

**Village of Walden  
Board of Trustees Regular Meeting  
August 14, 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
Austin DuBois, Village Attorney

**National Night Out**

Officer John Conklin provided a report which included a summary of the costs associated with National Night Out. He indicated the event was a great success; there were 122 sponsors and vendors and the DPW, Rec Dept and Police Dept worked great together. The report included an agenda, a letter from Governor Cuomo, an expense report, cost savings report and a list of sponsors and vendors.

Mayor Maher thanked Officer Conklin for a great job organizing the event.

**Public Hearing – Introductory Local Law I-7, Child Safety Zones**

Deputy Mayor Rumbold moved to open the public hearing on Introductory Local Law I-7, Child Safety Zones. Seconded by Trustee Lown. All ayes. Motion carried.

Mayor Maher read the Notice of Public Hearing.

Chief Holmes and Peter Sullivan provided a map of the Village indicating the areas where children are likely to congregate.

Chief Holmes commented the map shows the locations of schools, Village parks, recreational areas which include karate studios and dance studios, and all the bus stops for high school, middle school and elementary school. He showed the locations of the Village Parks and pointed out the many daycare facilities in the Village. The proposed law is for 500' and the scale of the map is 1.25" is 500 feet. He indicated there are many places that are open to allow for residency for an offender and pointed out those locations.

Deputy Mayor Rumbold asked if the open areas have a fair mix of housing.

Chief responded yes and he pointed out several areas and the mix of rental properties and single family homes.

Deputy Mayor Rumbold confirmed that daycare includes places that report they are a facility and not a person that happens to keep neighbor's kids.

Chief responded yes, the data was checked by not only the building inspector's office but dept of social services who monitors daycare facilities and police and fire dept notifications.

Jessica Metzger suggested identifying home schooled children before this law is passed.

Manager Revella commented they would be registered with the school district.

Trustee Carley asked for clarification of the law and how long the convicted offender has to register with the local police department.

Manager Revella responded 10 days. He indicated the Village would like to notify all owners and occupiers within the zones, once they are established, that they are in a zone and the landlord would have no excuse.

Trustee Bowen confirmed that letters would be going out to all homeowners if this law is passed.

Deputy Mayor Rumbold asked if a perspective tenant has the responsibility to tell the landlord that they have to register as a sex offender.

Manager Revella responded there is no law that requires it.

Chief Holmes commented that currently there are 2 level II sex offenders in the Village.

Mayor Maher asked if the 2 people are in the proposed zones.

Chief Holmes responded yes, they are in the rental areas.

Becky Pearson asked about the Sex Offender Management Committee; who is on Committee, how long do they serve and should it be stated more specifically.

Trustee Lown responded this was discussed at the last meeting and each member would have to be re-appointed every year at the re-org meeting.

Attorney DuBois responded he was asked to look into what other municipalities have done but he couldn't find any.

Becky asked if there will be people from the public on the Committee.

Mayor Maher responded the Board can appoint someone from the public.

Becky asked about the exception G and an offender's right to vote.

Manager Revella responded they can vote depending on what they've been charged with.

Becky asked about the exception H and a waiver.

Attorney DuBois responded he had been asked to research if there were any model policies out there, he was not able to find any and it is up to the Board if they wish to institute specific regulations. The point of the Committee is to provide some leeway.

Mary Huber commented she is not against the law but believes it is best to educate the children either by their parents, the police or schools on how to defend themselves from an offender. She commented a person can not be punished twice for the same crime. She asked what if an offender has children themselves; they won't be able to go to the parks or schools with their kids or attend Harvest Fest. She asked what if an offender bought a house in the Village in the proper location and later a bus stop is moved which makes their home in a zone, do they have 30 days to sell the house and move.

Attorney DuBois responded there is an exception in the law in the event of a newly created zone.

Manager Revella commented this law only affects where an offender lives, not what they do or where they go, which may be dictated by other regulations but not this law.

Mary asked about the waiver and what the criteria are to obtain a waiver.

Attorney DuBois responded there might be special circumstances and the waiver allows the Village to allow special circumstances.

