

**Village of Walden  
Board of Trustees Regular Meeting  
October 15, 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  
Dave Donovan, Village Attorney

**Public Hearing – Local Law 9 of 2013 – Ethics Code**

Deputy Mayor Rumbold made a motion to open the public hearing for Local Law 9 of 2013 – Ethics Code. Seconded by Trustee Mishk. All ayes. Motion carried.

Michael Bliss, 62 Lafayette Street, commented that he spoke with several employees and has a consensus. They feel that a checks and balance system is already in place because they have their boss. They feel that the Ethics Code should only apply to the Planning Board, Zoning Board, and the elected officials.

Chief Holmes, 194 Wait Street, commented that personally he does not have a major issue with the law but has an investigative background. His opinion for the code of Ethics is that it includes other actions that could fall under disciplinary topics but he does understand the reasoning for the subpoena power request.

Fred Perna, 31 Van Wyck Court, Walkill, stated he was asked by the Union to not comment on it because he is the President of the Union. However personally he feels it undermines the Village Manager's power if it includes the employees. It makes things a public matter rather than private.

Becky Pearson, 167 Walnut Street, was reviewing the original law and thinks it says it all. She asked about where the money to pay for the subpoena power and investigations would be coming from. She asked who makes the decision of how much money can be requested and can they talk about it at the meeting when they request it from the Board? Will there be guidelines set for what the disciplinary issues are? She is still concerned

about education to serve on the Board; will that be in the law? She feels the employees should not be part of this law. The public needs a place to voice their opinions and she feels that is already in place through the Board of Trustees. The public can't go to the Ethics Board as it is. She asked about having an Attorney present, does there always need to be one present and should that be in the law? She also does not think they should have subpoena power.

Peter Sullivan, 30 Walnut Street, is concerned that the Ethics law gives a new forum for minor complaints about employees if you include them in the law. An example would be an employee taking a vehicle out of town and disgruntled people could use this as a vehicle to launch a series of events and it then becomes public rather than private. He suggested they might want to consider looking at including discretion in the law. He is worried about the backfiring and how it will make the Village look in the long run.

Mary Ellen Matise, 21 Clinton Street, doesn't feel that employees should be included as it would infringe on the power of the Village Manager.

Jessica Metzger, 4 Gracewood Court, suggests that once the law is in place perhaps the Board would consider including a provision that the employees acknowledge they have read the law and making them do it annually.

Deputy Mayor Rumbold made the motion to close the public hearing for Local Law 9 of 2013 – Ethics Code. Seconded by Trustee Bowen. All ayes. Motion carried.

#### **Hearing – 15 Woodruff Street**

Jay Buchalski, Code Enforcement Officer, explained that the violation was first given on September 4, 2013 for this property with numerous debris located on the side of the house. Nothing has been responded to. As of today the debris is still there. He would like to have the Village clean it up and charge the owner.

Deputy Mayor Rumbold made a motion to clean up the debris at 15 Woodruff Street and bill it back to the property owner. Seconded by Trustee Mishk. All ayes. Motion carried.

#### **Hearing – 3 Sunny Place**

Jay explained that on September 14, 2013 the owners were first cited about a tarp that was covering the pool that has since rotted and is causing many health violations. Last year they were cited and required to cover the pool which they responded to but used a regular tarp not a proper pool covering. There has been no response from the owners at all.

Dean Stickles, Building Inspector, reported that the Board can order the pool to be taken down.

Attorney Donovan cautioned against emptying the pool which might cause adverse conditions to neighbors and won't affect the electric that is run to the pool. He did confirm that the code allows the Board to take down the pool under the property maintenance code.

Dean replied that the electric is run to a post which wouldn't affect anything.

Deputy Mayor Rumbold made a motion to order the pool be removed at 3 Sunny Place and billed back to the property owner. Seconded by Trustee Bowen. All ayes. Motion carried.

### **Hearing – 46 Scofield Street**

Dean Stickles, Building Inspector, reported that the owner was served on October 3, 2013. He also spoke to Tracey Yurak at Wells Fargo and she indicated she was going to look into the violations and will be getting back to him by next week. He is requesting the Board order something done to the home.

Attorney Donovan stated that we could go to justice court to impose fines but they don't have the jurisdiction to order it to be fixed, they just impose fines. Supreme Court would give more power to be able to order the property taken care of as they have a bigger hammer but that would be more expensive route to go.

Mayor Maher suggested we go to Supreme Court.

Attorney Donovan responded that it can get complicated and can be a lengthy process. However if Wells Fargo steps in and helps then we would get the same outcome at no expense if it works out that way. It's up to the Board.

Trustee Bowen suggested we approach Wells Fargo first.

Dean asked if he could communicate with Wells Fargo that if something is not done that the Board is willing to go to court if they don't take action.

Attorney Donovan suggested the Board authorize such action at the November meeting if he doesn't have a positive response from Wells Fargo in 4 weeks.

