

**Village of Walden  
Board of Trustees Meeting  
January 11, 2011**

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

On roll call the following were:

Present:	Mayor	Brian Maher
	Trustees	Midge Norman
		Richard Hurd
		Edmond Leonard
		Bernard Bowen
		Randi Lee Penney

Also Present:		John Revella, Village Manager
		Kevin Dowd, Village Attorney
		Lori Pinckney, Village Clerk

Not Present:	Deputy Mayor	Sue Rumbold
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**Public hearing Local Law I-6-2010 – Sign Law**

Trustee Norman made the motion to reopen the public hearing on Local Law I-6-10 Sign Law. Seconded by Trustee Leonard. All ayes. Motion carried.

Mayor Maher asked the public for any comments regarding the Sign Law.

Kevin Dowd commented the Planning Board reviewed the Law and voted to recommend the Board adopt it without changes.

Trustee Hurd made the motion to close the public hearing on Local Law I-6-10 Sign Law. Seconded by Trustee Bowen. All ayes. Motion carried.

Kevin Dowd commented that a motion needs to be passed declaring the Board lead agency and you abide with the Conservation Law and issue a negative declaration.

Trustee Hurd made that motion, Seconded by Trustee Penney. All ayes. Motion carried.

Trustee Hurd made the motion to adopt Local Law I-6, which becomes Local Law #1 of 2011. Seconded by Trustee Leonard. All ayes. Motion carried.

**Presentation – Buddhist Temple Park Use Request**

Manager Revella commented that the Temple on Edmunds Lane requested use of the parks for a celebration and dedication of their Temple. It'll be several events over different periods of time.

Annie from the Temple thanked the Mayor and the Board for their time. On Sunday, June 19<sup>th</sup> they will be celebrating the consecration of the new Temple with a formal opening.

Invited guests include the public, temple members and dignitaries. Expecting approximately 2000 attendees. They are requesting Village officials attend. They are requesting a firework permit and the assistance of the Walden police department for additional traffic and security measures. The second event they are planning takes place on Labor Day weekend, Sept 1<sup>st</sup> through 4<sup>th</sup>. This is the Founders' Day Celebration. They are requesting use of Olley Park with overnight camping. They will provide at their own cost 24 hour security. They are requesting swimming if possible and will work with the Parks Dept and will cover the costs associated with lifeguards. The residents of the Village are invited to swim as well. Expecting approximately 2000 attendees on Sept 3<sup>rd</sup> and are requesting assistance from the Walden Police Department. They have provided the appropriate certificates of insurance and will contract with a licensed pyrotechnic operator.

Mayor Maher commented that himself, the Manager, Chief and Mike Bliss from Parks and Recreation have met with several people from the Temple to discuss many of these details.

Manager Revella commented there were several questions regarding adequate security and crowd control. Chief Holmes did not express much concern; it would be similar to a parade event. There would be cooperation from outside agencies. Adequate insurance is being provided.

Kevin Dowd commented that a permit would need to be issued for the fireworks.

Trustee Hurd asked about the 2000 – 3000 cars. Where are these cars going?

Manager Revella commented that not all people will be arriving by cars. Some will be arriving by bus and shuttled in. Sergeant Schwandt went over the parking concerns and where they could stage cars/buses. Spence Engineering, American Lumber and Fox Hill Community are being contacted.

Ann commented that they are working with the police so neighbors won't be inconvenienced. They realize that this will be an extra effort by the police and they are willing to assist with financial cost to the Village.

Trustee Leonard made the motion to approve the Buddhist Temple's park use request including the firework permit. Seconded by Trustee Norman. All ayes. Motion carried.

### **Village Manager's Report**

- met with representative from NYS Comptroller's Office; went through a lot of questions/ concerns/accounts, they will send us a letter of what will be in the audit.

Trustee Bowen asked what the items will be.

Manager Revella commented we don't know yet.

- met with Amthor's; they are working on a truck for the water dept., it should be done in 2-3 weeks; it'll have a crane so we won't need to hire out meaning it should save the Village money.

- A truck caused damage to a valve at 49 Center St. They admit liability and we are in contact with a contractor to pay for those costs.
- Discussed funding opportunities with the Village Engineer and Karron Barnes. Additional EPA funding for upgrades to sewer pump stations and see what else can be done.
- DPW and members of the Fox Hill Community have been clearing brush from the old railroad trestle.
- Discussed low salt zones with Town of Montgomery Conservation Advisory Council around our wells on Route 52 and Lake Osiris Rd. The Village Historian is an advocate for that as well.
- Hired a new part time parking enforcement officer; will be starting next week.
- Issues with water/sewer bills

Manager Revella commented there was a thumb drive used for storing meter readings. The wrong thumb drive was used for the billing. Many were caught as the bills were going out. The rest are being fixed and will be corrected in the next billing.

