I'm not the Treasurer. It's \$55,030.23 in the parkland fund. The surplus fund, I don't know the exact balance. I know generally what it is.

Trustee Pearson: What's generally? Put it on the record for me.

Manager Revella: Over \$1,000,000.

Deputy Mayor Batson: Should have 1.1.

Trustee Pearson: We're spending how much now?

Deputy Mayor Batson: Here we've got 40, 55, 55 plus 23. We got roughly \$78,000 here.

Trustee Pearson: And 120 some. That's almost 200

Deputy Mayor Batson: 121 but we do have some set aside for the kitchen, -55, so that would be 70,000. So, you'd be looking at 150,000 total. Which would be about 12% of our surplus.

Trustee Pearson: We think.

Deputy Mayor Batson: We think, noted.

Trustee Pearson: I'm going to vote no. And it's not because I don't want it. It's because funding is an issue for me. We don't know where we are, so that's why I'm voting no. I want it to happen so please don't be negative about it.

4 ayes. 1 abstention (Trustee Pearson). Motion carried.

Trustee Garrison made a motion to utilize parkland funds for the Olley Park Kitchen. Seconded by Trustee Taylor. 4 ayes. 1 abstention (Trustee Pearson). Motion carried.

76-80 West Main Street – Unsafe Building Update

Building Inspector Wallner: Mr. Concolino's engineer submitted a demolition plan today, about noon time. I was out in the field doing inspections, so I didn't get a chance to do a comprehensive review. It looks complete. I expect to be able to issue a permit for tomorrow.

Trustee Pearson: That'll be done by the end of the year? How long does he have the permit for that he has to utilize to get the building down? We were told by the end of the year.

Building Inspector Wallner: Demolition permits generally don't take very long to complete the project.

Andrew Concolino: Probably by the end of January.

Trustee Pearson: We were told it was going to be by the end of the year. Now it's the end of January.

Andrew Concolino: We're going to start now and it probably won't be until after Christmas.

Resolution 6-24-25 – Budget Transfers

Trustee Garrison made a motion to adopt Resolution 6-24-25 – Budget Transfers. Seconded by Trustee Taylor. All ayes. Motion carried.

Discussion – Noise Ordinance

Deputy Mayor Batson: We do have a policy that has been heavily blue lined. We would like to go through it.

Attorney Donovan: Last time we were here, you directed me to make some. What I did is I took the existing text of our noise ordinance and I redlined that. You can see where the changes were. Some that are relatively insubstantial. There's a provision that I took from another code that increasing the penalties, I think the only real substantial thing that I'm recommending. I spent some time on exactly what the sound level meter is because our current code has a definition, an instrument for the measurement of sound levels which conforms to type 1 or type 2 standards under the ANSI specifications. S1.4-1971 or the latest approved revision. The latest approved revision I

can find was in 1985, and it's actually incorporated into an administrative regulation called the Code of Federal Regulations. Which if you have ever read that it is some federal administrators job to make things totally incomprehensible, and that's what I found it to be and I will find that when you need to prove that the instrument you are using in court meets a certain standard is beneficial to have a simple standard. That you can prove that the court can understand. So, I'm suggesting we may want to reach out to an engineer or radio frequency engineers or noise specialist just to maybe get a suggestion on what a better instrument is. I don't think we need to meet such complex standards because that's requirement to prove that in court that you've done that. That's my suggestion relative to this issue. The rest of it is kind of clean up stuff and a recommendation for increasing the penalty.

Trustee Pearson: I read that and can we just eliminate that and just put a new definition for maybe of sound measuring device which is down in 184-4 that uses a lot.

Attorney Donovan: My thought was not to hire somebody and pay them \$15,000. Just to ask someone in the field what's the right meter we should use and how do you calibrate that? So, we can make that reference and we can use that instrument.

Trustee Pearson: We're talking about the sound level meter is not the name of the device, it's just a certain type of device that we may have.

Attorney Donovan: Or may not have and that meet certain standards that I found difficult to comprehend. That was what I was more concerned about.

Trustee Pearson: I don't know. I just thought it'd be simpler with sound measuring device, and we already know what those are because we have them. Instead of making it complicated, take that whole thing out of there, just write sound measuring device and have a definition of what that would be and that would be our device that we're using.

Trustee Taylor: It still has to meet ANSI standards, does it not?

Attorney Donovan: It needs to meet some standard.

Trustee Taylor: ANSI is the guiding force for this kind of instrument.

Deputy Mayor Batson read the additions into the minutes

Deputy Mayor Batson: The note here says I know it's discussion regarding reconciliation definition. May have missed but I don't believe this phrase is used elsewhere in the code. May be easier just to eliminate. I am always in favor of just eliminating. Are there any objections to simply removing nighttime hours since it's not referenced anywhere else within this our code?

All: No.

Deputy Mayor Batson: We can eliminate that. Residential zones, just simply has the removal of the zones no longer have...Trustee Pearson, you're a resident zoning expert.

Trustee Pearson: I looked at and the changes are right.

Deputy Mayor Batson: We discussed the sound level meter, sound reconciliation device, noise from any sound production or sound reproduction system, whether fixed mobile or from any radio, tape player, television, tape deck, CD player, Bluetooth, the sound device produces, reproduces or

amplifies sound in such manner has to be heard 60 foot from the source or inside the occupied residence, dwelling Unit, school or religious building.

