

**Village of Walden  
Board of Trustees Regular Meeting  
April 10, 2012**

Mayor 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	Edmond Leonard
	Bernard Bowen
	Tara Lown
	Sean Hoffman
	Willie Carley

Absent

Also Present:

John Revella, Village Manager  
Lori Pinckney, Village Clerk  
Michael Blustein, Village Attorney  
Austin DuBois, Village Attorney

**Public Hearing – Introductory Local Law I-3 of 2012 Garbage Code**

Deputy Mayor Rumbold moved to open the public hearing on Introductory Local Law I-3 of 2012 Garbage Code. Seconded by Trustee Lown. All ayes. Motion carried.

Mayor Maher commented the changes include changing the time and the word invisible. The wording is as follows: “all garbage and trash shall be placed at or within three feet of the curb or public street line for collection no earlier than 5:00 pm on the day before collection”, “all containers shall be removed from the curb or street by 9:00 am on the day following collection”, “no containers shall be kept or stored in the front yard of any premises unless the particular nature of the property makes such storage a practical necessity as determined by the Village Manager. In such an event, the containers shall be kept in a neat and orderly manner so as not to draw attention to them from the passing public. In addition, where the storage of containers in a location other than the front yard imposes a physical hardship upon the residents of the premises as a result of age or physical infirmity, the Village Manager may, in his/her discretion, allow storage in the front yard provided such containers are kept in the manner set forth above.”

Jessica Metzger, 4 Gracewood Court, commented this morning she dragged out her garbage can and at the same time brought down the recycling can. There are 2-3 consecutive days that a can will be put out now with garbage on Tuesdays, recycling on Wednesdays and yard waste on thursdays.

Trustee Bowen recommended no fines issued for the two days due to the consecutive days of garbage.

Jay Buchalski, Code Enforcement Officer, commented he doesn't do too much enforcement during the middle of the week so it shouldn't be an issue.

Deputy Mayor Rumbold moved to close the public hearing on Introductory Local Law I-3 of 2012 Garbage Code. Seconded by Trustee Lown. All ayes. Motion carried.

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

- Many catch basin repairs
- Whole Village has been swept before sending sweeper out for repairs
- Continue to camera sewer mains
- Playground at Wooster's should be open tomorrow afternoon
- Alfred Park playground, Midge Norman Park, the hoop has been installed; pavement of the court should be this week as well.
- Bradley Park bathrooms have been demolished and piping has been put in and should be done soon.
- Tour of the Parks with a representative from State Parks: they are impressed with our progress.
- Reviewed projects at Girl Scout Cabin, will be on Capital projects list and discussed tonight during budget.
- Met with FEMA and Engineer to clean up water way; waiting for grant from the County to clear debris out of the water.
- Interviewed two part-time officers
- Orange County Transportation Council Executive Committee Meeting – voted on many resolutions for funding for next year, reviewed Newburgh Transportation study; presentation on Tappan-Zee bridge project – the major issue is that it contain a mass transit component & the Governor's current proposal does not contain a mass transit component.- it does not contain a bus lane or rail. Trying to get a mass transit component.
- Toured around the Village with Trustee Carley, introduced to Village employees
- Finalized submission to Orange County for the energy grant.
- Water service stopped at 18 North Montgomery Street, had to dig Route 52 up, lengthy project.
- Met with members of the Historical Society and toured the Thruway Market, took pictures and discussed the project
- Inspected a few garbage trucks and more coming up
- Had initial budget sessions
- Patched and blacktopped numerous areas around the Village
- Took a few vacation days

Trustee Carley asked why we have to wait for the County.

Manager Revella responded if we do the work then we are not eligible for the grant.

Trustee Bowen asked where the 2 new police officers are from.

Manager Revella responded one is part time officer in Town of Marlboro and the other is a part time officer in Highland Falls and both are very qualified.

Trustee Bowen asked how many applications were received for the position.

Manager Revella responded he did not know; a guess would be at least 8.

Mayor Maher asked who was in attendance of the Thruway tour.

Manager Revella responded Rachel Coleman from the WVT, Bruce Concors lead the tour and several members of the Historical Society, the village historian couldn't make it.

Mayor Maher asked if the basket ball hoop is in at Midge Norman Park.

Manager Revella responded right now just the pole is in until we do the paving and we have to do the fencing first.

Mayor Maher commented that the residents in the area were promised a committee would be formed and that would be a good project for the parks and recreation liaison.

### **Approval of the Minutes – March 27, 2012 & April 3, 2012**

Trustee Leonard moved to approve the minutes from March 27, 2012 and April 3, 2012. Seconded by Trustee Bowen. 6 ayes, 1 abstention by Trustee Lown. Motion carried.

### **Trustee's Committee Reports – Liaison Appointments**

Mayor Maher made the following appointments: (description of each is attached)

- Tara Lown – Community Liaison & Library Board Liaison
- Bernard Bowen – Village Office Liaison (Clerk, Treasurer)
- Sean Hoffman – Building Department Liaison & Planning & Zoning Board Liaison
- Willie Carley – Parks and Recreation Liaison
- Sue Rumbold – Police Department Liaison
- Ed Leonard – DPW Liaison

Trustee Lown made the motion to approve the liaison appointments. Seconded by Trustee Bowen. All ayes. Motion carried.

Manager Revella received a letter from the resident at 92 Ulster Avenue regarding the Ulster Avenue sidewalks requesting the sidewalks remain slate.

Mayor Maher clarified the address and asked how many are requesting slate at this point.

Manager Revella responded five. He also commented that all the materials for the Board meetings are posted outside the Clerk's office and we will work on getting that information posted to the website on Friday's prior to the meeting.

