

**Village of Walden
Board of Trustees Regular Meeting
July 16, 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
	Edmond Leonard
	Gerald Mishk

Absent:

Sean Hoffman

Also Present:

John Revella, Village Manager
Tara Bliss, Village Clerk
Robert Dickover, Village Attorney

15 Walden Estates Easement

John Queenan, Village Engineer explained the easement situation from his prospective at 15 Walden Estates Rd. He stated that there was a request by the property owner to construct a retaining wall on our easement. He went and took a look at it and suggests that the property owner do the work they would like on their own property but nothing on the 20ft drainage pipe in our easement.

Mayor Maher explained to the owner that the Village Engineer is advising them that the wall she would like to build should not be allowed on our easement and asked her if she could build around the easement.

Heather Martin, 15 Walden Estates Rd, said that if she did that it would bring it almost up to the side of her house. Her question is why is this a problem when a fence already exists. If it is moved in the 14 feet, the neighbors would have 6 feet, with cages and large stones in them. She has nothing in the back of property to keep the soil from eroding downward. In the 14 years that she has been there, the back lower corner has lowered 4.5 feet. Significant problem for 2 reason, it backs up to a moving stream and the natural grade of the land goes down due to the water running. So why can't it be built where the fence is at this current time?

John said he did not see a fence when he looked at the property.

Dean Stickles, Building Inspector, stated it was an oversight on his part when the permit was issued for that fence. The Board could give permission to put a fence on the property but would have to know that if they have to get there they would be able to take down the fence.

Heather said that the issue is to maintain the erosion of the soil, which is significant she took photos to show the property damage. It will eventually affect her foundation if not retained.

Mayor Maher stated that he has been there with Dean and can attest to what she is saying. The issue is whether or not they can solve this issue while keeping their easement to where they can go in and address it and upkeep it as well. Is there any scenario that exists for our Village to upkeep their easement and be able to take care of it and also for Heather to come up with a solution for the erosion?

John replied yes, but no permanent structure on the easement.

Heather said the easement currently existed when they built it but when she bought the home, she never bought a home that abuts water so she had no knowledge she would have erosion. Builder didn't build anything along the back but the newer builder put wire cages to prevent the erosion on those properties and some of them are on the easement.

Dean mentioned that everybody is talking about easement, so has Mrs. Martin outlined where the easement exists on the property and then showed where she would like the retaining wall.

Heather said the stream is behind her manhole which the Village has far up closer to the side of the house.

Mayor Maher said the question that they need answered is if a solution can be created where a wall can be built and still upkeep and have access to the easement.

John said he has to see a plan for what she is proposing to do.

Heather said she marked it in yellow where she wants to put the retaining wall. Going to CST block from Montgomery. She paid an engineer to come out to the property to see the damage.

John said it's not a matter of damage it's a matter of access. The Village needs 20 ft to bring in necessary equipment if they needed.

Heather said if brought 14ft in, what will stop it from pulling the retaining wall down?

John said that her wall will be built up.

Heather stated then she's repairing easement.

Manager Revella told her that it's still her property she just can't build a permanent structure on it.

Heather asked what the Village can do on the slope down to the culvert. There is severe erosion taking place there. It has a pin locking system what prevents from behind the wall that erosion.

Mayor Maher said the engineer advised the Board that they cannot give access within 20 feet of easement to have a retaining wall built. There is a need for it. Yes she can build it as long as it doesn't interfere with what John Queenan is saying regarding the 20ft easement.

Heather questioned how soon something can be done to the culvert, the walkway and the edge of the culvert to prevent erosion. Will the Village maintain that area?

Manager Revella said just the head wall at the end where the pipe comes out.

John stated the pipe is not creating the erosion as the pipe is downhill from where the erosion is taking place. It's from the brook rising and falling every year.

Heather said that the brook is easily a 6ft drop on angle away from property.

John responded that it rises up to the culvert. It may not be but ground water underneath is saturating all the land. It's a natural occurrence that is occurring over a long period of time.

Heather brought up repairing the man hole.

Manager Revella said that they will lower it to whatever her grade is of her property.

Heather said she doesn't want it lowered; she would like it to be like it was before she moved in there.

John said that part of this is she has to apply for a building permit and needs to submit a plan and Dean and he would provide input on that. As far as the manhole, the Village went in and corrected the issue a few years ago, joints were off and filler has settled a little bit. Bring back to grade or how high you want to raise it but only able to do this a few feet.

Mayor Maher thinks that unless the Board would like to consider something being built on the 20 ft easement, that's not something that they would consider, so going forward, going through the permit process, then would sit down with Dean and John to discuss occurrences and upkeep on the easement.

Heather said that malfunctioning man holes are causing sink holes on either side of the tank. She's been through this 3 times. 3 rounds where sink holes occurred around piping is faulting around the pipe. It needs repair and stream needs stones stacked up so it won't erode on side slope towards back of easement. Has slope in back corner of the property.

