

**Village of Walden
Board of Trustees Regular Meeting
April 9, 2013**

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:

Deputy Mayor	Sue Rumbold
Trustees	Bernard Bowen
	Sean Hoffman
	Edmond Leonard
	Gerald Mishk

Absent:

Mayor	Brian Maher
Trustee	Willie Carley

Also Present:

John Revella, Village Manager
Tara Bliss, Village Clerk
Jay Myrow, Village Attorney

Public Hearing – Introductory Local Law 2 of 2013 School Speed Zones

Trustee Hoffman made the motion to open the public hearing for Introductory Local Law 2 of 2013 – School Speed Zones. Seconded by Trustee Mishk. 5 ayes, 0 nays, 0 abstentions. Motion carried.

Trustee Mishk made the motion to close the public hearing for Introductory Local Law 2 of 2013 – School Speed Zones. Seconded by Trustee Hoffman. 5 ayes, 0 nays, 0 abstentions. Motion carried.

Village Manager’s Report

- Bradley Park improvements are moving along. The paving is almost done not to interfere with opening day activities this weekend.
- Met and finalized CSEA contract to hopefully ratify this evening.
- Locust street sewer lateral issue to be rectified by tomorrow or at owners own cost
- Budget sessions currently being held working on some changes but nothing major yet.
- Commercial garbage system few slipped through and making sure everyone is in the system, some had address issues and some were owner vs. occupier issues to make sure aware of program.
- Route 52 water break was repaired and then another spot in the same area is being repaired right now. It is the feed line for the wells on 52, high volume in that area so we had to shut down water in area for several hours. Sent code red and traffic

Trustee Leonard asked what caused the breaks.

Manager Revella replied not sure exactly but the pipes were at least 50 years old.

Trustee Bowen asked when the pot holes would be filled throughout the Village.

Manager Revella replied that the black top plant opens next week so they will be doing the prep work this week, cutting them to square them up.

Approval of the Minutes – January 22, 2013

Trustee Hoffman made the motion to approve the minutes from January 22, 2013 meeting. Seconded by Trustee Bowen. 4 ayes, 0 nays, 1 abstention (Trustee Leonard). Minutes approved.

Approval of the Minutes – April 1, 2013

Trustee Hoffman made the motion to approve the minutes from April 1, 2013. Seconded by Trustee Leonard. 5 ayes, 0 nays, 0 abstention. Minutes approved.

Trustee's Committee Reports

Town of Montgomery & DPW liaison – Trustee Leonard

Trustee Leonard had no report at this time.

Village Clerk & Village Treasurer Liaison – Trustee Bowen

Trustee Bowen had no report at this time.

Police Department Liaison – Deputy Mayor Rumbold

Deputy Mayor Rumbold stated that the Police Department received a check for \$200 from Stewarts for the Annual Holiday Match Fund. They purchased workbooks for the 2013 DARE program this fall. Chief has been appointed to the OC Police Advisory Board by County Executive Ed Diana, congratulations to him. The Chief should be taking delivery of the new vehicle any day now once finished.

Deputy Mayor Rumbold read the list of upcoming community events into the minutes. They are on the back of the agendas and have been provided to the public.

Planning and Zoning Boards as well as the Building Department Liaison – Trustee Hoffman

Trustee Hoffman stated he met with Dean this morning and discussed the new software which is installed. Dean already had one day of training completed and setting up another session after he's used it for a while. Seems to be working well, he has no complaints. He is doing well and they will be able to track things more easily. They also discussed the sewer issue on Locust Street.

Village Justice and Library Board Liaison - Trustee Mishk

Trustee Mishk had no report at this time.

Public Comment on Business of the Board

Mary Ellen Matise, 21 Clinton Street, stated she was in favor of refuse bills with taxes feels it's better than quarterly pay once a year. Wants to be sure the Senior Discount is factored in to the.

Becky Pearson, 167 Walnut Street, asked if there was going to be more discussion on the Route 52 Water request which is an Action Item tonight.

Deputy Mayor Rumbold stated that there will be a motion a second and then discussion on that topic.

Action Items

Introduction to Local Law 2 of 2013 – School Speed Zones

Trustee Leonard made the motion to adopt Introductory Local Law 2 of 2013 – School Speed Zones. Seconded by Trustee Mishk. 5 ayes, 0 nays, 0 abstentions. Motion carried.

Request for Village Water – Route 52 Dollar General

Deputy Mayor Rumbold asked Attorney Myrow if he received the additional paperwork he had asked for.

Attorney Myrow replied that this topic was tabled at last meeting. His only comment was what prior out of district users we've allowed to hook up. Not sure if we have the info. We should review what we have done in the past.

Manager Revella stated that on High Meadows at the time the water main was put in they were given the option to tie in at the time and the same thing was offered on Route 52 across from the cemetery.

