

**Village of Walden
Board of Trustees Meeting
January 25, 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
	Deputy Mayor	Sue Rumbold
	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

Introductions of new employees

Chief Holmes introduced recent new hires
Manager Revella introduced the recent new office hires

Presentation – Request for Zoning Change – Methodist Church

Manager Revella commented that Trustee Norman is a member and voter for the Methodist Church and is not eligible to vote on any action item with the Church.

Reverend Jackson presented a request to re-zone the properties of the United Methodist Church which includes the Church itself and 25 Pine Street from the RM-2 (multi-family) district to the B-3 (Central Business) district. The original purchaser of the property has withdrawn the offer to purchase the property; however, the realtor has recommended going through with the request to re-zone the property to make it more marketable.

Kevin Dowd commented there was a meeting last week with the Reverend and some members of the congregation. We discussed the legalities are and the issues. He drafted a letter comparing the uses that are presently allowed as well as the proposed uses for the B-3 uses. Applicant is asking for a zoning change to sell their property to make it more marketable. There is no issue of spot zoning; the B3 is contiguous to these parcels, however he wanted to make the Board aware of the potential uses of the property. This is not reversible. The Church will file a formal request which is a petition, than we would have to go through the local law process to change it. We'd refer it to the County and the planning board. The building is on the National Register of Historic Places in the state, we'd have to go through the Office of Historic Preservation for at least their comments under SEQR.

Mayor Maher wanted to discuss the pros and cons of this zoning change.

Kevin Dowd commented that if the Board wishes to entertain this petition, then the Board would have to authorize him to prepare a local law.

Mayor Maher mentioned the comparison of the uses:

RM-2	B-3
Single-family detached	Dwelling unit over first floor nonresidential use
Two-family detached	Senior group residence
Multiple dwellings	Senior citizen development
Planned residential developments	Church, temple, place of worship
Senior group residence	Day-care centers
Church, temple, place of worship	Nursery school
Public library, museum, community center	Public library, museum, community center
School, public or private	School, public or private
Day-care centers	Membership club, nonprofit
Cemetery	Philanthropic, fraternal organization, nonprofit
Membership club, nonprofit	Public passenger transportation terminal
Funeral home	Arena, assembly hall
Professional office, medical arts bldg	Bank
	Funeral home
	Hotel
	Office, business, professional
	Parking garage
	Personal service shop
	Radio or TV broadcasting
	Repair shops for household or personal appliances
	Restaurant
	Retail store or shop
	Shop for custom work
	Tavern
	Theatre

Trustee Rumbold asked what is on Pine Street and what borders it.

Manager Revella responded it's a vacant parcel that provides access to the Church. The Church house is on the corner.

Mayor Maher commented that the rest of the properties on both sides are B3 right now.

Manager Revella commented if you were looking at the front of the Church, its B3 to the left and the parking lot across the street is already B3.

Mayor Maher confirmed that the changes would be two properties that border the B3 already.

Trustee Hurd asked if the residence would remain residential.

Manager Revella responded that yes, it's still RM2.

Trustee Rumbold confirmed that if you were to face the Church, to the right of the Church is the Church Residence and then regular residences from there.

Manager Revella responded yes and to the left of the Church is all B3 already; there are some businesses mixed in and multi-family.

Kevin Dowd commented that to the right is RM2 and if you look at the back left hand side, the property is R5, single family.

Trustee Leonard commented that he doesn't see a big impact on this zoning change.

Mayor Maher commented that the resident's might not want to see a possible tavern put in; that could be a negative. We don't want to see a vacant property there either.

Trustee Bowen commented that he thought a B3 would work. It would add more to the strip going out of town actually. It could definitely bring some revenue into the Village.

Trustee Rumbold responded unless a tavern goes in there. She commented that she understands the church changing the zoning to sell their property, but do we chance changing the quality of life of the resident's in the area if a tavern or a hotel or arena goes in there.

Trustee Bowen asked if the list was in stone.

Mayor Maher responded yes, those are the uses for that zone.

Trustee Hurd commented that due to past history, it was common for churches to be turned into bars or dance places because the property would be picked up relatively inexpensive and not much modification was needed but it's not attractive to be empty either.

Manager Revella commented that it has been done in the past; changed the zoning for a contiguous parcel. It's not unique and you're not setting precedent.

Mayor Maher commented that we would like to welcome any opportunity where it would be in the best interest for the Village to do something like that.

Trustee Hurd commented that despite his concern about a tavern, the overall economic benefit to the Village would be enhanced if they allow it to go forward.

Mayor Maher agreed that is how we should look at it; it shouldn't be viewed as doing a favor for the church, we are doing what's right for the Village. He reiterated Trustee Bowen's question about taking something off the list.

Kevin Dowd responded that would make every bar or tavern non-conforming. There are bars that already exist under that zoning and would not be allowed to change the premises.

Trustee Leonard asked that since the church is a not for profit that property would come back on the tax rolls.

