

**Village of Walden  
Board of Trustees Regular Meeting  
November 13, 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
		Sean Hoffman
		Willie Carley

Absent	Trustee	Bernard Bowen
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Also Present:	John Revella, Village Manager
	Lori Pinckney, Village Clerk
	Austin DuBois, Village Attorney

**Public Hearing – Comprehensive Plan**

Deputy Mayor Rumbold made the motion to open the Public Hearing on the Comprehensive Plan. Seconded by Trustee Carley. All ayes. Motion carried.

Manager Revella commented the final draft of the Comp Plan was approved by the Comp Plan Committee last night and will be put on the Village website and a hard copy will be available at the Library and Village Office.

No public comment.

Attorney DuBois indicated there is no reason to close the public hearing; the comment period of at least 30 days.

**Village Manager’s Report**

- Update on Hurricane Irene; the Village was prepared and faired well
- Generator for Village Hall going out to bid
- Snow event was handled well; no issues
- Bradley work continues: fencing and drainage
- Work on Girl Scout Cabin soon; contractors checking out
- Chimneys on Village Hall fixed; windows starting soon
- Finished curbing/blacktop on Westwood Drive and Pond Rd; drainage was checked today with the rain
- Working on a few water issues; the water treatment building work continues
- Peter got the Bonding together; statutory installment bonds
- Provided an updated Capital Projects List
- Locust St project starting this week, hopes to alleviate the problems that have cropped up.

Trustee Hoffman asked what is holding up the Water Treatment building work.

Manager Revella responded the epoxy coating; the manufacturer requests a minimum # of days before applying the epoxy – could affect the warranty.

Trustee Carley asked who Newburgh Winwater is.

Manager Revella responded it's a company on Route 52 going toward Newburgh; supplies piping, catch basins and manholes.

Deputy Mayor Rumbold asked the status of the consent order; she confirmed we have had continuous inspections and if we've had any penalties.

Manager Revella responded we are on task; we have one more year – we have been more than compliant with INI work. The Village has not been penalized but VRI has.

Trustee Leonard asked the status of the TAM contract and when they will be starting.

Manager Revella responded there was a meeting today and we are tentatively scheduled to sign contracts on Thursday in Goshen. He indicated the tentative date for starting the Pleasant Ave and Maple Street sewer mains is November 26<sup>th</sup>.

Mayor Maher thanked the Manager and Village employees for their preparation work and response work due to the storm.

### **Approval of the Minutes – October 23, 2012**

Deputy Mayor Rumbold moved to approve the minutes from October 23, 2012. Seconded by Trustee Hoffman. All ayes. Motion carried.

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

#### **DPW liaison – Trustee Leonard**

Nothing to report

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

Deputy Mayor Rumbold indicated Halloween went well; during the storm, Chief would call her with regular updates; the PD received 3 grants – Speed Enforcement, Seat Belt Enforcement & Child Safety Seat; DARE graduation is Dec 5<sup>th</sup>; the PD is operating on a 12 hr schedule – 7am-7pm & 7pm – 7am.

Trustee Lown asked if there has been any feedback on the 12 hr shifts.

Mayor Maher responded he stopped in yesterday and got positive feedback from the 4 officers that were present; there comments included how much they could get done in the 12 hr shift.

Deputy Mayor Rumbold agreed; she has received positive feedback as well.

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

Trustee Lown commented how wonderful the Veterans Memorial Ceremony was and the Park is beautiful. She announced the Walden Community Council Meeting is tomorrow at 7pm at Sue's, the Christmas on Main Street meeting is Thursday at the NY School of Music at 6:30pm, Library Board Meeting is 11/26, the Historical Society is hosting a tribute November 13, 2012

to our veterans at the Walden House from 1-4 on 11/18 – there will be military exhibits, memorabilia and refreshments, tomorrow is the Senior Independence Resource Day in the Town of Montgomery – topics include preparation for medical appointments and new Medicare information, the Village of Walden and the Youth Programs are part of the 100 Best Communities celebration on 11/28 at Kuhls Highland House at 5pm, Christmas on Main Street is December 1<sup>st</sup>, Leadership Day is moving forward and is on January 10<sup>th</sup> at 7pm at Village Hall – nominations are due 11/29.