Mayor Maher asked the Board if they want to entertain permission to build on their easement. Go through the building permit process. Plan put in place and engineer speak to Dean or John to make sure it's all being put together.

Heather said she thought that if the wall isn't 5 ft tall, no engineer is needed.

Manager Revella said that she doesn't have to have an engineer but they will review with their engineer.

Mayer Maher advised her to go see Dean tomorrow and come back to Board if needed.

Dean requested that the easement be shown on a plan and where the wall is being built so it's not on the easement.

Hearing – 46 Scofield Street

Dean said he did not realize he noticed the property through the NYS Property Management Code so can't come before the Board tonight. He will renote the hearing through the Village code for next meeting. Village did take care of mowing the lawn and cutting the hedge.

Deputy Mayor Rumbold asked about the woman who moved in and had no electric. People were just placed and the condition of the property is unlivable?

Manager Revella said through OC DSS because it was a transfer they do go through Dean to make sure property is viable.

Dean said that this particular person didn't notify OC to let them know they were there.

Deputy Mayor Rumbold asked when a county is going to place someone in the Village; they notify Dean?

Manager Revella said no, but he did let them know that they can't place them there and they stopped.

Deputy Mayor Rumbold asked how they get the addresses.

Dean replied through an application process that the landlords' apply to social services if they have tenants.

Deputy Mayor Rumbold questioned if they are able to look and see what properties are available.

Dean replied that he was not sure if we are legally allowed to do that.

Deputy Mayor Rumbold said that if they are telling him that they are going to bring someone to this address, place people there, when that happens, do we then go in and inspect the apartment.

Dean said that they contacted social services because it was an illegal apartment.

Deputy Mayor Rumbold said so the county compiles this list and we can't see what the list is.

Dean said that he could call Dave Jolly and get a list of apartments through DSS to rent.

Deputy Mayor Rumbold questioned that the only time he is allowed to inspect them is if DSS brings someone to the apartment and then he can go to check apartment.

Dean said if requested to do it. They try to do this for all apartments throughout the Village.

Deputy Mayor Rumbold said that when you are in that situation, people are afraid to complain because they don't want to get in trouble with the landlord, don't want to get evicted in retaliation of complaining. Can't the Village go in and see the apartment to inspect it to make sure it's livable?

Dean stated that that particular person got it off of Craig's List.

Deputy Mayor Rumbold said that Ulster County placed them there.

Trustee Carley asked if it was a Government assistant place.

Manager Revella said DSS assists with the rent nothing to do with the place, just the assistance with the payment.

Trustee Bowen said generally folks get on a list, get in the place and in order to get the check, if some violation occurs then the payment stops. Once the agency gets involved, they check and then start sending checks again.

Mayor Maher asked if there was anything they can do to allow them to inspect properties.

Manager Revella stated that they would have to have the notice that someone is moving.

Mayor Maher asked if there was something that can be done to change that.

Attorney Dickover stated he didn't know. There are a dozen or more agencies that house people. Solicit landlords right off of craigslist etc. under section 8 they do reach out to the building inspector. We wouldn't know unless a complaint is made. We can explore that as a possibility but would suggest though that there is going to be a financial cost in doing that.

Deputy Mayor Rumbold said she thinks right now it's a financial implication to everyone; you're taking the most vulnerable people in society and then put them in places that people wouldn't live and dumping people in places that humans shouldn't be in. We have a responsibility as a Village to at least ensure they will have electricity, not full of rodents, and the roof doesn't leak.

Mayor Maher suggested we look into local ordinance such as this.

Trustee Mishk said it might be simpler to just beef up the law we have.

Dean said every multiple dwellings apply to all apartments in the Village not just these ones. Law covers the multi family.

Mayor Maher stated that they want to give Dean the ability to inspect.

Deputy Mayor Rumbold finds it egregious to move people into a place that doesn't have electricity.

Hearing – 73-77 West Main Street

Dean discussed property maintenance issues at 73-77 West Main Street including the roof leaking, repairs needed to bar area, and basement cleaned out. He met with the owner last Friday and 90% of the basement is cleaned out. She is in the process and has an estimate of repairs for the roof but she is not financially ready to fix the roof at this time. He referred her to Kerron Barnes to apply for small cities funds to help with the cost so she could fix the roof and the bar area. Another issue is the mattresses being deposited on the roof. He actively calls her when he sees them and she takes care of them. The hearing tonight is for the repairs to the roof, the bar area and clearing out the basement.

Myrna Wolfe, owner of 73-77 West Main Street, stated that she does have someone who will redo the roof but not able to do at this time financially. She did call Kerron Barnes and has left messages to apply for the loan.

Mayor Maher said for her to keep trying to utilize funds. Asked Dean what if the loan doesn't happen. What are his recommendations?

Dean said to keep under tight reign and find out how the progress is going.

Deputy Mayor Rumbold asked when the first violation was for this building.

Dean replied May 20, 2013 was the first time it was noticed for this particular issue. Other issues were hallways and emergency and exit lights.