Mayor Maher commented that at the budget session we will be discussing the Ulster Avenue sidewalk project regarding the slate and concrete. He asked the public to comment during the public hearing for the budget.

### **Public Comment on Business of the Board – Action or Discussion items**

Manager Revella commented that action item #1 and item #3 are both tabled.

Anita Vandermark, Highland Avenue, asked if the garbage code gets advertised in the paper before it goes into effect.

Attorney Blustein commented it will be effective once it is filed with the Department of State.

Mayor Maher clarified if Anita is asking how Village residents will be notified.

Manager Revella responded we won't know that date until we get it from the State; we would like to inform the public that it will be going into effect shortly.

Mayor Maher commented we will try to use the internet and the website.

Jessica Metzger, Gracewood Court, asked for an introduction of the new gentleman.

Mayor Maher responded at the re-organizational meeting, the Board voted to hire Blustein, Shapiro, Rich & Barone as the law firm for the Village. They are working for the next 2 months with Kevin Dowd. He introduced Mike Blustein and Austin DuBois.

Diane Sandbothe, Liberty Street, asked about bulk pickup and if the new garbage code affects it; people are putting out their bulk now.

Manager Revella responded the Code revision does not affect it.

**DPW liaison – Trustee Leonard**

Trustee Leonard reported no progress

**Treasurer/Clerk liaison – Trustee Bowen**

Trustee Bowen reported that Peter has done an awesome job on the budget and in the budget hearings.

**Police Dept. liaison – Trustee Rumbold**

Nothing to report

**Community & Library Board liaison – Trustee Lown**

Trustee Lown commented that March 31<sup>st</sup> was a big day – kudos to all involved with St. Baldricks event, Colonel Bradley Day & Local History Day. The Easter Egg hunt was postponed to April 7<sup>th</sup> and it was the biggest turnout ever. She announced the following: Walden Community Council meeting 4/11 at Hunter Insurance, Village-wide yard sale 4/14 with bulk pickup items to be put out on 4/15, Little League Parade 4/21 with 8:30 am lineup. She announced Harvest Fest will be on Oct. 6<sup>th</sup> and the first meeting will be 4/25 at 7pm at NY School of Music. She mention the Family Dance at Wooster's Grove 4/21 from 7-9 which will be helped by the Friends of Walden Youth. She commented that Music in the Grove is in the works with the Library and Community Council working together. She announced the Village received the grants from the Youth Bureau for the Summer Youth Program (\$6000) and the Student Youth Leadership Academy (\$9000).

**Building Dept liaison – Trustee Hoffman**

Trustee Hoffman indicated that Dean is here tonight to discuss the fee proposal for the Building Dept and a meeting is scheduled next week with DSS regarding housing and Code violations.

**Parks & Recreation liaison – Willie Carley**

Trustee Carley commented he enjoyed the parks tour. He indicated there has been a lot of progress.

**Property Maintenance Violation Hearing – 113 Orange Avenue**

Trustee Bowen moved to open the public hearing on property violation for 113 Orange Avenue. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

Jay Buchalski, Code Enforcement Officer, commented that every time he goes by 113 Orange Avenue there is either something moved around, added or subtracted from the property. He indicated that he sent the hearing notice by regular mail and certified/return receipt mail and both were returned, he also posted the hearing notice on the property and it is still there. He provided a photo of additional items that are now on the property. He commented the pine needles and brush in the rear of the building is a fire hazard.

Deputy Mayor Rumbold asked if we know who the owner is.

Dean Stickles responded we know who the owner is but are unsure of where they live.

Deputy Mayor Rumbold asked where the tax bills go and are they being paid.

Manager Revella responded they get paid from the County if the tax bills are not paid.

Trustee Bowen indicated eventually we get reimbursed.

Dean commented the phone number has been disconnected; it appears the owner has walked away.

Sergeant Metzger recommended checking with Police Dept for contact information.

Deputy Mayor Rumbold commented that if the police department has a different address and we have already sent these letters, does that mean we improperly notified the owner of the violation.

Dean responded no, because we sent the notice of violation and notice of hearing to the last known address on the tax roll which is what the Code calls for.

Trustee Hoffman confirmed that the property was posted as well.

Jay responded yes.

Manager Revella responded we did what was required in the Code.

Trustee Lown commented it is a huge eyesore and we need to move on it.

Trustee Bowen moved to close the public hearing on property maintenance violation 113 Orange Ave. Seconded by Trustee Leonard. All ayes. Motion carried.

Dean clarified that this is a hearing, not a public hearing.

Trustee Lown made the motion to clean up 113 Orange Avenue and bill the owner of record. Seconded by Deputy Mayor Rumbold.

Attorney Blustein added as per Code, Chapter 214 8e.

All ayes. Motion carried.

### **Local Law I – 3 of 2012 Garbage Code**

Trustee Leonard made the motion to approve Local Law I-3 of 2012 as Local Law 2 of 2012. Seconded by Trustee Bowen. All ayes. Motion carried.

### **Approval of Fence Bids**

Manager Revella provided a handout of the fence bids received for work to be done at Bradley Park. Most of the fencing is for the senior league field and some for the skate park. The barbed wire fencing is to be removed for properties along Albany Avenue to be replaced by stockade fencing.

Trustee Hoffman clarified that these are quotations and not bids that were advertised.

Deputy Mayor Rumbold made the motion to approve the lowest bid Rock Cut Fence for \$17,657.00. Seconded by Trustee Lown.

Manager Revella commented that the skate park will be done first.

Trustee Bowen asked how long for it to be complete.

Manager Revella responded if done immediately, it would be done in approximately 1 week, but we are going to do it in stages: the skate park, then the field and then the houses

Deputy Mayor Rumbold asked for clarification of the proposals.