Kevin Dowd responded that we don't know what the use would be; it could be another church or some other not for profit organization that would qualify. Otherwise it would go back on the tax rolls.

Mayor Maher commented he would like to move the process forward and there will be ample opportunity to talk to the residents, inform them of what's going on and hear what they have to say.

Trustee Rumbold commented she thinks it's a great idea to see what the neighbors have to say.

Manager Revella responded that we could contact the neighbors in writing, return receipt.

Kevin Dowd responded that can be done, but its not the normal way to do zoning changes. You can do a written notice, but who is going to pay for it.

Mayor Maher commented it wouldn't take that much to put a flyer together to let the residents know; he asked if that would be something the Church could do.

Reverend Jackson asked to what extent geographically. He clarified the parsonage is the only single family residence that borders the property. Across Pine St there are single-family, but behind them are actually apartments.

Mayor Maher commented we could provide a list of the homes that could be affected.

Kevin Dowd commented that normally with the zoning board there is a 300' of the property lines; there is no obligation to do that. Introduce the local law at the next meeting and that will determine which residents need to be notified.

Trustee Bowen made the motion for Kevin Dowd, Village Attorney to prepare the Local Law for a zoning change for the Methodist Church. Seconded by Trustee Leonard. All ayes. Motion carried.

Presentation – Lanc & Tully: Update of Village Projects

Manager Revella introduced John O'Rourke of Lanc & Tully.

Mr. O'Rourke thanked Manager Revella. He commended the Board on their improvements and projects, both unseen and seen.

- Water has been a big project; improved well buildings & decreased water losses
- Upgrade of the telemetry system
- Repaint the water tank with assistance of County funding
- Sewer plant – INI work
- Grant work coordinating with Road Program
- Road Program – created Road inventory – tracking
- Cleaning sewer systems
- Improvement to Village Hall Roof; designed for future for a replacement generator to run the whole system.
- MS4 Program: storm water management and increasing water quality, increasing public education.
- Tennis courts

Trustee Leonard asked when the INI report will be done.

Manager Revella responded it is in draft form, it should be finalized by the 30th.

John Queenan, Lanc & Tully, commented on the warranty for the Well 5 Roof. There is a problem with the warranty for the material; the contractor was supposed to provide a 40 year warranty. In the fine print, it states that once the contractor puts screws or nails into the metal roof, the warranty is null and void. We are holding payment until it can be figured out. It's been discussed with Kevin; ideas are being tossed around.

Trustee Rumbold asked how is the roof to be attached if you don't use nails or screws.

John Queenan responded that's what the contractor said. The metal roofing company gives a warranty on the metal and once something is done to the metal they won't warranty it.

Trustee Rumbold asked if the contractor has used this material before and now this is a surprise. What is recommended to use to attach the metal to the roof?

John Queenan responded that yes, and he's read the warranty himself and once we apply for the warranty and a representative comes and looks at the work. There are apparently plastic clips that can be used to attach the material.

Trustee Bowen asked if there are other clients that have used this company. Have we done any research on anybody else that have used them before and how long has that roof been used without any defects.

John Queenan responded no regarding the other client's question. The type of metal roof that was used is universal and how it was installed is typical of how it should be installed.

Manager Revella asked building inspector, Dean Stickles if he has seen the roof.

Dean Stickles commented that is how you install a metal roof. He doesn't understand how the manufacturer can't stand behind the metal roof.

Trustee Hurd asked if anyone has suggested that they might get pulled into court for not covering it.

John Queenan responded it's been discussed with the contractor.

Trustee Rumbold asked if we can't get a warranty on the material is the contractor prepared to remove that material and replace it with something that will provide a 40 year warranty.

John Queenan commented that if he wants to get paid then yes.

Trustee Leonard asked if the contractor can purchase a bond to insure the roof. How far out would they go with a bond?

Kevin Dowd responded that it's been talked about but we are talking 40 years out. The bond company might not be in business, nor the contractor or possibly the bank. He asked what do we want to secure that warranty that he can't get with the manufacturer.

Trustee Rumbold asked how long will this process go on.

Kevin responded we've been talking about this for three weeks. We are not paying for the roof that we don't get a warranty for. It is up to the contractor, he can't satisfy the contract.

Trustee Rumbold asked what if the contractor says he will replace the roof with a metal roof using the plastic clips. The manufacturer guarantees the metal, so the contractor has to say the clips will hold the roof on for 40 years.

John O'Rourke commented we are talking about \$8600 for the cost of the project. It would cost him more in the long run to do that; it would be cheaper for him to walk away.

Trustee Bowen asked that we are just looking for some type of warranty.

Trustee Leonard asked if anyone has called the manufacturer.

John Queenan responded yes, he has spoken with the manufacturer and they referred him to such and such paragraph.

Manager Revella commented we just want to make the Board aware of the situation while Lanc & Tully are here.

Kevin Dowd commented we are working toward a satisfactory outcome. He does not see how the contractor can provide a 40 year warranty.

John O'Rourke commented that this was a change order that the contractor suggested and the warranty was one of the selling points.

