

**Village of Walden
Board of Trustees Regular Meeting
March 4, 2025**

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

Absent:

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

Presentation – New Chief of Police, Daniel D’Elicio

Public Hearing – Local Law 2 of 2025 – False Alarms

Attorney Donovan: When we were here last, there were some questions and comments, I think also since, the Chief has weighed in with some comments as well. This is on really to continue discussion and see if anyone in the public has any comments and then, the board, your options are to adopt it as it is or if you want to make modifications, make modifications. And then there's the potential or the likelihood if you make substantial modifications or even moderate modifications, is a new public hearing. Whatever the pleasure of the board is on that issue.

Trustee Pearson: I think that when Mr. Brown came before us with his comments, I thought they were excellent. I would like to see them put in. I think it makes sense; it has a little more teeth. My only thought on that is when the false alarm is triggered and the person activating the reasonable believes an emergency exists, I know we talked about before, but I think you said the Building Department would be the ones determining whether it's really a false alarm or not a false alarm. I'd like to have somewhere in this law something that states who's responsible and how that's determined. I think the teeth are there. I think what George put in there was very good, thank you very much, appreciate your help. I know that the police usually go on most calls, I believe. Fire Department might be there as well, but they're not going to be the ones that are finalizing this part of it. It's going to be the Police Department into the Building Department, I think is how you said, John, correct?

Manager Revella: Yes. The Police Department will give a report to the Building Department advising them of potential false alarm and then they'll send the violation out. Could also be from the Fire Department.

Trustee Pearson: If we can maybe say how that is determined for whether it's right or wrong, real or not real.

Attorney Donovan: Is the determination by, would you like it as the Building Department or the Police Department?

Trustee Pearson: Well, I think we said it was going to go from the Police Department to the Building Department. Building Department would be the enforcers of that. But my question is, somebody has a false alarm, and it was triggered, and they say, oh, that wasn't really blah blah blah. Who's going to determine whether it was or wasn't? What are the parameters to say it was or wasn't? I think that's maybe what I'm looking for. I don't know if there are such parameters. Trusting people and I hope we do that, but I'm just saying, are there parameters that we need to look at or not?

Attorney Donovan: The parameters as they stand now are under the definition of false alarm. Now, I think the Chief has some comments that maybe there ought to be a little bit more nuance there. Let's say a person has some sort of personal alarm and they accidentally tweak it or something. That's really a decision for the board because it is a false alarm, and you do get 2 bites at the apple. But I think the Chief and I don't want to put words in his mouth, I think he's busy tonight, but if it was inadvertent or an elderly person made a mistake, that wouldn't fall under the definition of false alarm. Which means you would have to change it.

Trustee Pearson: All right, so the Police Department will be the one determining that, and then that will go to the Building Department. The Building Department won't be determining that, whether it was really a false alarm or not.

Attorney Donovan: That's up to you guys.

Trustee Taylor: I agree with Trustee Pearson. The comments that Mr. Brown provided, I think, were very intuitive. It kind of gave us a bigger piece of the puzzle here. But I also agree with Trustee Pearson that we should definitely have it delineated exactly who's making the determination. Was it a false alarm? Was it accidental? I think some real easy words would clear that right up. And again, Mr. Brown, thank you for the input that you gave. It really gave us some insight and put a little bit of meat into this law.

Trustee Hall: I agree with everything they said. My only question would be with the owners. Are we going to discuss that? Are we sticking with the owner of the building?

Trustee Pearson: We can discuss it. We were told that every other law is the owner.

Trustee Hall: Everything is the owner, just to stay with that instead of the renter or whoever's occupying it.

Trustee Garrison: I'm not going to say the exact same thing everybody else did, but I do think that the addition of the information from Chief Brown is important to be in there. Other than that, I like it the way it is.

Deputy Mayor Batson: Could your concerns Trustee Pearson and Trustee Taylor be as simple as under E, just a comma after the last sentence? This sentence says, I'll just read the whole thing quickly *read into minutes* Could we just simply add a comma after that and that delineates that PD is the authority for who determines what a false alarm is?

Manager Revella: Can we just say Village of Walden? So, we can determine that through our procedures instead of the local law.

Deputy Mayor Batson: That's fine, sure. Would that suffice?

Trustee Taylor: Yeah, I don't think we want to overcomplicate it.

Deputy Mayor Batson: I would like to open the can of worms on the difference between business owner and resident. I do understand that all of the rest of our policies do say business owner. I'm just not sure that that's right that we just say a precedent exists and it should be the owner. That may just be taking the easy way out. I do think it probably should be whose ever alarm it is. I understand that that means additional complications and administrative pieces on our part. But I think it's the right thing to do. I think if I owned a building and my tenant was the one that put in an alarm system and my tenant didn't maintain it, then I think it would be that tenant's responsibility to pay the fines for it.

Trustee Taylor: Isn't that a conversation that should take place between the tenant and the owner?

Deputy Mayor Batson: I'm not a tenant, nor am I an owner, so I'm putting myself in a hypothetical situation and to me the answer to that question is no. But I'm willing to be wrong. I don't know if this is my hill to die on, but I think that it is worthy of a conversation.

Trustee Garrison: I think it would be difficult to enforce on the tenants because of the potential turnover rate for an apartment. There could be a tenant in there for two years and then another one and then another one. To be able to force them to pay a fine with the turnover rate could be difficult.

Trustee Taylor: I think the business owner has some repercussions if they're being dinged for a false alarm. I'll make myself a hypothetical here as well. I'm dealing with that tenant and I'm telling that tenant, hey, I'm not going to continually eat this fine for a false alarm. I'm going to assess you on either your rent or whatever. That's a conversation that I would have if I was in fact a business owner and I was being fined for a false alarm given by one of my tenants. But that's just my perspective.

Deputy Mayor Batson: Fair point.

Trustee Pearson: It's not just 1 or 2; it's up to 3. It's not like it's the first time or second time. We're talking 3 times. And if that happens 3 times in 2 months, then, I think there's something wrong. Somebody needs to address it, and it might be the owner of the property that's going to address it with their tenant.

Trustee Garrison: I think we need to be careful using the words business owner because I think the word we're actually looking for is like landowner. I think using business owner could be taken the wrong way.

Trustee Hall: I mean ultimately, it's their responsibility.

Deputy Mayor Batson: I think I'm firmly in the camp of the business owner. We're a group of 7. That's fine. But I'm in the business owner part.

Mayor Ramos: I think we should redefine what the false alarm is to inadvertent activation of a body alarm compared to the fire alarm. We've had a number of residences with the fire alarms which the Building Department should be checking to see if there's a malfunction. The inadvertent activation of an alarm is just as the word is, inadvertent. And I believe the landlord shouldn't be penalized. I know they get 2 bites at the apple. But if they are going to pursue the fire and safety

aspect of it when it comes to the Building Department and ensure that their units are working 100%, then I believe they're taking responsibility for that. As for the tenants themselves, they should be weary of this law. Their lease process. They should have documentation in the lease saying if you have personal alarms, you are subject to a fine if you've activated it more than twice. I don't think the onus of the landlord should be totally on them. It is the resident's responsibility. They're the ones that's activating it.

Trustee Garrison: If you look at the definition for alarm system on A, it says that personal alarm devices are not considered an alarm system.

Mayor Ramos: We should differentiate that solidly that they are not. But it is still going to be a response from the Fire Department. Am I right?

