

**Village of Walden
Board of Trustees Regular Meeting
July 2, 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:

Mayor	Brian Maher
Deputy Mayor	Sue Rumbold
Trustees	Bernard Bowen
	Willie Carley
	Sean Hoffman
	Edmond Leonard
	Gerald Mishk

Absent:

Also Present:

John Revella, Village Manager
Tara Bliss, Village Clerk
David Donovan, Village Attorney

Presentation – Village Planner

Alan Sorensen reported there is a grant opportunity available similar to the funding source that was obtained in 2001 to do the rail trail. We submitted an application in 2006 for the purpose of developing a pedestrian bridge connecting to the Rail Trail over Route 52. That application was number 3 but it unfortunately did not make it at the state level. So we were excited when this round was announced by NYS DOT. He did attend a DOT training which is mandatory in order to file the grant application that was held on June 12th. He took notes and wanted to highlight some items that are required before they apply. They must understand the conditions of the funding opportunity and be clear on what the expectations are from DOT. First they emphasize that this is not a grant program, it's a reimbursement program. They will fund up to 80% of the program cost but you have to put funds up front and seek reimbursement from DOT. Maximum and minimum to apply for is \$200,000 to \$2.5 million. There is \$30 million available state wide. High requests might be unlikely funded in the millions. The key elements during the training were to be conservative in cost estimates because the scope of work has to be the same even if the project comes up with issues as it will not be changed so the cost estimate is essential. The project scope needs to be updated from the 2006 application and he will need to rely on the Village Engineer to assist that update. In the cost estimate we need to change it as there is a provision that requires that the steel that is used be manufactured in the US. So we would need that cost to be factored in which is different from 2006 and 2007. If the Board decided to move forward we would need to coordinate that. There also needs to be a single point of contact. And the engineer that develops the cost estimate will be precluded from bidding on the design reports.

Manager Revella commented that our engineers are not in the business of bridge building.

Alan continued that the technical feasibility would be the small area of right away or easement that would need to be acquired and need to be factored into the cost estimate. In terms of eligibility this is definitely eligible as the rail trail is completed and this would be a good link that would tie into the area where the Village is trying to encourage development. If there is interest to pursue this we would need to get a resolution adopted by the Board and then proceed with the application. The deadline is 8/16/13.

Trustee Hoffman asked if the state would not increase the funding, cost override, if we were under the budget will they still pay the total.

Alan said no, they will not pay more than 80%.

Trustee Bowen asked basically their cost could be less, if they use up all their 80%, if the price comes in lower.

Trustee Hoffman said no they are always paying 20%.

Deputy Mayor Rumbold asked what the fee is going to be to write the grant.

Alan said he always worked to do these as reasonably as possible.

Deputy Mayor Rumbold asked for a guestimate.

Alan said a guestimate of \$2,500, which is very generous as there are quite a number of hours that go into the application.

Trustee Leonard asked if the steel has to be from US, what about the aluminum?

Alan said he would have to double check but suspect that would be covered.

Mayor Maher stated they talked about the 80% cost and 20% share for the Village cost. Does that include in kind service or is it an actual dollar amount on the supplies or services done? Because they can put together a budget and that could include our entire match if that is allowed, using our own man hours.

Alan said that it's a narrow scope, probably some that could be in kind but would need to double check that. Pretty good chunk of 20% would be monetary

Mayor Maher said if they bond, is interest taken into account?

Alan said that was a good question that he would need to ask about.

Manager Revella said that they haven't done that for most of the map 21 projects.

Attorney Donovan said they would need to do a letter of intent.

Mayor Maher brought up property acquisition and asked what they are looking at.

Manager Revella said the abutment from Norfolk Southern Railroad.

Alan said he had a discussion with them in 2006 and they were receptive because they don't have a use for it. In an ideal setting, he would recommend if the Village can resolve that before the grant is awarded that would be great. You have to go through the federal land acquisition process which is long and costly. If they are a willing partner and simply wanted to grant the easement that would be beneficial and one less obstacle or hurdle to cover in the transportation enhancement grant.

Mayor Maher said in the budget he put together last time, what was that amount to account for the acquisition of that property.

Alan said he didn't remember.

Manager Revella said it overall was about \$700,000 with contingencies.