Trustee Hurd confirmed that the contractor suggested it and now he's the one who is caught by the manufacturer. He commented that the contractor did install a quality roof and he feels there is some obligation to the contractor.

Kevin commented that if you pay him and something happens with that roof in 5 years.

Trustee Hurd suggested working something out with the contractor with some type of warranty but not 40 years. It is suggested that this contractor is going to walk.

Trustee Rumbold commented that it's the contractor's responsibility; it's not the Village's. He owes us a 40 year warranty and it's up to him.

John O'Rourke commented the contractor is Liberty, the same company that did the roof.

Kevin commented we are going to continue to work out a solution and until a solution is determined, we won't pay him.

Manager's Report

- Cherry Street buildings complete
- Sewer plant project; met w/Delaware Engineering – 6 weeks for contractor to return: pipe work is complete and concrete work finished.
- will be subsequent meetings about funding and grants available.
- INI report already mentioned – in draft form
- Olley Park Dam report – maintenance that will need to be required to be in compliance with DEC
- Water break on East Main – Plow caught it during snow storm
- Auditor is here; should take approximately 35 days to complete. She's been making recommendations as it goes along.
- Village website is up and running; been well received, link to sign up for text and email alerts
- meeting Thursday with the new workers compensation carrier.
- review of progress of the new water truck; should be completed in about 10 days
- found valves for the Thruway water meters so they can be replaced. Letters have been sent to last few Commercial properties and they've been cooperating.
- Added the water report to the Boards files and leak detection report.

Trustee Leonard asked how we are doing on salt and will we need to mix with sand.

Manager Revella responded there is some sand mix in there; we are okay on the salt budget and we are right on target.

Trustee Hurd asked why the truck salts first then it plows later.

Manager Revella responded they usually salt first so it doesn't bind to the road.

Mayor Maher commented how he drove along with the DPW during the last storm. He commented about how much work goes into plowing the roads and how exhausted he was and he was only sitting there.

Trustee Leonard asked about the electrical problem at Bradley.

Manager Revella commented that yes, Dean went out there again to check the meter, it hadn't move the last time he checked.

Dean Stickles responded that he will ask NYSEG to check it again. It appears to be moving again and there is nothing on.

Trustee Leonard comment about Mike Bliss' report and needing a furnace at Wooster's; he asked if that location had natural gas.

Manager Revella responded that location does not have natural gas and he met with a contractor today to discuss options including natural gas or geothermal. He's putting proposals together and we will get a few more together to present to the Board. It will probably be costly.

Trustee Rumbold commented that it seems we are always looking for valves. She asked if they are on maps and as they are found will they be put on maps.

Manager Revella responded they are not on maps; as they are found they are being mapped. They are also mapping during digs. A lot of them are paved over and as they are found they are mapped.

Public Comment

Jessica Metzger, Gracewood Court, commented that the website looks great. She asked that the Mayor correct something he stated incorrectly at the January 11th meeting regarding the previous webmaster.

Mayor Maher responded that yes, he did state previously the former webmaster was refusing to release the web domain until he was given payment. There was some back and forth about him giving us an invoice. We did get an invoice and in an email that he sent to Manager Revella and some other employees, he said also expect a bill for January. He had not at that time had given us the domain name and it was translated to the Mayor that he was also requesting payment for January before he gave up the domain name. But a couple of days later, he gave up the domain without him giving us an invoice for January. The Mayor stated also that he was holding the domain name hostage pending January's payment, when in fact once he was paid for December, the domain name was released.

Manager Revella commented that he is not going to request an invoice for January.

Mayor Maher said it was his mistake that he was holding the domain hostage until payment for January.

Jessica clarified that the amount paid to the former webhost was for September, October, November and December and it was not just for December. It was irresponsible to state

he was holding us hostage. She stated that from now on, we need to be careful what we say publicly. It was not true and it could have been harmful to other accounts that the person may have. If the other employers were called, how would it have looked if the Village did not pay for Sept, Oct, Nov and Dec? As soon as he received his payment, he released the domain. The new website is running very smoothly, the new company is very on top of things. At the last meeting, Code Red was being discussed. She spoke with the Village of Washingtonville and they have a system that works wonderfully. She called to find out who their service is with and it's a company out of California called NTI. It's through the connect edge of the school district in Washingtonville and they hook up with them as a municipal rider. It's costly, about \$5000 per year service and it's unlimited. If this is going to be explored, it is her suggestion to contact the Village of Montgomery during that gas main break and see if other municipalities in our school district would like to share the service. That \$5000 may be broken up over 3 municipalities.

Manager Revella responded that the Code Red system actually came from a presentation that was given in the Town of Montgomery for the police. We can contact the other agencies.

Jessica suggested Valley Central get contacted since they probably use the same company. It's NTI and through California. She asked about the TLC Summer Concert listed as an action item and who they are.

Mayor Maher & Manager Revella responded Transformation Life Center, a not for profit organization.

Jessica asked if this was an action item in order to give them the use of a park and not a discussion item. She asked which park they are requesting to use and what day.