Trustee Leonard commented that he heard lots of complaints that the bills were way high.

Manager Revella responded that some of those were because the reading was done about a month later; so there was an additional month's use on the bill.

Trustee Leonard commented that we need to communicate this to the residents.

Manager Revella responded that is also on the agenda this evening. Code Red on the agenda will help to address the alert system. We met with a couple of different companies about messaging every resident and business. We received three quotes; one is the same company that works with the school district – which doesn't have the functionality that the Village needs. Code Red seems to have what we would need and at half the price. We did have some water/sewer bills that were extraordinarily high and they were correct.

- Water break on Wait Street; had some bad pipe and it took some time to fix.
- DPW guys did a good job getting rid of snow
- Discussed the commercial garbage pickup for Village businesses with the current and previous carriers. We will receive a 32 gallon can with a lid for every resident; there are still issues with cans being left in the road – it'll be address with IWS' VP tomorrow.
- Met with CSEA president regarding upcoming contract negotiations
- Paychex is doing our paychecks now and there's been a couple of snags
- Met with owners of Walker Building regarding insufficient handicap parking in the Orchard Street parking lot.

Trustee Bowen asked when the garbage cans will be provided.

Manager Revella commented they should have them out by February 1<sup>st</sup>.

Mayor Maher commented they are recyclable cans; 32 gallon.

Manager Revella responded the intent is for recyclables. It doesn't say recycling on it.

Trustee Leonard asked if Interstate Waste will take bags until residents have a chance to get new garbage cans. He also asked about the website.

Manager Revella responded that there is an issue of getting information out to residents in a timely manner. The former webhost is refusing to release the domain. He's been talked to and told his balance will be paid in full, but he refuses to respond.

Mayor Maher commented we've been using Village of Walden.net, but would like to use .com and .org. The previous webhost sent us an invoice, it was paid now he wants payment for January.

Trustee Leonard asked if he is an employee of the Town of Chester, New Windsor? Maybe we could put some pressure there.

Mayor Maher responded that Manager Revella's been working hard on that so hopefully it comes to a resolution soon.

Trustee Leonard asked when DPW will be picking up Christmas trees. He asked about the INI report.

Manager Revella commented that trees are being picked up starting this week. No INI report yet; it's been rescheduled until next Wednesday.

### **Public hearing on Local Law I-7-2010 – No Smoking in Public Parks**

Trustee Penney made the motion to open the public hearing on Local Law I-7-2010 No Smoking Law. Seconded by Trustee Leonard. All ayes. Motion carried.

Mayor Maher read the notice: Please take notice that the Board of Trustees of the Village of Walden will hold a Public Hearing on January 11, 2011, at 7:00 PM or as soon thereafter as can be heard at the Village Hall, One Municipal Square, Walden, NY 12586 to consider the adoption of Introductory Local Law No. I-7 of 2010. Said local law amends Chapter 112 of the Code of the Village of Walden entitled "Parks" to prohibit smoking in all Village parks and to establish appropriate penalties for violations thereof.

A copy of the proposed local law is available for public inspection at the Village Clerk's Office at One Municipal Square, Walden, NY during regular business hours.

Mayor Maher asked for comments. He commented there will be a press conference with the Orange County Dept of Health. The Village is the first municipality in Orange County to pass a law banning smoking in the parks. The County Executive as well as Senator Larkin will be at Village Hall in the near future to promote the Village of Walden and recruit other communities to join. Tentatively this Friday.

Trustee Bowen made the motion to close the public hearing on Local Law I-7-2010. Seconded by Trustee Leonard. All ayes. Motion carried.

Kevin Dowd commented that a motion is needed to declare the Board lead agency and issue a negative declaration.

Trustee Hurd made that motion. Seconded by Trustee Penney. All ayes. Motion carried.

Trustee Hurd made a motion to adopt Local Law I-7-2010 as Local Law #2 of 2011. Seconded by Trustee Bowen. All ayes. Motion carried.

### **Public Comment**

Steve Witmore, 15 Westwood Drive, asked about the garbage contract. He asked the contractual savings. He asked if that savings will translate into a savings for individual residents.