Deputy Mayor Rumbold asked about the outside stairwell going into the basement.

Dean said that's been ongoing for 20 years. As far as water, mosquitos, and garbage.

Deputy Mayor Rumbold asked her how often she visits the building.

Myrna stated 2-3 times a week, inside and outside.

Deputy Mayor Rumbold said she was disappointed in the building, she is there 3 days every week, same garbage and water is in the stairwell and thinks maybe the tenants have an issue with the toters because there is always garbage on the ground.

Myrna said she sent the tenants each a note. Not a matter of no space, it's laziness of not wanting to put in the pail.

Deputy Mayor Rumbold said she will check her phone because she takes pictures with it and knows there has been garbage within the past 3 weeks. Personal opinion is it's very disrespectful to the Village and others that live here that those conditions have been allowed to exist in that building. It's got to be a health issue. Saw what was being taken out of basement, and it was disgraceful. She can't help but feel it's disrespectful.

Myrna said that most of what came out of the basement was boilers and hot water heaters.

Deputy Mayor Rumbold thought it was disgusting and people live there. Respected her and admired her for being a good businesswoman. She feels it's disrespectful to the
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Village when any person who owns a building has to come before the Board to maintain their buildings. It's disrespectful of the tenants to treat her property like this.

Myrna said she had not even given permission, they're not even supposed to be on the roof. Doesn't matter, they still do it.

Deputy Mayor Rumbold said she didn't know if she had counsel as a property owner but may want to consult with them.

Myrna said she has 2 tenants that she is in the process of evicting, believes they are the ones causing the damages.

Deputy Mayor Rumbold said it's not just her; its many building owners are disrespectful to the Village and the tax payers of the Village. She will be very happy when it gets back up to where it needs to be. The Board needs to put a time limit on it. Understands that it's not financially feasible at this time and that she's going for the loan, but it's a health issue

Manager Revella recommended that Dean does an inspection prior to the next meeting and he report at the next meeting.

Deputy Mayor Rumbold still thinks they need a time constraint on it because in fairness to every other building and property owner in this Village, it's unfair to cause other people to take on financial burden to maintain their buildings. We have to be consistent in what they ask their property owners to do in the Village. Understands finances but it's their responsibility to insure these buildings are maintained and safe.

Myrna said she is getting rid of 2 tenants. There are 5 total and has one vacant apartment. July 24th is the date she will bring them in front of the court.

Trustee Bowen thinks that she is going out for a loan approval process that is longer

Manager Revella said not as it's through the Village.

Deputy Mayor Rumbold motion to hold the hearing for 73-77 West Main Street open until August 13, 2013 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Bowen. All ayes. Motion carried.

Dean said he will check it weekly.

Public Hearing - Local Law 4 of 2013- Tow Truck Policy

Trustee Mishk motioned to open the Public Hearing for Local Law 4 of 2013 – Tow Truck Policy. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

Mayor Maher stated this it to revise chapter 277 Towing to change the language from license to permits.

Trustee Carley motioned to close the Public Hearing for Local Law 4 of 2013– Tow Truck Policy. Seconded by Trustee Leonard. All ayes. Motion carried

Deputy Mayor Rumbold made the motion for Negative Declaration under SEQRA for Local Law 4 of 2013 – Tow Truck Policy. Seconded by Trustee Carley. All ayes. Motion carried.

Trustee Leonard motioned to adopt Local Law 4 of 2013 – Tow Truck Policy. Seconded by Trustee Bowen. All ayes. Motion carried.

Public Hearing - Local Law 5 of 2013- Sign Law; Special Event Signs

Deputy Mayor Rumbold made a motion to open the Public Hearing for Local Law 5 of 2013 – Sign Law; Special Event Signs. Seconded by Trustee Mishk. All ayes. Motion carried.

Deputy Mayor Rumbold asked how they were going to inform residents, send letters to the usual groups. How are people going to know they need to apply for these permits?

Manager Revella said most of them already know, will post on wall and website and paper.

Trustee Leonard made a motion to declare lead agency on Local Law 5 of 2013 – Sign Law; Special Event Signs. Seconded by Trustee Carley. All ayes. Motion carried.

Deputy Mayor Rumbold made a motion to declare as an unlisted action for Local Law 5 of 2013 – Sign Law; Special Event Signs. Seconded by Trustee Mishk. All ayes. Motion carried.

Trustee Mishk motioned to keep the Public Hearing open for Local Law 5 of 2013 – Sign Law; Special Event Signs until August 13, 2013 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Leonard. All ayes. Motion carried.

Public Hearing - Local Law 6 of 2013- Best Values Contract

Trustee Carley motioned to open the Public Hearing for Local Law 6 of 2013 – Best Values Contract. Seconded by Trustee Leonard. All ayes. Motion carried.

Mayor Maher stated this is a new chapter that allows the Village to not just accept the lowest bidder but the best value of the contract. Allows them to claim it best value and gives us a little more leeway.