Mayor Maher asked if they had taken into account costs closer to the million dollar mark. The Board meeting is the 2nd week in August; if we have the resolution by August 13th is that ok?

Alan said the deadline is August 16th.

Mayor Maher asked Alan to try to get questions answered and see what happens after discussion. Correspond via email any comments and questions through the Mayor if that's ok and then publicly discuss the process.

Manager Revella requested the Board decide if this is the project we would use.

Mayor Maher asked what else is there to do.

Manager Revella said it's the best one in his opinion.

Trustee Bowen asked if we could we use that towards overcoming some of the obstacles on the rail trail with maintenance right now.

Manager Revella said it was built with funding so just because there is a repair they would not do that.

Alan emphasized having a project that was ready to go.

Trustee Leonard asked if they give them more municipalities to sign on, would that help the application.

Alan replied, sure. With respect to the resolution question would they be able to decide by the next meeting on July 16th. He would need to have clear direction by then to know that we can do that.

Mayor Maher said that they would need to have our questions ready and come to an understanding and do that by July 16th.

Alan said the Resolution you could have time to do that but he needs direction by July 16th from the Board as that only leaves him 30 days.

Trustee Bowen said that they want it.

Trustee Carley asked why they are beating around the bush, why not go ahead and say we want to do that.

Trustee Leonard said for the record the last proposal was for aluminum arched bridge prefabbed and hoisted together.

Mayor Maher said they would probably save on cost.

Trustee Hoffman said that since it's a reimbursement we will need to have the money up front. He would feel better with costs up front before we vote and make motions etc. as we need to be fiscally responsible.

Trustee Carley asked if the engineers to do it first

Mayor Maher said that Peter and John and Alan will work together first and then we will have a decision by the next meeting and figure out the Norfolk Southern Railroad part.

Alan said there are a whole variety of consolidated funding applications coming up. No longer small cities community so that funding is not applicable but there is NYSERDA funding for resiliency plans to supplement an ad to your comp plan. That deadline is August 13th. There are state historic preservation office grants available also. Some even for trail enhancements.

Manager Revella commented such as a walkway along the river and trails throughout Olley Park.

Mayor Maher said Mike already has them in the works for Olley Park.

Alan said they were just announced in June and they are due by August. Training sessions only occurred in the past few weeks.

Mayor Maher stated that the idea is that there is a limited amount of funding; this would shorten the amount of people who would apply. We are ahead of some communities in this area actually.

Alan stated he needed to touch base with the Board about the Zoning Changes for Comp Plan and needs some direction from the Board if they want him to tackle all of them or certain ones that are a priority.

Mayor Maher asked if they can go over this with John prior to a meeting; go over all the changes and then have before the meeting and make a better decision.

Manager Revella requested to have a list out of use changes and text changes and separate for us to go right through them. The grant is priority so we can do these changes after that.

Alan said it would be tight. Also working with another municipality.

Mayor Maher said that the worst case scenario is they can discuss without you and provide you feedback. They can give him an order or tell him to work on all of them.

Alan said where time permits

Manager Revella said he can work with Dave and then go from there. Start at the use changes first and then go to map changes and go to text.

Mike Bliss, Recreation Coordinator, introduced Christopher Rooney, our new Full Time Recreation Aide. He's overseeing our parks and the maintenance of them.

Village Manager's Report

- DPW continues to camera sewer lines.
- Bought equipment for Ulster Ave to get ready for that project.
- Drainage at Olley Park for the Pavilion is finished.
- TEP grant was discussed at the meeting at OCTC meeting.
- CSEA negotiations seem to be going well so far.
- Farmer's Market is going well so far. Fruits and vegetables coming out in force.
- 160 Old Orange Ave water line repair. It was not a normal size had no valves and was a smaller pipe. Put a curb box in and a new valve and corrected the pipe now.
- PBA negotiations going well so far. Getting down to the nitty gritty which is normal.
- Been working with Civil Service to fix some job classifications. One is a Working Leader position.
- Been having an issue with gas lines that go through our sewer mains. Been in contact with NYSEG about these issues.
- Had a meeting with Pam Mann about Go Rail which will push to get legislation support against increased truck sizes on the roads to 60ft trucks which would be a problem for us.
- Held interviews for the Full Time Rec Aide position, which as you see was filled.