Attorney Donovan: That was taken from the Warwick zoning ordinance because I think it was my understanding what you wanted to change that definition to read as I have it there.

Trustee Pearson: I live in the village, my street, I am probably less than 50 feet from another house. You're already talking 60 feet. That's pretty far. I'm close. Was it the Town or the Village of Warwick?

Attorney Donovan: Village of Warwick.

Trustee Pearson: I'm just thinking that seems far to be heard 60 feet from the source. I've lived probably 20 feet from another house. I'm thinking for certain zones you may want to change the distance. I don't know.

Deputy Mayor Batson: I don't know, I mean it's up to us of course collectively, if we want to get into the complexity of changing the distance by zone.

Manager Revella: It says or inside a dwelling unit. So, if you hear inside your house, that's a problem.

Attorney Donovan: I took 60 from Warwick because I thought that's what you wanted. It seemed odd to me. Quite frankly. 50 would seem to make more sense. 60 is an odd number.

Deputy Mayor Batson: Are there any objections or thoughts about changing this to 50?

All: No.

Deputy Mayor Batson: We'll go with 50. 181-4 looks like we've just changed the word qualify to use.

Attorney Donovan: The issue is if you want to have someone trained, what's training mean?

Trustee Pearson: Go back that please. We have sound measuring equipment, so if we are using sound level meter, why wouldn't we use that wording there as opposed to equipment? Is there any other equipment we're going to use besides the meter?

Deputy Mayor Batson: Can we simply change the word sound measuring equipment to sound level meter? That's consistent with the definition. Sure.

Trustee Pearson: There's one on #2 down below that was in letter A.

Deputy Mayor Batson: Find and replace sound level measuring equipment with sound level meter for consistency. Great call out, thank you. The last one on here goes to the last page, which is the penalties. This is taken from Warwick. **read into minutes** Basically you get a reset button as long as you break the sound violation slowly. You get a reset if do it over a period of time. I think what we need to agree on here in the source of discussion is do we feel comfortable here with the dollar amounts of the penalties?

Trustee Hall: I think the dollar amount is fine. I don't think they need to be imprisoned. That's a little excessive.

Deputy Mayor Batson: All of our penalties state something very similar to that. A monetary fine followed by that by that language.

Attorney Donovan: Currently, there is no imprisonment option there. It's unlikely, unless you're a serial offender.

Trustee Hall: I think we should leave that out.

Attorney Donovan: I know that the board was interested in more serious, severe factors, so I put that in there.

Trustee Hall: I'll take their money, but I don't think they need to go to jail though.

Deputy Mayor Batson: I don't know, I think if it's egregious enough, I would probably leave it in and leave it to the discretion of whomever is enforcing that, I suppose.

Trustee Taylor: If you've got a habitual offender, obviously they're not getting a message.

Deputy Mayor Batson: I just want to be clear though. If that's your opinion, that's fine, but we would need to amend this to where it basically says that it is a habitual offender because the imprisonment piece hypothetically can be enacted upon the first violation.

Trustee Hall: You got people breaking into cars that aren't going to jail. They're going to jail because they're radio is too loud?

Trustee Pearson: But then you need a definition of habitual offender. Really, what does that mean, you already have that in there so many times.

Deputy Mayor Batson: Fair. Again, I just want to call out, I believe that in the penalties for almost all of our codes, this language is consistent.

Trustee Garrison: That's correct.

Trustee Pearson: I would leave it.

Deputy Mayor Batson: I agree.

Trustee Pearson: I don't see it in here, but we talked about the manager being able to enforce or to allow and I don't see that anywhere here. A manger, whoever would be able to either permit.

Attorney Donovan: There was a reason and I don't recall, there was a reason I left it alone because I thought, I have to find the language that accomplished your objective.

Trustee Pearson: Somewhere we talked about the manager and being able to either enforce it or permit it.

Deputy Mayor Batson: There is a waiver in here. I did just find that. I think what you're looking for perhaps is under 181-11 enforcement. **read into the minutes** You just wanted that expanded to...

Trustee Pearson: I think that we were talking about that whether the board wants that to happen or not. Why not? We also talked about a permit.

Attorney Donovan: There was something else that I was looking at but I see this provision. Do you want that changed enforced by the Village Manager and/or his/her designee?

Trustee Pearson: No, I think still Police Department is probably where it should be. I don't know if maybe they're tied up and something's crazy that the manager can also do it. Sometimes we have 2 Police Officers at one point. If they're tied up doing something other than that and an issue happens and we also talked about the Building Department being a part of that.

Attorney Donovan: What if it said the provisions of this chapter shall be enforced by the Police Department of Village of Walden, Building Officials, Village Manager or other officials designated by the Village Board?

Trustee Pearson: That's fine. We did talk about a permit for people coming to the Village Manager for a permit to do loud noises and are we thinking about that or not wanting to do that?

Deputy Mayor Batson: Isn't this in here? Talks about appeals in... shall be formed writing prescribed by the Village Board. Each appellant application shall refer to a specific provision of this chapter. So, in most cases, what they would be applying for provision for is most likely going to be either the, most likely the time, because if you operate under particular times, you're exempt from the decibel. It looks like that may be allowed under section 181-9, which is variances.

Manager Revella: Correct. There's a process in there for meeting that.

Trustee Pearson: Doesn't say permit though. I don't know if you want the word permit in there or not. That's my last statement.

