Village of Walden Board of Trustees Regular Meeting June 26, 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

Tara Lown Willie Carley

Absent Trustee Sean Hoffman

Bernard Bowen

Also Present: John Revella, Village Manager

Lori Pinckney, Village Clerk Austin DuBois, Village Attorney

Presentation – "Women Owned Businesses" Achievement Awards

Mayor Maher announced that it is "Women in Business" month from the Orange County Chamber of Commerce and the Village of Walden wants to acknowledge the women business owners in the Village. He introduced Bill Fioravanti, Vice President of the Chamber of Commerce.

Bill commented that the Chamber is honoring women in business this month and it's too bad we have to single out women as though it's something different but he doesn't think we are quite there. He indicated the Chamber is a big proponent of women owned business and help women become certified in NYS as a women owned business. He is glad the Village has taken it on their own to honor their own women owned businesses and it is truly a privilege to be part of it.

Mayor Maher announced the following women to receive an Award:
Marie Burger, Joyeze Palffy, Rebecca Roticki, Kelly Olley, Alayne Upright, Catherine
Lynch, Kathy Valentin, Margarita Navaro, Anita Wynkoop, Donna Hall, Bonnie McDermott,
Janice Smalling, Dawn Sweed, Dina Bryan, Denise's Hair Salon, Absolutely Pets, Susan
Rumbold, Sara at Studio 9.

Trustee Lown presented the certificate to Deputy Mayor Susan Rumbold for her business Sweet Sensations by Sue.

Presentation – New Employees/Appointments

Manager Revella announced Mike Bliss is now in the permanent position as Recreation Coordinator after completing the Civil Service examination.

Chief Holmes introduced part time dispatchers, Gina Kehoe and Mike Hansen; part time police officers Liam Fay and Anthony Tolve. He announced that Officer William Herlihy has been promoted to Sergeant.

Mayor Maher thanked Chief Holmes and commented how well Chief serves the community; he cares, he lives in the Village and we are lucky to have him. In addition, Mayor Maher re-appointed Alex Landolina Sr. to the Ethics Board for another term.

Deputy Mayor Rumbold moved to reappoint Alex Landolina Sr. to the Ethics Board. Seconded by Trustee Lown. All ayes. Motion carried.

Property Maintenance Hearing – 33 N. Montgomery Street

Dean Stickles, Building Inspector, commented that the record owner of 33 N. Montgomery Street is Dorothy Murphy. She is deceased and her son, Thomas Murphy, is head of the estate. Mr. Murphy was sent a Notice 8/9/2011 regarding the outside appearance of the property and Noticed again 3/20/2012. Both Notices were sent certified and return receipt with the hearing Notice sent on June 8, 2012 with no response. He has spoken with Mr. Murphy and was told there is no money in the estate to take care of the home/property and he is trying to sell it. Dean is asking the Board to authorize himself or the Manager to seek bids to get the home fixed to the point where it is acceptable.

Deputy Mayor Rumbold asked if he's asking for just the exterior and if the electric is on.

Trustee Lown asked if the home is occupied.

Dean confirmed it would be just the exterior; it is a single family home and Dean is not authorized access. The home is not occupied and he does not know if the electric is on.

Deputy Mayor Rumbold asked if they are still getting water/sewer bills. She asked when the owner passed away.

Dean responded he did not know, but could find out. He believes it's been about 1 ½ years ago that the owner passed. He indicated a Resolution would be needed; it would have to be sent to Mr. Murphy allowing him a certain amount of time to do it and then the Village would do it.

Trustee Lown made the motion to draw up Resolution on 33 N. Montgomery Street. Seconded by Trustee Carley. All ayes. Motion carried.

Manager Revella commented we will make sure those repairs are made and if not, after a certain amount of days the Village will make the repairs at the owner's cost.

Trustee Lown asked the number of days.

Dean indicated the Board should set the number of days. He recommended 30 days since the owner lives in Massachusetts to send it and allow it come back, but it is up to the Board.

Trustee Lown recommended 15 days, July 15th.

Dean commented he has to send this resolution before the Village can do any work. If we have to go out to bid then we can do a short window on the bids.

Trustee Lown made the motion to give a 15 day limit, July 15, 2012 on 33 N. Montgomery Street. Seconded by Trustee Leonard. All ayes. Motion carried.

Village Manager's Report

- Had a couple of water issues, fire hydrants getting hit by cars; they are getting repaired and billed to the owner's insurance.
- Hired a new secretary for Planning and Zoning Board Pamela Tillson
- Jetting and flushing the sewer mains will be getting new Jet. Been working on Pond Rd and the roads that will be paved this year to be sure the lines are in good shape prior to paving.
- Continue drainage work at Bradley Park
- Grinding tree stumps as soon as they are all grinded, we will go around and clean up from the grinding.
- Couple of meetings with FEMA regarding reimbursements; filed appeal on Wooster's Grove.
- Received bids on new digital recorder for police department
- Been working on Bonding; there will be a water BAN at the next Board meeting to complete water projects.
- Attended meeting at Town of Wallkill at F&F Industrial, discussed state bid products that company has to offer.
- Village now owns 27 N. Montgomery Street; the electric service has been transferred over, we will discuss the use of the property in the future.
- Had a couple of meetings regarding the CFA that's out now for the State grant; applications are due July 16th, there is a resolution on the agenda tonight.
- Summer camp registrations have been going well; teen center is now Monday through Saturday.
- Meeting with Lanc & Tully and Reclamation to go over the roads for this year.
- The Administrative Aide gave notice that she will be taking a full time job, so the part time position is now posted outside and will be in the paper and on the website.