Dean reported that there are 2 tenants at the property on the Maple Street side and the owner is still collecting rent. Wells Fargo has asked to see the violations and would review and respond in 5 business days.

Trustee Carley requested Dean print photos of the property and mail them to Wells Fargo.

Deputy Mayor Rumbold would also like to try Wells Fargo first before the courts. She asked Attorney Donovan what the estimated costs would be if we went to the courts.

Attorney Donovan replied that the estimate costs would include a \$450 filing fees and could range between \$2,500-\$7,500. It's a long process and he did this 2 years ago for the Town of Chester and it was around \$8,500 for multiple court conferences.

Trustee Hoffman stated he feels that maybe Wells Fargo might be the best option of getting it done in a less costly manner. It gives Dean extra leverage with Wells Fargo.

Mayor Maher agreed that we wait until November 19<sup>th</sup> meeting.

Trustee Carley agreed.

Dean suggested that we can wait until November 19<sup>th</sup> but if he sees it's not going well can he ask for something to be done in a shorter time frame.

Attorney Donovan suggested the Board adopt a resolution for commencement of suit to remediate adverse conditions. If we get nowhere the Board can authorize him to communicate with the Village Manager to do that; but he's not going to file litigation until all efforts have been exhausted to work with Wells Fargo and then report back to the Board and the Village Manager.

Trustee Carley asked what the rush is.

Mayor Maher responded because we don't want to tolerate these things occurring.

Dean interjected that November 19<sup>th</sup> is past putting the heat on in the building. If no one turns on the heat in the building what do we do then?

Attorney Donovan responded that a lack of heat introduces a new element.

Trustee Carley feels we should let the other elements come into play.

Attorney Donovan suggested that he can prepare the paperwork so if they adopt at the November 19<sup>th</sup> meeting the next day he can file the paperwork. Dean can condemn the building on his own should the heat issue come into play.

Trustee Leonard asked if we can just fix it because it would be way cheaper.

Attorney Donovan cautioned the Board to do that. Heaven forbid there is a fire or something goes wrong after we did work at the property, we would be in the lawsuit.

Trustee Leonard asked about the use of an electrical inspector.

Attorney Donovan said the inspector would still be a party who could be sued and he doesn't recommend that.

Dean stated he would work with Wells Fargo and he will give written report prior to the next meeting.

### **Hearing – 12 Pond Hill Lane**

Dean reported he did receive building permit application and has an appointment on Thursday with the owners to see if he can even issue the permit with the modifications. It's still up in the air and he can report on the status on Friday morning after the inspection with updates.

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

- He had a lot of personnel meetings as we are trying to fill some positions. No FT dispatcher list available from Civil Service. Looking to see if we can do provisional appointments.
- PBA negotiations have been continuing and he will discuss further in executive session.

- Had correspondence with the garbage company. The supervisor has started and things have been better since he's been around. Hoping it stays that way.
- Meeting with Chief about multiple civil service issues to resolve staffing issues. Senator Larkin's office has offered assistance with the lateral transfer issue with Ulster County and other options in the state issues. He is also helping with 207c issues.
- Had a few meetings with the working leader and engineer about capital projects.
- Will review potential litigation in executive session for activities that occurred near one of our wells.
- Went over the Scout Cabin work with the contractor. There were some serious foundation issues and they put a temporary wall and then a permanent wall to address the situation. There was a lack of foundation in areas but it looks good now.
- We did get more grant funding for bullet proof vests.
- Met with Attorney to go over zoning changes from the Comprehensive Plan and to review some contracts and some language issues.
- He met with Recreation Coordinator to review projects to be completed before the winter comes such as Bradley Park. He talked to Thruway owner about the back entrance there and the Parks property.
- Went over some grant projects with the engineer and followed up on sidewalk project. Ulster Avenue project has been fully submitted now with the NYS Real Estate Division.
- Had a few staff meetings with office staff. Minutes should be caught up shortly.
- DPW has been out patching, call with anything you may see.
- Plows and vehicles getting ready for the winter months ahead.
- New Hannaford's plans are with Dean and the pad should be done in a few weeks.
- Recreation department and Police Department are both working on reimbursement for Youth Bureau grant.
- Indoor Soccer registration is starting Saturday, all set for that. The Haunted House and Halloween Parade and costume judging are coming up soon.
- Had some meetings about the Tree lighting ceremony.
- Had a conference with Department of Health regarding water treatment and fluoride. Our Engineer is following up and will report at the next board meeting.

Trustee Hoffman asked about the Scout Cabin Projected Costs.

Manager Revella replied that a change order is coming but due to the emergency issue had to do the work.

Trustee Hoffman asked about the proposed Ball field at Bradley Park as he hasn't heard anything about it in a while.

Manager Revella replied that we have nothing formally returned yet. Mike informed Cal Ripkin league and Walden Little League and coordinated what they had to do but not sure where they are in the process. They had thought a hand sketch would be sufficient.

Trustee Leonard asked about the letter to the Town of Montgomery Supervisor with regard to the Town budget and if he had received a response from him.