Attorney Donovan: Do you want to permit process where a person has to fill out an application and that's reviewed and a permit is issued by the Building Department or the Village Manager or the Village Board? Is that what you're talking about?

Trustee Pearson: Why not? They don't have to have a fee. They just have to fill out permit.

Manager Revella: Right now, they have to petition the board. You want a permit instead. Is that what you're saying?

Trustee Pearson: They have to petition the board when they're going to have a concert, they have to come here?

Manager Revella: If they're outside the scope of the law, yeah.

Trustee Pearson: All right, that's fine. Or do you want to just go to the manager? Does it need to come to the board?

Attorney Donovan: That's up to you guys.

Deputy Mayor Batson: I'm perfectly fine with this going to the manager or board.

Trustee Pearson: So, why don't you put manager and/or board?

Deputy Mayor Batson: All right. So largely the changes are the changes to make consistent the definition throughout the document of the noise measuring device versus equipment. Eliminate the nighttime hours section. Add a section under provisions that the manager can allow it if the enforcement piece, add in manager there.

Attorney Donovan: Can I just go back to the sound level meter. We got to just change that definition to an instrument for the measurement of sound levels in accordance with ANSI specifications. Is that what we're trying to do?

Deputy Mayor Batson: I think we're looking to simplify it to that, yes.

Introduction Local Law – Accessory Structures

Attorney Donovan: When we were here last time, the board asked that I put something together to try to address a specific situation and my recommendation is we don't address that specific situation, but we put it in a larger context. I have prepared something that I know the Building Inspector doesn't like. I asked him to look at it. I told him to put it in writing, but he wouldn't. But he told me to my face he didn't like it. So, you may want to get some input from Rob and this is for discussion. My thought was for the shed in question, Bill, I don't believe you were here, but it's an older shed, it's been place for a while, but it needs a permit. The suggestion that I made was NYS Building Code doesn't require permits for accessory structures less than 144 square feet. So, this wouldn't require a permit. And that if wherever they were, as of, I picked a date, January 1, 2025, they got to stay there. Anything that exists in these 2 things now gets to remain. Not a problem. Rob doesn't like it, so there you have it.

Deputy Mayor Batson: Rob, can you just give us the context of why you don't like it?

Manager Revella: Rob and I also discussed the matter. There's an issue with 1, the square footage being a little excessive, 144 is a little large, especially for some of the lots that are only 20 feet wide. Then also no control over setbacks and placement which you would want in a permit process. So, I don't know if you want to have some kind of administrative function where certain things under certain square footage have a right with a minimal set back in those townhouse zones but still need a permit. So that there's some control and oversight on placement at least.

Building Inspector Wallner: I'm definitely not in favor of eliminating permits for structures. There's a lot of factors to consider, storm water runoff being an important one, because now you're concentrating all of that water into an impermeable surface, and then you got a point source discharge for the water. So if you have no permit requirement, people can put up 2, 3, 4 sheds. This came up because of the TH zone. Which we will have 3 TH zones soon with Winding Brook, North Gate Dr and then Overlook. I don't think we should abandon the need for a permit for accessory structures across the board, because then there's going to be no way to enforce it. Somebody can put it 10 feet from the property line. Can put it right on the property line. We can't see the ones behind the townhouses. We don't know where they are. We can see the ones on the end, which is why, unfortunately the person last meeting, because it's painfully obvious. We have another one that I had in court this week that had it in the front yard. We can't have sheds in the front yard. It's not allowed in any zone. If you eliminate the permit requirement. How are you going to tell them you can't put in your front yard if you don't have a permit requirement? Besides that when we had that wicked windstorm when the awning went through Franco's, I rode around the village, there was gazebos in everybody's yard upside down because they weren't anchored properly. There's no permit requirement. There should be a permit requirement. It's considered a structure. As soon as you eliminate the permit requirement for sheds regardless of what size they are, there's nobody telling you that it has to be properly anchored. The NYS Building Code is based on the entire state. Most municipalities, towns have 2 or more-acre zoning. We don't have a property in the village

that's 2 acres. On my 3 1/2 acres in the Town of Shawangunk, I can put a shed anywhere I want as long as it's under 144 square feet. Tell somebody that has a 50 by 100 lot they can put a shed or as many sheds as they want. I believe it opens up the whole can of worms.

Deputy Mayor Batson: So, what's the solution? It seems unreasonable to tell folks on their own properties that they can't have a shed. That seems challenging, but I also understand the safety concerns around stormwater drain. What's the viable solution here?

Building Inspector Wallner: I did a little bit of research and I don't know if I'm going to be able to come up with the exact dates here, but it appeared to me that particular zoning district was the RM1 zone, which was changed in 2014 to the TH zone. At that time when it was the RM1 zone, it had a 3-foot setback. I think that's reasonable. I'm not sure why the zoning was changed to a 20-foot setback because most of those properties are 20 feet wide. That basically eliminates the possibility of having a shed. I think it's important in properties like that people have a place to store their garden tools and their mowers. They're responsible for maintaining their properties. A reasonably sized shed should certainly be allowed.

Deputy Mayor Batson: Do you have issue with the 144, is obviously 12 by 12? Do you have an issue with the size? I'm not sure familiar with shed sizes.

Building Inspector Wallner: I don't necessarily have too much concern in those small properties about coverage. Stormwater management is always a concern. You've got some that have patios that go the entire width of the dwelling and 75% or more of the depth of the yard. There's no pervious surfaces whatsoever left. Put a shed on top of that and now you're concentrating the water even more.