Deputy Mayor Rumbold asked about the grass by the Tin Brook Bridge.

Manager Revella responded he scheduled Jim Persutti, the Arborist, to take care of it this week; he will be applying a product in the area so the plants won't grow.

Deputy Mayor Rumbold asked if we need permission to do that. She asked if we have put fluoride back in our water.

Manager Revella responded no. Regarding the fluoride, it is not in the water since we don't have a maintenance building yet, it is on the agenda tonight.

Deputy Mayor Rumbold commented that since the ADA recommends that children under one not drink formula which has been prepared with fluoridated water, are we going to give residents notice so parents of young children are aware of that.

Manager Revella responded we are required by the County Health Dept and the State to notify when we introduce fluoride; notice to every resident and everyone that uses the water.

Deputy Mayor Rumbold responded that she is not sure if parents are aware of the ADA recommendation and are we going to inform parents so they are aware of the ADA recommendation.

Manager Revella responded we will give them as much precautionary information as we can give them that is current at the time the fluoride is re-introduced. He indicated that when we send out the notice that fluoride is being re-introduced it will come with an attachment of whatever current warnings are out.

Deputy Mayor Rumbold asked about garbage cans being left in the street is a concern again.

Mayor Maher asked when the contract is up.

Manager Revella responded garbage cans are a recent complaint again. He indicated the contract is up Dec 31st and we should consider bidding in September.

Mayor Maher recommended instead of bidding possibly using a different process; like an RFP process which could possibly avoid the situation we are in now.

Trustee Lown asked for an update on the Speed Hump town hall meeting.

Manager Revella responded we have to set up that meeting.

Approval of the Minutes – June 12, 2012

Trustee Lown made the motion to approve the minutes from June 12, 2012. Seconded by Trustee Carley. 3 ayes, 2 abstentions by Deputy Mayor Rumbold and Trustee Leonard. Motion failed.

Trustee's Committee Reports DPW liaison – Trustee Leonard

Trustee Leonard commented he spoke to the company for the temporary buildings, but it's a different company that makes the new metal building so he will follow up.

Police Department Liaison – Trustee Rumbold

Deputy Mayor Rumbold commented there is not much to report; it is a new calendar year so nobody is at 1040 yet so we have a full complement other than those out for injuries or other issues. She indicated things seem to be going well; she noticed an officer at McKinley monument and increased foot patrol that residents are happy to see. She commented she spoke to the Chief about more of a presence while the teen center is in operation; there are kids that have been hanging out in the Park after dusk and they should be in the teen center at that time.

Community Liaison & Library Board Liaison – Trustee Lown

Trustee Lown announced the Harvest Fest meeting tomorrow at 7pm at the NY School of Music and Harvest Fest is 10/6, National Night Out is on 7/26, Community Council meeting 7/11 at Masonic Lodge at 7pm, this Friday is the Walden Business Association meeting at 8am in the 2nd floor community room, the youth employment program is off and running; the placement fair was a great success, she thanked the businesses that are participating. She indicated the youth range in age from 15-18 and will be employed for 60 hours

between 7/2 & 8/3. On July 21st from 9-12 is the Skills and Resume workshop. Music in the Grove starts next Saturday at Wooster's Grove with Six Stories Told; 7/9 will be the Pine Bush Community Band. On 7/14 is the Knights of Columbus Classic Car show.

Mayor Maher announced today is primary day for both parties and recommended everyone vote.

Parks and Recreation Liaison – Trustee Carley

Trustee Carley commented that the Recreation Director has been on vacation and asked Mike to provide a report.

Mike Bliss commented camp registrations are over 175 kids and expect another 150 kids with over 40 being full day campers. They are currently taking applications for the Summer Youth Leadership Academy; it's for 8th & 9th graders that are Village of Walden residents. There is room for 3 more students. Regarding Parks, we continue to mow properties, Bradley Park is getting ready for Capital Projects, Alfred Place Park, the fencing is being completed, then the hoop will go up, picnic tables, park benches and bike racks are ordered and the sign is almost done. The teen center is open 6 days per week; the old train station is up and running from the flood, new pool table, ping pong table, foosball table and new couches. He indicated the adult programs include zumba, cardio kickboxing and yoga – each class is \$5.

Manager Revella mentioned that Trustee Hoffman, Dean Stickles and himself met and walked through the entire Sign Law in the Code. Sean is drafting a redline version to go over with the Board and the Attorney for the next Board meeting.