Manager Revella responded that Interstate Waste was roughly \$17,000 cheaper than County Waste. It was \$591,000 last year and IWS is \$600,000. Both costs were higher than last year. Cost per household is approx. 17000/2300.

Steve commented it'll cost between \$20 to \$60 to buy a new can.

Manager Revella commented that the previous company wasn't obligated to provide garbage cans. We negotiated a 32 gallon can with IWS. The prior company only gave 600 residents cans – and it wasn't part of the contract.

Steve commented he wished he knew he would get a new can before he went and bought a \$60 one.

Manager Revella responded that we didn't know either until the first pickup last week. We weren't sure we were going to keep them as a provider because we didn't have a secure contract yet. If they didn't provide us the contract by last Monday, by 4:30 pm we would have had to go with the other bidder. They came at 2 pm on Monday.

Mayor Maher commented we had to push them to get their stuff in. We almost had to call a special meeting of the Board of Trustees.

Manager Revella commented we are obligated under state law to award the bid to the lowest bidder.

Mayor Maher commented that aside from us absolutely having a need to do a much better job of getting the information out to our residents which we will address tonight, the Village did do everything we could to get the residents the best garbage services possible.

Steve asked if the contract awarding period had to wait until the end of the year or can you do it earlier in the year in the future. He confirmed that he will receive a 32 gallon can.

Manager Revella commented that the cans do belong to the garbage company. Use the can for your needs. Recycling is co-mingled; glass, cans and plastic every Wednesday.

Lynn Schwandt, 143 S. Montgomery Street, asked if bulk pickup would still be the same.

Mayor Maher responded that yes, it'll be the same services. Garbage pickup will remain on the same days.

Manager Revella responded that bulk pickup will be one week in May and one week in October; it'll be on the calendar 2 months ahead of time. Yard waste will continue from April through November.

Jessica Metzger, Gracewood Court, asked about the voter registration day.

Lori Pinckney responded that she attended a class that day and the voter registration day had been abolished previously and it does not have to be re-abolished every year. A resolution would be needed to bring it back. We are not required to have a voter registration day and we are not having one.

Jessica asked if this is something that was decided previous.

Maher Maher commented that it has not ever been brought up but Lori read the book and raised the question.

Jessica asked when was the last time the Village of Walden had a voter registration day and it's her opinion that we should have one every couple of years. She commented that the Village's DPW does a fabulous job plowing except for the Municipal Building.

Manager Revella commented the guys came around and did the sidewalks on the day of the storm, Mr. Eckert was going to come the next day to finish up, but he injured his back. We were going to have clean up but another storm was coming. There will be a full clean up after the next storm.

Jessica commented that this is the hub of our Village, the benches are snowed in and it doesn't look nice. She recommended the perimeter of the municipal building be cleaned especially with children and parents walking through to get to the school. The roads have been cleaned wonderfully. Regarding the village website launch, it was her understanding that the domain was ours prior to the previous contract. She has alternate phone numbers for the previous webmaster if needed. She also doesn't understand why the Village is paying someone to do the website when there are tech-savvy employees who could do it. She asked about DPW and where are we with regard to the budget and snow removal / overtime and salt.

Manager Revella responded we are good with salt, more has been ordered. We still have 450 tons there. Another 700 tons have been allocated that hasn't been used yet. \$70,000 is budgeted, spent maybe \$24,000. As for overtime, we budgeted \$30,000, the first storm used a lot since it was a holiday.

Jessica commented that Mike Bliss contacted her personally about a park committee meeting on 1/27 at 7pm. She asked if the Alfred Park is the main thing on the agenda. She asked about the IKON proposal for scanning documents and what was the final figure and how many documents does that include. She indicated again that there are tech-savvy personnel available and they should be used. There are employees not needed to do payroll now that we are using Paychex, train them to do the scanning on software that the Village purchases. Then we will not be at someone else's mercy. She recommended someone research the cost of the software and training someone as opposed to the proposals from IKON. These are the kinds of things that could save a lot of money.

Manager Revella responded the IKON proposal varies and the Board is not prepared to vote on them today. He commented that Stephanie has converted some of the documents from the computer to PDF for the website. IKON proposed \$4380.75 for 35000 images.

Jessica commented she was happy to hear the Village was giving every courtesy to the Buddhist Temple dedication. These are the kinds of things that come up in our budget year that we need to be prepared for. It sounds like it's going to be a fabulous event. She commented that at the last meeting in December, the state comptroller was here. That examiner's opinion was that an audit was required. We don't know the why yet.

Manager Revella responded that yes regarding the auditors and they haven't said exactly what they will be looking at, but we have an idea.