Trustee Lown asked when the work will be started.

Manager Revella responded as soon as it's approved.

All ayes. Motion carried.

Attorney Blustein asked to go back to Local Law I – 3 of 2012; the Board needs to declare it as an unlisted action pursuant to SEQRA and a negative declaration.

Deputy Mayor Rumbold moved to declare the Village Board lead agency on an unlisted action with regard to SEQRA and issued a negative declaration. Seconded by Trustee Lown. All ayes. Motion carried.

Attorney Blustein confirmed they will prepare the resolution for cleaning up the property at 113 Orange Avenue.

### **Building Department Fees**

Dean Stickles asked if everyone had a copy of the fees being proposed. He explained the zoning board has an area variance and a use variance have a \$100 application fee, but there is no fee for interpretation of the zoning law. He proposes a \$120 interpretation fee.

Mayor Maher asked why the extra fee.

Manager Revella responded there is no fee currently. There are three things you can apply to the zoning board for: use variance, area variance and interpretation. The two have a fee the interpretation does not.

Deputy Mayor Rumbold asked for an explanation.

Dean responded if an applicant does not agree with Dean's determination of the Code, he is allowed to go to the Zoning Board for an interpretation of the code, it is essentially an appeal. Dean can also go to the Zoning Board to ask for an interpretation.

Trustee Hoffman commented that in some instances since the Village's Zoning Board meets infrequently, an interpretation request would result in an additional meeting and it is consistent to have the fee.

Trustee Carley asked if other municipalities have similar fees.

Mayor Maher asked if the fee would prevent being flooded with requests.

Dean responded no, we bear all the costs with these things.

Manager Revella responded it is more of service oriented than tax oriented. Instead of our tax dollars paying for people to do things, the applicant is paying the fee to cut that cost.

Trustee Lown asked why there wasn't a fee previously.

Dean responded there has never been an application fee for it; it's always been \$120 and he proposes to make it consistent with the area and use application fee that we already have now. He commented we don't get an enormous amount of interpretations, this is just for consistency.

Dean continued with the fee increase proposals:

- Sprinkler fee – increase \$25 (they haven't been raised in 20 years – a once per year fee for businesses)
- Garbage collection equipment – increase from \$125 to \$150 – hasn't been changed since 1990
- Street Opening permit – increase from \$100 to \$150 – hasn't changed since 2001
- Sewer Waiver Yearly inspection – increase from \$25 to \$75 – used to have 10 waivers, presently have 2
- Water hookup fees – increase from \$1000 to \$1250 – hasn't changed since 2001
- Sewer hookup fees – increase from \$500 to \$750 – hasn't changed since 2001
- Charges for water meters (would like it added to Code and reviewed annually) ¾" is now \$375 and 2" is \$1625
- Yard cleanup and snow shoveling down in-house – would like it reviewed annually based on how many and if it's costing us in the long run

He would like to verify our parkland fees are actually \$2000 that we charge each applicant that has a subdivision or an apartment complex. He indicated we are the lowest around. He also asked if all these fees can be listed in a book or something with the dates of changes, whether increased or decreased, as a reference for anyone.

Trustee Bowen asked where are the fees going.

Dean responded they go to water dept, sewer dept, building dept or planning/zoning department.

Trustee Bowen asked if it could be set up with Peter to categorize it so we can see what was earned.

Dean responded the fees should be in the Code book telling you what it would cost to hook up to water and sewer so it is known up front.

Manager Revella commented that there is a program for the building department proposed in the budget to track these fees.

Trustee Lown confirmed Dean is looking for a quick reference listing of the fees.

Trustee Carley asked how Dean came up with the fees for the sewer waiver fee.

Dean responded there is a lot of work involved, the engineers have to inspect it, a report is generated and there is paperwork in the office.

Mayor Maher commented that Dean has many years experience and know the costs incurred and the proposed fee changes are consistent with the work needed.

Manager Revella responded many of our fees are still the lowest than other areas.

Dean commented he doesn't like to raise fees if its not needed; there is a lot more paperwork involved now.

Trustee Hoffman clarified on the sewer waiver fee there is "plus cost of engineering".

Dean responded that is the way it is written now, but I'd like to take it out; he can't just take it out, but have the engineers report included in the cost.

Trustee Lown asked about the sprinkler fees; some are staying the same, some are going up.

Dean responded all of them are going up except the 10" which is \$600 now and not changing, and we only have one 10" and its American Lumber. Since the cost of using our water has gone up, it will tax our water system if there is a fire.

Mayor Maher commented the motion will be based on memo from the Building Department.

Manager Revella commented the resolution will be based on the motion.

Trustee Lown made the motion to approve the fees proposed by the Building Department. Seconded by Trustee Hoffman. All ayes, Deputy Mayor Rumbold not present. Motion carried.



Trustee Lown asked will be creating the quick reference guide and she would like a copy.

### **2012 – 2013 Budget Hearing**

Trustee Leonard motioned to open the public hearing on the 2012-2013 budget. Seconded by Trustee Leonard. All ayes, Deputy Mayor Rumbold not present. Motion carried.

Jessica Metzger, 4 Gracewood Court, commented that she attended all the budget work session and she thanked Peter and the Board Members for all their hard work. She asked what the total proposed tax increase is for 2012-2103 budget. She asked how much is proposed to be bonded.

Mayor Maher responded 1.38% which equates to \$19.79 per \$100,000 of assessment.