Deputy Mayor Rumbold made a motion to close the Public Hearing for Local Law 6 of 2013 – Best Values Contract. Seconded by Trustee Bowen. All ayes. Motion carried

Deputy Mayor Rumbold made a motion to declare lead agency for SEQRA on Local Law 6 of 2013 – Best Values Contract. Seconded by Trustee Bowen. All ayes. Motion carried.

Trustee Carley motioned Negative Declaration under SEQRA for Local Law 6 of 2013 – Best Values Contract. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

Trustee Leonard motioned to adopt Local Law 6 of 2013 – Best Values Contract. Seconded by Trustee Mishk. All ayes. Motion carried.

Village Manager's Report

- Continue to camera sewer lines. Finding that there are lots of gas mains shot through our sewer lines. Attorney working with NYSEG to get that fixed. Engineer working to get those resolved as soon as possible.

- Met with counsel on Marangi litigation.
- Ordered more signs, safety vests, cones, and road blocks for DPW.
- Meetings with PBA went well. Lengthy resolved but a few issues left.
- Met with the owner of the Thruway, went over all issues there. Gates up for fences. Confirmed they have a free shuttle to Hannaford's in Pine Bush. Working on demo July 22. Wine and liquor and sporting good and pharmacy are fully working. Hardware store will open in the next few weeks. You will notice more produce at farmers markets to help with grocery issues.
- Taking care of dead trees.
- Patching and painting of jail. Found sink hole, we dug and repaired.
- Dhali Llama birthday party went well at the Buddhist Temple.
- Speeding issues, have road counting out there now.
- Top course for Bradley Road to be paved tomorrow. Had some settling and have repaired all issues.
- Clearing a lot on Bradley trying to resolve because of the overgrowth on the lot but making progress.
- Well 4 building contract has been signed.
- South Montgomery Street should be finished by the end of next week and then the County will be paving from the Town DPW building to Route 52 in the Village the first week of August.
- CSEA negotiations continue.
- Got two proposals for entrance signs for the Village. We will check those over and then we can move forward.

Deputy Mayor Rumbold noticed the NYS DOT patching; did they get everything he wanted?

Manager Revella answered yes; he spoke with foreman a few weeks ago. Paving equipment was in Newburgh, so had to wait for them to be finished with that. They are out of the Maybrook DOT. They did get the brush hog out too. Asked them if they don't make it in the future to just let us know ahead of time so we don't have issues with it.

Mayor Maher asked about the free shuttle; how do residents get that shuttle?

Manager Revella replied they call the Town of Montgomery, Town of Crawford Dial a Bus. There is an advertisement at pharmacy. Will post on channel 23 and website.

Deputy Mayor Rumbold asked how many police vehicles are down for repair.

Manager Revella replied that there were 2 cars down. Car 2 is here and we have reports that it's jumping lanes, car 3 has been sold. Car 7 was out but believes its back.

Approval of the March 12, 2013 Minutes

Deputy Mayor Rumbold made a motion to approve March 12, 2013 Minutes. Seconded by Trustee Bowen. All ayes. Motion carried.

Trustee's Committee Reports

Town of Montgomery & DPW liaison – Trustee Leonard

Trustee Leonard reported nothing.

Village Clerk & Village Treasurer Liaison – Trustee Bowen

Peter Sullivan reported per Trustee Bowen's request to go over the financial report that he distributes every month. First month of the year, not much exciting in it. He did change the format. It has cash report page on the front and shows balances in each of our accounts and then a summary on the general water/sewer and library operating funds. It's a brief look at how we are doing and a summary of where we are. Most of property taxes (91%) were paid on time which is 1% higher than last year. You will see \$4 million in property taxes and we also distributed \$317,000 from the property taxes to the library. A lot of revenue not too much expense.

Trustee Bowen stated that they would like him to give a report once monthly at the 2nd meeting of the month. Any red flags, at least address the red flags so everyone is on same page.

Manager Revella said they can start with asset management.

Peter stated capital projects have been reviewed for evaluation because the auditors could not come up to the evaluation themselves. They have come and are going through all the capital project expenditures from 2009 forward. They will be back tomorrow and then will come up with the values for this year's reports and then good basis going forward. Much better at this point compared to last year. Check list is working, now up to date on reconciliations.

Police Department Liaison – Deputy Mayor Rumbold

Deputy Mayor Rumbold said the Buddhist event went well, no issues. 2200 people attended. This was the last scheduled event for the year. National Night Out, moving along well. We now have 6 month calculation for calls for service (calendar year not fiscal year) 6358 calls for service the past 6 months.

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

Not present.