Trustee Pearson: We talked about that last time and everybody told me it was in the definition so we didn't need to change anything. Do you want to change it again?

Mayor Ramos: But the Fire Department is going to respond to that or the EMS or the Police Department. We should have a little bit more. At least no ambiguity.

Attorney Donovan: It's perfectly unclear to me exactly what you want me to do. However, I would like to point out that this is a public hearing, so maybe you want us to listen to some comments from the public. Then you'll come back to me, it sounds like a rewrite is in the offing of some sort. I'm happy to get as close as I can to the end of March.

Mary Ellen Matise: From a property owner's point of view, you don't always know what your tenant is doing. I only have one tenant. She's a long-term tenant. Been there 7 years and I don't always know what she's doing because she needs her privacy. She changed the lock on the back door, and then she said to me, oh, by the way, here's the code and here's the key. A tenant might put in an alarm. It doesn't have to be something permanently installed. If something is permanently installed, then the Building Department should know that from any inspections that they do. In multi-unit buildings where they do the inspections in the hallways, those alarms are going to be apparent to them and they test them. You're saying how are you going to get in touch with the tenant and then you have to get in touch with the property owner to tell their tenant. When she drives her car, she's held responsible for what she does in her car, not me. Even though she parks on my property in the driveway. I don't know. I think you got to figure this out.

George Brown: Thank you for the positive feedback. A couple of things. One, when it comes to the administration, if this law were to go into effect, the Fire Department already works closely with the Building Department. We make reports instantaneously. Send emails from the scene to the Building Department. In the case of fire alarms, if we make a determination that there is a false alarm that would fit the criteria of the law, we will do that. We could easily set that up so Mr. Wallner would receive the emails while he's sleeping in the middle of the night. That would be no issue in that end for us. I'm the one that personally sets that up so literally anyone from the Firehouse could open up their phone and send the report right away.

Trustee Pearson: Do you send it to the Police Department as well?

George Brown: Currently, if we find that there is an issue pertaining to the building codes in the Village of Walden and even the Town of Montgomery, I have it set so that there are certain parameters in it and it automatically triggers whether it's village or the town and it will go to that appropriate Building Department. That's something that takes me probably half an hour to set up a new form for us to trigger. If you're opening the idea to rewriting the law, I'm offering my services

to sit down with you and go over. My suggestions that I gave to you were only in the idea of trying to limit what a false alarm is. But I would help further if you guys would like. There's some stuff that kind of jumps around and stuff, but I solely had my focus on just the fire aspect, because that's who I'm here representing. I just wanted to narrow it down so we're not punishing people unnecessarily for an alarm that's doing what it's designed to do. That's what the goal of my proposal was.

Deputy Mayor Batson: Not a question, just going to use as a reference. What he said there does change my ask because I asked that as determined by PD. But if they are also capable of making false alarm. Typically, the Village of Walden is generic language for us that would not include them. Is that correct?

Attorney Donovan: That is correct. It would not include, because they're obviously not Village of Walden.

Deputy Mayor Batson: Then from a village perspective, is the Fire Department even capable of saying this is a false alarm and then us saying you are going to be held financially accountable for that?

Manager Revella: Whatever entity sends that to the Building Department; the Building Department would look that over and determine if it's a violation.

Deputy Mayor Batson: Okay, so then we just need Village comma and/or Walden Fire.

George Brown: I would imagine it as us just making a referral to the Building Department. Building Department being the enforcement mechanism.

Deputy Mayor Batson: They are the enforcement piece, but what we just talked about is that they are not the decision maker. While they may be the enforcement piece, we need to clearly define who makes the decision. If you can only recommend, and the Police Department is not the decision maker in that, because they're not involved in that by default, almost puts the decision-making piece into the Building Department. Which is another change from what we just said.

Manager Revella: Correct.

George Brown: I would say when it comes to fire alarms, the Fire Department is the sole agency that makes the affirmative decision on what was the cause of that false alarm. When the Police Department shows up to assist the Fire Department, they're mainly there for traffic control or assistance with residents if need be. They're not the ones going inside investigating what caused that alarm to go off. That would be us.

Deputy Mayor Batson: Then I retort my retort. The Village of Walden would suffice because it would be the Building Department or the Police Department in that case. The village covers both of those.

Trustee Pearson: Just a question on the Police Department, false alarms for them, can you give me some examples what would a false alarm for the Police Department be? I know they make most calls for the Fire Department, but do they go out for calls on their own and there is a false alarm call for something else?

Deputy Mayor Batson: Burglary alarms. And I suspect that that's what drives more of the need for this policy than fire alarms.

Trustee Pearson: I know we had talked about having the Police Department come and talk about this as well, but nobody's ever come. I know both times we talked about this, we had said something about the Police Department also chiming in if there were any other issues that they needed to address.

Attorney Donovan: The Chief did provide comments.

Trustee Pearson: Okay and we're good with that?

Attorney Donovan: Well, they're kind of broad brush, so it wasn't change this to this. Your Chief had given some pretty specific directions. Chief D'Elicio, kind of a generic, hey, you should pay attention to X,Y and Z, which was kind of, I think, that the private alarm, the inadvertent button that was pressed by an elderly person. You didn't want those to be within the definition of false alarm, which would require a rewrite if that's what the board is interested in.

Manager Revella: And was supportive of Chief Brown's comments.

Trustee Pearson: Are you feeling there's something missing?

George Brown: I would have to go over and look at the law as a whole again if there's a rewrite. I didn't look at it in that respect.

Attorney Donovan: If I may interject. We're going towards a rewrite. So, if you have a gentleman here who's in the trenches on this offering his assistance. That's great.

Manager Revella: I'll send you a copy.

Deputy Mayor Batson: Why do we need a rewrite? I think we only need one comma after one sentence. We add his and then like what else do we need besides other clarifying as the village of Walden as the defining?

Attorney Donovan: The law is unchanged from last time.

Trustee Pearson: But you're adding George's comments.

Attorney Donovan: Correct.

Deputy Mayor Batson: I just want to make sure that we're not scratching all of this. When you say rewrite, it is adding his comments, add one sentence after this, and perhaps clarify the personal alarm.

Manager Revella: He means that some material change has an effect, so you have to bring it back next time to be reintroduced to have new public hearing set.

Attorney Donovan: If Chief wants to help, he's going to volunteer his time, the way he volunteers his time when there's a fire. You should take him up on that.

Trustee Garrison made a motion to close public hearing for Local Law 2 of 2025 – False Alarms. Seconded by Deputy Mayor Chris Batson. All ayes. Motion carried.

Public Hearing – Local Law 3 of 2025 – Noise Ordinance

Trustee Pearson made a motion to open public hearing 3 of 2025 – Noise Ordinance. Seconded by Trustee Taylor. All ayes. Motion carried.

Trustee Kyle: I'm sorry, I didn't get a chance to e-mail it. There was one section for the noise ordinance that's specifically related to vehicle horns. It says no person shall at any time sound any horn or other audible signal device of a motor vehicle unless it is necessary as a warning to prevent or avoid a traffic accident. I was just looking at the fines, \$350, it could be for the first fine. I looked at the NYS law, just my opinion, I would kind of like to change the wording, in the NYS law, it says there is prohibited use and that the law prohibits using a horn unnecessarily or excessively, such as honking in anger or frustration, using the Horn for extended periods without a safety reason or honking repeatedly in non-emergency situations. I just like that wording a little better because we're essentially taking away someone's ability to honk their horn at all like if there was someone that's just stopped at a green light because everyone's on their phones now that you can't just be like, beep, and let them know to go. With the fines, I feel like obviously that would be officer discretion. They might not get pulled over for it, but they could and they could get up to a \$350 fine. I would feel better with the wording where it's not used unnecessarily or excessively like out of anger or frustration or prolonged periods of time. I just liked the wording of how it said it in the NYS law a little better than to just say that you're not allowed to use it at all, except when there's an accident about to happen.