Manager Revella responded it has not been determined how much will be bonded. We are doing \$448,000 in capital projects but none of it is bonded. In water, we are doing \$465,290 but proposing to bond \$400,000. We have road and traffic improvements, parks and rec improvements and general village projects which total approximately \$910,000, which we've been discussing a series bond instead of a ban. The water bond would be a ban, five years. We don't have anymore series bonds, we retired the last one and it's better for our bond rating to do the series bond.

Jessica asked if another work session is scheduled. She asked about a \$75,000 line item on page 46 (128) for street lighting, she asked if that includes the bridge.

Manager Revella responded we don't have firm numbers for the bridge; the Board will have to discuss it once we get the numbers. The engineers are working with the lighting person to determine what the issue is; the wiring or the fixture.

Jessica recommended the bridge lighting should go to the top of our priority list. She commented the Ulster Avenue Grant project is fabulous news and the letter the Village received today was from someone she had contacted who had never been approached or asked what their preference is with regard to concrete or slate. She asked who has been asked for a preference because she knows of four that have not been contacted.

Manager Revella asked for addresses. He commented the Village had sent information to everyone on Ulster Ave before he took office and he was re-affirming the responses that were received from those that were adamant about one or the other. He indicated he re-confirmed with Albany Avenue and up because he didn't see anything from those people at all. Two have responded that they want slate and one would rather slate but concrete would be okay.

Jessica commented that some of the resident's on Ulster will be very surprised. She commented that Ulster Avenue is a very beautiful entrance into our Village and she would like to preserve the historical integrity of it. She indicated that some of the stones need to just be re-set.

Manager Revella responded the Board is in favor of keeping slate, but it is dependent on the prices. We are pricing it with both and if the cost is close enough we will try to budget for it.

Jessica commented about Bradley Field and re-doing the road, sewer and drainage and is unsure if the village should be spending any money for an amphitheatre there. She is opposed to the Village spending any tax dollars for an amphitheatre at Bradley and she is concerned with the location. Olley Park is much more suited to a venue of that size and scope. She feels an amphitheatre next to the sewer plant is a poor idea. Regarding the re-design of the Square, she asked where the funding would be coming from and she commented the test of the design was poor timing since the school is out for Easter break; there was only one day of real traffic. She commented she is opposed to the Village taking over the maintenance of the fields at Bradley Park which will possibly require additional hiring for the recreation department and may result in scheduling difficulties and overtime. She commented it is a great for the village to have control. She suggested signs to be put on the fences of the fields indicating the fields are maintained by the not for profit organizations and any questions/concerns could be directed to them. She commented that the Alfred Place Park is shaping up; she asked where the money is coming from.

Manager Revella responded we have funding for it from the budget and through donations.

Jessica asked about page 3, A2610, a revenue line for the police department, #2 the new local ticketing program for \$50,000. She asked for how that number was arrived at and who came up with that number.

Manager Revella responded the Chief, himself and the treasurer.

Jessica responded that she attended all the budget sessions and in the first session the justice asked where the number came from and he was told the Chief and during the Chief's budget session, the Chief asked where the number came from and was told the justice.

Manager Revella responded we worked on it together; he indicated originally they had a higher number but decided to be more conservative; they were playing with a number around \$90,000 to \$100,000.

Jessica commented about page 28, A.2989.479, National Night Out, that she checked last years minutes when she pleaded her case that NNO is very important and it seems some of the Board members are eager to have it this year. She believes it should be funded properly from the beginning. She attended the Chief's budget session and he indicated he would require \$5000-\$6000 and during another budget session she heard \$3500 floated so she asked that the proper amount of money be put in that line. She commented about Packet #2, there is \$95000 budgeted for overtime. She asked for the year to date of overtime.

Trustee Bowen responded \$93,000 + to date.

Jessica asked if the consolidation study is still being pursued. She asked if it should be put in the budget in the event it goes forward.

Mayor Maher responded at the moment those discussions are still taking place but it is likely an action will take place in 8 months or more. We missed the last round of the state efficiency grant, it literally just passed, so in order to get the state funded grant to pay for

the application the timing was such that we just missed it. It will most likely be at least 8-10 months, maybe a year. In response to putting it in the budget, he responded no because the grant would be 100%.

Jessica asked the following questions provided from Becky Pearson of Walnut Street who was not able to make the meeting. She asked how much we are paying the new law firm and is it a retainer or per hour? Phone calls included?

Manager Revella responded yes, it is a retainer and its \$60,000. They will charge hourly for special things, like litigation and it does include planning and zoning board and phone calls are included.

Jessica asked about Tara wanting to revisit page 15/127, did she?

Trustee Lown responded it was regarding the retainer fee and it was re-visited.

Jessica asked why we are not looking at a DPW supervisor position as it would free up John a bit and if so are we budgeting for it.

Manager Revella responded we might be looking into it, but can not confirm or deny it because we are negotiating CSEA at this time and it may be thrown into that negotiation. He indicated if it happens, there are contingencies to cover it if it comes up.

Jessica asked why the glocks only last 15-20 years since they are typically only fired in training and re-qualifying.

Manager Revella responded he did not know; the Chief would have to be asked.

Jessica asked why the Board isn't looking into having the Manager and Chief institute light duty and bring back the sergeants that are out and other officers that may be able to do light duty.

Manager Revella responded we are discussing that option with our special counsel now.

Jessica asked who our special counsel is.

Manager Revella responded Jacobowitz and Gubits.

Jessica asked why are sergeants that are out, meaning out on 207c, able to keep the Village cell phone and use it.

Manager Revella responded the Chief responded to that previously and it was because they are still called for certain issues. He commented we do try to monitor those bills to make sure they are consistent.

Jessica asked about the dog warden vs. the Town agreement and who pays for the car, insurance, the hours, the vets, etc.; the old question are we getting our proper funding from the Town.