Recreation & Parks & School Board Liaison – Trustee Carley

Trustee Carley said that summer camp is going well. He got a correspondence to share later. SYLA going well started Monday. School Board reorganization meeting they discussed the use of the school in Maybrook, what they are going to do with it to help offset the cost of the facility. Type of vendors or organizations they want in there. Superintendent didn't want us to be too picky but talking about having full day kindergarten because of the cut backs in the budget. People were addressing the Board to bring things back and were pushing programs that were cut. Increased tax would have saved a lot of programs, so they had to cut to lower the taxes. It's a balance as the Board is trying to please everyone. They are in a good position to move forward we should be fine but if in fund balance the school will be in a bad place within the next 3 years. Financially in a good position but socially there are a lot of disgruntled people. Looking to not have a dilapidated building. They set up a special committee for the Maybrook school and working with the Village of Maybrook.

Deputy Mayor Rumbold stated that when the school was in the crosshairs of closing last year, they didn't make a plan ahead of time to figure out what they were going to do with the building.

Trustee Carley said the next Board meeting is in August.

Deputy Mayor Rumbold questioned if there was any more talk about the unfunded mandates.

Trustee Carley said that was put on the back burner.

Village Justice and Library Board Liaison - Trustee Mishk

Trustee Mishk said he was hoping for a sketch by next meeting for the deus.

The Mayor Read the upcoming Community Events listing into the minutes

Public Comment on Business of the Board

Heather Martin, 15 Walden Estates Rd, understands the decision about the variance. She asked if the storm tank will be repaired and doesn't feel she got an answer. The culvert needs to be taken care due to the erosion factor. There is significant erosion why would she invest to have the erosion damage the wall? She doesn't understand if the neighbors have them, why she is not permitted to put them there. Can she do the same?

Manager Revella said he wasn't sure of the agreement at the time would need to check with Dean.

Heather asked if she could put gabions in.

Manager Revella replied no. He'd have to ask Dean about why they were put there. We could remove them at any time if they didn't have permission.

Heather said the builder is Lou Pepja and he said that he didn't request a variance to put them on the neighbor's property.

Action Items

Set August Meeting Date and Location

Mayor Maher stated the next meeting would be held in Wooster Grove on Tuesday, August 13th at 6:30pm. In the event of inclement weather we can move indoors.

Trustee Bowen motioned to set the next Regular Board of Trustees meeting for Tuesday, August 13, 2013 at 6:30 pm at Wooster Grove Memorial Park. Seconded by Trustee Mishk. All ayes. Motion carried.

Park Use – Olley Park 7/20/13

Michelle Babcock, Jacobowitz & Gubits, explained they are asking for alcohol use at their employee family picnic 12-5 on July 20th. The firm will be supplying food and drink outside the office. They only plan to provide beer and wine in a limited amount. We have employees who will man the food and beverage stations to control what's going on with age and consumption. Few children close to drinking age so won't be hard to monitor. 1 that is 18, rest are 14 and under. Not foreseeing it as an issue.

Trustee Bowen asked her how she is going to police the event as far as public coming to the park that day.

Michelle said that they have the pavilion space and the way that it will go is designating certain areas separate so it's clear for J&G use, not public use. They will take precautions to mark the areas and will have activities for children as well, not adults.

Deputy Mayor Rumbold wanted to confirm that she will supply beer and wine. Asked if she thought any employees would be bringing anything.

Heather replied no. She instructed everyone that that was not permitted. J&G tries to do twice a year events and have not had problems before. No smoking for the day. Expecting about 60 children and adults.

Mayor Maher said that a policy can be put together where their Parks and Rec director can approve of this and use his own judgment instead of coming to the Board.

Trustee Bowen stated that he would like the person to come all the time for accountability for their firm. This will open door for others to do it. Should at least make it some sort of policy.

Deputy Mayor Rumbold made a motion to approve the Park Use of Olley Park Pavilion with alcohol for July 20, 2013 12-5pm. Seconded by Trustee Leonard. All ayes. Motion carried

Resolution 10-13-14: TEP Grant

Mayor Maher said this is to authorize the Village Manager to participate in the project for Pedestrian Bridge "Walden Trails Connection". Possibly being a \$1 million budget and grant would bind us to \$2,000 on the low side to pay our planner to submit the application. If we got the grant, would be a 20% match from the Village, could be in kind and community project funds currently at \$500,000. There are other things we could do with the money, not the case with this grant and the HODAG money has been sitting there for a long time.

Peter explained that HODAG is Housing Department of Agriculture Grant which are funds used to make the big loan to the Walden View Apartments at now interest. Business loans to be paid off. Loans are just sitting there and is interest bearing. Small cities loans are not.

Mayor Maher said FEDs are not asking for it back but could in the future but we are allowed to use this for loans etc. Spending \$2,000 to pay for the application, it would come from the same fund. He has been a huge supporter for this project 6 years ago; it was the 3rd ranked project in the county. It could work well for the Village.

Deputy Mayor Rumbold stated she was ok with doing the grant application but not moving forward without the grant or why it's a big project for the Village. Would like to hear more discussion that this is something we need.