Deputy Mayor Rumbold asked if all businesses are in compliance with commercial garbage.

Manager Revella said that there is only one left, 29-35 Main Street that has not been contracted yet. All the rest are.

Deputy Mayor Rumbold asked if Army Corp of Engineers were contacted for rail trail yet.

Manager Revella said he called and left a message with the Sergeant. We will see if we get a call back.

Deputy Mayor Rumbold asked if they have increased bus service for people to get to stores since the Thruway Market is closed.

Manager Revella replied that the Town bus is coming through more often. Shop Rite has a free delivery service. No calls yet that they haven't had an issue with service. If they do, obviously it will be addressed.

Mayor Maher said that ShopRite has been more supportive than Hannaford's. It seems that the word got out which is why Shop Rite stepped it up.

Deputy Mayor Rumbold said she was concerned about people being able to get to the grocery store and was basically ensured that something was going to be put in place prior to the Thruway closing. She expressed concern that they need their seniors to be able to get to the store.

Manager Revella said he has a meeting with the owner tomorrow will emphasize in meeting tomorrow.

Trustee Hoffman asked if there was an update from DOT on the Ulster Avenue project.

Manager Revella replied that we bought equipment but have no update yet. It's in the Real Estate division.

Trustee Hoffman asked about the trench on Orchard Street.

Manager Revella stated the homeowner did contract with the company to get it repaired. They just had issues with timing. Planned on doing it Thursday and the weather did not permit and then again for yesterday. They will try tomorrow and will be done as soon as the weather permits.

Trustee Hoffman asked if he expects it to be repaired prior to next meeting.

Manager Revella answered yes. He's supposed to be there tomorrow.

Trustee Bowen asked if they were changing sidewalk on Berwick.

Manager Revella replied no. The resident had issue with driveway apron. They contracted it to be fixed.

Trustee Leonard asked if there were any changes to South Montgomery St slurry job from county.

Manager Revella replied no. Update was that they were coming last week. If that changed he hasn't gotten an update. Should be done in July for sure.

Trustee Leonard asked about the blacktop repair like the edges of the Town.

Manager Revella said they may not sure yet. They painted a lot of areas and then they are due back.

Deputy Mayor Rumbold questioned about blacktopping at Hess.

Manager Revella answered that he didn't know. They are not required to pave.

Deputy Mayor Rumbold asked what happens if the fill they put in has a trench there.

Manager Revella said that if there is a public hazard then we come in. We have no authority if there is no hazard. We have been in contact with the dirt that needs to be paved. Dean contacted and didn't get a positive response on that.

Trustee Mishk asked if they have the authority to put up better fencing up there.

Attorney Donovan said that they don't have any authority unless there is a violation there. If it was a new application we would have more power there. But we are limited to the violations we could have.

Deputy Mayor Rumbold asked what constitutes a nuisance.

Attorney Donovan said unfortunately that is not sufficient to constitute a legal nuisance. If there is a public hazard or danger to pedestrians or vehicular traffic then we could site them and move forward.

Manager Revella said there's a lot of case law there, one was a big cement factory and people were almost dying from the soot there. That was a severe case and thought that would automatically be a public nuisance. Fought all the way and not on the borderline right now.

Deputy Mayor Rumbold said in other words the orange crappy looking fence surrounding the property could be there for years right in the middle of the Village.

Attorney Donovan said to let him confer with Dean before he gives an answer that may not be sufficient.

Trustee Hoffman mentioned site plan approval. If the abandoned use had site plan approval and showed a paved lot and now it's not can we site them for that?

Attorney Donovan said potentially.

Deputy Mayor Rumbold asked about the Elm Street renaming.

Manager Revella said he has a list of potential names.

Deputy Mayor Rumbold assumed it's still an issue.

Manager Revella said he put it on the agenda for the next meeting.

Mayor Maher said there were other issues that need to be brought up before they make a decision like what effects it will have on residents, 911, and the postal service.

Trustee Bowen asked about the left turn off of 52 to South Montgomery to make it a no parking area.

Manager Revella said the contractor is fixing the curb before the county comes. That whole section is to be dug up and rebuilt back about 3 feet in that area. There will be signs up right before construction starts and see if it's enough space.

Trustee Carley mentioned the lights on Sunnyside near 14. Residents are asking about it.