Mayor Maher responded Becky is worried about duplication of services and how much we pay out of the A fund for the Town service that we provide.

Deputy Mayor Rumbold believed the Town service went into the B fund; she was told that person was taken out of the A and put in the B.

Jessica commented on behalf of Becky that more patrols in the parks at night are needed. She believes there is a concern with damage to the park.

Manager Revella responded it has been discussed with the Chief and they try to make an effort.

Jessica asked why the Village or the Chief still teaching DARE in Maybrook.

Mayor Maher responded he didn't think he did that this year.

Jessica asked about Officer Werner going to the school safety classes or central office; why would we be sending an officer from the Village when that is the Town's territory. Jessica indicated she answered the question for Becky; that there is a PD liaison and many of the safety meetings take place at central office, but the Chief might have more to add.

Manager Revella responded they meet there because they coordinate with the elementary school and we have the elementary school in our Village and if there is a mass casualty incident or a big incident at the high school, all departments coordinate.

Jessica asked who will be made to be responsible to make sure all the safety equipment is in all the police cars; it is not good enough that it is supposed to happen. There was an issue recently where there were no gloves in the car and a man bleeding needed help.

Manager Revella responded the officer rushed and just grabbed him so he didn't bleed out. The Chief did say each officer is responsible for checking the equipment prior to and at the end of shift.

Deputy Mayor Rumbold indicated as liaison to the police she had a conversation about it and it was added to the checklist for each officer to check the vehicle before the start of a shift. The gloves were in the car, but not where they usually are located. The officer put his own life at risk to help that person.

Jessica asked why we do not have another youth officer.

Manager Revella responded it has to be discussed; there are a few officers trained in that area but not officially titled youth officer.

Jessica asked about the mapping of Olley Park; 7-8 years ago the Village wanted to alienate part of the park and there should have been a map done then and if not why wouldn't there be a deed that shows the lines in Orange County and do we need to pay to have it surveyed. She mentioned the maps in John's office that she noticed during a budget session.

Manager Revella responded he did not know what Becky was asking; he will check with Dean.

Jessica asked who is the WLDC and what they will do in reference to park projects.

Mayor Maher responded the Walden Local Development Corp was started a while ago; he pointed out a picture on the wall in the Assembly Room that showed a project the WLDC worked on. He indicated the WLDC is capable of accepting donations where the municipality is not. They work in cooperation with the municipality to do things the Village can not to help pay for projects and create more of a community project. He commented that he agreed with Jessica's premise on the amphitheatre, instead of Village/taxpayers funds paying for it, have the community come together and work with the WLDC and create a project that the community has ownership of. The president of the WLDC is Bill Kirnan and Tom Olley is the vice president.

Jessica asked if the amphitheatre has been explored for Olley Park instead of Bradley Park.

Mayor Maher responded that has been part of the discussion since the beginning and will continue to be discussed.

Jessica commented there is a terrific need to fix the Girl Scout Cabin.

Manager Revella agreed and mentioned that it is in the packet tonight.

Jessica commented that a generator is needed for the whole municipal building.

Manager Revella responded it is included in the figure for bonding; it's in the capital project list.

Jessica commented that much more discussion from the Board is required for the Square re-design and why it is needed. She asked why put the money to be spent there. She brought up the Scofield Street house and there was so much money spent there and it is really not being used but for storage. This was discussed last year.

Manager Revella responded the sale or lack there of would be in Executive Session and it was on Executive Session agenda last meeting.

Jessica asked about the traffic test on the Square and leaving it up until next Friday.

Manager Revella responded we will get some more data to see what's going on; there is one cone that seems to be a problem.

Peter, Village Treasurer, commented that another version of the budget was prepared and he wanted to highlight some of the changes. He commented the budget on the General Fund side is \$7.1 Million and it's a 9.3% increase over last year; the water fund \$842,000, the sewer fund is \$1 Million and the library is \$500,000. The effective tax levy increase in the Village is 1.84% but due to the assessed valuation of properties we have an increase of 1.38%. There were some increases and decreases; including the changes in the re-bid for the audit, engineers and attorney which provided a \$16,000 savings, there were

additions by Justice Ozman and an additional \$4000 in Code changes that might come from the Comprehensive Plan update, we budgeted \$3500 for National Night Out and we updated the amount on the police car by \$4700 to be more in line with the State bids and we voted to purchase instead of lease a radio to communicate with the fire department. In the water budget, there were gains due to the bidding of the audit, attorney and engineer, there were approved increases in capital items netting out to \$20,000. In the sewer budget, there were just changes from the rebidding of those contracts and the same on the library.

Diane Sandbothe asked for clarification on the lights for the bridge; \$75,000 is for lighting in the Village but it's not for lights on the bridge or the square, so where does it go.

Manager Revella responded it's for the electric bills for all the lights we have on the streets, it includes bulb replacement and repairs as well.

Trustee Lown made the motion to close the public hearing on the budget. Seconded by Trustee Bowen. All ayes. Motion carried.

Manager Revella suggested possibly leaving it open until after discussion and closing it next time; it could always be re-opened if needed.

### **Discussion Items**

#### **2012-2013 Budget**

Mayor Maher set a budget session for Monday, April 16<sup>th</sup> at 6:30pm.

Manager Revella reviewed the estimated cost of projects and which funds they are coming from. (handout attached). He indicated most is from grant funding, the rest is from the bond we took out in capital 112. He indicated it is for 350 ft of 8 inch sewer main on Rifton Place and on Rifton 600 ft of 18 inch storm sewer and those estimated cost combined is \$106,000 and we are going to do that in-house and hopefully save a significant amount of money. He went through the list of improvements and the costs of each. He went through page 2; water system infrastructure improvements: \$65,290 is from the fund balance and issuance of a new BAN for \$400,000. He went through the road and traffic improvements all done through bonding totaling \$434,000 (page 2-3). The \$434,000 does not include the estimate for slate sidewalks for the Ulster Avenue Project.