Public Comment on Business of the Board

Jessica Metzger, 4 Gracewood Court, asked about the final budget amendment.

Manager Revella responded after the last amendment there were some remaining bills to be paid; this is needed to balance the accounts for last year's budget.

Becky Pearson, 167 Walnut Street, asked about the Child Safety Zone discussion item; she asked if the Board is anticipating a law since there is already a New York State law for sex offenders.

Manager Revella responded the NYS law does not restrict where they live and it is an issue with the Village right now. He indicated there is currently a level 3 sex offender living in proximity to children that we don't think is appropriate.

Becky asked if he is registered with the Police Department.

Manager Revella responded yes, he registered with the Police and that's how we found out.

Attorney DuBois commented the State Law dictates the contact he can have and that he has to register with various municipalities, but it does not restrict where he can live.

Manager Revella responded the County does not either; some counties do, but ours does not, but the local municipality can put a local law into effect that can.

Anita Vandermark, Highland Avenue, asked the specific location of the property at 33 N. Montgomery Street.

Manager Revella responded it's across from the fire house on the west side; this is the blue one, but the white one is also an issue.

Anita commented that there is a site on the internet that will tell where sex offenders live.

Business of the Board of Trustees Action Items

78 Maple Street – Property Maintenance: Set hearing

Jay Buchalski, Code Enforcement Officer, indicated a Notice of Violation was sent to Kristopher and Steffanee Murphy for 78 Maple Street via regular mail and certified mail. It was signed for as received and Stephanie Faso received a phone call indicating the property is bank owned. There are numerous items located in the front, side yards and back yards.

Deputy Mayor Rumbold made the motion to set the property maintenance hearing for 78 Maple Street on Tuesday, July 10, 2012 at 6:30pm. Seconded by Trustee Lown. All ayes. Motion carried.

Resolution in support of Parks Grant Application

Manager Revella commented this is a resolution in support of the Village applying for funds for more Bradley Park improvements including a comfort station, road improvements, parking improvements and improvements for the theatre. It's a 75/25 grant; the State informed us that if we can get something that will stick out and be different it will increase our chance of getting funding and we believe this project as a whole helps do that.

Mike Bliss, Recreation Coordinator, commented it is a 75/25 match; \$400,500.00 total, our match of 25% can be matched, there is a 7.5% administration which is his cost which is probably already met, it can be met by donations or in kind labor, it doesn't have to be a dollar amount. The upgrades include: new bathroom facility, storage facility, and new access road, amphitheatre area which includes seating, stage and parking lot. He commented that all the upgrades are in line with the Park & Recreation Comprehensive Committee's Plan.

Deputy Mayor Rumbold asked where in the Park will all these improvements be done.

Mike responded there will be a parking area behind the minor league field, behind MPB School, the bathroom facility will be on the flat area as you drive in from that entrance, there is a water & sewer line already there, the amphitheatre will be on the back side of the park, by the river, as seen on the model that's been proposed.

Deputy Mayor Rumbold confirmed that all these improvements are part and parcel of the amphitheatre plan for the park, so this is why we are putting the parking area there and the storage facility in.

Mike responded no, the reason why the amphitheatre is part of it is because it's part of the inland waterway and it will give us additional points and it stays in line with the Comprehensive Plan.

Manager Revella commented the river is an inland waterway so we get extra points on grant applications if we utilize the river in some way.

Deputy Mayor Rumbold asked how are we using the river.

Mike responded there will be docks, trails, sightseeing and kayaking north along the river which is included in the Maple Street boat launch.

Trustee Lown asked if the new bathroom facility will be handicapped accessible.

Mike responded yes, 100% handicapped facility.

Manager Revella commented the quonset hut should be taken down, it is in bad shape. It will need to be replaced even if we don't get the grant, especially if we consider taking on the park maintenance of Bradley completely and charge fees for usage.

Deputy Mayor Rumbold confirmed that since the amphitheatre is listed for the grant, then is must be done if we get the grant. She questioned that the decision was made that we are going to do an amphitheatre in the Village of Walden.

Mike responded it falls within the Recreation & Parks Comprehensive Plan.

Deputy Mayor Rumbold asked if the Board actually voted for the amphitheatre.

Mayor Maher responded yes, last year when the Village submitted the application it was included.

Mike commented this is the same application that we submitted last year minus a couple of pieces that we are doing in capital projects.

Trustee Carley commented an amphitheatre would bring in more revenue.

Manager Revella commented the County and the State also believe it would be an economic engine for the Village.

Trustee Lown asked if it has been decided who would manage the amphitheatre.

Mike responded that decision has not yet been made.

Trustee Lown responded it affects it as it will affect the cost.

Manager Revella responded it is anticipated to be part time Village employees.

Mike commented the revenue would cover those employee salaries.

Deputy Mayor Rumbold asked if the facility would be rented.

Manager Revella responded yes, there would be a fee for usage, except if the Village used it.