Attorney Donovan: That's obviously up to the board. That's in the existing law now. That's not being modified by this local law.

Manager Revella: Does the board feel the same way?

Trustee Pearson: Does that make it a rewrite or is that just an addition?

Manager Revella: Is the rewrite significant enough to warrant a new public hearing?

Attorney Donovan: You're kind of changing that definition there.

Trustee Kyle: I'm going to e-mail it to everybody right now.

Mayor Ramos: I have an issue with the muffler. It's a little bit too short.

Manager Revella: Sir, I just want to make sure you're talking about the definition of muffler or the exhaust discharge on 181-6.

Mayor Ramos: Just the definition of muffler. It should coincide with the vehicle and traffic law. It just says a device for abating sounds, such as escaping gases. That's a little bit weak.

Manager Revella: So, just to modify to the definition of muffler by the VTL of NYS.

Mayor Ramos: Yes.

Trustee Hall made a motion to close public hearing for Local Law 3 of 2025 – Noise Ordinance. Seconded by Trustee Kyle. All ayes. Motion carried.

Village Manager's Report

- We did get the RFP's out for all the different consultants. Starting to get some feedback
- Been working with PBA and special counsel to get ready for negotiations. We did have a couple of personnel matters we reviewed as well. Went over policies and personnel matters with

the Chief to make sure they're up to speed, as well as a few police activity items that we went over

- Payroll, journal entries, going over personal matters with the Clerk, FOILs, request for modifications to water, sewer bills
- Covered for Fred. He took some time off
- Went over evaluations, budget and inventory with Department Heads. We should be getting everything back to the Treasurer by the end of this week to get the budget moving so she can start doing entries. She's also working on the audit items to make sure those are ready
- Some people did get to attend the walkout ceremony for Chief Herlihy. That was very well attended
- Went over the 10-year capital plan with the engineer, DPW and Rec to get that drafted up for a review for the board at the next board meeting
- I was deposed for the village on a lawsuit matter. The attorney said it went well, so I'll get you an update on that in exec
- Had a big conference with the DEC and EFC regarding our funding for the sewer plant and the Tin Brook Pump Station tunnel
- Rec Department basketball program going well, 130 participants. Pickleball is going well. Still 4 times a week, 2 sessions a day. Also have the updates for summer camp and proposals for summer camp to limit the capacity to 350 and ages from 5 to 13
- Building Department issued 8 new permits, 32 violations were issued, 3 stop work orders and 2 fire and safety inspections. The only update on 76-80 West Main St is that there is no progress. The attorney may have an attorney-client for you later to update on that. And they did proceed with 10 different court proceedings for property maintenance violations, which several of them actually went well. Some were adjourned. We're pushing forward on those
- Clerk, same stuff as usual. Facebook, website updates, FOILs, certificates, handicap, getting ready for the election, petitions, training the Deputy Clerk on certain things and doing minutes
- Finance working on payroll, water, sewer. The bills are coming in now, working with RBT on the audits, budget prep and programming
- Public Works, hopefully the last water break of the year, they had one the same night as the fire up on East Ave. They did 5 mark outs, replaced 11 meters, 1 endpoint. Continue to do maintenance. Doing budget and capital. Finished all their evaluations, clearing catch basins. Flushing and jetting and checking stations
- We have an MS-4 audit tomorrow. The Building Department, the Highway Department and myself will be attending with our engineers and the DEC
- Chief transition is going well. Working on personnel matters, we have some interviews coming up for part-time positions and working on a couple other personnel matters to fill the gaps. The Sergeants have all been moved to the same room, the training room, so they're all together so that they can coordinate and communicate better right next to the Chief. They've been out on patrol, doing pretty well. There were 382 blotters, 12 arrests, 133 traffic stops with 75 summonses issued, 7 mvas and 20 parking tickets issued

Trustee Taylor: The last meeting you said you would be prepared to have a better update on where we sit with RBT. Where are we?

Manager Revella: 2023 seems to be wrapped up. They're just finishing up the general fund and payroll issues and then '24, the same thing. The quick ones are the water, sewer, library and trust funds. Those are all wrapped up. They just need to go get '23 general fund, payroll done so they can do '24 general fund, payroll. Then they should be caught up on those 2 years.

Trustee Taylor: Any idea when that end date might come to fruition?

Manager Revella: I asked today for an update, and she was going to have Denise, as the Rep from RBT, follow up tomorrow to see what she can do next and where we are on the money because we haven't gotten the last invoice. So, I was cautionary about having her come back until I have the updated invoice to see where we are on the balance that the board approved.

Trustee Taylor: Can we get that get an update and put it on the schedule for the next meeting to get it more clearly delineated where we're at, when we expect it to be completed?

Manager Revella: You should ask the Treasurer to come to do the report, if you don't mind. She would be more adept to give you details.

Trustee Pearson: They're supposed to be attached to camp revenue expenses. Did anybody get that? It says attached summer camp revenue and expenses, we had asked for that for the summer camp. Do you have that? When I saw Mike, he was going to get a copy.

Manager Revella: You didn't get it e-mailed to you?

Trustee Pearson: I didn't get anything, but it says attached summer camp revenues.

Manager Revella: I don't have copies for everybody, but I have a copy with me. I thought it got scanned to you, sorry.

Trustee Pearson: We've had 2 violations that were supposed to be on the agenda from last meeting. I know I've read a little bit. Is that going to happen tonight, as well? One of them was supposed to come back tonight and one was going to be told about.

Manager Revella: The new one for tonight is not ready. He's transitioning that from the court to you guys. They're getting some time on it, which is what he said. That's 121 Ulster Avenue.

Trustee Hall: Can we send a letter or something to OCT to get some kind of update? Where we're at? What we're doing? Do they want to come back and visit us? I'd like to see their faces.

Trustee Pearson: Have you heard anything, John?

Manager Revella: No.

Trustee Hall: I thought they were supposed to come back.

Trustee Pearson: If issues are issues, can't you take them to court?

Trustee Hall: I'd love to see them before I leave.

Deputy Mayor Batson: I noticed that there's a letter in the back for the resolution for the MTA. But I don't see it on the agenda. Are we going to talk about that or is it just simply a sign and go?

Manager Revella: The board approved it last time, just want to make sure the content is correct so we can get it signed.

Deputy Mayor Batson: If we could review that and get it signed. *Read resolution into the minutes*

Manager Revella: Just one note in the second whereas, where it says service to Manhattan, it should say New York City because we don't get service to any borough. And then the attorney just had a typo that he fixed the Orange County with a capital C on the fourth whereas.

Trustee Kyle made a motion to adopt MTA Resolution with corrections. Seconded by Deputy Mayor Batson. All ayes. Motion carried.

Approval of Minutes – February 18, 2025

Trustee Pearson: On page 17, at the very bottom, I think it says white sauce, but I'm not sure what that means.

Manager Revella: Bottom of 17, just to clarify, it says I think that would suffice, not white sauce.