Manager Revella responded yes, it's been discussed with the Chief and it was brought up to the Board. Bradley Park is being requested for August.

Mayor Maher confirmed August 20th from 10am -10pm.

Jessica asked if they will be using Village equipment or DPW labor to set up any stages at the event.

Manager Revella responded it was not asked for yet. They may have mentioned it to Mike.

Mayor Maher confirmed that they did request stage use from Mike.

Jessica commented she was here at least meeting and the Buddhist Temple members were here to request use of Olley Park and there was much talk about money and overtime. She hopes that before the Board votes on this request the same scrutiny is used with regard to insurance certificates and possible reimbursements or leveling out the costs. It's a good thing they are coming so early before budget time.

Manager Revella responded that TLC already has their certificate in and we did meet with the Chief with regard to possible costs as well.

Mayor Maher commented that they have offered to come in and talk too.

Jessica asked if the Board will wait then to vote on it then if they are going to come in and speak.

Mayor Maher responded that we will discuss it now but we were pretty confident it was a much lower scale event. It should be simple enough that we could pass it tonight but it'll be discussed and see if there are any issues.

Jessica commented that she does not have a recyclable container yet from the new garbage company.

Mayor Maher responded by Feb 1st.

Jessica commented that she had an opportunity to read some of the minutes now that they are posted on the website. It seems like we are waiting until December to discuss contracts. The workers compensation or garbage contract should be worked on earlier than the month it's due. She asked if the park committee meeting is still on. She thanked Brian for answering the zoning differences for the church. She reiterated that to the left of the church and across the street is all zoned for what they are asking and behind is all zoned for residential. Taverns don't seem to make it on that street but it would be nice for the church to have the opportunity to have a broader scope of potential buyers to put this out to and hopefully it would be tax eligible.

Mary Ellen Matise, Clinton Street, asked if the work being complete at the tin brook pump station. She asked if we can get a plaque and set a date for dedication for Tom Murray. It's already been approved, just need a date. We also need a plaque for the tree in Wooster's Grove. She asked if the state audit will take the place of the Nugent & Haeussler audit and that will save us \$21,000.

Manager Revella responded yes regarding the plaque. The state is also looking at that audit as well.

Becky Pearson, Walnut Street, asked about the water shut-off valves. There was talk about getting an intern/engineering student do that as a project. She asked about the parking in front of village hall is 15 minutes, handicap. She stated that was approved maybe 2 years ago. She stated she doesn't believe there is handicapped people there right this minute. Mr. Leonard is in one spot.

Trustee Penney responded that the parking is not handicap.

Becky confirmed that it's only 15 minutes then and did the law ever get to Albany. It was voted on and approved for a purpose. She asked about re-zoning Orchard Street back to single family, she can't recall if it was both ends of the street.

Trustee Hurd commented he thought it was only the lower end.

Becky commented that she knows it was re-zoned single family so that if somebody moves out of a house there and changes it back to a single family, it will always stay a single

family. She commented it's just something to consider when looking at Church property. She asked if four people are signing the bills.

Trustee Norman responded yes, they are.

Becky commented that it might not be nice to say but kudos to those that fired Mr. Politi; things are finally getting done and thank you very much.

**Business of the Board of Trustees
Hearing under Chapter 116 (8-E) – 35 Ulster Ave.**

Manager Revella commented that they requested an adjournment. The first request was for 30 days and they were told it was out of the question; it's been in a state of disrepair for a long time.

Dean Stickles commented that since September this company, the Federal Home Loan Corp. has ignored the violations as long as the attorney. If the Board adjourns it until 2/8/2011, it should be a drop dead date and after that date we should be able to take any action we see fit. It's gone on too long and they are only worried about an eviction.

Trustee Rumbold asked how many letters have been sent.

Dean responded he sent one on: 9/22, 11/8 and 12/16 a letter was sent stating if nothing was done he was bringing it in front of the Board. He has been ignored until he sent all three, River City, River Realty, the attorney for the bank and the owner. All of a sudden somebody calls.

Trustee Rumbold asked the date they would like it adjourned to.

Manager Revella responded the next Board meeting, February 8th.

Trustee Rumbold asked what is supposed to happen by Feb 8th.

Manager Revella responded Steven Baum got a local attorney assigned to the case so that they can come and appear for the hearing. He just got it today because I told Mr. Baum I wouldn't adjourn it for 30 days; I guess it motivated somebody. The guy's out of Scarsdale, he spoke with him today and he pleaded for a little bit of time to get the people there to comply. I told him I would approach the Board with the Feb 8th date.

Trustee Rumbold asked if this Feb date is just for them to appear for the hearing. She asked for an explanation of a drop dead date.

Manager Revella responded it means no further adjournments.

Dean commented that he's been getting a lot of pressure from residents in that area because of the construction debris on the back porch, the fence is falling down and the house is in disrepair. The hearing was set for tonight and they all received notices. How much longer can this go on?