Mayor Maher confirmed that if the Village wanted to host an event, there wouldn't be a fee, but if another group wanted to use it, there would be a fee. If the theatre was built it would create an economic engine for the Village, might fill empty storefronts and bring new homeowners.

Deputy Mayor Rumbold asked who do you envision using the amphitheatre.

Mike responded it can be theatre, concerts or performing arts.

Trustee Leonard commented it could be used by the dance studios for their year end recitals.

Mayor Maher commented this is not something new; the Village of Goshen operates a theatre where private entities pay a fee to rent it.

Mike commented another example of a similar facility would be Boscobel located across the river.

Deputy Mayor Rumbold asked for a sample fee for the facility.

Mike responded it would depend on the description of the event, just like any other event in the Village. If someone was holding a concert for 1000 people, we would consult with the Police Chief to determine the staff required as well as the Recreation Dept staff, a fee would be determined. Contract details would be worked out and reviewed by our attorneys. He indicated some research has been done on how other places do this.

Trustee Leonard commented that use fee would reflect what the cost to the Village would be; setting up and clean up, etc. This is public money that will build it so we are not looking to make money.

Mayor Maher commented the only case we would make money is if the Village put on their own show/concert and sold tickets.

Deputy Mayor Rumbold agreed with Tara, she would like to know who is going to be running the facility, the administrator and who is going to be taking care of it.

Mayor Maher responded the administrator will be Mike as Director of Parks & Recreation since it's in a Park and we left it open to be rented out.

Mike commented it would go before the Board like it does now depending on the size and scope of the event.

Deputy Mayor Rumbold asked the seating capacity and parking.

Mike responded 750 seating capacity.

Manager Revella responded there is one lot at the top of the park for anything and there will be another one upon entering from Bradley Lane off to the left.

Mayor Maher commented permission was granted from MPB School during the summer when there is no school to use their parking lot, which is a huge lot.

Mike responded he doesn't believe the school lot would be needed with the addition of the new parking lot.

Deputy Mayor Rumbold asked the number of parking spaces in the lot that is not on top.

Mike responded 135 spaces.

Trustee Lown asked what happens if we don't pass the Comprehensive Plan or change it and take the amphitheatre out of it.

Mayor Maher responded by saying yes to the grant, we are also saying yes to the amphitheatre which was a vote we took a year ago which was through the same process so if you are unsure or don't believe the theatre is a good thing for the Village then you wouldn't vote in favor of this grant application.

Mike commented he is not asking for anything that hasn't already been approved by the Board and the time spent by the Parks & Recreation Comprehensive Plan Committee that has spent numerous meetings on it.

Trustee Carley commented from his understanding there has not been any objection from the community.

Mayor Maher responded we have worked hard over the last two years and have had several public meetings with the Committees and sat down with the residents in the surrounding area of Bradley and did not have hesitation to the building of the amphitheatre.

Trustee Carley commented the concern is usually traffic and getting people in and out.

Mike commented everything has been positive from his end.

Attorney DuBois clarified the issue on the table is simply to apply for the grant money which can always be refused by the Village if you ultimately decided you don't want to put in an amphitheatre.

Manager Revella commented there are probably people that are against it, but the town hall meetings that were held there was no outcry.

Mike commented this is a great opportunity to help revitalize main street and this is a great way to help our local businesses by bringing people into the village.

Deputy Mayor Rumbold asked for the anticipated yearly maintenance cost of the theatre.

Mike responded the cost would be very minimal; it is all stone and concrete.

Trustee Leonard commented that Bradley Park has held large events for many years; there have been two National Night Out events and the Fire Dept has held its Fairs, so hosting a crowd of people down there is nothing new.

Mayor Maher commented the improvements to the Park will only help. He read the resolution: "Be it resolved that John Revella, as Manager of the Village of Walden, New York is hereby authorized and directed to file an application, Resolution 2-12-13."

Trustee Leonard moved to adopt Resolution 2-12-13: Bradley Park Grant Application. Seconded by Trustee Carley.

Deputy Mayor Rumbold suggested letting the public comment before the Board takes a vote.

Mayor Maher commented the public has had time on this and he would rather go ahead with the vote.

Trustee Carley asked if public comment would change anything.

Deputy Mayor Rumbold responded the public might not have known where the money was coming from, it's a 75/25 grant, people might not remember that and since they've heard our discussion, they might want to comment.

Jessica Metzger commented she is in support of an amphitheatre in the Village and she agrees with Sue that this Board has never voted. She recalled the budget session and while talking about the money going into Bradley Park, Sue asked in that session if the Board had voted on doing the amphitheatre and the response she received was "no, we have not, we are simply voting to approve the application for the grant". She commented she has been before this Board in the last 90 days and asked what is happening with the amphitheatre because in her opinion she doesn't want to go to a concert next to a sewage treatment plant. She was told "no, no, no, nothing's been done"; she has asked if anyone has thought about Olley Park. This Board has not voted to put in an amphitheatre, we are simply voting to apply for the grant. She thanked the Board for the opportunity to speak. She believes the amphitheatre is a fabulous idea; she wants to know what the Village is going to do about the smell from the sewer treatment plant because she can smell it at her house if the wind blows the right way. She asked if there will be lawn seats on top of the 750 seats for the amphitheatre. She encouraged the Board to wait on the vote until the rest of the Board is available to vote and she recommended the Board review the minutes.