Dom Magistro, Executive Director of Carlie's Crusade Foundation, introduced John Jenerose, a police officer for City of Newburgh, Walden resident and President of the organization. He explained their organization started in 2004 because of the abduction and murder of Carlie Brucia in Sarasota, Florida. He confirmed the law in front of the Village is for only level 2 & 3 sex offenders and that a level 1 offender could live in front of a school. His foundation provides education for kids, educators and parents on how to be aware, how to avoid, how to distract or discourage or deter someone from harming children. He proposed to present a Child Safety 101 Presentation to the Village on August 30<sup>th</sup>. He explained their organization is a 501c not for profit agency and they are offering their educational programs to the community. He suggested looking into cameras for all the locations as a deterrent.

Mayor Maher confirmed Carlie's Crusade has already reserved the room for August 30<sup>th</sup> at 7pm and flyers are being made to distribute.

Mary Huber asked how it would be possible to provide cameras at all bus stops.

Manager Revella responded there are telephone poles available, the ability is there.

Dom responded everyone has a cell phone with camera capability and it would be easy to educate every parent and child to use that camera. He explained that his son was beat up by a bunch of thugs five years ago and luckily there was a camera near by.

Deputy Mayor Rumbold moved to close the public hearing on Introductory Local Law I-7, Child Safety Zones. Seconded by Trustee Leonard. All ayes. Motion carried.

Deputy Mayor Rumbold moved to issue a negative declaration on an unlisted action for Local Law I -7 under SEQRA. Seconded by Trustee Lown. All ayes. Motion carried.

Deputy Mayor Rumbold moved to adopt Local Law 5 of 2012, Child Safety Zones. Seconded by Trustee Bowen. All ayes. Motion carried.

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

- Meeting with Commissioner of Corrections today regarding Rail Trail Extension, expansion likely to happen – would be 40 mile trail from Walden. Looking at private funding.

Trustee Leonard commented Dennis Doyle, Ulster County Planning Commissioner, made arrangements for a mobile slaughter house on old farm property there; benefitting dairy farmers that are raising beef cattle and is very promising.

- provided handout with updates on Capital Projects from Engineers, including Ulster Avenue sidewalks and lighting issues
- DPW patching roads; west side nearly complete
- Gladstone Tank painting is almost complete then will move on to fencing
- Pine St sidewalks and curbing almost complete

Deputy Mayor Rumbold asked which material was used for that curbing.

Manager Revella responded granite with special edge so it won't pop tires.

- Reviewing camp staff and attendance; no issues, rooster down there and resident cited
- Chief Holmes, himself and Lori updating workers' compensation files and he'll have updates in Executive Session
- Prep work for National Night Out
- Conferences with Engineers
- Interviewed applicants for Administrative Aide
- Midge Norman Park is open, unlocked in am by Parks, closed at dusk by PD
- Repaired sewer main on Williams St, removed tree limbs on Pine St.
- Finished cameraing William and Cherry Streets; NYSEG had put a gas line through our drain line on William, NYSEG will repair
- Sewer issue on East Main Street; needed assistance by outside company
- Audit starting in September
- Working on online payments; bonds on Thursday
- Youth Employment Program graduation went well, SYLA graduation as well.

Deputy Mayor Rumbold asked about the Recreation report indicating issues with the Skate Park and any suggestions. She asked the usage of the park.

Manager Revella responded kids are jumping the fence when there is no staff and cost effectiveness in not there for the usage, it's been discussed with insurance company. Many kids that want to use it either can't afford or feel encumbered by the number of pads required by our insurance carrier.

Trustee Lown commented we have discussed this at every budget year and repairing the fence over and over again. She asked what the benefit to the Community is.

Trustee Bowen suggested talking to the Community.

Mayor Maher indicated that has been done over and over again.

Trustee Hoffman asked if there is any associated vandalism.

Manager Revella responded no; usually the kids caught in there are from other Towns.

Trustee Carley commented he understands cost but even if there are 2 kids using it, there is value in the Park.

Trustee Leonard asked if there are any injuries that we know about.

Manager Revella responded last year there was a broken arm; there could be injuries that haven't been reported.