Deputy Mayor Rumbold thought that the Bruderhoff community had asked to tie in?

Manager Revella stated that they wanted to tie a well into one system which was denied.

Trustee Leonard asked how we bill the out of district locations.

Manager Revella stated that they are billed at double the Village rate.

Trustee Leonard asked if they all have meters.

Manager Revella replied yes. High meadow is a district in the Town of Montgomery. So the Town collects the fees and then pays us in one lump sum.

Trustee Leonard asked if there was anything in our code that stated what we can charge to hook up.

Manager Revella stated that would be a separate fee.

Deputy Mayor Rumbold asked if this was approved is there prohibition that they can not drill a well in the future.

Attorney Myrow stated that we can make the stipulation at the time as a condition.

Deputy Mayor Rumbold asked if they had a well now at that property.

Manager Revella stated that he was not sure what happened to the former well that was on the property.

Larry Marshall, Engineer for the project, answered that it's still there, but is non functional and will be located under the proposed building.

Deputy Mayor Rumbold asked if Attorney Myrow was satisfied with information. And was he comfortable moving forward with what little information we have at this time.

Attorney Myrow replied that he does not think there is criteria set forth in the code in terms of denying or approving. In this instance since it's not set forth he suggest we look at what you did in the past to be consistent only from the minutes to prior meetings and looking at resolutions of those instances. If want to deny the request you do have the obligation to make sure you are consistent.

Manager Revella stated that this was a little different because there is a small portion of the property located in the Village. Prior applicants had no property in the Village. One was a property on Northern Avenue and then the Bruderhoff Community. This is the only commercial request we've had that we know of.

Trustee Hoffman asked if the improvements made to the system addressed water loss and we now have additional capacity.

Manager Revella stated yes. At the time Northern Avenue was denied we were over 50% water loss at the time but now we're at 30%.

Deputy Mayor Rumbold stated that we have some big projects coming along as well. Does the board feel comfortable voting on this issue or would they like more information?

Trustee Hoffman asked what is the likelihood was of finding more information.

Manager Revella stated there is not much else to find. There is no capacity issue here if that is a concern of the Board. It's only 250 gallons max a day still wouldn't be setting precedent as it has some property in the Village. Less than a house as far as usage goes as there is only an employee bathroom.

Attorney Myrow wanted to be sure it was in the code that billing rate is specified for outside user. Doubled if not we need to specify by motion or resolution that would be approved at double the normal billing in resident billing rates specify what those rates would be.

Larry Marshall stated that the Public hearing for the Town of Montgomery for this is on May 13th. At the April 23rd meeting we would like to get everything resolved grant approval to make connection would like to know if accepting the connection and specifications for the May 13th Town meeting.

Trustee Bowen asked Manager Revella if this was something he recommended from his experience.

Manager Revella stated they are not going to be a big user not a big burden on the system and there will be no well drilled close to the Village. Every time you penetrate the aqua could be contaminated. He thinks this would protect our water sources.

Trustee Mishk stated that at the last meeting we asked about possibly annexing the property. Is the applicant interested in annexation? Can we force annexation?

Larry stated it had nothing to do with the Village just the particular size for that project and access they need. Regarding annexation haven't either requested or denied that possibility, he's indifferent and would need to work that out between the Village and the Town.

Attorney Myrow stated that cities can force annexation but not sure about Villages.

Deputy Mayor Rumbold requested this be an Action item in two weeks with a resolution.

Larry asked if we could also pin down the actual billing rate.

Manager Revella stated to contact Dean about the fees.

CSEA Contract

Trustee Mishk made a motion to accept the CSEA Contract that will expire May 31, 2013. Seconded by Trustee Bowen.

Roll Call:

Deputy Mayor Rumbold – Nay

Trustee Hoffman – Aye

Trustee Mishk – Aye

Trustee Leonard – Aye

Trustee Bowen – Aye

4 ayes, 1 nay, 0 abstentions. Motion carried.

Accept Bid for 2000 Ford Crown Victoria Surplus Vehicle

Trustee Leonard made a motion to accept the \$3,000 bid for the 2000 Ford Crown Victoria Surplus Vehicle. Seconded by Trustee Hoffman. 5 ayes, 0 nays, 0 abstentions. Bid accepted.

Set Public Hearing for the 2013-2014 Budget

Manager Revella explained we need to set a Public Hearing and then adopt the budget at the next Board Meeting on April 23rd to meet the deadline with the state of May 1st. He suggested April 17th because we need five days for the Public notice.

Trustee Hoffman made a motion to set a Public Hearing for Wednesday, April 17, 2013 at 6:30pm for the 2013-2014 Budget. Seconded by Trustee Mishk. 4 ayes, 1 nay (Trustee Bowen), 0 abstentions. Motion carried.