Manager Revella: The concern we talked about was if you have a 3-foot setback on each side, 12 feet, you really have no room. That's why we talked about maybe 100 square feet max for that zone with a 3-foot setback. Something reasonable.

Trustee Pearson: Are we just talking about the townhouse zones?

Manager Revella: Yes.

Attorney Donovan: That was what you had said last time.

Trustee Pearson: It doesn't say that in here.

Attorney Donovan: It does not, because my recommendation was that you try to make it applicable in all zones because I'm big in equal application of law. However, this is a different type zone, so do you have a rational basis to say we want to do this in TH zones. Let's say we're going to limit the size of accessory structures to no greater than X number square feet, no greater than one per property, and they must be located 3 foot from a side yard. Must be located in the side or rear yard. No closer than 3 foot. Could you adopt something like that in the TH zone?

Trustee Pearson: In the townhouse zone, only one person has a side yard on each end.

Attorney Donovan: Maybe that's wrong. Maybe it needs to be rear yard. If we're trying to attack a certain thing. If you want me to work with Rob in the interim and comes back with another draft to the next meeting.

Trustee Pearson: We also talked about townhouses that don't have HOA's because HOA they usually have garages and they usually aren't allowed to have things in properties on HOA. Where does that limit you? Can you limit it just to a townhouse unit that doesn't have HOAs?

Attorney Donovan: We don't get involved in private restrictions. My recommendation is not to not to make reference to an HOA or not. It's just limiting the size, make it in the rear yard and setting a square foot or a linear foot set back from any lot line.

Trustee Pearson: This is just for townhouses. What if somebody already has a shed?

Deputy Mayor Batson: Just for the TH zone.

Trustee Pearson: Say someone in the townhouse zone already has a shed and it needs to be replaced and it's in a place that it's not supposed to be. Can they put it back into the same place?

Deputy Mayor Batson: No.

Trustee Pearson: Why?

Manager Revella: Have to become compliant once you're out of compliance and change. You have to become compliant.

Attorney Donovan: But if you want to say it's a pre-existing not conforming situation, it has to be legal when created. The situation that came last time, the place where the shed was not legal when it was created. In other words, it was never allowed to be there. To be a legitimate non-conforming use, it has to be either not regulated or the regulations permitted at the time.

Trustee Pearson: Because there's probably a lot of sheds in this whole village that are not where they belong, but they've been there for 40-50 years and you're going to make people take them down and move them.

Manager Revella: When they change them out they have to become conforming.

Building Inspector Wallner: We treat fences the same way. If somebody's replacing a fence, then it has to be conforming.

Trustee Hall: You're saying townhouses only, but now my property is small...

Building Inspector Wallner: You could put a shed on your property.

Trustee Hall: I could put a shed on my property just like this without the permit and everything else.

Building Inspector Wallner: You need a permit.

Deputy Mayor Batson: This is for TH zone and we're not going to get away from the permits in this.

Trustee Hall: But it doesn't say just townhouse only. So, right now it's the whole village that way. If you're going to change it to townhouse only, how is that fair? If my property is just as small, I just don't live in a townhouse.

Building Inspector Wallner: That's my suggestion is not to eliminate the requirement for a permit. And if you're going to amend the TH zone. Then make it specific to that zone, this is what setbacks are. We have set back requirements for every zone. Some of them are 5 feet, some of them are 3 feet. Some of them are 10 feet. Some have a 5000 square foot lot size. Some have an 8000 square foot lot size. I would say keep the requirement for the permit in place and just have it specific to whatever zone you happen to be in for the size of the shed plus the setback.

Deputy Mayor Batson: Nothing else changes on the other zones. This is an amendment to the TH zone. Looking at 1 accessory structure less than 100 square feet with a 3-foot set back. Must have a permit.

Trustee Pearson: 3-foot setback from where yard?

Manager Revella: All property lines.

Building Inspector Wallner: And it has to be 10 feet from the principal structure.

Set Public Hearing for Spectrum Franchise Renewal

Attorney Donovan: There's a franchise agreement, actually expired. We get paid, the one that's proposed is 15 years, where the village would get 5% of gross revenues. Just have to schedule a public hearing or not. You don't have to vote at the time.

Deputy Mayor Batson: Can I just ask Trustee Kyle's question, is this agreement mandatory in order for Spectrum to deliver services to Walden? Is this agreement the reason Walden hasn't been able to have Verizon FIOS or any other fiber optic networks installed?

Manager Revella: No, that's not the reason why. The poles are the poles.

Attorney Donovan: The law requires that these types of entities be granted a franchise and there's certain rules with a franchise. Have to have a public hearing before it gets voted on. You did this long time ago and this is this is a renewal.

Trustee Pearson: How many years are we behind on the renewal right now?

Manager Revella: It's right now, ended this year.

Trustee Pearson: Do we get paid every year?

Manager Revella: Yes. Last year, I think was \$105,000.

Trustee Pearson: They come through the wires on the new poles or the old poles?

Manager Revella: Right now? Both.

Trustee Pearson: Can they takedown their old wires on this agreement? Can we have their wires removed from the old poles to go on to the new poles?

Attorney Donovan: We can ask.

Manager Revella: I don't know if you're allowed to demand that by the Public Service Commission. There's certain rules and regs in there.

Trustee Pearson: Let's look into that.