Trustee Hoffman recommended getting the prices for the slate, but budget for it.

Trustee Carley asked if the \$250,000 is covering what is currently slate or all slate. He asked what the residents have requested.

Manager Revella responded in the spec we are anticipating taking out three properties from slate to concrete on the beginning section and everything else would remain the same. He was told the residents were notified prior to his hiring and he was re-confirming with the residents in a certain section that we were anticipating going to all concrete to see what their responses were. He received responses from all of those properties; two wanted concrete, one preferred the blue stone, but would go with whatever and there were two that were adamant about having blue stone; from Albany Avenue up to the school.

Trustee Carley asked about the three residents specifically.

Manager Revella responded those were the ones that he re-contacted. Public comments have indicated there are residents in the beginning section that have not been contacted either since they've been there or not at all.

Trustee Lown asked if we are budgeting the \$250,000 so it remains as slate.

Manager Revella responded we are discussing it now; if you want that \$250,000 in now or see what the spec comes in at.

Trustee Lown commented that if there is blue stone it should remain as blue stone.

Trustee Bowen commented that it's a mismatch; there should be some uniformity.

Manager Revella responded it is mismatched now. He indicated he could get a letter out to all the residents.

Trustee Lown responded we don't have time to go knocking on people's doors and she is not volunteering for it. She has experience where she has proof people received a letter, but they still say they never received it.

Mayor Maher indicated he has no problem going knocking on people's doors.

Trustee Hoffman commented typically when you do improvements like this in the State's right of way, they required current standards and codes. He asked if they have been approached about leaving blue stone since it does deteriorate and can cause access issues for strollers, wheelchairs, etc.

Manager Revella responded the one home with special needs were adamant about having concrete and they currently have blue stone. The State will only fund concrete. They are not against us using blue stone but would bear the cost and it would have to be at their spec and we are concerned about the cost being triple.

Deputy Mayor Rumbold understands contemplating blue stone but she feels there are a lot of people in the Village who have been dying to have their sidewalks fixed for years and won't be happy to know that we are contemplating spending \$250,000 on blue stone.

Trustee Lown agreed.

Mayor Maher commented we have an opportunity to explain that argument and he thinks we have enough time until the start of the project that we don't have to put that \$250,000 in and if we need to at a later date we can.

Manager Revella responded the only issue and Peter would agree, is to get bonding done now so that funding for it could be budgeted from year to year and not from the middle of the year. We are looking at series bond issue which is a 20 year bond and we won't be able to bond \$250,000 for 20 years, it's just too little.

Trustee Lown asked why do we get to ask each individual; it's \$250,000 that could be utilized elsewhere.

Manager Revella responded it is a courtesy because it is not their sidewalk, it is the Village's.

Trustee Hoffman asked if we go ahead with concrete and take the blue stone out, it could be used elsewhere.

Manager Revella responded we would inventory and use elsewhere or surplus out.

Trustee Carley asked on average, historically do we go with cost or with the resident.

Mayor Maher responded historically it's based on cost.

Manager Revella agreed and that is consistent with most places. He commented that in some places they actually levy each individual property owner. He continued on with the Parks and Recreation Improvements from the handout with total improvements costing with engineering & inspection \$352,500.00.

Mayor Maher asked if we minus the amphitheatre cost specifically the stage and seating area, what that number is.

Manager Revella responded \$82,500 (\$272,500-190,000).

Trustee Leonard asked before we install a playground, will we have the additional parking.

Manager Revella responded it depends on what the Board approves.

Mayor Maher asked the Board how they feel about taking out the \$82,500 for the seating and stage for the amphitheatre to allow further discussion and maybe the WLDC takes it on as a community project along with coordinating with the Village.

Trustee Lown agreed.

Trustee Bowen agreed.

Trustee Leonard agreed.

Manager Revella commented if that is the consensus then it's about \$275,000 in park improvements. He continued on with the General Village Improvements, which mostly covers repairs and improvements to Village Hall totaling \$203,500.

Trustee Hoffman asked about the police dept generator being swapped out and where it could be used.

Manager Revella responded it might be possible to use it at one of the wells.

### **Public Comment**

Dale Hammond, President of the WBA, commented there have been new businesses opening up on W. Main Street as well as already established businesses and there has been some butting heads lately. The WBA had a sit down with Elaine, owner of B & D Taxi and she assured them she has been working internally to take care of the parking situation and the problems. Unfortunately, she can not be there 24 hours per day and she is ready to step up a notch on her part to keep that area open for business in Walden. He



proposes to allow two spots somewhere in front of the taxi business reserved for taxi's which would open up that area for customer parking for the candy store, Sweet Sensations, Rocco's, Ciardullo's and the Hometown Bank. Elaine has said the taxis will park in the Oak Street parking lot and she's been in contact with the people of the Church to use that lot as well. He indicated she has about 15 taxis now and is doing her best to really keep them off Main Street; she employs 28 people that live in the Village. We are trying to keep the business here in Walden; they have been here almost 50 years.

Manager Revella responded the Board has been contemplating two spots in front of B & D; the other proposal was one spot on each side of W. Main Street exclusive for taxis.

Mayor Maher commented the WBA had a question about enforcement.

Manager Revella responded the change in the local law was geared toward one spot on each side of the street; there would be a sign indicating taxi cabs only.

Trustee Bowen asked if they don't park in the designated spots then they would be ticketed and towed.