Trustee Pearson made a motion to approve the February 18, 2025, minutes with corrections. Seconded by Trustee Kyle. 6 ayes. 1 abstention (Trustee Kyle). Motion carried.

Public Comment

None

Local Law 2 of 2025 – False Alarms

Tabled

Local Law 3 of 2025 – Noise Ordinance

Tabled

52 Walker St Request

Trustee Garrison recused himself from the dais.

Attorney Donovan: I think when last we were here that the *inaudible* you for the Village Board decides whether or not you wanted to take action one way or another on the offer of dedication is implied by law by the filing of subdivision map. You have the ability to revoke that offer. And just understand, should you do that, other people own property that abut that paper street still retain certain rights that they may be able to prove relative to that paper street. If you wish to take that action, it would only be relative to the Village Board and the acceptance or rejection of the offer of dedication, to be decided separately is whether or not that's a building lot, and I'm sure when capable legal advice at some time in the future, my partner and I offer the opinion that it's not a building lot, but as you know, I will not be here after the end of the month, someone else will offer you an opinion, I'm sure.

Trustee Pearson: I'd like to hear how you feel about it.

Mayor Ramos: Me?

Trustee Pearson: Yes. You put it on the agenda. I just wondered what you're thinking.

Mayor Ramos: We shouldn't have a proprietary stand on that area. Can't build a road. It's landlocked and I think we should just relieve ourselves from that issue and close it. Let's work on something else.

Trustee Pearson: I just have some questions and maybe Mr. Lustig could answer them for me. If you bought the piece of property and listen, this has been on my head since 3 meetings ago and I

don't sleep. I do research and then I have to put it all together because it's very convoluted how it's coming down. It's a paper street. We don't really own it, but are we legally responsible for it? I just wondered when Mr. Lustig bought the property, why didn't he before or when he purchased the property from Mr. McGee he didn't come to the village and talk about that paper street. That's one question. He apparently knew it was a paper street, or it was Third St. because Mr. Murray, he said in his notes, Mr. Murray had told him about the other end of Third St. that they did the same kind of thing that quick deed. I kind of think he knew that it was happening. The other property that's in his family, the one that goes perpendicular to Third St. is a vacant lot and if something happens on that one piece of property, if the village chooses to let it go. Then that vacant lot will then be landlocked, so whether the village has stipulations on something that if it's going to happen, then I think the village should put stipulations on it so that it's not a landlocked piece of property. Maybe the two pieces of property need to be combined so that somebody can utilize both pieces of property instead of just one. It is noticed as a street from the county, so I have lots of questions because it seems like he knew the situation when he purchased it and the quick deed, and he was from a real estate family. So, he knew that it was a street, and you still bought the property anyway, so I didn't understand quick deed. I actually looked it up and let me read that to you because I was trying to understand what Dave was trying to tell us, and it just wasn't clicking. When I read this, it started to make a little more sense. *Read into minutes* I have a question for Dave. What words do those rights mean? If they don't own the property, do they have a right to an easement? They have a right to what? What is somebody buying?

Attorney Donovan: Is your question relative to the person who acquires ownership by virtue of the quick claim deed?

Trustee Pearson: It doesn't sound like there is ownership. There's no title.

Attorney Donovan: There's title. Because if you search for the records, you will see that Mr. Lustig owns this property. There is title. The question is whether or not it might be called good title or not. Let me just say, the issue for the Village Board is a little different because that property originally laid out on the subdivision map in 1904, shows it offered for dedication as a village street. As I said before, the crisp issue in front of the board is whether or not you want to accept that offer or revoke that offer or you want to stand pat. Those are your 3 options. The reason why I said that this still may not be a building lot is that the determination by this board too, if you determine to revoke your offer, you could not accept the offer dedication. That doesn't automatically mean it's a building lot. That's the determination that still needs to be made between the Building Department and the Zoning Board of Appeals, ultimately.

Trustee Pearson: That's why I'm confused because I just keep reading this stuff and I go, oh my God. Apparently when you look at some of the deeds, Mr. Hogan, who lives next door, I think he's the guy that owns the property where that Mr. McGee's house was. Part of his deeds say his line is on Third Street. People keep telling me there's no Third Street. Third Street is still listed. Ray's other piece of property, the address is Third Street. The one that would be landlocked. Third Street is still apparently a street by the county. Well, it's listed as something.

Manager Revella: Known as.

Trustee Pearson: Did you research or did Mr. Dickover research, Mr. McGee, coming before the board to see if the quick deed, if we relinquished anything to him?

Attorney Donovan: To my knowledge, there's been no revocation. I don't know what research Rob may or may not have done on that issue. But to my knowledge, there's no evidence that the village has ever relinquished this before. Otherwise, we wouldn't be talking about it. But again, understand

there's 2 different things going on. The status of title, for the person who's the title owner of record and the offer of dedication that's deemed given to the village by the filing of the map. Those are 2 different issues. Now I want to be clear, the village never owned the property.

Trustee Pearson: Nobody owned the property, just sat there.

Attorney Donovan: Pretty much until somebody quickly claimed it to themselves. They got their name on a record and let it, the phrase would be, they let a season for a while, for a number of years, pay taxes on it and then abracadabra.

Manager Revella: Just so the process is clear, I don't remember if everyone recalls from last time, when a subdivision is done, there's an offer of dedication for roadways. Either the village board can accept or not. The village board never accepted and never declined either, that's why this issue is before you now.

Trustee Hall: The people who live along that Third Street, on the left side, Mr. Hogan and then the property behind it. Right now, they have access to their property through that Third Street. Is that correct?

Manager Revella: I don't know if they have an easement or not over that parcel because we don't own it. We don't have that. There could be easements. There may not be.

Trustee Hall: If it's considered a street...

Manager Revella: It's not a street for our purposes because the board never accepted it.

Trustee Pearson: Does anybody know if that's why McGee quick deeded it to himself so he could have that easement to go into his yard?

Attorney Donovan: No idea.

Manager Revella: And if you do decline, that parcel still may have some rights. We don't know that and that's not really your determination. That's between the property owners to determine if they do have rights.

Trustee Pearson: Give me a scenario if it gets declined, what happens basically?

Attorney Donovan: If you revoke offer for dedication, presumably, Mr. Lustig, or some future owner is going to want to do something with that property, right? They're going to go to the Building Department and they're going to want to get a building permit. And the Building Department is going to contact the Village Attorney at that time, now that we've highlighted this issue and said, what am I supposed to do with this? Then the determination needs to be whether or not it's a building lot. I think that at that time, if we go in that direction, there's been a revocation of offer of dedication. The issue, if I may, let me read this, it's an old case from the 1950s, but so far as I know, still good law. I was quoting in an e-mail I sent to an attorney once represented Mr. Lustig *read case law into minutes* The issue will then be brought to the Building Department whether or not other adjoining properties have the right of access. That's sometimes going to be based upon prior use. It's going to be fact determinative, whether or not they have the right access. I'm not going to be here once that happens, but I would assume that the Building Department now being on notice of this, a future Village Attorney, is going to have to make a determination, whether the issuance of a building permit would impair the rights of other adjoining, abutting properties to use that strip of land.

Trustee Pearson: If the Village Board decided to relinquish it, can they set regulations on it?