Trustee Bowen commented about the memo from John Queenan indicating there will be light testing next week; is there an estimate of how long.

Manager Revella responded the testing is quick, likely one night to check to see if there are surges in the ballasts. That will either be ruled out and move onto next step or ruled in and get fixed.

#### **Approval of the Minutes – July 24, 2012**

Deputy Mayor Rumbold moved to adopt the minutes from July 24, 2012. Seconded by Trustee Lown. All ayes. Motion carried.

#### **Trustee's Committee Reports**

**DPW liaison – Trustee Leonard** – no updates at this time

#### **Village Office Liaison (Clerk, Treasurer) – Trustee Bowen**

Trustee Bowen commented the external audit will take place on Sept 11<sup>th</sup> and the KVS system is still looking at the implementation of the credit cards.

#### **Police Department Liaison – Trustee Rumbold**

Deputy Mayor Rumbold commented Chief Holmes has a conflict with Harvest Festival weekend since it is family weekend at his son's college. She indicated he was concerned about leaving the Village during that time and she assured him he needs to be with his family and is sure Chief will leave the Village in good hands.

#### **Community Liaison & Library Board Liaison – Trustee Lown**

Trustee Lown announced the following events:

- Be The Movement Backpack giveaway Sunday, 8/18 at Wooster's at Noon
- Music in the Grove, 8/25 at 6:30 – last concert
- 8/25 & 8/26 – 150<sup>th</sup> Anniversary of the Formation of the 124<sup>th</sup> NY Volunteer Infantry at OC Government Center
- Harvest Festival Mtg, 8/29 at 7pm at NY School of Music

- Community Council Mtg, 9/12 at 7pm at State Farm Insurance
- Walden Community Council Picnic was held 8/8
- National Night Out was a huge success
- 6K Race was fantastic
- Youth Employment Program graduation 8/9 – 17 Youth completed program
- SYLA graduation was successful as well.

### **Building Department Liaison & Planning & Zoning Board Liaison – Trustee Hoffman**

Trustee Hoffman commented the Tri Board Meeting was last evening and the next meeting was scheduled for December 4<sup>th</sup>. A few items discussed were member's records, minutes and training, the alternate members' law and some changes to the Welcome Packet.

### **Parks and Recreation Liaison – Trustee Carley**

Trustee Carley announced the following:

- the beach will be closing 8/26
- National Night Out was a great success
- Summer Camp brought in over \$29,000 in revenue, a big increase over past years
- Family Camp Day is 8/16 at 5pm
- 8/10 – SYLA Graduation
- Current programs: zumba, yoga, cardio kick boxing.

Mayor Maher commented the next Board meeting is 9/11 and there will be a short presentation of certificates, a video presentation of our DPW trucks at ground zero and a tribute to 9/11.

Trustee Carley commented he sent out letters to residents adjacent to Alfred Park about scheduling a meeting 60-90 days after the park opening and he thanked Jessica Metzger for all her help.

### **Public Comment on Business of the Board**

Mary Huber asked for clarification on which house is 21 Bank Street.

Becky Pearson, Walnut Street, commented the parking on Woodruff and Highland is an issue much like every street in the Village including Walnut and the Square. She suggested that no parking 18-20' from the corner might help as well as parking on one side of the street.

Mary Ellen Matise, Clinton Street, commented there are pages of discussion regarding the skateboard park; the issue hasn't changed and hasn't improved. She indicated that Washingtonville closed their skateboard park.

### **Action Items**

#### **Award Bid for Tractor – John Deere**

Manager Revella commented we received bids on 8/9 and the highest bid was from Robert Norman for \$2477.00. He asked for approval of the bid and if Mr. Norman does not respond within 10 days, we move to the second highest bidder and so on.

Trustee Lown made the motion to approve Robert Norman as high bidder, \$2477.00, for the John Deere Tractor. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

### **Award Paving Bid**

Manager Revella commented bids were due on 7/26 and the Engineers evaluated all the bids and recommended awarding to the lowest bidder, Ron Degroodt Paving for \$238,131.00.

Trustee Hoffman asked for an explanation for the public's benefit.