Manager Revella responded whatever you put in the Code. He recommended ticketing and not towing.

Mayor Maher commented during the discussion with the WBA they recommended as minimal as possible on behalf of the Village and let the business owner enforce to her employees at least at first.

Deputy Mayor Rumbold responded you can not guarantee those two spots for her unless there is signage there.

Mayor Maher responded there will be signage there. This will be discussed at the next meeting.

Helen Schoonmaker, 7 Westwood Drive, informed the Board of her organization Honoring American Troops that are providing an Honor Flight on May 8<sup>th</sup> for WWII Veterans from Stewart to Washington, DC to visit the war memorials that are built in their honor. The Veteran's will also receive a bus tour of Washington, enjoying the Monuments, lunch, dinner, a memorial booklet and a camera. The charter plane alone cost \$60,000. Each Veteran will have a guardian who will pay their own expense.

Jessica Metzger, 4 Gracewood Court, recalled the taxi code being discussed at the last meeting and that if the two spots are assigned for just taxis then the taxis will not be permitted to park on any other Village street.

Manager Revella responded that was contemplated in the first version of the law. The Board discussed whether it might be too stringent and it is not resolved yet. It will be discussed at the next meeting.

Jessica commented to Mr. Carley that she is pretty sure that we are one of the few municipalities that still take care of and are responsible for our sidewalks in the Village.

Trustee Hoffman clarified that “responsible” includes maintenance and repair.

Jessica confirmed our monies pay for the replacement and repair and that is not how it is in many places in the County.

Mary Ellen Matise, 21 Clinton Street, asked about the roof on the Scout Cabin.

Manager Revella responded he is not bonding for that; it will be done in-house.

Mary Ellen commented she sent everyone an email about shelter agreements.

Manager Revella responded we have shelter agreements in place with Red Cross and the Fire District. He indicated Village Hall is being used as a staging area since we don't have a generator yet but if we do get that generator then it will also be a location.

Deputy Mayor Rumbold commented that Walden has been used as an example for other municipalities for how to do shelter agreements.

Mary Ellen commented that the blue stone that is out there has probably been out there for 100 years, it comes in different thickness and none of those concrete sidewalks would last 100 years. It should be pro-rated. She asked about the Scofield Street house and the small spot that was just paved might be encroaching on the house. She commented about the Village Square re-design and at the “point” it was suggested putting a standard flagpole; she feels that would be an obstruction for Harvest Fest and possibly for some motorists. She recommended retractable bollards since they retract into the pavement and make them look antique.

David Sperry, Overlook Terrace, asked about the amount for the Girl Scout cabin and what about looking at replacing the whole building.

Manager Revella responded \$25,000; replacement of the whole building it would be \$180,000 to \$220,000 for same size building with prevailing rates.

David commented if the Village would be selling the Ulster Avenue blue stone he would like to buy some. He thinks the Village should look into the contractors and homeowners that are breaking the sidewalks, blue stones, etc, the Village should start charging them. He asked who will be responsible for the retaining walls after completion of the project.

Manager Revella responded the homeowner will be responsible for the retaining walls.

David commented about the Bradley Field batting cage; it is a hazard. He commented that it is fantastic the Village is as busy as it is, but there is absolutely no parking in the Village. The lots are filled. He suggested installing a camera for security purposes for the DPW. He commented all Village employees park behind Village Hall and all the police cars park there. He suggested park police cars elsewhere and all Village employees should park in the lots to allow people with business in the Hall to park there. He commented if we are going to allow one business two parking spots in front of their business then shouldn't all businesses be allowed parking spots, especially someone who makes food deliveries. The Village is setting a precedent. He asked about the Rail Trail.

Manager Revella responded the Town received a \$46,000 grant to do the repair. The parking lot is supposed to be finished; their DEC wetland permit will be expiring soon.

David asked about benches at Bradley Park and where they are going to be. He suggested they be bolted down.

Manager Revella responded the benches will be between the playgrounds.

Becky Pearson, Walnut Street, thanked the Board for entertaining her questions by letter. She asked about the deed for Olley Park.

Manager Revella responded there is a deed, it gives a description; it is not a survey map.

Becky commented about the Scofield house originally purchased for parking but it didn't happen. The Village owns it so why would the Village get rid of it; it can be used to grow into. She asked about the traffic on the Square.

Mayor Maher responded it was discussed, there are no funds in the budget currently for it and there won't be funds put toward it until there is a presentation before the public.

Becky commented regarding the Town of Montgomery Dog Warden that an agreement can still be made and pay into the B fund. She asked how the water levels are.

Manager Revella responded we are doing well; 15 feet is when we get into the warnings and we are at 31 feet. He added our water is performing very efficiently too.

Becky commented the Clerk had nothing ready for the public for the meeting.

Lori responded it was done later; we are going to work on having the public packet ready and posted on Fridays.

Becky commented there used to be a policy regarding sidewalks that Dean would take photos of the property before any work was done. She asked if that was still a policy.

Manager Revella responded he is not sure; he would have to ask him.

Anita Vandermark, Highland Avenue, asked if there is still work being done on our traffic pattern in Walden.

Manager Revella responded the Newburgh Area Transportation Study actually studied it and they acknowledged there was a problem. They did not offer any solution to the monument area, but did offer solutions to the Route 208/Route 52 intersections and they started to do the light changing with turn arrows.

Anita announced on Sunday, 4/15 at 3pm at the Episcopal Church, the Library is hosting a free Classical Concert. Also on 4/18 Chief Holmes is giving a presentation on the history of the police department at 7:30 pm. On 4/22 Dawn's Dream Team is having a fundraiser breakfast at the VFW and 4/29 is the Historical Society Tea.