Trustee Leonard said they are working actively to get the bypass around the prison system then the two trails will connect; will have only 1.5 miles in Orange County and are hopeful that there will be a lot of traffic on the trail up to 25 miles with the Rosendale Bridge. This could be big for the Village in the future. The rail trail is expanding. Poughkeepsie is expanding now and connects to Walkway Over the Hudson. Ulster is working actively.

Trustee Leonard made a motion to adopt Resolution 10-13-14 TEP Grant. Seconded by Trustee Mishk. All ayes. Motion carried.

Appoint Ethics Board Member

Tabled as they did not have any candidates for the vacant position.

Park use request – Olley park 8/23/13

Michelle Caterina, President Walden Elementary School PTO and Roy Werner Vice President, explained they would like to use Olley Park on August 23rd for a back to school bash at in conjunction with the Principal and Vice Principal. They will be mailing to the parents who their teacher is for the year and will include invite for all students. Approximately 430 kids. Bounce houses, activities, face painting, magician. No food or alcohol. Fire Department will put a truck on display and we will have child safety seat awareness for parents. We'd like to end the night with fireworks. The event would start at 6pm and end at 9pm. 3pm for set up time. They understand it is a public park and no one would be turned away as this is not limited to WES students.

Mayor Maher asked if the fireworks display would be professional.

Roy answered yes, looking to hire the same company as National Night out they have the insurance.

Manager Revella said that camp ends before this event and the lifeguards would be on duty until 9/1 until dusk.

Roy said the fireworks would be at 9pm. They can make sure no one goes into the water. Will have volunteers there to close off the beach not related to the Police Department.

Trustee Mishk made a motion to approve Park Use for August 23, 2013 from 6-9pm with a rain date of August 24, 2013. Seconded by Trustee Bowen. All ayes. Motion carried.

Award Bid for Surplus Vehicle – 2005 Dodge Durango

Manager Revella said they received one bid for \$1,111.99.

Deputy Mayor Rumbold made a motion to accept the bid from LMI in the amount of \$1,111.99 for the 2005 Dodge Durango Surplus Vehicle. Seconded by Trustee Bowen. All ayes. Motion carried

Resolution 11-13-14 – Olley Park Comfort Station \$150,000

Peter stated that this was a program they talked about last year and did do the sewer portion last year. Now doing the general fund this year. Taking the \$900,000 left of the BAN and doing another BAN with \$120,000 to get to a \$900,000 level statutory improvements loan and extend it out 10 years. We would have been paying \$1.5 million but now we'll be paying \$700,000 for the first 4 years and \$900,000 for remaining 6 years.

For additional cost at 1.8%. This is a 3.6% rate on sewer worst case would be additional in \$200,000 out laid over 10 years. Doing this buys us room in our budget to keep taxes low in the short term. We can pay back early and decrease interest. Statutory Bond is a fixed payment over the years. Not like a BAN which you can choose to pay off in 2 years instead of 5.

Deputy Mayor Rumbold asked why they need to pay off over 10 years vs. 5.

Peter said road improvements paying off over 5 years but economic value is must longer. More closely matches their value. Spending more to get this \$200,000 if it's at 3.6%.

Deputy Mayor Rumbold said she wasn't sure she wants to saddle some other Board down the road with debt that they have incurred. Not incurring debt by stretching the loan out 10 years, you're increasing interest over the life of the loan by \$200,000.

Trustee Bowen said most likely worst case will cost \$200,000, but if we have the fund balance we can offset that and can also get a lower rate because it's 10 years instead of 5 years.

Mayor Maher added that yes, there is an increase interest over time. Not going to burden them with higher tax bracket. Incentive for businesses to come here and be here instead of raising taxes more. Value of property will rise also.

Deputy Mayor Rumbold said that there are a lot of question marks and her thought was use fund balance to tax payers money. Sounds attractive but not sure she wants to extend debt to another 200,000.

Peter said they are getting another bidder in place for their debt. Key Bank has won everything without much competition. Hopefully our costs will come down from that.

Mayor Maher asked how it will affect their bond rating.

Peter stated depends on the debt evaluated and underwritten which gets us a rating. Most are private offerings not done in a public fashion. Over \$1 million that's required.

Trustee Bowen asked if they are soliciting other banks.

Peter said no one will bid if you don't have an account with them. We have talked to OC Trust about that.

Trustee Bowen said that if they're talking about a local based bank vs. a national bank, if you took Chase and Bank of America the rates will go down.

Peter said at the reorganization meeting they list who they can do business with.

Trustee Mishk made a motion to declare unlisted action reaffirming prior negative declaration for \$150,000 for Olley Park Comfort Station. Seconded by Trustee Bowen. 5 ayes, 1 nay (Deputy Mayor Rumbold), 0 abstentions. Motion carried.

Trustee Mishk made a motion to adopt Resolution 11-13-14 Olley Park Comfort Station. Seconded by Trustee Leonard. 5 ayes, 1 nay (Deputy Mayor Rumbold), 0 abstentions. Motion carried.