Manager Revella commented it includes paving of Pond Rd, Westwood Dr, William St, Cherry St, the two well roads and Oak Street parking lot.

Trustee Lown moved to award the paving bid to Ron Degroodt Paving for \$238,131.00. Seconded by Trustee Hoffman. 6 ayes, 1 abstention by Deputy Mayor Rumbold. Motion carried.

### **Award Bid for F-550 Truck**

Manager Revella commented there was one bid received, Inter-State Ford Truck Sales for \$66,078.00. We would like to include options 1, 2, 3 and 6 on the handout.

Trustee Leonard asked if all our drivers are licensed for over 18,000.

Manager Revella responded MEOs, yes. He explained the options: power equipment group which includes power heated trailer tow mirrors, a spare tire & wheel, mounted with matching tread design and 6 ton jack, payload upgrade package to 19,000 GVWR and chrome aluminum bumper in lieu of painted steel bumper.

Trustee Hoffman asked if it was compared to state bid and if there was a delivery charge.

Manager Revella responded there was no state bid price and he's not sure if delivery is included; he believes it is being delivered to Amthor's for assembly and doesn't think there is a charge.

Trustee Leonard moved to award the F-550 Truck Bid with options 1, 2, 3 and 6 for a total of \$67,561.00 with options. Seconded by Trustee Lown.

Manager Revella commented \$70,000 was budgeted so we will do rust proofing and lettering and still be under budget.

All ayes. Motion carried.

### **Award Curbing Bid**

Manager Revella commented bids were due on 7/26 and the Engineers evaluated the three bids. The lowest bidder is Gentile Construction for \$66,396.26 to perform all the belgium block curbing on Westwood and Pond.

Trustee Lown asked if we have used this contractor before.

Manager Revella responded no, the engineers have checked the references.

Trustee Leonard moved to approve the curbing bid to Gentile Construction for \$66,396.26. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

### **Misc Computer Parts – Surplus**

Manager Revella commented we have many computers next door and in the attic that are collecting dust, if we can verify there is no confidential information on them, then he would like to surplus them with no minimum.

Trustee Lown made the motion to surplus old computers with no minimum. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

### **Set Hearing – 21 Bank Street, Property Maintenance**

Mayor Maher read the hearing request from Jay Buchalski, Code Enforcement Technician.

Deputy Mayor Rumbold moved to set the property maintenance hearing for 21 Bank Street for September 11, 2012 at 7pm. Seconded by Trustee Lown. All ayes. Motion carried.

### **Discussion Items**

#### **Comprehensive Plan Chapter 8 & 9**

Mayor Maher commented chapter 8 is titled Community Services and includes the Police Dept, Fire & Ambulance Protection, Schools, etc. He asked if we have updated numbers on police arrest data.

Manager Revella responded yes, we will have to update data for all chapters prior to adopting the Plan including mapping.

Mayor Maher commented chapter 9 is titled Land Use Regulations and details our Land Use, public institutions, zoning, design review, architectural review board and downtown revitalization.

Trustee Hoffman suggested focusing on section 9.2 and the recommended zoning changes.

#### **Parking on Woodruff Street from Highland to East Main Street**

Manager Revella commented he spoke with Masci & Hale Dentistry and they are requiring their employees to park in the dead-end area to help alleviate some of the issues. Their patients may still park there which is difficult to control.

Trustee Lown commented we discussed potentially setting up a town hall meeting at the last meeting so she would like to see that happen.

Manager Revella responded what radius would the Board like included.

Trustee Lown commented we discussed drafting a letter to local residents about the town hall meeting and ask the police and fire chiefs attend the meeting.

#### **Parking on Highland from Woodruff to East Main Street**

Manager Revella commented the issue here is people dropping off and picking up children from school; they are not parking, they are standing.

Deputy Mayor Rumbold commented the road is narrow and it is parking and standing. The parents park right up to the bridge; she doesn't believe pushing the cars further up from the bridge will help since they still congregate on the bridge.

Manager Revella suggested possibly talking to the school about moving the bus stop. He suggested also moving the curb on the one side and will check where the right-a-way is. He commented there should be no parking on the left side going up; there really is no need for it.