Manager Revella responded there will not be any lawn seats.

Trustee Leonard asked for the timeframe on the grant.

Mike responded July 16th it is due. He indicated the State announced the grant about 28 days ago.

Trustee Carley commented we can vote on the resolution tonight and put it back on the agenda next time.

Trustee Leonard commented in response to Jessica's odor concern, covers can be put over the tanks and that will eliminate the odor and make the tanks more effective.

Manager Revella commented that is something discussed with the engineers already and does not involve this grant.

Becky Pearson commented that she is not against the amphitheatre, she's not sure it's proposed for the right Park either and her concern is the running of it. There is talk of major concerts and events but we don't have amounts, there is nothing tangible to understand the project. It appears the village will do it and hope it all works out; "build it and they will come". It's almost being done backward. This has been discussed for over a year, so the numbers should be here already; how many part time employees will be needed, who would be attending, how much it will cost. She's not saying it won't be functional or not a good project. She recommended starting with the parking lot and playground; to do it in stages. She asked if there is a contract with MPB for the additional parking. She recommended tabling it until all the Board members are here.

Manager Revella responded all those numbers have to be in the application; they want to know how many jobs will be created and any revenue created and the other issue is location, the only reason we are in the running for funding is because it's a NY inland waterway.

Mary Ellen Matise asked why wasn't the project selected last round.

Manager Revella responded we didn't have an engineered plan to go with the application and last year the cost was prohibitive.

Mike commented that John Queenan has donated a large portion of that plan which will be a huge percentage of our 25% match.

Manager Revella commented last year the Board did not authorize funding for an amphitheatre project, now we have donated time so it was easier.

Deputy Mayor Rumbold commented she is in favor of anything that encourages people to come to the Village to live here or open a business. She has an issue with asking for a grant for a project that we don't have all the answers for; we haven't sat down and formulated a plan for the project; she knows there has been a lot of work with the residents in the immediate area of it, but she's not sure the Village as a whole understands the project and costs involved. She thought the revenue was coming from selling tickets and attending concerts there but it's more people coming into the Village and spending money at the businesses, so it's not revenue for the Village but for the businesses.

Mayor Maher commented we are not taking off the table the idea of the Village putting a show together with part time rec employees to create revenue.

Manager Revella commented the other revenue would include more property purchases which would help with mortgage tax revenue.

Deputy Mayor Rumbold commented she will not have a problem voting to put the application in with the caveat that says she believes it's incumbent upon all the Board

members to have a frank discussion with the community and have these answers prepared and then have this Board take a vote whether they are in support of having an amphitheatre in the Village; we've never done it, we've talked about the application. She does not like not having that vote and applying for an application because we will look like idiots if we get the grant and then decline it. She hates when this happens, it's ridiculous when the State does this.

Manager Revella responded they do it intentionally; they try to get shovel-ready projects pushed to the forefront and it weeds out other projects that are just an idea.

All ayes. Motion carried.

Award Bid for Sewer Jet

Manager Revella commented we received three bids; one was rejected as it did not comply with the specifications. The lowest bid was Jet-Vac Inc with a base bid plus the different options totaling \$58,350.00 who are the recommendation by the Village Engineers. We tested the equipment with our DPW personnel; they liked the equipment.

Trustee Lown approved the lowest bidder for the Sewer Jet: Jet-Vac Inc. for \$58,350.00. Seconded by Trustee Leonard.

Deputy Mayor Rumbold asked if we have a sewer jet now and if so is the one we have broken and this will replace it. She asked what will be done with the old one.

Manager Revella responded the one we have is over 20 years old and the tank is rusting out; we just had it in for repairs and anticipate more repairs, it is not functioning properly. He indicated the newer equipment is a lot safer, uses a plastic tank and the attachments are safer. One of the most dangerous jobs in the country is using a sewer jet; it causes the most fatalities. He indicated the old one will be surplus.

All ayes. Motion carried.

Manager Revella commented that the providers of the industry are here in the audience.

Mayor Maher thanked them for making the trip.

The gentleman from Jet-Vac Inc thanked the Village and the Board on behalf of their 70 employees from a small town in Illinois.

Award Bid for Water Treatment Building

Manager Revella commented low bidder was GT Excavating for \$34,990.00.

Trustee Lown commented we have used this contractor before and asked if they are the ones that are extremely slow.

Manager Revella responded that is not the same contractor; GT has done sidewalks and curbing and it's come out perfect.

Trustee Leonard asked about the bid materials missing.

Manager Revella responded they are not serious issues and we have received the materials since.