## **Payment of the Audited Bills**

Deputy Mayor Rumbold moved to pay the audited bills. Seconded by Trustee Lown.

Trustee Lown indicated only if they have the required signatures.

All ayes. Motion carried.

### **Correspondence**

None

### **Miscellaneous Comments from the Board of Trustees**

Trustee Leonard commented he went to the Easter Egg Hunt with his grandson and family, it was a record turnout and he thought it went very well. Kudos to recreation department.

Trustee Bowen commented that he was driving with one of the fireman in the Village and he saw the way the Square was set up and commented he doesn't believe if they have to make a U-turn, they wouldn't be able to make it.

Manager Revella responded he spoke to the Chief and he doesn't know of any occasion he could think of that they would need to make that U-turn. A list of problem areas for truck radius is being compiled and the Board members are invited for a drive through with the ladder truck. In addition, the fire truck had no trouble with the turn from Route 52 to S. Montgomery Street with cars parked there; it would be easier without cars parked there, but they were still able to make it.

Trustee Leonard commented his wife was behind a tractor trailer that had problems with that turn.

Deputy Mayor Rumbold gave kudos to the Recreation Dept on the Easter Egg Hunt. She asked about Orchard Street previously dug up and is now a pit.

Manager Revella responded it will be fixed by the contractor and the homeowner.

Deputy Mayor Rumbold asked if there was any response from the State regarding the weeds by the Tin Brook. She asked which DOT is responsible for it.

Manager Revella responded he has sequestered the services of the Town of Montgomery since they have a machine that has an arm that hangs over and cut down the banks and they owe us three days of work. The Newburgh area is the responsible area.

Trustee Lown welcomed the new attorneys. She gave kudos to all the March 31<sup>st</sup> event organizers.

Trustee Hoffman commented he met with the Recreation Coordinator to review the Scout Cabin and on the way they were stopped by a resident that applauded the great job he's been doing and how great the parks have been looking.

Mayor Maher thanked Peter, the Board and the new law firm. He commented that budget is looking great and he thanked the residents who took part in the budget process.

**Executive Session – Property Purchase, Personnel – PD, 105-f Village Manager, Potential Litigation**

Deputy Mayor Rumbold moved to go into Executive Session to discuss Property Purchase, Personnel – PD, 105-f Village Manager, Potential Litigation. Seconded by Trustee Lown. All ayes. Motion carried.

**Approve Appraisals of Village Parcels**

Trustee Lown made the motion to approve appraisals of Village parcels. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

**Reconvene**

Trustee Lown moved to reconvene the regular meeting. Seconded by Trustee Leonard. All ayes. Motion carried.

**Approve Village Manager – 2 years**

Deputy Mayor Rumbold made the motion to approve Village Manager for two years. Seconded by Trustee Lown. All ayes. Motion carried.

**Adjournment**

Trustee Hoffman motioned to adjourn. Seconded by Trustee Lown. All ayes. Meeting adjourned.

**Village of Walden Board of Trustees  
Regular Meeting  
April 10, 2012  
Motions & Resolutions**

**Public Hearing – Introductory Local Law I-3 of 2012 Garbage Code**

Deputy Mayor Rumbold moved to open the public hearing on Introductory Local Law I-3 of 2012 Garbage Code. Seconded by Trustee Lown. All ayes. Motion carried.

Deputy Mayor Rumbold moved to close the public hearing on Introductory Local Law I-3 of 2012 Garbage Code. Seconded by Trustee Lown. All ayes. Motion carried.

**Approval of the Minutes – March 27, 2012 & April 3, 2012**

Trustee Leonard moved to approve the minutes from March 27, 2012 and April 3, 2012. Seconded by Trustee Bowen. 6 ayes, 1 abstention by Trustee Lown. Motion carried.

**Property Maintenance Violation Hearing – 113 Orange Avenue**

Trustee Bowen moved to open the public hearing on property violation for 113 Orange Avenue. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

Trustee Bowen moved to close the public hearing on property maintenance violation 113 Orange Ave. Seconded by Trustee Leonard. All ayes. Motion carried.

Trustee Lown made the motion to clean up 113 Orange Avenue and bill the owner of record. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried

**Local Law I – 3 of 2012 Garbage Code**

Deputy Mayor Rumbold moved to declare the Village Board lead agency on an unlisted action with regard to SEQRA and issued a negative declaration. Seconded by Trustee Lown. All ayes. Motion carried.

Trustee Leonard made the motion to approve Local Law I-3 of 2012 as Local Law 2 of 2012. Seconded by Trustee Bowen. All ayes. Motion carried.

**Approval of Fence Bids**

Deputy Mayor Rumbold made the motion to approve the lowest bid Rock Cut Fence for \$17,657.00. Seconded by Trustee Lown. All ayes. Motion carried.

**Building Department Fees**

Trustee Lown made the motion to approve the fees proposed by the Building Department. Seconded by Trustee Hoffman. All ayes, Deputy Mayor Rumbold not present. Motion carried.

**2012 – 2013 Budget Hearing**

Trustee Leonard motioned to open the public hearing on the 2012-2013 budget. Seconded by Trustee Leonard. All ayes, Deputy Mayor Rumbold not present. Motion carried.

Trustee Lown made the motion to close the public hearing on the budget. Seconded by Trustee Bowen. All ayes. Motion carried.

**Payment of the Audited Bills**

Deputy Mayor Rumbold moved to pay the audited bills. Seconded by Trustee Lown. All ayes. Motion carried.

**Executive Session – Property Purchase, Personnel – PD, 105-f Village Manager, Potential Litigation**

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**Adjournment**

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