Manager Revella said that NYSEG installs, we purchase the lights.

Trustee Leonard asked what the schedule was for locking up the basketball court.

Manager Revella replied dusk to dawn. If Mike is doing it otherwise the police do it during their shift. PD may have been on a call but then lock up on the way.

Trustee Carley asked about getting cameras on the parks.

Manager Revella said that Mike is getting quotes now.

Mayor Maher asked John for a fluoride update.

Manager Revella said that the engineer is doing a site plan for the injectors and the materials that need to be put in place including the containment area to store it. We have the injector points ready. We need to have them approve the pumps and the storage areas. Once that's done we get the fluoride approved by the county and from the US. MSDS spec for the fluoride is a certain one approved by the county. Whatever vendor we use uses that exact spec.

Deputy Mayor Rumbold asked if the county is using the state regulations or separate for Orange County.

Manager Revella said that when they spoke here they said they used the state spec. They abide by the same regulations.

Deputy Mayor Rumbold asked what the county provides us that assure us that they are following the state regulations.

Manager Revella said they're not that far yet. When he gets the approval, he will request that someone from the county be here.

Deputy Mayor Rumbold said she just wants to make sure that the county is following state regulations for NYS and sometimes someone looks the other way and doesn't check or double check. Wants assurance from county they are following those regulations.

Trustee Carley says there should be a vendor list that is preapproved.

Deputy Mayor Rumbold said that it doesn't mean that they are all compliant to NYS standards in order to be part of that list. Wants to make sure they are. Wants documentation that says they are in compliance.

Manager Revella commented that just because they are on the vendor list, doesn't mean the product we get is the same as what they bring. Match state and county spec to the actual product we are receiving.

Deputy Mayor Rumbold said they asked their last vendor and they refused to answer.

Trustee's Committee Reports

Town of Montgomery & DPW liaison – Trustee Leonard

Trustee Leonard reported they looked at another machine for skid steer, Bobcat but liked the JCB more.

Village Clerk & Village Treasurer Liaison – Trustee Bowen

Trustee Bowen had nothing to report.

Police Department Liaison – Deputy Mayor Rumbold

Deputy Mayor Rumbold said PD has been awarded funding for second enforcement period between July 1st and Sept 3rd for Stop DWI funding. Firearms training is coming up again. Been preparing for the final Buddhist event this Saturday for the Dahli Llama's Birthday. National Night Out is being planned as we speak; meeting next week.

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

Trustee Hoffman met with Dean on enforcement issues at 46 Scofield. Discussed accessory apartment, proposal of the law.

School Board and Recreation & Parks Liaison – Willie Carley

Trustee Carley said summer camp is going well. SYLA selection occurs next week. July 15th it starts. School Board budget passed. Wasn't able to get the exact cuts.

Mayor Maher said there's another Board meeting coming up and Senator Larkin was able to solidify \$36,000 in funds for the school, saving Jr. ROTC training. Fundraisers are going on to raise \$50,000 for JV sports which have been cut. They need another \$80,000 for Modified sports which the community is trying to get funding for. The Board will know in 2 days. Collaborating with nonprofit to do sports programs at schools. Already a varsity bus less cost for JV as opposed to modified because modified has other opportunities in the community.

Village Justice and Library Board Liaison - Trustee Mishk

Trustee Mishk had a meeting with Judge Ozman about the grant that he has and tentative design for his bench that would serve as dual purpose for our meetings as well. Looking at contractors and getting a sketch to the Board. Think everyone will be happy about that.

The Mayor Read the upcoming Community Events listing into the minutes.

Public Comment on Business of the Board

Nanette Degroat, 80 N. Montgomery Street, stated that she FOILed the fluoride documents from OC Health Department. He said he didn't know and he didn't care and said it wasn't his job. Fluoride we are buying he is supervising. We as the public have a right to see the documentation as well including all the standards that she put up and wanted documentation from the vendor that stated it was safe and will help with dental cavities and everything else. He told her that the Albany people would have the info and they didn't have anything. He said the state takes care of that not him. He pulled out a book with all the vendors.

Deputy Mayor Rumbold asked how they compile the list.

Nanette said from the state.

Deputy Mayor Rumbold commented that she is assuming the state is asking for documentation from these companies.

Nanette replied per Mr. Burgess from the County.