Resolution 12-13-14 – Various Village Parking Lots \$120,000

Peter explained they are taking 3 of the larger projects and combining with the sidewalk and vehicle projects we did last year. \$1.4 million over 5 years now paying \$1.6 million over 6 years.

Deputy Mayor Rumbold said if you're taking that debt and you're spreading it over 10 years, you're going to incur another \$200,000. When you start to do your budget and see the extra funds because they have taken all this debt and spread it over a 10 year period. Worst case scenario, incurred \$200,000 more debt than you would have had you paid them off where you are now.

Trustee Bowen said that is in a 5 year scenario. In a 10 year scenario your payment becomes lower, yes, your interest is higher but at the same extent, it doesn't mean you have to take the full 10 years to pay it.

Deputy Mayor Rumbold said she doesn't know if she wants to take debt and spread it over 10 years instead of 5.

Manager Revella said don't have to do it if the interest rates come back poorly.

Trustee Bowen said it's a good chance to get a more favorable rate and establish business with another institution. They may give you a better rate.

Manager Revella said it's not worth it for the budget between \$80-100. We pay now \$1.4 million total over 5 years. Save \$700,000 first 4 years and pay additional \$900,000 in the 6 years after that.

Deputy Mayor Rumbold questioned as a Board, why can't they say they will allow, only if the interest rate is under X%.

Peter said the other side of this is it helps budgets for the future years because of the lower payments to keep them going over the next 5 years pinches the 2% cap.

Manager Revella stated if they extend the payments they can continue to have more projects and capital improvements. They'd have to scrutinize our capital projects more in the next budget.

Trustee Bowen said they can reevaluate down the road. Shop the rates and try to get an idea.

Peter said that they have 2 Statutory Installment Bonds maturing shortly. Set payments for the life of the loan. We lose one in December of this year and one is September 2015. They work with accountants and bond counsel on the whole program. David Gubits looks at all the components of the projects and matched their retirement to their lives. Some things can't be done because they are vehicles and equipment. Will renew as a smaller portion.

Trustee Carley said it helps short term

Mayor Maher stated he doesn't think it's a detriment to our long term also

Trustee Leonard made a motion to adopt Resolution 12-13-14 Various Village Parking Lots \$120,000. Seconded by Trustee Bowen. 5 ayes, 1 nay (Deputy Mayor Rumbold). Motion carried.

Resolution 13-13-14 – Reconstruction of Various Village Roads \$600,000

Trustee Bowen made a motion to adopt Resolution 13-13-14 Reconstruction of Various Village Roads \$600,000. Seconded by Trustee Carley. 5 ayes, 1 nay (Deputy Mayor Rumbold). Motion carried

Discussion Items

Elm Street Name Change

Mayor Maher stated that he and Trustee Hoffman went door to door in the area. And the residents were very, very happy to have this suggestion. Suggested to name it, Millspaugh Rd.

Manager Revella recommended Millspaugh Court.

Mayor Maher said he will talk to Mickey Millspaugh to see if he is interested and if he agrees, we will start the process of renaming the street.

Public Comment

Anita Vandermark, 76 Highland Ave, questioned how the residents felt about the name change.

Mayor Maher said he mentioned that name to a lot of them didn't know Millspaugh name. A lot of them were just happy for the name change.

Anita asked in regards to the Rail Trail, if anything further had been decided about fixing it.

Trustee Leonard stated that they are moving on it.

Anita asked about the sketch of the pedestrian bridge.

Mayor Maher said there were old sketches in previous plans but didn't get that far yet at the last meeting which may be another presentation later on.

Manager Revella said it was hard to picture. Higher slope so higher truck clearance. Down the other side by DeGroat's old building.

Anita stated that she was disappointed that Mr. Puller would not accept as Ethics Board member but hope they are not sleeping on the proposal that the Ethics Board made because it will be 9 months soon. Have a new issue that's come before us as well.

Manager Revella said that it will require assistance of outside counsel for them to hear their issue.

Anita requested there needs to be an educational program. 55th Anniversary this year for the Walden & Wallkill Valley Historical Society, luncheon is September 21st.

Payment of the Audited Bills

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

Correspondence

Trustee Carley said he received correspondence from Mr. and Mrs. Stevens; it stated that their son was having a great time at the summer camp and thank you for the remarks. They brought up some concerns about needing tables and more shade for the areas. We do have some projects in place to provide covering such as tents and more tables are there now.

Miscellaneous Comments from the Board of Trustees

Trustee Leonard had insurance issue on the Rail Trail, but thinks the volunteers will sign a release. Has to contact the Town and update them on that and projecting the morning of July 27th at 8am.

Trustee Bowen said that a couple homeowners on his particular block were wondering about the curbing on Princeton Drive. The caulk is rotted out and will it be replaced.

Manager Revella said he will check it tomorrow.

Deputy Mayor Rumbold asked about getting caught up with minutes online.

Clerk Bliss stated she is doing the best she can. Been taking them home with her to work on and they can't be posted on the website until the Board approves them.