Trustee Carley questioned the price being almost half.

Manager Revella responded the same thing happened with the curbing and it was perfect.

Trustee Lown made the motion to accept the lowest bid for the Water Treatment Building as GT Excavating, LLC for \$34,990.00. Trustee Leonard seconded. All ayes. Motion carried.

Final Fiscal Year 2011-2012 Budget Amendment

Peter Sullivan, Treasurer, commented this is the final settlement amounts for fiscal year 2011-2012; it rounds off all the budgets with regard to spending. It's all on the spending side so we are still about \$70,000 under spending in the general fund and we are \$200,000 on the revenue side, so we are in good shape. He indicated it's about the same for water/sewer.

Trustee Lown made the motion to adopt Resolution 3-12-13: Budget Amendment. Seconded by Trustee Carley. 4 ayes (Deputy Mayor Rumbold not present), 0 nays, 0 abstentions. Motion carried.

Fireworks Contract for National Night Out

Manager Revella commented we have a contract that the attorneys reviewed; there is no issue. It's \$3000 for the fireworks exhibit.

Trustee Lown made the motion to authorize the Village Manager, John Revella to sign the Fireworks contract with Fireworks Extravaganza for National Night Out. Seconded by Trustee Leonard.

Trustee Carley asked if it will still cost \$3000 if it rains since there is no rain date.

Manager Revella responded the fireworks will happen rain or shine. He indicated the Masonic Lodge was kind enough to make a donation to cover the cost of the fireworks.

4 ayes (Deputy Mayor Rumbold not present), 0 nays, 0 abstentions. Motion carried.

Discussion Items

Sign Law

Manager Revella commented that he, Sean and Dean went through the current Code and made some suggestions for revisions and a plan of action to make sure other entities are in compliance with the Code as proposed if adopted in that format. A red-line version should be available at the next meeting with the proposed changes and a timeframe as well.

Comprehensive Plan Ch. 1-3

Mayor Maher commented we are going to break this down Chapter by Chapter and we're all going to read the Chapters parts at a time and discuss it.

Trustee Lown commented Chief Holmes name is spelled incorrectly on page 2.

Manager Revella asked the Board for any comments on the wording or any corrections or deletions.

Mayor Maher commented on page 6 under Economic Development; he suggested adding the three performance arts schools and the religious centers and long standing businesses; including names. He suggested more details on access like the Wallkill River and the Historical Society.

Manager Revella commented this is an introduction; there are more details in the individual chapters.

Trustee Carley asked if there is anything that mentions how close we are to the city.

Deputy Mayor Rumbold responded yes.

Trustee Lown read a portion on page 13 which didn't have proper grammar.

Manager Revella commented we would like to cover 1 to 2 chapters per meeting; the full comprehensive plan is available online on the Village's website or hard copy at Village Hall. He will put a copy in the Library.

Child Safety Zone

Manager Revella commented that a level 3 sex offender moved in across from the Elementary School; it was a shock to many of the parents, teachers, school administration and the daycare. We researched it and it is allowed since the restriction is to be several hundred feet away from anyone under 18, there is no restriction about where the person can live. The County does not have a restriction on where they can live. There are counties and local municipalities that do have restrictions and Attorney DuBois searched for a similar local law that might work for the Village so this doesn't happen again.

Attorney DuBois confirmed that he has a sample local law from Otsego County which restricts a sex offender from living in Child Safety Zones. These Child Safety Zones are defined as any area within 1000 feet of a sensitive location such as a daycare facility or elementary school. The State of NY does not have anything state wide so counties and local municipalities are left to their own devices as they seem fit. He provided additional information for the Board with pros and cons for the Board's consideration.

Mayor Maher commented this sample local law states not only living but working and suggested the Village would like that included in the local law as well. It also defines sex offender level 2 or 3, not a level 1.

Manager Revella provided an example of a level 1 sex offender: indecent exposure such as public urination.

Trustee Carley commented he would like to research this a bit more to understand the different levels of offense.

Mayor Maher responded he doesn't disagree but would like something drafted soon since it takes awhile; we can have the public hearing and get the public's feedback.

Manager Revella commented if our local law states 1000 feet from these types of institutions, you are essentially not allowed to live in the Village; it can't be that restrictive, it would be unconstitutional. He listed the institutions: child care facilities, elementary/high schools, bus stops, licensed day care providers, playgrounds, public/private youth centers, public swimming pools, public recreational facilities.

Mayor Maher commented he would like to move forward but wants everyone's feedback.

Trustee Leonard commented he would like to look the information over; in general he agrees. He indicated a number of these laws have been overturned and we want to go very thoughtful on it. He asked the attorney if this law from Otsego County has been challenged.

Attorney DuBois responded he will check. He also indicated the Sheriff's Dept has a website with the sex offender registry. This person who moved into the Village moved from Ulster County so there might be some administrative delay so he is not listed yet.

Manager Revella commented the police website has a link and they try to keep it current.