Kevin responded we have a request from the bank for a 2 week adjournment; he suggested giving them the two weeks. He spoke with the Realtor, who then spoke with the bank. The two week adjournment is a good idea.

Trustee Rumbold made the motion to adjourn the hearing until the Feb 8th Board Meeting. Seconded by Trustee Leonard. All ayes. Motion carried.

Approval of Payments for work on sewer digester

Manager Revella commented the company completed the concrete work in the digester. This is the first drawdown. First payment is \$85, 642.50 out of the \$719,000.

Trustee Rumbold asked if the money was coming out of the correct account.

Manager Revella responded yes.

Trustee Hurd made a motion to approve the payment for the work on the sewer digester. Seconded by Trustee Norman. All ayes. Motion carried.

Water Bill Review

Manager Revella commented there are actually three requests for review of water bills. The first is 127 Walnut Street. The guy doesn't live there and someone takes care of the property. Apparently there were some leaks and his water bill went up. He said he shouldn't have to pay it and will only pay a certain amount. His bill is 4 times the amount that he paid and he asked Vicky to return his payment since the Village is not receiving his payment as full. He would like to know what the Board wants to do; the owner is asking the bill be reduced.

Mayor Maher asked if there was any reason the Village would have any liability to reimburse.

Manager Revella commented he had 2 leaks. One going through the sewer system and one was not going through the sewer system – it was outside. He knows in the past the Board has reduced bills by the sewer amounts when they've had leaks of this nature.

Mayor Maher asked if that is in cooperation with the amount he is asking for now.

Manager Revella responded it is less.

Trustee Leonard asked if the leak outside was before the meter.

Manager Revella responded no, the leak is after the meter. It was a hose leak that was outside.

Trustee Hurd asked why there are two different amounts. One is \$1700 and one is \$2100

Manager Revella responded because he had more than one bill. There was a payment adjustment, but he told them to refuse the payment.

Trustee Hurd confirmed the payment adjustment was for the sewer portion of the one.

Manager Revella responded no.

Trustee Leonard commented that these bills are 2 days short of a year old.

Mayor Maher confirmed they are also 2 different bills. One is March to May and one is Sept. to December.

Trustee Rumbold asked that he didn't pay his water bill for March through May.

Manager Revella responded that is correct. He had a paid a portion and it should say 2011, it's a misprint.

Trustee Rumbold commented one says Sept – Dec, assuming 2010, why would he write March – May of 2010.

Manager Revella responded it is 2010; march – may 2010 and sept – dec 2010.

Trustee Hurd commented that these amounts are no where near the bill.

Manager Revella responded that they are 2 different meters.

Trustee Hurd asked why would he think to he would only pay ¼ of the bill.

Manager Revella responded that's why we refused it.

Mayor Maher commented then there is no precedent for it.

Trustee Hurd commented that he is essentially granting to himself the ability to pay it and dictating to us what he can do and not do.

Trustee Bowen commented that the other side of it is that he's paying bills in January of this year for what happened in March of last year.

Trustee Rumbold asked if the bills were estimated. When did he notice the leak?

Manager Revella responded he contacted the office when he received the bill.

Trustee Bowen commented that there should be no discussion; it's a waste of time.

Trustee Penney made the motion to deny the request for 127 Walnut Street. Trustee Bowen seconded. All ayes. Motion carried.

Manager Revella indicated there was another water bill request for review. It was a hand written letter from John Hartman of 40 N. Montgomery St.

There was much discussion that the Board could not read the hand written letter.

Mayor Maher requested that the Manager write a letter to Mr. Hartman to resubmit a typed letter since it was unreadable.

Manager Revella indicated there was another water bill request for Roderick Schufa at 13-15 Orange Avenue. We thought there was a water main break. He had a large leak and he is asking for relief from the sewer portion.

Trustee Rumbold asked where did the water go that was running down the street.

Manager Revella responded it goes into the Tin Brook.

Trustee Hurd asked how long did this happen.

Manager Revella responded he thought it was only for one day.

Trustee Hurd commented that the letter does not indicate a dollar amount.

The Board discussed there was no mention of a dollar amount in the letter and that additional information is needed.

TLC Summer Concert Park Use Request

Mayor Maher commented that there was a meeting with him, the Manager, Mike Bliss and Chief Holmes regarding this park use request.

Manager Revella commented they are planning a Christian Music Concert at Bradley Park; it'll be open to the public. People will be shuttled from the Thruway, much like with the Buddhists.

Mayor Maher commented the Chief and discussed if extra people would be needed. No questions/concerns related to this event. They have their insurance and the Village is additionally insured.

Trustee Hurd asked how many people are expected.

Mayor Maher responded a couple of hundred; topped at 800.

Trustee Bowen asked if there would be a cost to the Village and will they contribute to that cost.

Mayor Maher responded that as Jessica pointed out they will be using the stage and labor to put up the stage; we'd have to pay if extra officers were needed and it could be budgeted for it as long as we know in advance. It's TLC, transformation life center, they own the thrift store by Sheeley's, they operate on donations.