The Board sang Happy Birthday to Anita Vandermark :)

Executive Session – Personnel, CSEA & PBA Negotiations.

Deputy Mayor Rumbold moved to go into Executive Session to discuss personnel of a particular person, CSEA Negotiations, and PBA Negotiations. Seconded by Trustee Leonard. All ayes. Motion carried.

Reconvene

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

Adjournment

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

**Village of Walden Board of Trustees
Regular Meeting
July 16, 2013
Motions & Resolutions**

Hearing – 73-77 West Main Street

Deputy Mayor Rumbold motion to hold the hearing for 73-77 West Main Street open until August 13, 2013 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Bowen. All ayes. Motion carried.

Public Hearing - Local Law 4 of 2013- Tow Truck Policy

Trustee Mishk motioned to open the Public Hearing for Local Law 4 of 2013 – Tow Truck Policy. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

Trustee Carley motioned to close the Public Hearing for Local Law 4 of 2013– Tow Truck Policy. Seconded by Trustee Leonard. All ayes. Motion carried

Deputy Mayor Rumbold made the motion for Negative Declaration under SEQRA for Local Law 4 of 2013 – Tow Truck Policy. Seconded by Trustee Carley. All ayes. Motion carried.

Trustee Leonard motioned to adopt Local Law 4 of 2013 – Tow Truck Policy. Seconded by Trustee Bowen. All ayes. Motion carried.

Public Hearing - Local Law 5 of 2013- Sign Law; Special Event Signs

Deputy Mayor Rumbold made a motion to open the Public Hearing for Local Law 5 of 2013 – Sign Law; Special Event Signs. Seconded by Trustee Mishk. All ayes. Motion carried.

Trustee Leonard made a motion to declare lead agency on Local Law 5 of 2013 – Sign Law; Special Event Signs. Seconded by Trustee Carley. All ayes. Motion carried.

Deputy Mayor Rumbold made a motion to declare as an unlisted action for Local Law 5 of 2013 – Sign Law; Special Event Signs. Seconded by Trustee Mishk. All ayes. Motion carried.

Trustee Mishk motioned to keep the Public Hearing open for Local Law 5 of 2013 – Sign Law; Special Event Signs until August 13, 2013 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Leonard. All ayes. Motion carried.

Public Hearing - Local Law 6 of 2013- Best Values Contract

Trustee Carley motioned to open the Public Hearing for Local Law 6 of 2013 – Best Values Contract. Seconded by Trustee Leonard. All ayes. Motion carried.

Deputy Mayor Rumbold made a motion to close the Public Hearing for Local Law 6 of 2013 – Best Values Contract. Seconded by Trustee Bowen. All ayes. Motion carried

Deputy Mayor Rumbold made a motion to declare lead agency for SEQRA on Local Law 6 of 2013 – Best Values Contract. Seconded by Trustee Bowen. All ayes. Motion carried.

Trustee Carley motioned Negative Declaration under SEQRA for Local Law 6 of 2013 – Best Values Contract. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

Trustee Leonard motioned to adopt Local Law 6 of 2013 – Best Values Contract. Seconded by Trustee Mishk. All ayes. Motion carried.

Approval of the March 12, 2013 Minutes

Deputy Mayor Rumbold made a motion to approve March 12, 2013 Minutes. Seconded by Trustee Bowen. All ayes. Motion carried.

Set August Meeting Date and Location

Trustee Bowen motioned to set the next Regular Board of Trustees meeting for Tuesday, August 13, 2013 at 6:30 pm at Wooster Grove Memorial Park. Seconded by Trustee Mishk. All ayes. Motion carried.

Park Use – Olley Park 7/20/13

Deputy Mayor Rumbold made a motion to approve the Park Use of Olley Park Pavilion with alcohol for July 20, 2013 12-5pm. Seconded by Trustee Leonard. All ayes. Motion carried

Resolution 10-13-14: TEP Grant

Trustee Leonard made a motion to adopt Resolution 10-13-14 TEP Grant. Seconded by Trustee Mishk. All ayes. Motion carried.

Park use request – Olley Park 8/23/13

Trustee Mishk made a motion to approve Park Use for August 23, 2013 from 6-9pm with a rain date of August 24, 2013. Seconded by Trustee Bowen. All ayes. Motion carried.

Award Bid for Surplus Vehicle – 2005 Dodge Durango

Deputy Mayor Rumbold made a motion to accept the bid from LMI in the amount of \$1,111.99 for the 2005 Dodge Durango Surplus Vehicle. Seconded by Trustee Bowen. All ayes. Motion carried.

Resolution 11-13-14 – Olley Park Comfort Station \$150,000

Trustee Mishk made a motion to declare unlisted action reaffirming prior negative declaration for \$150,000 for Olley Park Comfort Station. Seconded by Trustee Bowen. 5 ayes, 1 nay (Deputy Mayor Rumbold), 0 abstentions. Motion carried.

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Reconvene

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

Adjournment

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