Deputy Mayor Rumbold asked if the state has those documents.

Nanette answered she didn't know.

Deputy Mayor Rumbold said assuming if the state has compiled that list and the state has checked each vendor to make certain that they meet NYS standards.

Nanette said would have to have records up to date on the fluoride that comes up to this date. We would need the toxicology report on that fluoride that is being delivered now and then to keep up on that paperwork is overwhelming.

Trustee Mishk asked if the fluoride was purchased through state bid.

Manager Revella said he didn't know. Haven't had to purchase since he's been here.

Trustee Bowen thinks that would be an audit or someone who is validating the purchase and checking. The gentleman from the county said he would be the one who came to the Village to inspect.

Nanette said he inspects the equipment not the fluoride. She said there was no one else to speak to except for him. He said that as far as the fluoride goes, as long as the Village is buying from a book that he has in his office, he's not going to say that it's good, bad or indifferent.

Deputy Mayor Rumbold asked if we are allowed to ask the company or do we have to go through the state or the county to provide us with the proper documentation.

Manager Revella answered yes; any vendor can be asked that.

Nanette said as a Board they have obligation to the public to have those documents.

Deputy Mayor Rumbold said maybe they can be good neighbor to let the county know if someone doesn't comply to let the county know so they can update their book.

Trustee Hoffman mentioned it's the states book, not the county.

Nanette said it's a legal issue at that point requiring litigation at that point if not compliant at that point.

Action Items

Introduction to Local Law 4 of 2013 – Tow Truck Policy

Attorney Donovan explained that all they're doing is changing the word license to permit and changing the expiration date to April 1st to make it all uniform.

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Deputy Mayor Rumbold stated this deals with companies the Village contracts with to tow cars. We also had companies file for permits to operate. Business within the Village and they contract with someone who does not have a permit to the Village are they allowed within the Village limits that's private.

Attorney Donovan answered per our code 277-1 no permit required and allowed in Village to do business. This is just for the police to call a tow truck operator that's what this applies to.

Trustee Mishk said as a private citizen to tow something would the fees under this permit apply.

Attorney Donovan said no, only if the Police call to have someone towed. Not private citizens. Only business done through the Village of Walden.

Deputy Mayor Rumbold made a motion to set the public hearing for Local Law 4 of 2013 – Tow Truck Policy for July 16, 2013 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Mishk. All ayes. Motion carried

Introduction to Local Law 5 of 2013 – Sign Law: Special Event Signs

Attorney Donovan said that Dean had come up with a list of what he felt was appropriate event signs and Tara put together a form for people to fill out and submit to the Board. Affects all signs except political signs.

Trustee Mishk made a motion to set the public hearing for Local Law 5 of 2013 – Sign Law: Special Event Signs for July 16, 2013 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Bowen. All ayes. Motion carried

Award Bid for McKinley Monument

Mayor Maher stated the low bidder is Jorrey Excavating Inc. \$40,220. Stamped asphalt is required. This is a block design that will be stamped in there.

Trustee Leonard made a motion to award the bid for the McKinley Monument to Jorrey Excavating Inc. in the amount of \$40,220. Seconded by Trustee Carley. All ayes. Motion carried

Resolution 9-13-14: Uniform Notice of Claim Act

Attorney Donovan explained that if you are going to sue a Village, you need to serve the Village Clerk. This law allows being served through the secretary of state at a fee of \$250 to do this and then we get \$125 from that fee. But most will still serve to the Village Clerk as that is free.

Trustee Hoffman motion to adopt Resolution 9-13-14: Uniform Notice of Claim Act. Seconded by Trustee Bowen. All ayes. Motion carried.

Park Use Requests

Manager Revella said the first one is for a graduation party at Olley Park for July 26 from 2-8pm. Wants alcohol and needs Board approval. We wanted the person requesting to come up and list what the alcohol involves but we got no answer.

Mayor Maher asked if it is beer and wine and has plans to prevent underage drinking etc. He asked to have the applicant in front of us as a formality at the next meeting.

Manager Revella said the second party is for July 20th for Jacobowitz & Gubits from 12-5pm for their company picnic.

Trustee Carley thinks the graduation for HS with alcohol, sets them up for failure. J&G are all adults. In his eyes that is a concern.

Trustee Bowen asked what kind of precedence they are opening for the Village.