Attorney Donovan: I don't really know the answer to that question because believe it or not, I've never been involved in a situation where a municipal board relinquished an offer of dedication from over 100 years ago. I guess it would depend upon whether or not the conditions you wish to impose are reasonable, and they have some relationship to a legitimate objective.

Trustee Pearson: Let me tell you my thoughts on it, if I can. If it goes through and the owners nearby, the abutting properties are okay with everything, because I think there's the ones that would maybe be fighting. That's my guess because that's who would be fighting it, not the village. So, if that happens, it's the one lot is a buildable lot because it is 50 by 180-something. The next lot, the one that would be landlocked, is not a building lot. Only 46 by something. It doesn't have even an R5 rating. But that one lot would then be landlocked and if the village could say, if you're going to, if the village is going to do something, we'd like to see it possibly combine the two properties so that we don't have a landlocked piece of property behind this other piece of property. Maybe the house has to fit the size of the lot that no variance is given, so if somebody wants to build, it's going to fit the size of a lot and have your setbacks to be the same as what they should be. Have a driveway so people can get in. Can we set those kinds of things?

Attorney Donovan: I'd have to look into that.

Trustee Taylor: Dave, I tried reading through Mr. Dickover thing here several times and obviously that's why you got your job, and I don't. Can you explain to me at the very end of his memo, that last paragraph, because it clearly indicates that this is not a building lot, and the conclusion is that no variances can be granted by the Zoning Board.

Attorney Donovan: We probably don't want to discuss that too much in public only because this was attorney-client privilege that you have it. Determination to the ZBA A and B. Understand the ZBA never acted on this application. Application was officially withdrawn. So, there's no determination by the ZBA one way or another. I've said the obvious, which is Rob had determined it's not a building lot. In terms of how we got there, I wanted you all to see that, but that's not anything that's in the public domain.

Trustee Hall: If we go ahead and do this, doesn't this open up a can of worms for the rest of the village in certain areas that can do the same thing with their lots?

Attorney Donovan: Mary Ellen has brought up other places. Does it have the potential? I suppose that it does. But your determination to accept or revoke an offer of dedication is case specific and also the likelihood is, just put it out there, none of these are going to be village streets. That hasn't been a village street for 100 years. It's not likely that you're going to suddenly decide we need an extra street.

Mayor Ramos: We're going to keep this open for discussion further. We're going to have a new person, so their interpretation would be...

Attorney Donovan: May very well be different.

Trustee Pearson: And Bill had some questions that he doesn't get answered tonight till executive session.

Manager Revella: You can always vote after if you want to.

Attorney Donovan: Correct. But if you think you may do that, then you want to let the public know that you may take action when you come back from executive session. If you think you're going to do that. If you don't think, then you should say you're not going to.

Manager Revella: It's better to say that you might, so that the people know that they may.

Deputy Mayor Batson: It just seems like there's two separate issues here, but the one that we should be uniquely focused on is our revoking this. Do we really have questions about us revoking this? I understand, there's a lot of questions in general, but we've done nothing with this for 121 years. And the other questions, while valid, I just have to wonder, are they directly related to our ability to accept or revoke this? I understand they need to be answered.

Trustee Pearson: I look for everything that I can do to make the right decision, and I don't feel I have everything I need because I keep coming to that roadblock. I'm not saying it's not gonna happen. I just don't feel comfortable yet. Maybe that's me. Sorry to say.

Deputy Mayor Batson: Fair. Is this a time sensitive issue? Granted, it started in 1904...

Attorney Donovan: In this issue if there are multiple parties. For certain parties, it may not be time sensitive. For other parties, I suspect it is time sensitive.

Deputy Mayor Batson: We hold this and then...

Trustee Pearson: Bring it on the next agenda.

Deputy Mayor Batson: Okay, I'm going to make a motion on the next agenda and force us into a vote.

Attorney Donovan: What I was going to suggest is that the board was inclined to revoke their offer of dedication that you authorize me to prepare a resolution doing that because this is not a run-of-the-mill. I'm going to make Chris's life miserable, at his last meeting with a bunch of whereas and wherefores and all that kind of stuff. I'll have that ready and you can decide to do what you think is best.

Trustee Pearson: Will you find out whether conditions can be put on there?

Attorney Donovan: Here's the general rule, you can establish reasonable conditions. However, let's assume that someone who is saddled with those conditions decides that they're not reasonable and they're not going to accept those conditions. Things are not always as cut and dried as you might like them to be.

Trustee Pearson: Then they'd have to sell the property if they don't want to do what's supposed to be done.

Trustee Kyle: I can't see putting conditions on it, like Chris said after 100 plus years of us...

Trustee Pearson: I'm talking about the conditions for somebody who owns the property now. *inaudible* landlocked piece of property behind there. If you're going to allow that to go through, it's most likely going to be a building lot, is most likely what's going to happen, and you have the whole piece of property behind that's just going to sit there and do what? Collect trees and dirt and weeds and water.

Trustee Kyle: I don't know. There are other landlocked properties in the village, I just sometimes feel like the village doesn't always have to get involved.

Trustee Pearson: But this doesn't have to be landlocked. That's the issue, unless we have to let it happen. If we can find out that it doesn't have to happen, it doesn't have to be a landlocked piece of property.

Deputy Mayor Batson: Can't we take those issues sequentially, though, rather than trying to get it all done in one shot? Revoke this and then let them independently work on it.

Mayor Ramos: Everybody in agreement to have the attorney draw up resolution, just in case.

Arbor Day Resolution

4/24th Waterfront Park. 10-11:40am.

Trustee Hall made a motion to adopt Arbor Day Resolution. Seconded by Trustee Kyle. 6 ayes. 1 abstention (Trustee Pearson). Motion carried.

SEQR

Trustee Kyle made a motion to declare intent to be lead agency relative to the EFC Grant. Seconded by Trustee Pearson. All ayes. Motion carried.

Public Comment

Sue Taylor: Budget season is coming upon us. Lots of stuff going on. I read something interesting the other day. We shouldn't have to watch our government as much as we do. In a perfect world, we would elect our representatives, pay our taxes. And life should be good. But we all know this isn't a perfect world. And that watching our government has become a full-time job. Instead of worrying whether the state of New York knows our villages here, our elected officials need to know that we are here, and the days of reckoning may have come. You may think most of us live in oblivion, but we notice. We noticed a lack of police presence in our village. Noticed the speeding. We noticed the vehicle break ins. Noticed the vandalism. Some of us even noticed that after a meeting was over and the cameras were gone, and the audience was gone. The board was forced to vote to hire the Orange County Sheriff's to patrol the village because our department was depleted. From resignations or injuries. I know others noticed in the community because it was all the talk on Facebook. The lack of policing. And while our remaining officers and our dispatchers were taken to task, not one word of explanation came from the head chair on the dais. Our lack of officers was no secret, at least to the people taking advantage of the situation. We also noticed that when elected officials make decisions about our tax dollars and how they are allocated, miscalculations can be made and that when they are taxpayers pay the price. Town of Montgomery is a perfect example. We've recently heard that Orange County legislators are mulling the possibility of withholding sales tax shares for municipalities. That could cost us millions in shared revenue. Instead of vowing to let New York State know we are here, how about making our local politicians know we are here, and we are paying attention? Where is the outrage? Almost two years ago, I suggested that the Village Board consult with our engineers about our sewer and water systems and reevaluate future needs of the village. It had been over five years at that point that the village had done so previously in anticipation of the Tin Brook Pump Station project. That item has still not appeared as an agenda item but now seems to be on the radar of the head chair, at least according to a recent article in the Wallkill Valley Times. Better late than never, I guess. The New York State Controller DiNapoli released a presser warning that the fiscal landscape in New York State is changing, and that quote, prudent budgeting and transparency is recommended to avoid a fiscal cliff. Federal stimulus aid is disappearing. Many municipalities are being forced to pierce the property tax caps to increase their