Discussion Items

Ethics Board Appointment

Manager Revella explained that Anthony Marengo's term expired 4/1/2013 and he is not interested in being reappointed. Not sure how the Board wants to move forward. Not sure if the Board would like an application process or not. But whatever you decide we need to fill the seat. There is no process now on how appointments are made.

Deputy Mayor Rumbold asked Attorney Myrow draft a procedure for the Board to consider in 2 weeks.

Manager Revella stated that we would need an application process and soliciting interest and be able to modify. One employee is all that is stipulated at this time.

Tow Truck Policy

Manager Revella stated that Chapter 277-5 and 6 call for a schedule of fees for licensed tow truck operations. There is no schedule at this time which is the issue now. Asking to set a maximum fee.

Attorney Myrow stated that the schedule can be set by resolution. So he just needs the numbers to be discussed by the board and he will work with John on this.

Deputy Mayor Rumbold stated that we had a list and we sent it to the tow truck licensees for feedback, correct? Did we get that feedback?

Manager Revella replied we got feed back from all but one. We will do a comparison of fees that came back from the letter and we're going to have to work on this for a reasonable number.

Deputy Mayor Rumbold asked for a draft at the next meeting for discussion.

Including Refuse Bills with Taxes

Peter Sullivan explained that he has been looking for activity in the finance office for tasks that we do that aren't adding value. We currently bill for residential refuse at \$75.75 per quarter and \$60.60 for seniors. Since refuse is not like water it's a repetitive activity. We expend \$5,000 hard costs for postage and billing which is down from what it used to be as we now use an outside service. Including envelopes with the bills didn't result in more revenue. A lot of our residents let it go on their taxes at the end of the year which hurts our cash flow as we are waiting for \$120,000 of revenue to come in July rather than when it should. He is proposing to put a line on property tax bills for residential refuse as it will save time and hours and out of pocket cost. We can reduce the rate slightly as we don't have extra postage and mailing cost to \$25 per month and \$20 for seniors. We would be adding \$275 for regular residential customer or \$220 at senior rate. Maybrook and Montgomery both include. Maybrook did what we are suggesting a few years back. It was a big to do to get there in the beginning, but people get used to it and gives back a lot of time in the office. Back side is that people will be faced with the prospect of coming up with the money they haven't been notified ahead of time. He would be willing to spearhead and do this and take it off of Lauren as she's doing the Commercial Bills now.

Manager Revella stated that if it was on the taxes we get 98% return on tax bills versus each bill and it will affect our cash flow. Wait whole year to get 98% vs. getting 80% by quarter.

Deputy Mayor Rumbold asked how does it work with the tax cap.

Peter replied that is not a part of it as it's a service, just like the library. Not part of the levy like unpaid water bill. Would be part of the tax levy.

Deputy Mayor Rumbold asked isn't their some Landlords that send the bill to their tenants. So we would need to change that and tell the landlords they have to collect own money to

their tenants. She stated she was not comfortable without a full board to make a decision on this tonight.

Trustee Bowen stated he was comfortable with it.

Deputy Mayor Rumbold stated she wanted another discussion at the next meeting so we can get together what your plan is to implement and what steps we have to take. Layout plan and how to implement this so the board knows from point a to point d what you are going to do to make this as fluid a transition as possible.

Trustee Hoffman asked if this was too much at this time with the Commercial garbage going on right now.

Manager Revella stated that it is indeed work but you can do what you want in terms of implementing this. It's a good idea worth further discussion. We overload office staff and it creates a problem.

Trustee Bowen commented that the whole idea is to cut down on so much work that is inside the department. Implementation will take time but once it's done there will be more time to do other things. He asked if we start this now or next June.

Peter stated it was a good idea to start next June we could take longer to do it right. It would be great if the Board could take an action to approve and then we could give notice throughout the year.

Deputy Mayor Rumbold asked it be put back on the Agenda in 2 weeks as an Action item.

Public Comment

Becky Pearson, 167 Walnut Street, left paper with John about a plan for Veterans Memorial Park including photos. She described the plan for the new landscaping at the park to include 2 stone wall terrace seating areas and walking area. It would be less maintenance for the parks department as there would only be a little bit of grass there. Same person that did it before and he can have it done by our June 9th Flag Day ceremony if approved. There is no expense except for the screened soil approximately 4-5 yards of dirt or 1 truck full.

Trustee Bowen made a motion to approve the landscaping improvements to Veterans Memorial Park as presented by Becky Pearson on behalf of the Veterans Park Committee. Seconded by Trustee Leonard. 5 Ayes, 0 Nays, 0 abstentions. Motion Carried.

Becky continued that Arbor Day is on May 9th talked about Olley Park where we are having it. She was wondering if the Village would be willing to donate a bigger tree possibly in the name of Rose Oliva Like we did for Midge.