Mayor Maher said been doing that already just haven't had a request in a long time. He requested that the individual be there to ask these types of questions to.

Trustee Leonard asked if there is underage drinking is the parent liable or just the Village liable.

Manager Revella said the Village is not liable because they are not providing alcohol. Any adult that gives to a minor is liable.

Trustee Bowen asked if this will affect them as it's their park.

Attorney Donovan said if there is an accident and someone's consumed alcohol in excess then yes we could be sued and held responsible.

Deputy Mayor Rumbold said just because someone is renting the park for a private party does that mean other residents can't use the park.

Manager Revella said the pavilion is being used not the park and not closed to other people.

Mayor Maher requested applicants be present at next Board meeting to explain their requests.

Hearing Request – 46 Scofield Street

Deputy Mayor Rumbold made a motion to set a hearing for 46 Scofield Street for July 16, 2013 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Mishk. All ayes. Motion carried.

Hearing Request – 73-77 West Main Street

Deputy Mayor Rumbold motion for public hearing for 73-77 West Main St. for July 16, 2013 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Leonard. All ayes. Motion carried

Discussion Items

Draft ILL 6 of 2013 – Accessory Apartments

Mayor Maher stated it raised some concerns in his eyes and wants to see what the meaning behind it is as we discussed to ease financial hardships. We had questions in our own discussion of whether we are creating more of an expense and is it worth it. In July 2, 2013

any way will this have a trickle down affect to adversely change the dynamic of our Village? We got numbers from Dean. Multifamily dwellings there are 220 2 family 230 3 family and 411 4 or more families in one building.

Deputy Mayor Rumbold said her understanding was that in order to help out current senior homeowners to provide this to help them retain their property. Once that owner moved or passed the house would then revert back to what it was before. Second discussion would pass it on to the new owner and they may not be in the same situation as the first owner.

Mayor Maher said that in the law it would end with that owner and the new owner would have to apply again.

Attorney Donovan said it was hard to come up with criteria/definition. What is the hardship, what is the income level? How do I show that I need this to keep my home? New owner would need to reapply.

Deputy Mayor Rumbold thinks this is a wonderful idea but she thinks it's so restrictive because many homes in the Village don't have off street parking in the Village now let alone more spaces for this rezoning. Doesn't feel there are many homes that would meet this requirement. Plus the cost factor and creating a second unit might prohibit the financial unit. How would they have the money to do these renovations?

Mayor Maher was on the other side of this but when we started discussions it is not simple as there are restrictions and costs incurred and developing. It's almost prohibitive. What's the sense of creating a law to do that?

Trustee Bowen said his concern is the home being sold to new owner incurs additional cost to refit the home to what it should be.

Attorney Donovan said Trustee Bowen's point is having apartment and you buy it now you have to convert it back.

Deputy Mayor Rumbold said her understanding was the applicant had to meet a threshold of need financially and that's why we were doing this to begin with. Are you saying there isn't any mention of that threshold in here? What are the requirements?

Attorney Donovan said that there's not, but could come up with them.

Trustee Hoffman stated that by not having a mechanism, are they putting a strain by not doing this. Zoning Board variance by asking the zoning Board. Define some limits on this if we don't take action on this they can go to the zoning Board and then we push that onto the Zoning Board to decide.

Trustee Mishk said that realistically the cost factors if we implement this law under the thought that we had in trying to help elderly persons keep home with the cost involved how can they afford those. We have to be careful that we don't create permanent multi family dwellings. In his opinion it has to be ended when sold or passed on. Transferred in title otherwise defeating purpose and creating a metropolis.

Mayor Maher suggested bringing it back up to discussion at Tri Board meeting to have further discussion and talk about our reasons why and where we are at.

Trustee Bowen stated that they feel they have made those decisions already it may be worth it to handle at that level.

Deputy Mayor Rumbold thinks in reality if we ever knew how many home owners are renting rooms we would be astounded with the number. Understands and sympathizes with why the Zoning Board wants to do this. She feels we are being restrictive to the point of excluding a good portion of the Village from this law and thinks we need to think of the Village as a whole and missing a demographic of people who are already renting a room in their home.

Trustee Bowen said on the Mortgage industry, homeowners are going out and seeking renters to pay their mortgage and banks are saying to them just give me a contribution letter and that counts to pay their mortgage.