Trustee Bowen asked if they could get a grant to do these programs, which could apply toward the Village costs. It's a not for profit that can get grant money which can be used to offset the extra Village expenses.

Mayor Maher responded that's possible but he doesn't think they are aware of the solutions being offered in our county since they are based in Ulster county.

Manager Revella commented that their organization is on the list from the courts for people with drug or alcohol related issues to help rehabilitate people back into society.

Mayor Maher commented they would be glad to come to the next meeting and give a presentation.

Trustee Bowen responded that they may even offer something. We should get an estimate of what the costs could be.

Trustee Hurd commented that we are probably only talking minimal costs.

Mayor Maher commented to table it for two weeks and let them provide a presentation about their organization.

Trustee Bowen commented to ask the Chief what it could cost and ask for a donation or something.

Manager Revella responded that we can not solicit for donations.

Trustee Penney commented that if we bring up the fact the Village will incur costs, they might be more likely to offer something.

Manager Revella commented the CSEA contract is coming up. They are sending him the letter of intent to negotiate now and he wanted to make sure the Board authorizes a member to take part in those negotiations.

Mayor Maher responded he recommended Trustee Rumbold attend those negotiations based on her past experience. He asked if anybody else would be interested and if Sue would accept.

Trustee Rumbold responded she would represent the Board.

Trustee Bowen made the motion to appoint Trustee Rumbold the representative for the Board in contract negotiations with CSEA. Seconded by Trustee Leonard. All ayes. Motion carried.

Manager Revella commented the comp time was brought up with CSEA. Some members of the union will be bringing it up at their next meeting. We need to have negotiation for a side letter for a memorandum of agreement to allow police officers comp time as well.

Trustee Hurd asked how that would affect the overall budget. He would like to know how that impacts the budget.

Manager Revella responded cost wise it doesn't make any change; it's still the same pay amount but it gives more flexibility in the time when they use that time.

Trustee Bowen commented it comes down to scheduling. You're not paying for overtime, but you're paying for coverage.

Mayor Maher commented that if someone else is interested, then Trustee Rumbold could represent the Board for this as well.

Trustee Norman volunteered to represent the Board for the comp time negotiations.

Trustee Rumbold made the motion for Trustee Norman to represent the Board in comp time negotiations with the police department. Seconded by Trustee Bowen. All ayes. Motion carried.

Beazer Update

Manager Revella asked if everyone saw the correspondence from Mr. Hoffman from the homeowners association. The punch list items have been discussed.

Mayor Maher commented he was at the homeowners association and answered many questions. Many of the mailboxes might not be in compliance and they may receive a letter from the Village.

Trustee Leonard commented he was very impressed with the group; he didn't see any problems with the HOA.

Mayor Maher commented the Beazer Homes annual meeting where they will establish an HOA will be 1/31/2011 at 7 pm at Village Hall.

Trustee Rumbold asked if the Engineers are satisfied with everything.

Manager Revella responded no, not yet. There are still things outstanding; mailboxes, street lights, the paperwork on the road dedication. They are waiting on the contractor to do the water meter work.

Trustee Rumbold asked if Beazer can relinquish to the homeowners if they haven't completed everything.

Kevin Dowd commented that yes, he believes they can. Many times it's turned over after 51% of the units are sold.

Trustee Leonard asked if Kevin received the paperwork for the transfer of the HOA.

Kevin responded no, he has some paperwork, like the proposed contract.

Mayor Maher commented there is outstanding debt and they will receive letters.

Trustee Bowen commented that the first meeting he attended with them, half the folks stopped paying and some had it added to their mortgage. Those who did not have it escrowed, stopped paying it.

Trustee Leonard commented there was about \$5000.

Mayor Maher confirmed there was about \$5000 withheld.

Trustee Rumbold asked what happens.

Kevin responded the HOA takes action against them.

Mayor Maher commented we need to do as much as we can do. Contact NYSEG and have the street lights turned on.

Kevin commented that the lights are in and NYSEG wants a 5 year contract with Beazer and they don't want to do that. Is it possible to have NYSEG temporarily turn on the power so the lights can be tested before we take dedication? The worst that could happen is if we took them and a few didn't work, we'd still have a maintenance bond with Beazer.

Trustee Rumbold commented that we need to make sure they work.

Trustee Leonard asked if ADCO can use a generator to temporarily check the lights.

Manager Revella commented that our engineer would need to be there.

Mid Year Budget Review

Manager Revella commented this gives the amount expended from June 1st to November 30th and how we are in accordance with the budget. There are a few areas that are way out of line.

Trustee Hurd commented that if you look at the police budget and it's 51.7% which is right on target, but if you look at Trustee's, which should be fixed, how can they be anything but 50%?

Manager Revella responded there are other lines that Trustee's have.

Trustee Leonard asked how are we taking care of the finance line.

Manager Revella responded that we will definitely have to transfer funds.

Trustee Hurd commented that the budget is a best guess and the numbers look pretty close.