Attorney Donovan: There's specialty law firms that do this. I don't know that you want to spend that kind of money, though.

Trustee Pearson: We have a law in our books that says it has to be removed from the old pole within 60 days or 30 days or something so they have every right to move it right now.

Attorney Donovan: I don't know if it's from an old pole. Isn't it from a pole no longer in use?

Trustee Pearson: Old pole into a new pole. Zombie pole. Can we ask that question?

Trustee Hall made a motion to set public hearing for January 7, 2024 at 6:30 pm or soon thereafter for Spectrum Franchise Renewal. Seconded by Trustee Garrison.

Trustee Pearson: Tree trimming, can we say to the village standards? 8.6.

Manager Revella: Yes, I'll ask.

All ayes. Motion carried.

Bids

36 Orange Ave – Retaining Wall

Trustee Hall made a motion to award bid to LP Builders, LLC in the amount of \$32,000 for 36 Orange Ave – Retaining Wall. Seconded by Trustee Garrison. All ayes. Motion carried.

48 Riverview St - Drainage

Trustee Garrison made a motion to award bid to Consorti Bros. Paving and Sealcoating in the amount of \$23,727.10 for 48 Riverview St – Drainage. Seconded by Trustee Hall. All ayes. Motion carried.

60 Main St – Partial Building Demo

Trustee Taylor made a motion to award bid to LP Builders, LLC in the amount of \$22,000 for 60 Main St – Partial Building Demolition. Seconded by Trustee Garrison. All ayes. Motion carried.

Public Comment

Sue Taylor: I couldn't attend the Valley Central School Board meeting where they were talking about Walden Elementary School. I did watch some of it online and they were talking about how they would obtain property and one point I thought was interesting was they said that they could be gifted property. I can remember I don't know if he's an architect or who the man is that he was asked how many properties they viewed. They said something like 16. 2 of them were in the village. And I can't think of anybody with that kind of acreage that would say here you go. Here's your acreage for your new school. I know years ago it was brought about land at Olley Park. So, I thought that was interesting, that it was brought up, that they could be gifted property. I thought maybe it might be a good idea if the board talked about it because it's parkland. Is it legal to give anybody parkland? Is that a possibility with the board or the community even be interested in? Gifting Valley central Parkland to, you know, build their nice shiny new school. Maybe the board needs to discuss it and waylay any thought process if that's something that the village wasn't even remotely interested in, wouldn't be a consideration. Maybe talk about it and make that public so that the school district can drop that off their radar as a possibility and move on to another solution if that's and I have to say, I was pleased to hear some of the board members asking pertinent questions about moving the school out of the village, leaving it in the village. I thought that was a good thing

to finally hear some people talking about concerns about the village, which I think was lost in a lot of the other discussions. Maybe the board can consider talking about it, and let's just talk about the elephant in the room. Get it talked about and if that's not even going to be on the radar, just make it public so people don't have to think about that's a possibility. Thank you.

Mary Ellen Matise: I'll segue on Sue. More important than that, they talked about exchanging property which to me meant, we'll give you this building and you give us someplace else. But parkland we know is sacred in NYS, and if you give or sell or use Parkland for a non-park purpose. Then you have to replace that parkland with more land. And where are we going to buy more parkland? And the reason why we even have Olley Park is because they sold the land to MPB, which was parkland given to the village by Bradley in his will in 1920. When they sold it to MPB in 1960, they had to go buy a parkland to replace the parkland that is now MPB. So, if you think we can afford to buy parkland anywhere in the Town of Montgomery, go ahead and tell them, sure, give us this building. There were lots of other options that the committee never thought about. Becky and I went to the meeting and we brought up a lot of points and a lot of the points that we had brought up at the Town Hall, including Brenda had been there, Lynn, Sue, Bill. A lot of those points, I think that the board members started discussing and I don't think they've thought the whole issue out and I think maybe they're open now to thinking the whole issue out more and thinking about other possibilities because we kept bringing up changing the catchment area, reducing the population in this building so that you can still use this site. You can either expand the building or make alterations within the building so that you're meeting the state standards for required spaces within that building and use this footprint, and Jane Samuelson brought up going up another story, maybe which you could do in the back because the back slopes off, so architecturally it wouldn't be some massive on Orchard St. They really didn't talk about any of the possible other ways to deal with the situation besides building a new shiny building. And that kind of came from the committee. I don't think the issue is dead at this point, and I don't think they've made-up their mind and they're also, if you listen to the YouTube, go in at about the one-hour mark and listen from there, they are really concerned about being able to get the whole district to vote for a new school for Walden with the \$70 million price tag. They've got a long road to go yet and there's a lot of other possibilities, they should look at. This accessory unit thing, if we ask for people to get a permit to just put up a fence, then why aren't we asking for a permit for a shed? It doesn't make any sense. What makes a fence needing a permit more than a shed? And of course then, you could do the whole setback chart according to zones the same way we have setbacks for the other items in the code, so you're not necessarily making just a law for just the townhouse zones, it can apply to all the zones and then just go to your chart and put your setbacks in there for the different zones and different size lots. And maybe different size sheds, which is what we have for the fences, 4-foot fences, 6-foot fences. We're getting a lot of people who come to the Zoning Board and Chairman Adams had a lot to say. Not live streamed so you'd have to listen to the tape or read the minutes. She had a lot of comments to make about the last case that we had for Center St. and a lot of it dwells on this idea that people just come into the village, buy something and then do whatever they want and it becomes a big issue for Zoning Board. It has been an issue for the past year or 2, especially with some of these cases. People come in they don't read the code, they don't look at the code. People who live here, I'm talking to people who are born here and they don't understand that we have a code. They don't understand how the village government works. Who do you go to if you have a problem? Do you need a permit? You don't need a permit. The lack of knowledge and understanding by the residents is really appalling. We have this welcome packet. Maybe it needs it's name changed. Maybe it needs to be more widely distributed so that people know what, just everybody, not new people, not business people coming in, but everybody, is directed to the codes, are given some basic information about what to expect and what their responsibilities are as citizens in the village. Thank you.