Draft ILL 6 of 2013 – Best Values Contract

Attorney Donovan said it's a recent change to state law with regards to service contracts. Have to award to the lowest responsible bidder. Quality cost and efficiency and give a little latitude in determining what is the best contract as cost is not the only option. Have a rational basis; general criteria for awarding the service contract more expensive than someone else you will be ok.

Manager Revella said say if you have 2 services for Village and vendor x is lowest but vendor y gives better service, better responsiveness, you can award with this law the one with the better service.

Attorney Donovan said it is not applied to public works contracts, only service contracts.

Mayor Maher asked if he has seen this passing in other municipalities.

Attorney Donovan said yes.

Trustee Bowen motion to set public hearing for Local Law 6 of 2013: Best Values Contract for July 16, 2013 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Mishk. All ayes. Motion carried.

Regular Board Meeting at Veterans Memorial Park

Trustee Bowen thinks it would be a great opportunity to show off the park and understands there may be a cost that comes with it.

Mayor Maher mentioned an issue with minutes as it's so close to the road it could be an issue to record the minutes. Not a huge cost to this. But maybe we have this at Wooster Grove, as if it rains it's covered or we could go inside and the bathrooms are already there and parking is good.

Trustee Mishk questioned if there would there be an overtime issue at Veteran's Park with the tables and chairs.

Manager Revella said no.

Mayor Maher said we would finalize this at the next meeting.

Public Comment

Diane Sandbothe, 90 Liberty Street, George St coming off making right, the 4th house has garbage there every day. Our house is getting water damage from the road that was built in Town above the hill and don't know what to do. Hoping someone could talk to her husband and have engineer to look at it. Black cemetery on her property she has exhausted everything and has verified there is a cemetery there from 200 years ago and wants it recognized. There are 6-8 bodies up there.

Mayor Maher suggested she talk to Senator Larkin's office and Mary Ellen Matise. Talk to state also and Kerron Barnes.

Becky Pearson, 167 Walnut Street, commented that parking by Veteran's Memorial Park and the house next door is becoming a problem. How much parking are they allowed and how big is the easement that goes down there?

Manager Revella believes that is researched by the PD and Dean and they are within their easement. If they park in the park they will get a ticket and be towed. If they are over the curb into the park that is not our property and we can't paint it.

Becky asked if it is related management.

Manager Revella answered yes.

Becky suggested the Board get them to mark it. She commented about the walkway that Alan talked about has those from years ago. The Abutment from Norfolk Southern is needed, not the other property? They don't give up their rights lots of times. She thought the plan was already voted on for the judge to do the deus.

Deputy Mayor Rumbold said the deus was approved but only got the sound system.

Becky said that with regard to the accessory apartments law it is frustrating when you are sitting here and listening to people that appear to not even have read the information in front of them as there were questions answered tonight that were listed in the information in front of you. People worked hard but it's for you to decide that it was not for the majority of the people but it would help some and this is frustrating.

Brenda Adams, 31 Valley Ave, asked about the party violating the open container law violation. Can someone be arrested if someone is drinking in their own yard and they walk into the street?

Attorney Donovan said just like a street block party, it would be an exception as it would not violate that law.

Brenda said accessory apartments concept was there and we did do a lot of work on it and researched other laws in other municipalities; the intention was that the Board would add their opinions as well as the Planning Board. Was not meant as gospel we knew it needed

to be reviewed by a lot of people as that's how you get the best results. Thank you for the Veterans Park Flag Day Ceremony.

Trustee Carley asked how many applications have come to the Board.

Brenda said over time, quite a few. In the last 5 years, maybe 8 applications; rough guess.

Trustee Bowen asked if anyone has come up with a ballpark number of costs to put in an accessory apartment.

Brenda said it would be different with each house.

Trustee Bowen questioned if she knew someone who did it and borrowed money and then couldn't afford the mortgage.

Brenda said money is not their issue.

Trustee Bowen said that if you put somebody into that situation and get approval and it's already in a bind, how you do spend more money.

Brenda said they come to make 2 a family home, not an accessory apartment. We have to look at the financials for each apartment and then the Board assesses all of that. We have to say each property has a different cost. Depends on structure of the building.