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

Trustee Hoffman met with Dean to discuss UR Energy, which is on agenda tonight. There's been difficulty with enforcement at Zona Rosa Restaurant and the Mayor has offered to intercede. He announced the TriBoard meeting for Dec 4<sup>th</sup> – they are working on agenda items.

**Parks and Recreation Liaison & School Board Liaison– Trustee Carley**

Trustee Carley indicated no update from Parks but the School Board is having a meeting tonight so he will be attending the next meeting.

**Town of Montgomery Liaison – Mayor Maher**

Mayor Maher indicated he attended the last Town of Montgomery budget meeting, Ginny Neidermeier, our Librarian, asked for an additional \$1200, which was approved. They are poking through every line very diligently and putting together a fiscally conservative budget. John and he have a list to go over with the Supervisor Hayes and are working on solidifying a date.

Deputy Mayor Rumbold asked about the newspaper article and reimbursing the A fund.

Rachel Coleman from the Wallkill Valley Times indicated the Town considered making 2 payments to reimburse the Villages, but after talking to their attorney they are only doing one.

Trustee Leonard asked about the reimbursement for Code Red.

Mayor Maher indicated we received a bill; that is one of the items to be discussed at the meeting with Mike Hayes.

Manager Revella announced Oscar Allyne will be an alternate for the Planning Board.

Deputy Mayor Rumbold asked if the Town provided any details on the repairs to the Rail Trail.

Mayor Maher responded they are waiting for FEMA and the reimbursements. That is another issue that will be addressed at the meeting with the supervisor.

Manager Revella responded there are concerns with the design on the Rail Trail and if they should put some other structure in there so the problem doesn't happen again.

**Public Comment on Business of the Board**

Becky Pearson, 167 Walnut Street, asked about the Ethics Board and the \$5000 fine.

Mayor Maher responded the Board of Ethics discussion is being tabled tonight because there's been a request to have the members of the Ethics Board here to discuss the recommendations.

Attorney DuBois responded he doesn't believe the Village has the authority to fine \$5000; he believes the maximum is \$250.

Becky responded if there are going to be amounts, how will those amounts be determined. Regarding the Comprehensive Plan, she commented it was nice to be on that Committee and there was lots of good discussion and she appreciates everyone's hard work.

## **Action Items**

### **Comprehensive Plan**

Attorney DuBois commented we received the Draft Environmental Impact Statement today which outlines the possible impacts of the proposed action, alternatives to the action and compares and contrasts the two. He indicated he read through it. The procedure is for the Board to accept it as adequate for public review; it is not a final EIS. The Board just needs to accept the Draft as adequate for public review, it will be published to the public and then there is a 30 day comment period.

Manager Revella indicated the motion would be to accept the Draft GEIS and the 2012 Comp Plan as complete for review.

Trustee Leonard made the motion to accept the Draft GEIS and the Comp Plan. Seconded by Trustee Carley.

Trustee Hoffman asked for a copy of the Draft EIS; he did not receive it. He confirmed that this Board is saying this document is complete for the public to review.

Attorney DuBois responded it is adequate for the public to review.

Trustee Hoffman responded he does not feel he can make that determination without looking at it.

Trustee Lown agreed.

Deputy Mayor Rumbold confirmed the map 9-3 is in there and the change, the little sentence. She indicated the public will be able to make statements about it.

Mayor Maher asked if this is something that can wait until there is further review of this document.

Manager Revella responded the Board would be saying the draft is adequate for public review; he doesn't know what else it would be saying. It's not final.

Trustee Carley commented his take on it is it is a draft and if it needs to be changed, corrected or amended we have 30 days to do it.

Deputy Mayor Rumbold commented she agreed with Sean and would like to read it.