Manager Revella commented he is hoping for less snow. There were payouts in the finance line that caused that line to spike.

Mayor Maher commented this is just to see if anything needs to be addressed in any areas.

Trustee Leonard asked if Parks and Recreation will be okay for the rest of the year, because they are currently over.

Manager Revella responded that was why they made those adjustments; we budgeted more for salaries than we will have to pay for the rest of the year. It will balance by the end of the year.

Code Book

Kevin Dowd commented that the Board has been asked to go through the Code Book to see if there are any questions. There are a few quick corrections.

Lori Pinckney commented that the 5 pages have been faxed over to get a price on the few changes and have not heard back yet.

Mayor Maher asked if PD had any issues with the new copy.

Kevin commented the only issue was in the alcoholic beverage section, a penalty needed to be put in.

Manager Revella commented that some of the department heads asked about an adjustment in the fees, to make it adjustable.

Kevin responded at the re-organizational meeting, re-set all the fees. If it's in the Code then every time that fee changes, we would have to change the code. It's best to do it as a resolution.

Mayor Maher asked if anyone had any questions or comments

Trustee Norman made the motion for the village attorney to prepare the local law to adopt the Code Book. Trustee Leonard seconded. All ayes. Motion carried.

Handicap Parking in Orchard Street Lot

Manager Revella commented that it was discussed last time possibly adjusting the times for the handicap spots. The request is for unlimited as opposed to the 3 hour limit presently.

Trustee Hurd commented there is a concern of someone parking and forgetting it.

Trustee Rumbold agreed with Trustee Hurd.

Manager Revella commented there was concern from some of the residents that are in the buildings on Main Street.

Trustee Rumbold agreed, but there are other handicapped persons who might need that spot.

Trustee Hurd asked if there were any long term parking areas.

Trustee Penney responded that Oak was.

Trustee Rumbold commented that the Fire Zone has become a parking area

Manager Revella responded that has been addressed with the Chief and will be enforced.

Budget meetings

Mayor Maher commented it has been discussed meeting much earlier this year, possibly by end of February.

Manager Revella commented that he has already met with all the departments. They will be meeting with the Treasurer next week.

Mayor Maher responded it's been discussed meeting on a Saturday and going all day, instead of several weeknight meetings.

Trustee Leonard commented that the 3rd week of February, he's going away for the week.

Trustee Penney commented that Saturdays do not work for her; she works every Saturday.

Mayor Maher commented we could have a preliminary budget meeting, then form a schedule from there. Have the preliminary meeting on Feb 22nd after the regular meeting.

Trustee Rumbold asked what are we going to discuss.

Mayor Maher responded to determine an outline for our budget process.

Trustee Hurd commented that it sounds like we are already ahead since there have already been department head meetings. He asked if the Board requests those meetings get recorded.

Trustee Norman responded the meetings were recorded last year.

Trustee Rumbold asked if anyone has ever been paid overtime to attend the budget hearings.

Mayor Maher commented that will be discussed at the preliminary meeting.

Public Comment on Business of the Board

Mary Ellen Matise, 127 Walnut St, commented that was discussed when it first happened, maybe check the minutes and see how it was dealt with at the time.

Jessica Metzger, 4 Gracewood Court, commented regarding a past meeting and minutes that she read about a pipe in the ground from Beazer where the Village didn't want assume any of the risk. She asked if that pipe has been magically repaired.

Manager Revella responded the pipe had been fixed. He didn't recall when but the Engineer took pictures.

Mayor Maher commented he thought it was mentioned at a later meeting.

Jessica strongly urged the Board to get a document from the Engineer saying exactly what was done; just because our Engineer says its so, doesn't mean it's true. She asked if we have documentation in this building saying that was replaced.

Manager Revella responded yes and we have photos as well. Harry Lynch from Lanc & Tully took the pictures and he was at the scene.

Trustee Rumbold asked if it's being suggested that they took pictures in a different hole or if the pictures were accurate.

Jessica asked about the shape of the pipe and it being an elbow pipe or u-shaped pipe.

Manager Revella responded it was actually PVC pipe and it actually went from being circular to oval and they replaced the pipe.

Trustee Leonard commented he was there and they were just starting to close up the hole and the Engineer present told him he was satisfied.

Jessica asked about the street lights at Beazer. There have been people that have fallen Halloween 2 years ago in her cul-de-sac. She asked her builder to turn the street lights on and it was before dedication. She was wondering if the Planning Board can put something in place that once a % of homes are constructed, these lights have to come on regardless. The Village should look into it.

Trustee Leonard commented that Galloway Place has not been accepted and those street lights have been on for a year.

Jessica commented regarding the parks and the stage. Is there a way the Board could look into a permit fee that would help offset the costs without soliciting for a donation? Determine how many hours it takes to set the stage up and charge a reasonable permit fee.

Mayor Maher responded that Manager Revella has discussed that and it will be brought up at a later date.

Jessica asked about the metal roof and the warranty. She recommended at least paying for the labor and negotiate something with the warranty. She also recommended more than one person as the liaison for the CSEA negotiations. It's valuable to have more than one perspective about what is going on.