Jessica asked when the current CSEA contract expires. She asked if the Board would be meeting sooner for budget hearings

Manager Revella responded June 1<sup>st</sup> the contract expires. He responded regarding the budget hearings that yes, he already started meeting with department heads concerning the budget. He will be checking with the Board when they want to start the meetings.

Mayor Maher commented that for the past two years we waited until the next Board was in. He recommended starting much sooner.

Jessica recommended holding the meetings early and including the candidates. She recommended starting the first or second week of February. She commented she's hopeful that the turmoil and decisions and the timeliness of decisions that were made in 2010, cause the Board to reflect and slow down and have all the data in front of them before a decision is made. We are all having to say no in our personal lives and we will have to say no here.

Becky Pearson, 167 Walnut Street asked about Paychex and the previous discussion about being paid every two weeks; was that looked at? Is it something we would consider doing? It would save a couple of hundred bucks. Regarding the garbage, there is a lot of concern. She asked Kevin if it is definitely state law that we have to take the lowest bid.

Manager Revella responded that we can't go to paychecks every two weeks yet due to the PBA contract. It would be a savings of about \$400 per month; they charge us per paycheck.

Kevin Dowd responded regarding the garbage contract that we have to accept the lowest responsible bidder. It's the lowest bidder unless the company has a record of total failure.

Becky commented that there have been times when, by a previous Board. the lowest bidder was not accepted. She knows everyone was supposed to have a container by January 1<sup>st</sup>, is that considered responsible.

Mayor Maher responded that once it was caught that they were trying to give us a 20 gallon can, it was immediately negotiated to be brought up to a 32 gallon can and it took them a lot of time.

Becky asked if the size was in the bid.

Kevin commented that the language of the bid stated an appropriately sized container. Their idea of appropriately sized did not meet the Village's.

Becky asked who made that decision on where that appropriate size came from, is it the Board, the Manager.

Kevin Dowd commented there is a problem specifying a specific sized container; it might preclude companies from the bid.

Becky asked how many bid packets were picked up. She asked if the Manager or the Mayor contacted the companies to let them know the bid was out.

Manager Revella commented that 2 were picked up. The bids are advertised; some actually called us.

Becky commented she agrees with Jessica that the budget process should start earlier. The public does need to know and they should be involved.

Brian Sebring, 84 East Ave., asked how many citations were given out for sidewalks not being shoveled and what's the time limit.

Manager Revella commented there were 34 citations and he believed the limit is stated on the letter.

Brian commented if they have a limit and it's not done, how come they have not been shoveled by private contractors.

Manager Revella responded he was not sure. He's not aware of when the letter went out, how much time was given – which he believed was 48 hours, if it doesn't get done, Precision usually comes in and does it.

Brian commented that there was a sidewalk on Elm Street that has not been done, there was also one in front of the Walden Mall not done – people have to walk out in the street. Snow just keeps getting pushed into the walkway.

Manager Revella commented there was a property on Church Street that wasn't shoveled, up the street from himself.

Brian asked about the Village Code and if it stipulates the size of the sidewalk. He's been seeing a single shovel wide.

Kevin Dowd responded it is supposed to be the entire width of the sidewalk.

Brian asked then why are many property owners getting away with single shovel wide.

Manager Revella responded it can only be a time constraint. The first priority is to make sure they are shoveled at all, second priority is the width – it just takes time to get around. There was also a lot of problems with debris outside; it's supposed to be outside on the



curb. They are cited fro the debris and they have time to remove it and if they don't they get cited again. Then it goes for a hearing or in front of the Judge.

Brian commented that public safety on sidewalks should not be going on for weeks and weeks. We've already gone through two snowstorms with out shoveling being done and now we are coming into a third. He commented that if the contractor went up there and shoveled, guaranteed it'll be done. It's a public safety issue. There should be something put in the Village Code and it should be enforced. There's a new Board, a new Mayor and a new Code Enforcement Officer. It should be taken care of. It shouldn't wait until four more snowstorms.

Manager Revella responded that it is in the Village Code.

David Sperry, 12 Overlook Terrace, commented he has trouble hearing Trustee Leonard when he's speaking. He thanked Manager Revella for his quick response to David's phone call. He commented he has a problem with the tree trimming. The Village was out trimming trees back in December; they went on properties. It was supposed to be only limbs hanging over Village streets – it was 14 feet up according to Manager Revella. A lot of limbs on his property were cut over 14 feet, they should not have been cut. The trees going up Walnut Street look terrible now – they look like stumps. A few years ago, this was the tree capital of NY, now they are hacked up. He asked about the contract for snow removal on the sidewalks – if Precision bid on the contract or is that something that is just carried through.