Payment of the Audited Bills

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

Correspondence – Note from Anita Vandermark regarding Ethics Board (read into the minutes) & Veterans Memorial Park Committee

Miscellaneous Comments from the Board of Trustees

Trustee Leonard set a tentative date at 8am July 13th to clean up rail trail. Have not heard back from the Town.

Manager Revella asked who's insurance this would fall under.

Trustee Leonard asked to have the code enforcement officer identify the property owners that are dumping yard waste along the fence there.

Deputy Mayor Rumbold asked if there was anything to do about condition of state property within our Village limits. Potholes are becoming hazardous and deeper.

Manager Revella spoke to the foreman at Maybrook DOT and they will be out to check pot holes near Mobil by Stewarts, Light at 52 and 208. We have the list so far is those 4 locations plus the site distance issues that we cut but that they should be cutting.

Deputy Mayor Rumbold doesn't understand why they have to beg for maintenance on their own roads. She understands finances but they have a responsibility to maintain their property. If they do it, they chastise them about not doing it to their standards.

Manager Revella said that he told them that if they don't get it done in certain time, he will fill the pot holes how they are. His point of contact at the local office, Tom Artoli, in the Newburgh office told him to talk to Tom directly.

Deputy Mayor Rumbold said that the issue is the tax payers are wondering why our DPW isn't fixing it as they don't realize it's not our responsibility.

Trustee Carley asked what happened to the screen in the assembly room.

Manager Revella said it happened today.

Trustee Mishk questioned the Orange Ave water over the road, whose responsibility is that? Who do we address that to?

Manager Revella said the state would have to address that, not our property.

Mayor Maher said that Walkill Valley Times and Times Herald Records are our local papers and he wanted to introduce Mike Randall from the THR covering our area. Thank you and welcome. And of course Rachael Coleman from WVT.

Executive Session – Personnel, Marangi Litigation, and Property Purchase.

Deputy Mayor Rumbold moved to go into Executive Session to discuss the employment history of a particular person, Marangi Litigation and property purchase. Seconded by Trustee Bowen. All ayes. Motion carried.

Reconvene

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

Adjournment

Mayor Maher moved to adjourn. Seconded by Trustee Hoffman. All ayes. Meeting adjourned.

**Village of Walden Board of Trustees
Regular Meeting
July 2, 2013
Motions & Resolutions**

Introduction to Local Law 4 of 2013 – Tow Truck Policy

Deputy Mayor Rumbold made a motion to set the public hearing for Local Law 4 of 2013 – Tow Truck Policy for July 16, 2013 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Mishk. All ayes. Motion carried

Introduction to Local Law 5 of 2013 – Sign Law: Special Event Signs

Trustee Mishk made a motion to set the public hearing for Local Law 5 of 2013 – Sign Law: Special Event Signs for July 16, 2013 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Bowen. All ayes. Motion carried

Award Bid for McKinley Monument

Trustee Leonard made a motion to award the bid for the McKinley Monument to Jorrey Excavating Inc. in the amount of \$40,220. Seconded by Trustee Carley. All ayes. Motion carried

Resolution 9-13-14: Uniform Notice of Claim Act

Trustee Hoffman motion to adopt Resolution 9-13-14: Uniform Notice of Claim Act. Seconded by Trustee Bowen. All ayes. Motion carried.

Hearing Request – 46 Scofield Street

Deputy Mayor Rumbold made a motion to set a hearing for 46 Scofield Street for July 16, 2013 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Mishk. All ayes. Motion carried.

Hearing Request – 73-77 West Main Street

Deputy Mayor Rumbold motion for public hearing for 73-77 West Main St. for July 16, 2013 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Leonard. All ayes. Motion carried

Draft ILL 6 of 2013 – Best Values Contract

Trustee Bowen motion to set public hearing for Local Law 6 of 2013: Best Values Contract for July 16, 2013 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Mishk. All ayes. Motion carried.

Payment of the Audited Bills

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

Executive Session – Personnel, Marangi Litigation, and Property Purchase.

Deputy Mayor Rumbold moved to go into Executive Session to discuss the employment history of a particular person, Marangi Litigation and property purchase. Seconded by Trustee Bowen. All ayes. Motion carried.

Reconvene

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

Adjournment

Mayor Maher moved to adjourn. Seconded by Trustee Hoffman. All ayes. Meeting adjourned