Trustee Rumbold responded that numerous perspectives are heard; there are managers and attorneys.

Jessica responded that she recommends more than one elected official.

Trustee Rumbold clarified that during the school board negotiations, the attorney recommended not having any elected officials there because it would be a distraction and could be used by unions in a negative manner. You're only there as an observer and not supposed to participate.

Becky Pearson asked what we are purchasing property for; can you say what the purpose is.

Manager Revella responded no.

Steve Flickenschild, 6 Lyndon Drive, asked for clarification regarding the Code Book.

Manager Revella responded that Kevin needs to draft a local law to adopt the Code Book.

Steve asked if it's the same as the E-Code book and it's still referencing the Uniform code.

Marcus Millsbaugh, Jessup Street, asked about the policy for periodically checking the meters inside a house.

Manager Revella responded that there is currently no policy in place at this time for that. He commented he wrote down his previous comment and it was discussed with the water department and they are going to try to get a plan in place.

Marcus commented at a previous residence he would receive periodic post cards asking to read the meter. He read in the Code Book and it states the Village can make the homeowner install an outside meter. He commented that during the snow, he's seen cars parked flat out on sidewalks with snow piled up.

Approval of Minutes: December 14, 2010

Trustee Hurd made the motion to approve the minutes from December 14, 2010. Seconded by Trustee Norman. All ayes. Motion carried.

Payment of Audited Bills

Trustee Norman made the motion to pay the audited bills. Seconded by Trustee Penney. All ayes. Motion carried.

Trustee Rumbold commented that only bills with 4 signatures will be paid.

Mayor Maher responded that last he checked they all had 4.

Correspondence

Trustee Bowen commented that the heat needs to be turned on.

Miscellaneous Comments

Trustee Norman commented the skating rink is great; is been really packed. It's nice to see Olley park getting used. She and Mike are trying to get hot chocolate at Wooster's Grove. People are using Bradley Park too.

Trustee Rumbold commented she missed everyone.

Trustee Leonard asked how we are doing with sales tax income.

Manager Revella responded we are ahead.

Mayor Maher commented there were some unforeseen revenues as well. There was some big debate in the city and them gulping more but the County Executive said no. It'll be evenly distributed to the Villages.

Trustee Leonard heard a recommendation for another person to sign the reports.

Manager Revella responded there is no reason someone in the office can't do that.

Trustee Penney asked if more dirt can be put in the hole on Wait Street before her truck bottoms out.

Mayor Maher commented Story Time with the Kids went well. He'll be doing it again in March. He explained his injury from playing basketball.

Brian Sebring asked if there was any response from the Town of Montgomery and the A & B fund there was a problem with.

Mayor Maher responded he believed they are charging it out of the A fund. The Village will be getting it back.

Trustee Hurd commented it was the legal expenses and they took it out of the A fund.

Mayor Maher commented they plan on paying it back, the Villages should look to do something about it. It is still in discussion.

Trustee Leonard asked about the Maybrook lawsuit.

Mayor Maher responded it was filed incorrectly and it's on appeal.

Executive Session – 105-(f) personnel, Village Manager, 105-(d) Litigation, Property Purchase

Trustee Penney made the motion to go into Executive Session. Seconded by Trustee Bowen. All ayes. Motion carried.

Reconvene

Trustee Rumbold moved to reconvene. Trustee Penney seconded. All ayes. Motion carried.

Adjournment

Trustee Penney moved to adjourn. Trustee Bowen seconded. All ayes. Motion carried.

**Village of Walden Board of Trustees
Regular Meeting
January 25, 2011
Motions and Resolutions**

Request for Zoning Change – Methodist Church

Trustee Bowen made the motion for Kevin Dowd, Village Attorney to prepare the Local Law for a zoning change for the Methodist Church. Seconded by Trustee Leonard. All ayes. Motion carried.

Hearing under Chapter 116 (8-E) – 35 Ulster Ave

Trustee Rumbold made the motion to adjourn the hearing until the Feb 8th Board Meeting. Seconded by Trustee Leonard. All ayes. Motion carried.

Approval of Payments for work on sewer digester

Trustee Hurd made a motion to approve the payment for the work on the sewer digester. Seconded by Trustee Norman. All ayes. Motion carried.

Water Bill Review

Trustee Penney made the motion to deny the request of 127 Walnut Street. Trustee Bowen seconded. All ayes. Motion carried.

CSEA Negotiations

Trustee Bowen made the motion to appoint Trustee Rumbold the representative for the Board in contract negotiations with CSEA. Seconded by Trustee Leonard. All ayes. Motion carried.

Trustee Rumbold made the motion for Trustee Norman to represent the Board in comp time negotiations with the police department. Seconded by Trustee Bowen. All ayes. Motion carried.

Code Book

Trustee Norman made the motion for the village attorney to prepare the local law to adopt the Code Book. Trustee Leonard seconded. All ayes. Motion carried.

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