Deputy Mayor Rumbold commented she is shocked there is no county restriction. She indicated research needs to be done and she is aware the residents want this done expeditiously.

Trustee Lown agreed.

Mayor Maher asked the attorney to draft a local law for the next meeting.

S. Montgomery Street/Cross Street Intersection

Mayor Maher indicated the Engineer did a very thorough report. He provided a map to the public.

Manager Revella commented the first suggestion which doesn't take much effort or local law is to change the curbing on S. Montgomery Street. He referenced the first page of the plan and indicated making a monument curb and sidewalk instead of a monolithic curb. There won't be an island of grass between the curb and sidewalk and it would save a few feet to make the turning radius easier.

Trustee Leonard asked how that would affect the parking.

Manager Revella responded it wouldn't change parking; it's more of moving the lane over. Right now there is a 2.5 foot gap between the sidewalk and curb. He went through the plans from the Engineer.

Mayor Maher asked why can't we just put two stop signs at the top of the intersection if Cross Street was reverted back to two way traffic to make it a three way stop.

Manager Revella responded it would not help the tractor trailers. He indicated on page 8 of the plan, it is suggested to move the stop line down to the cross walk which allows more of a turn radius. He indicated the immediate fix would be to move the curb to the sidewalk

to gain the 2.5 feet; that should happen regardless as it will help a little bit and not affect any parking. He will get a cost estimate for next time.

North Street Engineers Report

Manager Revella commented there are some simple fixes for entering North Street; there are two things already on the books due to vehicle traffic laws. The first is you can't be within 30 feet of a stop sign and for the fire hydrant he thinks it is 15 feet on either side but has to double check it. The rest of the road is another problem. There is no way to turn around at the end of the road; North Street is technically a thru street. It was blocked off some years ago; it is possible to open it again so people can drive through.

Mayor Maher asked where does North Street go.

Manager Revella responded it goes to First Street. It is a steep grade so that would need to be improved.

Trustee Leonard suggested making it a one way going toward First Street but the grade would need to be checked.

Mayor Maher asked if we want to look into opening it up through to First Street.

Manager Revella commented he received a letter from a resident and an emergency vehicle was required to go up the road for an emergency and it had a very difficult time getting in and out. He also had a call from another resident who didn't want the Village reopening North Street as a thru road. He wants to see if it is cost prohibitive to make it a thru road.

Mayor Maher confirmed the Board would like to have the engineers look into it further.

Public Comment

Becky Pearson, 167 Walnut Street, asked for clarification on the NYS law regarding sex offenders: NYS law mandates as a condition of parole that level 3 sex offenders or t hose offender with victims under the age of 18 may not reside within 1000 feet of a school.

Attorney DuBois responded he is not under any supervision; he is no longer on parole or probation.

Becky commented regarding North Street there was an issue for the Planning Board or Zoning Board with the business and how many cars are allowed to park on the street.

Manager Revella responded there was a variance issued for two spots on the street.

Jessica Metzger, 4 Gracewood Court, commented on the level 3 sex offender having committed a violent crime against a four year old girl. She indicated the Mayor's phone has been ringing off the hook as well as her own being the wife of a police sergeant and having a child in the elementary school. She indicated there was a lot of misinformation coming out of this third floor building which she had to rectify on the Walden Elementary PTO webpage. She asked the Board to encourage their staff when there is a question, not to answer it but refer it to the appropriate person that can answer it. The person is neither on parole nor on probation and someone upstairs in the office insinuated that maybe the

people downstairs didn't know what they were doing and Senator Larkin's office was called. The people on the third floor can not micromanage the police department and some of the employees on the third floor don't know what they are talking about. She has encouraged everyone with questions to contact the Chief of Police directly; the Walden Police Dept handled this with the utmost profession, they went to the school immediately and they handled everything properly. There was misinformation coming out of the third floor office that went to a webpage that everyone can see and it was stressful. She commented that the Manager indicated we now own 27 N. Montgomery and asked how we came to own it.

Manager Revella responded it was given to the Fire Dept with a right of reverter for them to use as long as they seem fit but at the moment they cease to use it for firematic purposes or wish to no longer occupy, it automatically reverts back to the Village of Walden. He can not discuss the discussions the Board has had regarding the property some of it has to do with sale of property but both properties, including the house behind Municipal Hall, have been appraised.

Jessica asked if the curb is moved on Cross Street is it safe for a walker.

Manager Revella responded there are a lot of curbs that are part of the sidewalk in the Village; it is not uncommon. The safety issue has been discussed, for cars coming along Route 52 it is nearly impossible for them to breach that curb and for people making the turn are already slowing down to make that turn.

Jessica commented that since this has been changed she has seen more problems than ever; it is worse now then it ever was before.

Mary Ellen Matise, 21 Clinton Street, commented as you are traveling west over the bridge, past those shops there are some trees on the right side that could be trimmed which might help the sight distance. She asked about the status of the waterfront grant.

Manager Revella responded the Engineer, Planner and Recreation Coordinator are working on the waterfront grant.