Attorney DuBois commented it would push the timeline by 2 weeks.

Manager Revella commented we would still have the public hearing at the December meeting and it wouldn't be closed until the January meeting.

Trustee Leonard withdrew his motion.

Manager Revella indicated the Draft EIS will not be available for review by the public.

### **Christmas on Main Street – December 1<sup>st</sup> – Road Closure**

Manager Revella commented authorization is needed to close Main Street from Oak Street to Bank Street; the time is from 3:30 – 8:30.

Mayor Maher confirmed the Square will be closed from 7 to 7:30.

Deputy Mayor Rumbold made the motion to approve the Road Closures for Christmas on Main Street. Seconded by Trustee Hoffman.

Trustee Lown clarified the times are 3pm to 8pm.

Deputy Mayor Rumbold amended the motion.

All ayes. Motion carried.

### **Resolution 21-12-13 – Tax Levy Resolution**

Mayor Maher read the Resolution for unpaid taxes for a total of \$203,193.23.

Deputy Mayor Rumbold made the motion to adopt Resolution 21-12-13: Tax Levy Resolution. Trustee Leonard seconded. All ayes. Motion carried.

### **Bid Awards**

Manager Revella indicated 2 items were bid upon, the highest bid on the Kubota Tractor was \$250 and the CPUs were \$5 each for the Dells.

Deputy Mayor Rumbold made the motion to award the bids on surplus items. Seconded by Trustee Hoffman. All ayes. Motion carried.

### **Surplus Items**

Manager Revella provided the list again; remove the Kubota tractor and the CPUs, and put no minimums. He read the list.

Trustee Leonard made the motion to surplus various equipment with no minimums. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

### **Gracewood Court Bond Release**

Manager Revella commented that Dean has indicated it has been over a year for Gracewood Court's road maintenance bond and he hasn't seen any issues and would like the Board to authorize release of that bond contingent upon the Engineer and himself finalizing the paperwork.

Deputy Mayor Rumbold confirmed he hasn't seen any issues. She asked how many times Dean has gone to this area and does he write reports when he goes.

Manager Revella responded he has physically been on the premises and hasn't seen any issues. He will do a walk-through with Queenan to finalize it and there will be paperwork for that.

Trustee Leonard asked the amount of the letter of credit.

Manager Revella responded it is a bond; \$3100

Deputy Mayor Rumbold confirmed there have been no problems with runoff and the Engineer will sign off on it. She asked if he is not standing there in a rain storm how he would certify it.

Manager Revella responded yes, the Engineer will sign off on it; that will be the contingency of the motion. He indicated the Engineer would have to stand there in the rain storm to certify it.

Trustee Hoffman made the motion to release the Gracewood Court Bond contingent on the Engineers report. Seconded by Trustee Lown. All ayes. Motion carried.

### **Discussion Items**

#### **UR Energy – Village Lights**

Mayor Maher indicated he has not been able to get in touch with anyone from UR Energy.

Attorney DuBois commented he sent a certified letter dated October 22, 2012 and has not received a response.

Manager Revella commented that we have not paid them. He indicated Dean is researching disposal of the mercury light bulbs.

Trustee Hoffman spoke with Dean and he has 18 light bulbs that need to be disposed.

Deputy Mayor Rumbold indicated her office has a capture system for the mercury and she will provide that company's name.

Trustee Hoffman asked what we do with UR Energy at this point, just stop paying them.

Manager Revella commented we had been paying them for services already provided.

Deputy Mayor Rumbold commented that we have bulbs that need to be dispensed and it will cost the Village money to dispose of them and can we pay for that disposal from the money that is owed to them.

Attorney DuBois recommended discussing this in Executive Session.

### **Ethics Board Recommendations – tabled**

#### **Village of Walden Holiday Party**

November 13, 2012

Mayor Maher provided an invitation that will be given to all Village employees for the Village Holiday Party on Thursday, Dec 13<sup>th</sup> from 6-9pm at the Walden VFW. He will be keeping track of the RSVPs. He indicated there is no cost to the Village of Walden except maybe in-kind services.