Dr. Stefan Bojsiuk: A lot of you probably know me, but some of you may not. My name is Doctor Stefan Bojsiuk, podiatrist. I've had the privilege of practicing here in the village for over 35 years and I'm still practicing in the village. I was 1 of the charter board members of Wallkill Valley Health Coalition, that brought Sunriver Health to Walden and I'm still on the Board of Directors. Running a private practice solo nowadays is darn near impossible. I imagine most of you who have primary care physicians, they're all part of big groups. The benefit of me going over to Sun River and transferring my practice was I got to keep my patience. Could have went other places, but it would have been too difficult for a lot my patients to go there. And it's been a year and it's going well. However, when I first got out of residency in 1988, I bought 30 East Main St. It was a single-family home at that time. It was in rather decrepit condition. It was zone B1 zoning. Limited commercial use. I was able to go before the Planning Board and get permission to design and practice, build my office on ground level and have a rental apartment up above. While that space served me very well for 35 years, I designed it for podiatry. Any kind of commercial use, it would have to be almost completely renovated at a significant expense. It just seems to me we have an abundance of vacant commercial properties in the village. We've always had some but I've been here for 35 years. But I don't think we've ever had it this much. It's not just Walden. It's surrounding areas as well. While there's a glut of vacant commercial space. There's a great need for housing. I would like to have the zoning changed so that I can convert that office space and turn the building into a two-family building. I didn't take a survey of 300 feet or 300 yards or so on and so forth. But I've been a good neighbor to my neighbors and they've been good neighbors to me. I discussed it with them. They all think it's a better idea than the laundry list of things that I could do with B1 zoning that would go there in its place. And I considered selling the building. I had some realtors come in and they told me that renting it as commercial space would probably be a challenge. Selling the building as commercial space with the apartment the way I have it up there would be a challenge. If I converted the downstairs into a two-bedroom apartment and I'd have a one-bedroom upstairs, I'd have a line of people coming to rent it at 2 1/2 times the rent. Compared to commercial. I don't think it's in the villages best interest to see another piece of commercial property sit vacant for who knows how long. Because let's face it, like I said, there's quite a few vacancies here and some of them have been vacant for many years and in various stages of disrepair. I just think it's a win-win for everybody what I'm proposing. I just wanted to bring it up for your consideration and where I have to go from here. I thought I might have to go before the Zoning Board of Appeals. I did speak to an attorney and he suggested I approach you folks first.

Mayor Ramos: We'll take it into consideration, Doc, that's an undertaking on your part and I would have suggested from your lawyer to go see the Zoning Board first to get some guidance and a set of plans for the Planning Board before you came here.

Dr. Stefan Bojsiuk: My understanding is with the Zoning Board of Appeals is that they have a very strict criteria of showing hardship and so on. I got to check off all the boxes and so on and so forth. I spoke with Mr. Revella back in the summer and he said that the village was starting to consider doing revamping or adjusting the master plan. I thought the meetings were supposed to start and I hear they haven't had a meeting yet.

Manager Revella: Haven't had a meeting since October. Next month.

Dr. Stefan Bojsiuk: I can show some hardship and my attorney did tell me that I probably would meet the standard if I went that route, but he suggested because I think it's to everybody's advantage. I want to just take the route of least resistance.

Deputy Mayor Batson: Of course.

Trustee Hall: This is a zoning board issue, right?

Attorney Donovan: Not necessarily. First, in the interests of full disclosure, Dr. Bojsiuk, good to see you. Did work a number of years ago for Dr. Bojsiuk. I obviously don't represent him now, but just so everyone knows that. There are just 2 options that a person like this has. 1, is to petition the Village Board for a zone change. Which would be to allow this use in his zone or to change his zone. The other option is to make an application for the ZBA. Sorry, you have to go first to the Building Inspector for a 2-family, the Building Inspector would deny that because it's not allowed. Then Dr. Bojsiuk could make a use variance application to the Zoning Board. Understand that a use variance application is an extraordinarily difficult burden of proof. He would have to prove that he can't make a reasonable economic return on his investment for any permitted use in the zone. You have to prove that by confident financial evidence. You generally appraisal proof, ZBA proof, that type of thing. Can't just be a realtors letter. He has to be able to demonstrate that the hardship wasn't self-created in an area where it's context, just a fact to be considered. But if the difficulty confronting Dr. Bojsiuk is self-created the ZBA cannot grant a use variance. I'm going to tell you it's virtually impossible for him to get a use variance because the zoning doesn't allow two-family. A zoning use variance application is virtually impossible. Which leads probably good advice to come here and say I would like to change the zoning. Zone changes by the by the Village Board are discretionary. You don't have to do it. And there's generally a petition, and there's a public hearing process. If you get that far. It will be a local law.