Manager Revella stated we have plenty of money for trees. Midge's tree was a Red Maple shade Tree selected by the Norman family.

Deputy Mayor Rumbold asked if Rose's family would like to be involved. Perhaps give them a choice.

Becky stated she can do that. The ceremony will be at 10am and we have 3rd graders from Walden and the Bruderhoff students as well as the 4th grade at MPB, so please come if you can. She asked for clarification from the budgets session on sidewalk on Ulster Ave and what was talked about; concrete sidewalks and granite curbs.

Manager Revella stated that Granit is definite but sidewalk could be bluestone.

Becky asked if all the trees will be cut down during this project.

Manager Revella stated that on the left side where the sidewalks are probably but after that no. From the bank all the way to Elberton all gone likely.

Becky urged the Board to consider Bluestone instead of the concrete because you can reset them after 20 years and just need more dirt and then just reset them. She sees it as a benefit, you will spend more money for them but you also get to reuse them. Investment could last longer than we'll be here. She then had a question about including refuse in the taxes. Will small apartments be included or only residential?

Manager Revella stated that only those with 5 units or less are in the residential program.

Mary Ellen Matise, 21 Clinton Street, commented on a concern for garbage and why yard waste was not set up sooner than April 25th.

Manager Revella stated if they didn't take it before, then they will now.

Mary Ellen continued asking why their schedule fluctuates so much. This week they picked up before 8am last week was 2pm, there is no consistency.

Deputy Mayor Rumbold commented that they may change their routes, they may have to get here later.

Mary Ellen stated that since the new contract they have been all over the place.

Trustee Hoffman asked if there were time requirements.

Manager Revella stated no, they just can not enter the Village before 5:30am and has to be Tuesday. Otherwise they just have to finish.

Mary Ellen said it just seems odd right now as it's not the same at all. It's different from week to week.

Trustee Mishk stated that what he had noticed that the variation depends on the drivers, sometimes it's a different driver whereas you have a more steady flow at the same time frame if the driver is the same. Maybe that driver was sick today and they sent another driver.

Manager Revella added that it could be due to the volume, they may have to leave and come back.

Mary Ellen continued that along with that wondering if the Board would address the residents dumping within the Village and hopefully put an end to it on her street. Stuff is still sitting there that he dumped. Something should be done along Church Street as well. Walk up right away is full of junk and it's a mess and disgusting. She would like to pitch for Clinton Street and Ridge Street to be paved in the budget. Ridge is so narrow in certain sections due to curbing. When it rains without curbing sediment just runs down the drains. Sidewalks are great over the winter. She also asked about the memorial tree plaques.

Helen Schoonmaker, 7 Westwood Drive, asked who hired the tree trimming company who butchered the Village trees.

Deputy Mayor Rumbold stated that the Board did address that soon after it happened it was awful. NYSEG hired the company, not the Village but you are right it was horrible.

Helen continued that on the 5th of May there is a dinner at the Episcopal Church. She wanted to mention this even though she can't take reservations for a luncheon on the 13th and what they are doing is honoring our veterans. Having a video of the Honor Flight from last June and the Mayor will speak that night as well. Mickey Millsbaugh and Dave Lustig will talk about their experience. It was phenomenal and she is very proud to be a part of the group.

Anita Vandermark, 76 Highland Ave, asked why the yard sale signs were not out yet.

Manager Revella stated they should be out soon.

Anita continued that the Friends of Walden Youth Yard Sale held on Sunday raised \$1500 for the Parks and it was a lot of work. She wanted to commend Willie who came and helped set up some of the vendor spots and his boys helped too we thank him and Sue for appearing. At Teen center she feels there should be a photograph of John Howland on the wall. Could that be arranged? Thank you to Becky for presenting the park project because we are able to get in motion and ready for Flag Day hopefully. In addition to the community list the Town of Montgomery Senior Independence Project training is Wednesday April 24, contact Howard Garret from Montgomery if interested.

Payment of the Audited Bills

Trustee Mishk 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 commended the coverage from press with the Easter Egg hunt, it was very well done.

Deputy Mayor Rumbold said she did go to the yard sale and she knows how much work goes into it. She was grateful that we have the committee we have for their hard work. Thank you very much and Recreation department will be thrilled to do something for the kids with that money, so thank you so much.

Executive Session – Personnel of Village Office, CSEA Negotiations, and PBA Negotiation

Trustee Hoffman moved to go into Executive Session to discuss Personnel of Village Office, CSEA Negotiation, and PBA Negotiation. Seconded by Trustee Bowen. All ayes. Motion carried.

Reconvene

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

Adjournment

Trustee Mishk moved to adjourn. Seconded by Trustee Leonard. All ayes. Meeting adjourned.

**Village of Walden Board of Trustees
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Motions & Resolutions**

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Roll Call:

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