tax levies. Aim funding has declined almost 30%. Many municipalities are failing to file annual financial reports, leaving taxpayers in the dark. He also recommends proper accounting records. Things aren't looking rosy for many municipalities in the state of New York. Some in the Town of Montgomery received 48% tax increases. Could that be just the beginning? Are you taxpayers tired of it all yet? And most recently, the Village of Walden Taxpayers found themselves once again on the short end of the stick with the Valley Central School budget ignoring Walden Elementary School with not one capital project listed for that building. Evidently, once the committee which our Mayor, John Ramos was a member, recommended that the current building be replaced by a new build, and despite all the dire declarations of the conditions therein, our students will continue to attend and nothing will be done to enhance their stated compromise learning experience. Same old, same old we pay and somebody else gets to play. Wake up Walden, pay attention. Sit up and take notice. Your eyes aren't the ones deceiving you. What you see or don't see is exactly what we are or are not getting for our tax dollars. Time to take action. And Mr. Donovan, I just heard you say that you're not going to be with us much longer. I'm going to try not to get emotional. But people can blame me in part for hiring you to be council for this village. I have to say the days that I sat on that dais and counted on you to keep me out of jail sometimes. I have to say that I always appreciated your counsel, even though I didn't always like what you told me. I'm not an attorney. Never pretended to be an attorney. But I was very happy. And the village was very lucky that we had you in that chair and guided us through some of the most difficult issues I had to face in the 12 years that I sat on this dais. I'm jealous that you're leaving, but I also congratulate you on a wonderful career, at least the part of it that was shared with me. And I want to wish you a wonderful rest of your life. Whatever you decide to do. I want you to always know that I'm a grateful former mayor and former trustee of the Village of Walden and I thank you for everything you did for me and for the people who live here.

Attorney Donovan: Thank you, Sue.

Ann Sullivan: *handed out packets to board* I live at 256 Lustig Court and for I don't know how many years since like 2002, there has been a drainage ditch that runs off of 208. It's the first page and I just made that copy tonight for you because I forgot I had it from the state, so it's not attached to the rest of it. This is what we're talking about. 1997, the state put some new drainage ditches in and a covert under 208 and then it runs through. There's a ditch and then it goes underneath Lustig Court onto my property. I've never had a problem on my property, but the property behind me has. It's been blocked back there since I moved in. In 2002, I noticed that we were getting flooding. I've been trying to work with the state and the village to figure out who's responsible. We've been going back and forth. It has eroded the property and on the lowest point, so the water has found its way closer and closer to my house over the years. I've had to put in an additional sump pump in my basement. I get flooded. I'm getting mold. I'm getting algae now. It's terrible. In addition, last January I got oil in my sump pump, and I don't have an oil tank, so I called the DEC to come in and they said there is petroleum on my property and my dirt. The reports are in here as well. I had already been working with the village. It was like 2002, again in 2006, 2012, 2016, 2018, 2021. I kept going, and then I would just get ghosted by everyone. Single mom, working hard, I would kind of get frustrated and I would stop. Got a new guy here at the village and I'm like, let me try. I called him up and he did some emails with me. I'm sorry I can't remember his name. The new Building Inspector. He was wonderful. Then all of a sudden, he said, I can't help you." I was ghosted again. A few months later, that was in October, when the ghosting started to happen. January, I find the oil in my basement. I call the man, get the DEC the Governor gets involved. Gets the DOT to give me all the information. They're saying it's the village. The whole time I really thought it was the state, and I even said to the village, I'll help you. I found a lot of information. I found laws really just trying to get the village to help me by saying it's not us. John said he spoke to lawyers over and over, and I asked for a letter from the lawyer, something saying why. Why isn't it you, because the state saying they handle the road, but any ditches that go with that have to be handled by the village.

In here finally the state came to me with the final nail in the coffin that it is the village. But the village is still saying, our lawyers say it's not. That's really not good enough. I didn't know I had to come to you all these years. I never came to the board. The mayor was included in my emails as well, so everyone knows that as a taxpayer living here for 25 years, single mom, working hard, fixing my house. That no one even took the time. If it was somebody else's house, and I wrote to John, as well as Brian Maher, saying if it was your family in Walden who were getting poisoned by oil in your home and you're working hard. You would have taken care of it. I need an answer from the village and what I'm asking for is a letter from John Revella, that is going to include a statement from the attorney, explaining to me why with all the information I gave you from the state saying it is the villages responsibility, why you're not responsible. Is there a reason why you're not feeling responsible with all of the information that's here? The plans for the road when they did the work, right on it, on page 18, table of maintenance and maintenance jurisdiction, which was from the plans that the state did and right on it, it says, all other features would be maintained by the village. They tell you the features that are going to be covered by the state, all other features maintained by the village. That's the drainage ditches. I really thought it was the village, and again, I was working with the village saying help me out. Give me something from your lawyers. All these years and then literally ghosted. No one would answer me. That includes our assemblyman. If you go to page 11, you have the law which says any sidewalk, sewers, water mains, curbs, paved gutters, conduits, facilities, that are provided pursuant to the section shall be maintained, or shall be continued to be maintained, as the case may be by the village in which they are located or by the agency or other unit owning or having control and jurisdiction thereof. I thought the part that said, except the state shall maintain any drainage ditches and storm sewer facilities which are constructed primarily to service the state highway facility. The state says that does not pertain and that was the part where I was working with the village saying help me out. I found this. I think it's not you, but I need you to help me, and I got no help. The state says nope and what overrides it is on page 18. Because the plans say the village is responsible. They're saying, no, it's the village. I need the village to tell me why you're not responsible in writing and then I can go to the state and tell them why. I was told every time we spoke to our attorney, they said no. But why? I need to know why.

Attorney Donovan: Understand, I give advice to the Village Board. I don't, and I'm not permitted to give advice to the public at large.

Ann Sullivan: But you can tell the board why not responsible. Can I get an answer as to why the village isn't responsible? Who would tell me that?

Attorney Donovan: I'm certainly happy to have a discussion with the board where I can provide legal advice and convey to you something that happened recently in another municipality relative to a very similar issue.

Mayor Ramos: The board has just received this. Give us a little bit of time.

Ann Sullivan: Absolutely. I knew that you would have to look it over. What I'm looking to do, I finally have time. Kids are grown, in college. I'm ready to spend some time on this. I'm not completely overwhelmed anymore. I'm looking in the next 30 days to get a response.

Manager Revella: The board's going to discuss the matter with the attorney for attorney-client after this meeting and have on the agenda for the next meeting, which is March 25th.

Ray Lustig: I actually have 3 items I'd like to present. I was hoping to have my first item to thank you for relinquishing your interest in our Third Street. Unfortunately, that didn't happen. I would like to clarify just a couple of things. You made a blanket statement that that landlocked property is not a building lot. When it was mapped out in the very beginning, it was a building lot. To

categorically say that that landlocked piece of property between Center Street and Walker Street is landlocked and no good for anything.

Trustee Pearson: The size of the lot is not conducive to an R5 zone.