Trustee Pearson: Did you speak to this Building Inspector here?

Dr. Stefan Bojsiuk: No, I spoke to Dean Stickles.

Trustee Pearson: I thought Dean was our Fire Inspector, not the Building Inspector.

Manager Revella: Dean is a Part Time Building Inspector.

Trustee Pearson: Yes, I thought he was hired back for fire inspections.

Manager Revella: He was hired back to do fire and safety inspections, but his title is Part Time Building Inspector. That's what Civil Service code has it. He can do all those things, but it's up to the Department Head what he really does.

Dr. Stefan Bojsiuk: I happen to just go online and look at the zoning map, recently, when I found my property, it was listed as B3 actually. So, it must have changed sometime since 35-37 years ago. But that doesn't change my scenario whatsoever.

Trustee Pearson: John, what are the houses past him?

Manager Revella: Two-family.

Trustee Pearson: Are they all B3?

Manager Revella: Yes, but they are two-family and single-family, but same zone.

Trustee Pearson: You can't take it back to a single-family, that you bought it as a single-family.

Dr. Stefan Bojsiuk: If I wanted to spend a lot of money to lose money. Yes, I could do that. In which case I would just put the building up for sale. I haven't had any offers on the building, but I had about 1/2 a dozen people tell me they were interested in it. I know what they're interested in.

They're interested in a fire sale. That's why I didn't really even entertain it. But I did get the opinion of several realtors and basically what I told you.

Attorney Donovan: The options are either submit a formal petition here, wherever your attorney is going to put that together for you for zone change or you need to apply for a building permit for two-family with the Building Department, have them deny you. Then you can appeal that denial. As far as trying to get the use of the building changed. Those are your options.

Dr. Stefan Bojsiuk: Got to speak with my lawyer about putting in a formal application to the Village Board.

Payment of Audited Bills

Trustee Garrison made a motion to approve payment of audited bills. Seconded by Trustee Taylor. All ayes. Motion carried.

Miscellaneous Comments from the Board of Trustees

Trustee Garrison: Just a few things I noticed. There's been a recent string of break ins going on. I know some people were concerned about that.

Manager Revella: I just want to know if you mean break in or people opening unlocked cars.

Trustee Garrison: I've noticed a lot on Facebook of break ins so I'm not sure what they're referencing to.

Manager Revella: I saw some of the comments too they're referring to and it's in almost all the scenarios, unlocked vehicles. Obviously, encouraging people to keep the doors locked, so there's nobody rummaging. A couple times people have rummaged, not taking anything but did go through a couple cars. We saw that. That's definitely something to be mindful of and reminding your neighbors, your family, your kids, to keep all the doors locked, especially overnight.

Trustee Hall: Are they actually being reported?

Manager Revella: Yes. We had a couple reported. There wasn't that many. Several years ago we had a string of break ins. Unless they're referring to something else that I'm not aware of. If there's other stuff, bring it up and I'll try and find out whatever it is.

Trustee Garrison: I'm going to close on, just like I always do, notice of DPW out there, working hard, doing road plowing and keeping the streets clear for the couple inches that we got. Thank you to DPW. Notice the police out and about more, which is awesome. More presence in the village is a good thing. Thank you to them also and happy holidays to everybody if I don't see anybody.

Trustee Hall: When Sue mentioned about cleaning at the Community Center, after I rent or whatnot and I clean up, do they have to mop the floors?

Manager Revella: They go through and inspect everything.

Trustee Hall: There's stuff down there for them to mop the floors or do they have to bring it? The bathrooms, everything, they have to clean it all?

Manager Revella: Yes.

Trustee Hall: That's all in the contract that they have to do that? The people who are renting the hall.

Manager Revella: Everything has to be clean when they leave.

Trustee Hall: I just know from other places there's sometimes parties that the bathrooms are left a complete mess and then the employees are left doing it. It's just disgusting. Thank you everybody that came up to the Santa breakfast. I know I saw a few of you. It went very well up at the Firehouse. Santa and the Grinch were there. I tried to watch the livefeed as we're going to see about questions and I don't know who, if it's Valley Central or if it's us or who does it, but somebody made a comment about a recent school shooting and about getting an SRO over at MPB. Is that on us? Valley Central?

Manager Revella: That's on MPB. We've already discussed that with them and they did not take us up on the offer.

Trustee Hall: They didn't want it.

Manager Revella: Yes. We didn't come to terms with them on that. But we did make it available.

Trustee Taylor: I would like to take the opportunity to thank my fellow board members. Last couple of weeks been a little hectic to say the least. But your kind words and condolences were greatly appreciated for myself and my family. Apologize for not being here last week, but I just couldn't get my head around it to be honest with you. The fact that we're live streaming, I also want to extend appreciation to my neighbors, friends and specifically residents that I haven't even had the opportunity to meet, some reached out with the same condolences and sympathies and that personally meant a lot to me and my family. I appreciate you guys dealing with me and my lack of participation over the last couple of weeks. But I'm back.