Trustee Carley asked if the issue is the traffic or the kids and suggested using a part time employee/crossing guard to move traffic and possibly deter the kids.

Deputy Mayor Rumbold commented the problem is the turn right off the bridge.

### **Public Comment**

Mary Ellen Matise commented about the skate park and having events to teach the kids. She asked if it's possible to have someone else manage the park.

Deputy Mayor Rumbold responded we are paying to maintain it and paying someone to sit there, but it's not being utilized and when we talk about closing it the public comes out against closing.

Mayor Maher recommended from now until budget time we should keep track of everything and discuss it again at budget.

Manager Revella responded it is all kept track of.

Becky Pearson, Walnut Street, asked if the Rail Trail expansion would be paved or unpaved. She asked for an update on our own portion of the trail.

Manager Revella responded it was not discussed; it would be up to whoever takes over, Ulster County Rail Trail Committee or Open Spaces or municipalities involved. As for our portion, the Town of Montgomery received FEMA funds many months ago and he doesn't know their plan.

Becky asked where in the Code it says no chickens.

Manager Revella responded it says no chicken coops, there is nothing about chickens.

Becky referenced the minute's discussion of when the manager is away and if there is someone that the Board or Manager designates when he is away.

Manager Revella responded it is mostly department heads sharing the duties and it could change. This past time Chief Holmes was away and not available.

Becky asked about the investigator position and where does it fall within the tree of the police department. She asked for the job description.

Manager Revella responded we are in negotiations with the PBA now and he's not sure if he can discuss PBA negotiations in an open forum. An investigator would typically be under the sergeants and above the officers. He indicated the general job description was posted but the final job description is being negotiated.

Becky commented she hasn't heard any public discussion from the Board about needing or creating an investigators position.

Deputy Mayor Rumbold responded there are issues in the Village that has required officers to handle them leaving us short for officers on the street. The Manager suggested this be thought about in order to expedite things that need to be taken care of.

Manager Revella responded it is embarrassing that we need an investigator in the Village; more follow up on cases is needed.

Becky asked if it will be a new hire or a hire within and if we take an officer out of our line-up, do we hire a new officer.

Manager Revella responded it was posted; it's part of the negotiations and there is something that we are talking about with the shifts and that may assist in that.

Becky asked about the blue stone. She suggested attending the Town budget sessions which are starting soon.

Mayor Maher confirmed that the more feedback we've been getting indicates more people want blue stone.

Jessica Metzger, 4 Gracewood Court, thanked the Manager for elaborating on the investigator's position tonight. She commented the Tri Board meeting last night was very informative and likes more meetings are scheduled. She liked Lisa Dore's suggestion of renaming the Welcome Packet and suggested to add a note on our next Village Calendar and coordinate it with Harvest Festival to get the word out there. She mentioned the Valley Central bus schedule will be coming out soon and suggested getting a letter or email to them about the bus stop at Highland. She mentioned if the skate park is movable maybe it could be moved to Wooster's Grove since there are cameras there and the teen center is already manned. She thanked Mayor Maher for bringing the SYLA program to the Village as her son graduated from it and looks forward to applying next year. She commented the Village's shining moment was National Night Out and she confirmed Officer Conklin mentioned there is \$744 left over and she hopes this Board finds a way to have NNO every year. It is a free event and it is for everyone. She thanked the Masonic Lodge for their donation for the fireworks; it was the best display she's seen. Regarding Alfred Park, there is no new sign yet and there is an issue with the gate and across from the Park is a mattress and junk.

Anita Vandermark, Highland Avenue, thanked Tara for all her work on the Youth Employment Program. She thanked Officer John Conklin who did a fantastic job on National Night Out. She thanked the businesses for their generosity. She mentioned there is a NNO meeting tomorrow night. She commented there is still an issue with smoking in the park.

Manager Revella commented any resident can file a complaint with the police department.

Anita announced the Historical Society is having their annual yard sale on 9/15 at the Jacob Walden House. She commented the Music in the Grove is going to be ending and it was unfortunate the Tri Board meeting was scheduled last night, the Committee has

worked very hard to schedule those concerts and they've been set up for quite some time and she hopes it doesn't happen again. There was a great turnout and many wanted to be here as well and it's impossible to be at both places. She wished Sue a Happy Anniversary.