Manager Revella: It doesn't appear to be. That's what we want to say.

Ray Lustig: It remains to be seen. And when that property was designed, it was designed as a building lot. It was going to be the only house on the street, had Third Street been developed. However, Third Street was never developed and remained a paper street. Then it took its character as landlocked piece of property. The answer if I had, there's title issues, be simple, quick title. Where it might be impossible to combine those lots. However, if it were possible, I would very well combine those properties. Just say there's legal issues to be evolved, but I have no issue about not combining properties. I would like to state that the villages, Mr. Garrison, I don't want to put you in a bad position *Trustee Garrison left the dais* The village's interest, as it was determined in the letter from your partner, indicated that the village has an interest. And that interest is like an option to put in the street and should they want to. 121 years later, pretty obvious the village is not going to put another street there and their interest is really meaningless. Now to say that the village may not want to relinquish their interest because of other adjacent landowners, is really 100% irrelevant to the village's position. If an adjacent landowner had an issue, of course they could address that directly with myself, because that's where the issue lies. The village's interest as it was put is kind of a standalone item. And I think it would be considered as such. The major reason that I'm here, I'm going to request the board's indulgence to let me take a second bite of the apple regarding that invoice that I received for legal fees regarding the zoning issue. *Gave handouts to the board* I beg the board's indulgence here, because when I handed out handout last time. The invoice that I had handed out was the invoice from the village to myself. But that was nothing more than a pass through of the handout that I'm giving you now and as clearly can be seen, Dickover, Donnelly and Donovan, LLP, is the issuer of the 6 different invoices. Which are labeled ZBA, 52 Walker Street, Ray Lustig, single family dwelling, section, lot and block. When I was here at the last meeting, the Village Attorney, opined on the fee of a couple thousand dollars that I received. What I'm suggesting right now is that it was totally improper for the Village Attorney to opine on an invoice that his firm issued. And for the lawyer to say that no, Mr. Lustig must pay my invoice because I don't want to collect my invoice from the village, it is totally a conflict of interest and a very self-assertive state. And I suggest that if there was any ethics exercise....

Attorney Donovan: I'm not going to stand for that, all right. That's nonsense. My firm got paid by the village. You reimburse the village. So, don't stand there and talk to me about ethics. You don't have your facts together. I'm not going to take that.

Ray Lustig: I apologize for getting on you. Just disregard that. I apologize. That is not the reason that I'm here. I would like to know and have the board's indulgence to look at the second piece of paper that I have issued, and this is the Chapter 135 Fees. My interpretation varies from the Village Attorney's interpretation. I want to present my interpretation of this bill to the Village Board now. Last time I didn't have a good copy, and it was unfair. This time I made a complete copy of the law so that nothing is missed. Nothing is skipped. You have the ability to see the whole law. Section 135-3 is fees set by resolution and then you have 135-4 Zoning Board of Appeals under fees. If we flip the page over on page 3, what's really applicable here is number b. Read it closely. Except for the case of area variances. Now mind you my application is for an area variance. Accordingly, I'm the exception to everything else that's going to be in this paragraph. *continued to read the section* That means for everything else except the area variance. The village can add additional fees for costs incurred, but not for an area variance. Area variance would presume to remain at the minimum or whatever the stated fee is. *read the law into minutes* But that's not applicable. What is

applicable is what would then go down to fees established following the Zoning Board of Appeal matters. Area variances. Then it says use variances and zoning law interpretations, active requests of the applicant alone. Please be advised, I did not request any additional work done by anybody. What happens here? Because when it comes to the fees, it says except for the case of area variances. What that does, it defaults to whatever the fee is for your area variance, which is what the cost to the applicant is. For the village to turn around after the fact and give an area variance applicant something more than the minimum fee is unlawful according to the village code. Again, that's your interpretation of what it is. But it should not be the lawyer's interpretation in this particular case. That's one item that I would like the board to seriously consider. Anything else that the village would have. If the village sent out a consultant, a lawyer, an engineer. Yes, it's billable. Except in the case of an area variance. Now I might want to add one other item as a matter of information. The application which was received 8/8/23 is the original application. Although I originally did it, I ended up being the proxy. I am not the applicant of the variance. If there was a fee, which there shouldn't be, it should not be directed at myself. It should be directed at the applicant of the variance. Which happened to be Alex, the builder, who was doing a tremendous amount of work in the village. Alex and I were in agreement that he was going to develop the land subject to the approved as a building lot. When I first bought that property, I met with Mr. Stickles. Mr. Stickles sat down, and we looked at the property and examined the property and Mr. Sickles said, yes, this is a building lot. I spoke with the town assessor, the lot is being taxed as a village building lot and that goes to the county assessor, also. *inaudible* that responsibility I think of the Village Board and of the Village Zoning Board, is to maximize the utility of this village. Which includes the footprint. Which is defined in the charter of this village. The idea is to build out this village in a maximum, logical manner which makes sense and it's beneficial to the residents. In this particular case, having a house on what would have been Walker Street would be maximizing the utility of that land. It would be to maximize the taxable revenues that the village would receive. Other than the neighbors saying, I don't want to have a house here because I want my children to play baseball on that flat land. The most beneficial thing that the village would do would be to provide for a house to be built there and maximize your revenues. Something that would fit into the neighborhood and would under any normal case be acceptable. Now I have one other item I would like to bring before the board. I would like the board to consider making a policy on having cell phones and communication during the Village Board meeting. When I was at this meeting a couple weeks ago, it came to my attention that the Internet blog that is going on video in this meeting, I found it quite interesting, whether it was a coincidence or by design, that all capital letters says "do not vote on this issue!!". And lo and behold, the issue was not voted on. When I come to this meeting and I'm requesting the board make a decision. I want the board to make that decision. Not somebody that is blogging to you on the Internet. Somebody that may have been a previous mayor and trustee. If you want to have a public comment from the public, have Internet question and answer period. Build it into the procedure. However, I do not believe it is proper that the trustees have access to the interactions with the people out in the Internet lands during this meeting. If they want to comment, come on down and comment. However, to exercise participation on the phone, which may influence anyone, is improper. I believe that the village should develop a policy to address that. Thank you for your consideration.

Mary Ellen Matise: Marisa, I sent this to you. March 8th, next Saturday, we're having an open house tour at the Masonic Lodge, co-sponsored by the Lodge and the Historical Society. Kyle Williams, he's a Grandmaster, he's done a whole bunch of research, especially on the lodge members and on Colonel Bradley, so please come out. It's a 1 o'clock. You'll get to see the inner sanctum on the third floor of the lodge building, which you don't get to see unless it's a tour. On March 29th, we haven't picked the time, yet. We're going to dedicate the trolley sign on the boulevard. Try to put that on your calendar, but I'll send you both date and time. I don't want to go into any particular situation, although I did print it out Clinton Street. I own #21. When you go back to the subdivision map and this is how these things happen, one time I had a surveyor come he says,

you know, you got an extra 10 feet back here. Why don't you quick claim it? I said, I don't know and I just never did anything about it and it might actually be counted into the footage of the lot because the lot's 125 feet deep. I don't know if that counts the 10 feet. But also, there's a sliver of land back there that belongs to Ace Woods. That's a whole other issue. How these things get set up in the village. When you go back and this is a poor copy of the subdivision map that was done for Gladstone Ave. Grandview Ave was supposed to go all the way across, but it made a little jog and then it was supposed to go all the way down the hill to Orange Ave. And they never did it. Is that where my extra 10 feet is? Maybe. Who knows? I call it no man's land behind the garage, but there's 10 feet back there that belongs to somebody. It could belong to me. You can't get to it unless you go across my lot. But that's how these things happen, and I had sent you months ago, a whole list of problem areas. I went through every section of the village map and as I said before, came up with the coal alleys. Those are probably on people's properties, but the way they're used, some people block them. Other people have a right to use them and park behind their houses. You have issues where that tunnel is going to go because one side is, I don't know how many feet it is at this point, but it clearly says Village of Walden, but then you get to Ulster Ave. and the strip on the other side doesn't say anything and there's houses there.