Trustee Pearson: I would like to talk about Olley Park and I think that in the school meeting, I think it was pretty interesting to hear the meeting. If you have a chance to watch it. It was pretty interesting because what was brought up and the people that were commenting. I believe should have already been talked about by a committee, and the committee came up with wanting a new school as their gist without having all this information that now the board is going to be going through so not sure what the committee really did. We don't know anything what they did, but I think that the board members were very energetic and what they were saying, and I think it was very positive that they were all asking good questions about should they stay, we need more information, how come we don't have this information? We need more numbers. They were very, very positive in not necessarily just building a new school, they were concerned about people in the rest of the community, not just Walden voting it in because of the amount of money that was going to cost. And they did, if you want to watch the meeting, they talked about, there's no final numbers, but they talked about a \$400,000 home. It would start at, with the renovations, it would be start at \$200 and some dollars a year extra and up to \$300 and some dollars if they were building a new school. The comments were very good and I'm not sure why the purpose of the committee, because now they have all these other questions, which is very good. We're happy that they're questioning, but it seems like they're kind of starting all over again, to me. I'm happy to hear that they are taking the time to do all that and I appreciate that. And I think Walden, but I also want to talk about the one comment about Olley Park. I don't believe we can just give parkland away. Plus, there was federal funding for that park, I believe at one point. Again, because they tried to sell it when I was Mayor. There was federal funding for that park so you really can't sell it.

Manager Revella: Just to make sure, we did discuss the school issue and you were asking why are they this far if they don't have a location and they don't.

Trustee Pearson: It was a pretty interesting meeting. Hearing the board members and I appreciate that they're doing. Doing their due diligence to try to move forward and see what they're going to do and ask a lot of good questions. Happy holidays to everybody. We should have a joint board meeting. There's a lot of issues that are coming between boards, Planning Board, Zoning Board and I think we should have a joint board meeting again sometime soon.

read events into minutes

Executive Session – Employment History of Particular Person, PBA Negotiations, Attorney/Client- Notice of Claim

Trustee Hall made a motion to enter into executive session to discuss employment history of particular person, PBA negotiations, attorney/client regarding a notice of claim. Seconded by Trustee Garrison. All ayes. Motion carried.

Reconvene

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

**Village of Walden Board of Trustees
Regular Meeting
December 17, 2024
Motions & Resolutions**

Letter to DEC

Trustee Taylor made a motion to approve a letter to be drafted on behalf of the Village Board in regards to the issue at Orange County Transit as discussed. Seconded by Trustee Hall. All ayes. Motion carried.

Approval of Minutes

Trustee Pearson made a motion to approve the November 12, 2024 Minutes. Seconded by Trustee Taylor. All ayes. Motion carried.

Trustee Pearson made a motion to approve the revised November 19, 2024 Special Meeting Minutes. Seconded by Trustee Hall. All ayes. Motion carried.

Trustee Pearson made a motion to approve the December 3, 2024 Minutes. Seconded by Trustee Garrison. 5 ayes. 1 abstention (Trustee Taylor) Motion carried.

Park Use Request – Alcohol Waiver - Zarate

Trustee Hall Made a motion to approve the Park Use Request – Alcohol Waiver for Zarate. Seconded Trustee Garrison. All ayes. Motion carried.

Park Use Request – Alcohol Waiver - Brander

Trustee Hall made a motion to approve Park Use Request – Alcohol Waiver for Brander pending fee confirmation. Seconded by Trustee Garrison. All ayes. Motion carried.

Designate Street Names for Overlook at Kidd Farm

Trustee Taylor made a motion to adopt the first 5 street names as discussed for Overlook at Kidd Farm. Seconded by Trustee Hall. 4 ayes. 1 abstention (Trustee Garrison). Motion carried.

Olley Park Kitchen Bid

Trustee Garrison made a motion to approve the Olley Park Kitchen Bid to M&P Builders. Seconded by Trustee Taylor. 4 ayes. 1 abstention (Trustee Pearson). Motion carried.

Trustee Garrison made a motion to utilize parkland funds for the Olley Park Kitchen. Seconded by Trustee Taylor. 4 ayes. 1 abstention (Trustee Pearson). Motion carried.

Resolution 6-24-25 – Budget Transfers

Trustee Garrison made a motion to adopt Resolution 6-24-25 – Budget Transfers. Seconded by Trustee Taylor. All ayes. Motion carried.

Set Public Hearing for Spectrum Franchise Renewal

Trustee Hall made a motion to set public hearing for January 7, 2024 at 6:30 pm or soon thereafter for Spectrum Franchise Renewal. Seconded by Trustee Garrison. All ayes. Motion carried.

Bids

36 Orange Ave – Retaining Wall

Trustee Hall made a motion to award bid to LP Builders, LLC in the amount of \$32,000 for 36 Orange Ave – Retaining Wall. Seconded by Trustee Garrison. All ayes. Motion carried.

48 Riverview St - Drainage

Trustee Garrison made a motion to award bid to Consorti Bros. Paving and Sealcoating in the amount of \$23,727.10 for 48 Riverview St – Drainage. Seconded by Trustee Hall. All ayes. Motion carried.

60 Main St – Partial Building Demo

Trustee Taylor made a motion to award bid to LP Builders, LLC in the amount of \$22,000 for 60 Main St – Partial Building Demolition. Seconded by Trustee Garrison. All ayes. Motion carried.

Payment of Audited Bills

Trustee Garrison made a motion to approve payment of audited bills. Seconded by Trustee Taylor. All ayes. Motion carried.

Executive Session – Employment History of Particular Person, PBA Negotiations, Attorney/Client- Notice of Claim

Trustee Hall made a motion to enter into executive session to discuss employment history of particular person, PBA negotiations, attorney/client regarding a notice of claim. Seconded by Trustee Garrison. All ayes. Motion carried.

Reconvene

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