Trustee Lown commented the Library Board needs to be included.

Trustee Lown made the motion to approve the Holiday Party. Seconded by Trustee Leonard. All ayes. Motion carried.

### **Public Comment**

Becky Pearson, 167 Walnut Street, confirmed the GEIS will be put on the website once it's accepted. She also confirmed the new Comp Plan will be on there as well. She indicated the agenda and minutes have not been posted to the website.

Mayor Maher responded that was addressed and he has not received an answer back yet.

Deputy Mayor Rumbold asked if there is a contract with the website.

Trustee Lown asked when that contract is up.

Manager Revella responded the contract will be checked.

Becky commented about the Town of Montgomery budget and she heard roads and upkeep may be put in the A fund; she is not sure how true it is but recommended the Supervisor be asked about it. She questioned what part of the DPW fund we pay for now. On Gracewood Court, she commented about the runoff concerns and people's backyards.

Mary Ellen Matise, 21 Clinton Street, commented an older resident had mentioned to her that the Village needs a museum and we have some properties the Village owns and what is going on with them; the old firehouse on S. Montgomery St, the house next door and the old train station. She recommended coming up with a way to use these Village properties to help them pay for themselves. She commented the Girl Scout Cabin is underutilized as well.

Anita Vandermark, Highland Avenue, thanked everyone who attended the Veterans Memorial Ceremony. She announced the Interfaith Service for Thanksgiving on 11/20 at the Baptist Church at 7pm by Reverend Peggy Sullivan.

Becky added a commented about cats and cat control. She mentioned that Warwick has a cat law and suggested looking at it.

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

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

### **Correspondence - none**

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

Trustee Leonard commended the Manager on his foresight on the Village trees and keeping them trimmed; it paid dividends with the storm, we would have had a lot more damage.

Deputy Mayor Rumbold asked about the garbage cans on Main Street in front of Pat's, the hairdresser.

Manager Revella responded two deplorable cans were removed and we are looking into new cans.

Deputy Mayor Rumbold commented the Veterans Day Ceremony and the Park itself was beautiful; she commended the people that have spent hours and hours on planning/working on that Park. The Ceremony was very moving and touching; kudos to all involved. She asked about the cleaning of the catch basins; she cleaned several herself and suggested maybe asking residents to help.

Manager Revella responded the guys were out cleaning all day today and the sweeper will be out next.

Trustee Lown commented how fabulous the Halloween parade and Haunted House were. She commented about the free basketball program going on. She agreed with Sue about the Veterans Day Ceremony.

Trustee Hoffman agreed with Ed, Sue and Tara.

Trustee Carley agreed as well.

Mayor Maher commented on the Veterans Day Ceremony and how perfect the day was. He indicated they made the front page of the Record; it was a huge honor and testament to all those who worked on it. He announced that on December 9<sup>th</sup> there will be a Marine's Toys 4 Tots train running through Orange County and will come into Walden. The timing is not known at this point but when details are available they will be passed on.

**Executive Session – Personnel, Village Clerk, Parks, PD, PBA, CSEA, Village Manager, Attorney-Client & Potential Litigation**

Deputy Mayor Rumbold made the motion to go into Executive Session to discuss Personnel; Village Clerk, Parks, PD, PBA, CSEA, Village Manager, Attorney-Client & Potential Litigation. Seconded by Trustee Leonard. All ayes. Motion carried.

**Reconvene**

Deputy Mayor Rumbold moved to reconvene the regular meeting. Seconded by Trustee Leonard. All ayes. Meeting reconvened.

**SEQRA Contract**

Trustee Leonard moved to approve the SEQRA contract. Seconded by Trustee Carley. All ayes. Motion carried.

**Adjournment**

Trustee Leonard moved to adjourn the meeting. Seconded by Trustee Hoffman. All ayes. Meeting adjourned.

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Motions & Resolutions**

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