Mary Ellen responded Alan is not really a park planner. She asked the status of park use policy for big events and fees.

Manager Revella responded Mike is addressing that with the attorney to get something on the record to bring to the Board.

Mary Ellen commented regarding the Comp Plan that every word that is added to the introduction is going to cost money; she suggested reading the rest of the Plan to see where it comes up again.

Brian Sebring, 84 East Avenue, asked about the culvert pipe on Grant and Elm Streets and if a 1.5 inch ring can be added to bring it up. Regarding Cross Street intersection, he suggested moving the telephone pole; he knows it takes time but start the paperwork now.

Anita Vandermark, Highland Avenue asked about the telephone on Woodruff and Highland.

Manager Revella responded it is on the list.

Anita asked if there is any chance of making parking on Woodruff Street only on one side. She thanked the Manager for cleaning up the Circle and around the Municipal Building. She commented about the visit from Reverend Walden and his touring the Village and the Walden House. She asked everyone to fly the flag for July 4th.

Payment of the Audited Bills

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

Correspondence

None

Miscellaneous Comments from the Board of Trustees

Trustee Lown thanked John for all his help with the Youth Employment Program. She agreed with Anita regarding the 4th of July. She commented that she is co-chair of the Rising Stars Event. She announced Austin is a past Rising Star recipient as well as Dickie Baxter. The event is in October.

Trustee Leonard commented on the increased traffic enforcement that has been taking place; it has been an issue in the Village for a long time. He asked Austin for a yay or nay regarding a checking account for the 10% challenge committee.

Attorney DuBois responded he will check into that.

Executive Session – Property Purchase, 105f Village Manager

Deputy Mayor Rumbold moved to go into Executive Session to discuss Property Purchase, 105f Village Manager. Seconded by Trustee Carley. All ayes. Motion carried.

Reconvene

Deputy Mayor Rumbold moved to reconvene the regular meeting. Seconded by Trustee Leonard. 4 ayes, Trustee Lown not present. Meeting reconvened.

Adjournment

Trustee Leonard moved to adjourn. Seconded by Deputy Mayor Rumbold. 4 ayes, Trustee Lown not present. Meeting adjourned.

Village of Walden Board of Trustees Regular Meeting June 26, 2012 Motions & Resolutions

Ethics Board Reappointment

Deputy Mayor Rumbold moved to reappoint Alex Landolina Sr. to the Ethics Board. Seconded by Trustee Lown. All ayes. Motion carried.

Property Maintenance Hearing – 33 N. Montgomery Street

Trustee Lown made the motion to give a 15 day limit, July 15, 2012 on 33 N. Montgomery Street. Seconded by Trustee Leonard. All ayes. Motion carried.

Approval of the Minutes – June 12, 2012

Trustee Lown made the motion to approve the minutes from June 12, 2012. Seconded by Trustee Carley. 3 ayes, 2 abstentions by Deputy Mayor Rumbold and Trustee Leonard. Motion failed.

78 Maple Street – Property Maintenance: Set hearing

Deputy Mayor Rumbold made the motion to set the property maintenance hearing for 78 Maple Street on Tuesday, July 10, 2012 at 6:30pm. Seconded by Trustee Lown. All ayes. Motion carried.

Resolution in support of Parks Grant Application

Trustee Leonard moved to adopt Resolution 2-12-13: Bradley Park Grant Application. Seconded by Trustee Carley. All ayes. Motion carried.

Award Bid for Sewer Jet

Trustee Lown approved the lowest bidder for the Sewer Jet: Jet-Vac Inc. for \$58, 350.00. Seconded by Trustee Leonard. All ayes. Motion carried.

Award Bid for Water Treatment Building

Trustee Lown made the motion to accept the lowest bid for the Water Treatment Building as GT Excavating, LLC for \$34,990.00. Trustee Leonard seconded. All ayes. Motion carried.

Final Fiscal Year 2011-2012 Budget Amendment

Trustee Lown made the motion to adopt Resolution 3-12-13: Budget Amendment. Seconded by Trustee Carley. 4 ayes (Deputy Mayor Rumbold not present), 0 nays, 0 abstentions. Motion carried.

Fireworks Contract for National Night Out

Trustee Lown made the motion to authorize the Village Manager, John Revella to sign the Fireworks contract with Fireworks Extravaganza for National Night Out. Seconded by Trustee Leonard. 4 ayes (Deputy Mayor Rumbold not present), 0 nays, 0 abstentions. 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, 105f Village Manager

Deputy Mayor Rumbold moved to go into Executive Session to discuss Property Purchase, 105f Village Manager. Seconded by Trustee Carley. All ayes. Motion carried.

Reconvene

Deputy Mayor Rumbold moved to reconvene the regular meeting. Seconded by Trustee Leonard. 4 ayes, Trustee Lown not present. Meeting reconvened.

Adjournment

Trustee Leonard moved to adjourn. Seconded by Deputy Mayor Rumbold. 4 ayes, Trustee Lown not present. Meeting adjourned.