Manager Revella: a 40- or 50-foot-wide easement through there.

Mary Ellen Matise: It's an easement over property that somebody's built on that shouldn't have been built on.

Manager Revella: The easement area is not built on. Our water and sewer lines go through there right now.

Mary Ellen Matise: Okay, these things are in the village, because it's old and in fact you know what? Just because it was offered to the village by the Gillespies when they broke up the farm. And just because it wasn't dealt with for 121 years on the West side doesn't mean that the village doesn't want to deal with it. Maybe you do want to deal with it. I just think that you need to really look at these issues and partly because when the ZBA makes a determination, it doesn't get changed. Unless somebody else comes along and asks for another variance. It's not like a local law. You don't just say, okay and then couple of years down the road you say, wait, this law isn't working. Let's change it. The ZBA determination is pretty much written in stone. So, when we get these problems and then we sit there, and sometimes for many meetings, so many hours. Sometimes we need other information, which maybe some people feel is an issue that they're being asked for more information. We try to be pretty sure about what we finally say and for a damn good reason to not create more problems down the road.

Payment of Audited Bills

Deputy Mayor Batson made a motion to approve payment of audited bills. Seconded by Trustee Hall. All ayes. Motion carried.

Miscellaneous Comments from the Board of Trustees

Trustee Taylor: I had the opportunity one day this week, think it was maybe last Thursday, of meeting our new chief. John brought him up to the office, I had stopped in for something else. Tonight was just a perfect example. This individual I found to be very communicative. He's very community oriented. By the display here, the representatives that came here on his behalf to acknowledge the chief that we now have in our village, I think is compelling that the right choice was made. I was impressed as impressed as you can be with the brief encounter. But I'm looking forward to the chief and his new position, and there's no doubt in my mind that he is going to lead this village in the right direction from a law enforcement perspective.

Trustee Kyle: Now that the Police Department is pretty close to almost fully staffed. Definitely seen a difference in police presence. Officers parked at key spots throughout the village. Just looking through the reports of the number of traffic stops, number of reports responded to. I just wanted to give a shout out to the Police Department. I feel like they're doing a great job. Also, EMS, the Police Department, I actually had an emergency response to my house recently and their response time was incredible. Their professionalism, their help. It was outstanding, so I was very thankful for that. Same with the new Chief of Police. I feel like we're headed in the right direction and we're seeing a lot of positive changes. Also, with Sergeant Montanaro when he came and thanked the board. I feel like there is kind of like with reviews, where most people have negative ones and it's really nice when someone comes and has something positive to say. Reinforces what we're doing or what we're trying to do and the good we're trying to do so. That was really nice to hear. A change from most of the time, us being told what we're not doing.

Trustee Hall: I had the honor of attending the walkout and was asked to hand Chief Herlihy the roses for his wife, which was nice. I know you probably couldn't see me with everybody else there, but I was there. The police presence has been great. I see them in the morning in certain spots that they really should be. I see them on the way home from our lunch. Sometimes I should see them a little better. But I do see them. It's been nice to see everybody out and about and to hear the public say that they see them and hearing good things from the public lately about the PD and being out there. I don't even want to start with some of the stuff, but I do have to touch on that whole cell phone policy. I just need to say that I've known most of the board for a very long time and every single person up here has a mind of their own. It doesn't matter what anybody says anywhere. I'm going to take my opinion and give you my opinion. I don't care what you say, what you say, what you say. That's mine. I know the same thing for these guys and these guys. I think that's a bunch of crock and that was the nicest way that I can possibly put that.

Trustee Garrison: DPW is doing great. See them out there all the time doing what they need to do. Glad the winter's slowly coming to an end. I just jinxed it, but the weather is getting nice. With that being said, understand that they're going to be doing a lot of stuff outside and be aware of them when they're out there. Slow down while passing them. Take warning coming through the village. As the weather's getting nice with DPW guys out there doing street repairs and everything else. Police presence has been awesome. I don't think I've ever said anything negative about the PD and it's not because I don't have anything negative to say. It's just their positives outweigh the negatives. When I speak with them and the way things are going down there.

Deputy Mayor Batson: Just be mindful, it is election season. You've got some great candidates up here and some great candidates that are running, so I don't think we have another meeting before elections, but everybody out there please get out and vote.

Mayor Ramos: First and foremost, I'd like to congratulate our Village Manager and myself obviously for our little tour of Saint Patrick's Cathedral during the 4th degree Knights of Columbus ceremony, which was spearheaded by Cardinal Dolan. 900th 4th degree personnel from Washington State of Washington to Houston, TX were all in attendance. It was a great event and thank you for MPB for getting us down there safe and sound.

Read events into minutes

Executive Session – Employment History of Particular Person, Attorney-Client

Deputy Mayor Batson made a motion to enter into executive session to discuss employment history of a particular person, attorney-client. Seconded by Trustee Pearson. All ayes. Motion carried.

**Village of Walden Board of Trustees
Regular Meeting
March 4, 2025
Motions & Resolutions**

Public Hearing – Local Law 2 of 2025 – False Alarms

Trustee Garrison made a motion to close public hearing for Local Law 2 of 2025 – False Alarms. Seconded by Deputy Mayor Chris Batson. All ayes. Motion carried.

Public Hearing – Local Law 3 of 2025 – Noise Ordinance

Trustee Pearson made a motion to open public hearing 3 of 2025 – Noise Ordinance. Seconded by Trustee Taylor. All ayes. Motion carried.

Trustee Hall made a motion to close public hearing for Local Law 3 of 2025 – Noise Ordinance. Seconded by Trustee Kyle. All ayes. Motion carried.

MTA Resolution

Trustee Kyle made a motion to adopt MTA Resolution with corrections. Seconded by Deputy Mayor Batson. All ayes. Motion carried.

Approval of Minutes – February 18, 2025

Trustee Pearson made a motion to approve the February 18, 2025 minutes with corrections. Seconded by Trustee Kyle. 6 ayes. 1 abstention (Trustee Kyle). Motion carried.

Arbor Day Resolution

Trustee Hall made a motion to adopt Arbor Day Resolution. Seconded by Trustee Kyle. 6 ayes. 1 abstention (Trustee Pearson). Motion carried.

SEQR

Trustee Kyle made a motion to declare intent to be lead agency relative to the EFC Grant. Seconded by Trustee Pearson. All ayes. Motion carried.

Payment of Audited Bills

Deputy Mayor Batson made a motion to approve payment of audited bills. Seconded by Trustee Hall. All ayes. Motion carried.

Executive Session – Employment History of Particular Person, Attorney-Client

Deputy Mayor Batson made a motion to enter into executive session to discuss employment history of a particular person, attorney-client. Seconded by Trustee Pearson. 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.