Manager Revella responded we haven't shoveled on sidewalk yet; it was assumed that was who Dean would call.

Kevin Dowd commented that we did put the lawn mowing out for RFP and we should be doing that for the snow.

Mayor Maher commented then we'll definitely do that for the next meeting.

David asked who has the lawn mowing job.

Mayor Maher responded that we did put it out for bid.

Manager Revella confirmed that no bids were received.

David confirmed then that there is nobody to mow lawns and nobody to shovel snow at the present time, if the need be.

Manager Revella commented that the same carrier was kept because we didn't receive another bid to remove them.

David asked if a bid was put out to begin with. He asked about a contract with a company for the dump trucks that are used to remove snow from the Village streets.

Kevin Dowd responded that a bid was probably put out years ago.

Manager Revella responded regarding the dump trucks. There is no contract, they are hired by the hour and calls are made to whoever is available using a list that was used in the past.

David commented that we keep using everything in the past and we're not trying to cut costs.

Manager Revella responded that when he calls, he asked price per hour and picks the two lowest people.

David asked how much overtime it took to remove snow.

Manager Revella responded it was 7 hours; 4 people at 7 hours. Last year in the February storm, he believed it was 23 hours.

David commented that they work 7 am to 7 pm, which is 12 hours, so that was 4 hours; now you're saying it was only 4 people used for overtime. Why did they do it all in one day, what happened to the next day, Friday?

Manager Revella responded that 4 people had that many hours; 2 people had 2 hours. He responded that Friday was a holiday, New Year's Eve- the holiday was a Saturday so the holiday falls to the day before as per contract.

David commented that it could have waited until the following week with the 50 degrees over the weekend. He asked what happened to the businesses on the west side, snow wasn't removed.

Manager Revella commented that we only remove from the B3 district.

David commented then if you don't have a business on Main Street here, you're done as far as the west side goes same with the lights on the west side of the river. West side is different from the East side of the Village. He asked about plowing snow into the sidewalks on the corners. Residents get letters that they need to clear the snow from the sidewalks.

Manager Revella commented that issue had been addressed already. He told the Code Enforcement officer that our plows packed the corners, residents shouldn't be fined because we plowed the snow there. He talked to the guys about packing the snow.

David commented that if the Village pushed the snow onto the sidewalk the Village should shovel it. He commented there are still lights out on Main Street.

Manager Revella responded we got bulbs, we replaced the bulbs. Three weeks later we had ADCO out there checking the lamps, the lights were working. They are out again.

Mayor Maher commented that we are looking into

**Reconvene**

**Adjournment**

**Village of Walden Board of Trustees  
Regular Meeting  
January 11, 2011  
Motions and Resolutions**

**Local Law I-6-2010 Sign Law**

Trustee Norman made a motion to reopen the public hearing on Local Law I-6-2010. Trustee Leonard seconded. All ayes. Motion carried.

Trustee Hurd made the motion to close the public hearing on Local Law I-6-10 Sign Law. Seconded by Trustee Bowen. All ayes. Motion carried.

Trustee Hurd made the motion to declare the Board lead agency and issue a negative declaration, Seconded by Trustee Penney. All ayes. Motion carried.

Trustee Hurd made the motion to adopt Local Law I-6, which becomes Local Law #1 of 2011. Seconded by Trustee Leonard. All ayes. Motion carried.

**Buddhist Temple Park Use Request**

Trustee Leonard made the motion to approve the Buddhist Temple's park use request including the firework permit. Seconded by Trustee Norman. All ayes. Motion carried.

**Local Law – I-7-2010 No Smoking in Public Parks**

Trustee Penney made the motion to open the public hearing on Local Law I-7-2010 No Smoking Law. Seconded by Trustee Leonard. All ayes. Motion carried.

Trustee Bowen made the motion to close the public hearing on Local Law I-7-2010. Seconded by Trustee Leonard. All ayes. Motion carried.

Trustee Hurd made the motion to declare the Board lead agency and issue a negative declaration. Seconded by Trustee Penney. All ayes. Motion carried.

Trustee Hurd made a motion to adopt Local Law I-7-2010 as Local Law #2 of 2011. Seconded by Trustee Bowen. All ayes. Motion carried.

**Payment of the Audited Bills**

**Executive Session**

**Reconvene**

**Adjournment**