Becky commented there was money left over from National Night Out and questioned possibly using it for Project 365. There is a meeting tomorrow night.

Mayor Maher commented the Board would be willing to discuss that.

Manager Revella asked to let the Village know what property if any they are interested in, in addition, the Village took over 27 N. Montgomery Street and that property extends all the way to the river and if you look at the end of Locust Street, it shows that it has been a dumping ground.

Trustee Bowen asked if it can just be used as a kick-off for next year's funding.

Peter Sullivan, Treasurer, commented there is a separate checking account called celebrations.

Christine (last name inaudible), 145 First Street, commented how great National Night Out was, she was a volunteer. She attended the concert of the Dan Brothers Band and asked about the lighting at Wooster's; one light was working and one was not. She asked what still needs to be done at the Alfred Place Park and asked for an anticipated date of dedication of the Park to Midge Norman since it's been a year. She asked what damage has been done to the fence. The family had a reunion and she asked if anyone has been in contact with Brent or Scott Norman to keep them up to date on the dedication.

Manager Revella commented the latch needs to be fixed and materials to complete the Park will be delivered by the end of the month. We've sent letters and emails and they've apologized for the delays. The sign is done. He believes Mike the Recreation Coordinator has been in touch with the family.

Christine asked what the distance from the park someone is allowed to smoke.

Manager Revella responded the border of the park, there is no distance in the law.

Christine asked if the smoking restriction applies to Village employees and their smoking in Village cars.

Manager Revella responded there is no smoking in Village cars or Village buildings.

Christine commented there is a trailer that has lights out and asked they be looked at by the Village mechanic.

### **Payment of the Audited Bills**

Trustee Lown made the motion to pay the audited bills. Seconded by Trustee Hoffman. All ayes. Motion carried.

### **Correspondence - None**

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

Trustee Leonard commented he would like to see a letter of commendation for Officer Conklin for National Night Out for his file

Trustee Bowen agreed regarding Officer Conklin. He commended the Parks Department on their summer programs, etc. He thanked Trustee Lown for an awesome job with the youth.

Deputy Mayor Rumbold commented about National Night Out. She indicated she has received many comments from the public regarding her fellow Board members that have cell phones out during Board meetings.

Trustee Bowen apologized about his phone being out, but he has other responsibilities that he takes just as seriously as this one.

Mayor Maher commented he understands but has a smart phone and uses it for taking notes, etc.

Trustees Lown, Hoffman and Carley explained their cell phone as well.

Trustee Lown reminded everyone about the Farmer's Market on Fridays at Wooster's Park. She thanked the kids and the businesses that participated in the Youth Employment Program. She mentioned Leadership Day is coming.

Trustee Hoffman commented the Orange County Planning Dept newsletter has a great article drafted by the WCC, MaryAnn, Ginny, Brenda, Becky, Jodi and others.

Trustee Carley commented how great National Night Out was and thanked the Recreation Director for his coordinating the event and his hard work.

Mayor Maher reiterated everyone's comments and is looking forward to next Board meeting and the tribute for Sept 11<sup>th</sup>.

Manager Revella announced there will be fireworks New Year's Eve at 7pm; same company that did NNO but a bit larger display. In addition, the Village was informed by the elementary school that busing in the morning will be in front of the building and in the afternoon will be in the back of the school.

### **Executive Session – Personnel – Village Clerk, Potential Litigation, Personnel - PD**

Deputy Mayor Rumbold moved to go into executive session to discuss personnel: Village Clerk, PD and Potential litigation. Seconded by Trustee Bowen. All ayes. Motion carried.

### **Reconvene**

Deputy Mayor Rumbold moved to reconvene the regular meeting. Seconded Trustee Lown. All ayes. Motion carried.

### **Adjournment**

Trustee Lown moved to adjourn. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

**Village of Walden Board of Trustees  
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August 14, 2012  
Motions & Resolutions**

**Introductory Local Law I-7, Child Safety Zones**

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