Manager Revella replied he did copy the Village of Maybrook and the Village of Montgomery on this issue but he is not able to discuss that in this forum.

Deputy Mayor asked what the timeline is for the Town budget.

Clerk Bliss replied she had a copy in her office she would share with the Board.

**Approval of the May 7, 2013 – Tri Board Meeting Minutes**

Trustee Hoffman made a motion to approve the May 7, 2013 Tri Board Meeting minutes. Seconded by Trustee Leonard. 6 ayes, 0 nays, 1 abstention (Deputy Mayor Rumbold). Minutes approved.

**Approval of the May 7, 2013 Minutes**

Trustee Mishk made a motion to approve the May 7, 2013 minutes. Seconded by Trustee Leonard. All ayes. Minutes approved.

**Approval of the May 21, 2013 Minutes**

Trustee Leonard made a motion to approve the May 21, 2013 minutes. Seconded by Mayor Maher. All ayes. Minutes approved.

**Approval of the September 17, 2013 Minutes**

Deputy Mayor Rumbold made a motion to approve the September 17, 2013 minutes. Seconded by Trustee Bowen. All ayes. Minutes approved.

**Approval of the October 1, 2013 Minutes**

Trustee Mishk made a motion to approve the October 1, 2013 minutes. Seconded by Trustee Leonard. All ayes. Minutes approved.

**Trustee's Committee Reports**

**Town of Montgomery & DPW liaison – Trustee Leonard**

Trustee Leonard reported they are waiting for the truck bed to be put on the new truck so Amthor's can begin their work and we will be discussing the skid steer at this meeting.

**Village Clerk & Village Treasurer Liaison – Trustee Bowen**

Trustee Bowen reported the Auditor will give a report at our next meeting.

**Police Department Liaison – Deputy Mayor Rumbold**

Deputy Mayor Rumbold said Chief will be attending the Chief's Conference next week. Vehicles are getting ready for winter. Harvest Fest went well with no major incidents. She wanted to note that in the month of September the uniform traffic tickets went up substantially. We will be reimbursed for Vests and we received notification that we were approved for \$2,400 for vests purchases. Still continue to have issues with the 207c, OT issues, and scheduling issues. She spoke with the Mayor and the Manager as we are trying to get resolutions to our 207c issues but in the meantime they are doing the best they can with what we are working with, we are not ignoring the situation. There isn't much we can do at this time.

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

Trustee Hoffman stated that he met with Dean today which was longer than normal because they went through the Thruway plans. Dean met with the architect today. Have numerous enforcement issues going on as well. There is a use variance request at the

next Zoning Board meeting and the Planning Board is reviewing to site plans and a subdivision.

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

Trustee Carley reported that Harvest Fest was great. Basketball and Indoor Soccer registration are going on and the department is getting ready for winter. With regards to the school board he had no update to report.

### **Village Justice and Library Board Liaison - Trustee Mishk**

Trustee Mishk gave an update on the proposed deus; had a contractor come in to give a different prospective. We are trying to incorporate a suggestion to make it mobile so we can have our stage back if we have functions in here. Once we get drawings we will meet with the judge and move forward.

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

Mary Ellen Matise, 21 Clinton Street, asked if the zoning amendments will be one law covering over all the changes.

Manager Revella replied it's only on a portion of the changes we have done so far.

Peter Picarrilli, 30 Pond Hill Lane, asked what the steps for that resident to get her permit.

Dean replied that we will see after the appointment on Thursday. He will not be able to even tell if it can be issued yet without going to the property with the inspection. If it can not be issued she will need to return the home to the original state.

Peter asked how the Home Owners Association denial fits into that.

Dean replied he was advised to do the permits.

Attorney Donovan clarified that if it meets the Village of Walden's building code she is entitled to permit. A private covenant between HOA and the owner vs. the owner and the Village of Walden are two separate things.

Mayor Maher stated that the Board let her know that when she was here that it was a separate issue.

### **Action Items**

#### **Local Law 9 of 2013 – Ethics Code**

Mayor Maher stated that he was under the impression that the majority of the Board was in agreement that this doesn't have to have an effect on employees. He personally feels it should not include employees as the Village Manager is their mechanism for that.

Trustee Hoffman commented that the original letter from the Ethics Board stated that they had received a legal opinion stating that no one, including this Board or the Manager, could handle any complaints where it pertains to the Ethics Law.

Attorney Donovan stated what was before them tonight was a change in direction to the Ethics code to amend the law to put in some sort of penalty provision in there.

Trustee Hoffman reiterated that whether that power sit with the Ethics Board, this Board, or the Village Manager we can decide that but what he feels the law was brought to the Board for was that the Ethics Board received a legal opinion stating that no one had that power which is why he thought we were discussing the law.

Attorney Donovan stated that the current law wasn't intended that way.

Trustee Hoffman stated he understood that but what he was say is that people are saying that this is a duplication of something which he does not agree with. Currently there is no one who can determine unethical behavior including the Ethics Board.

Mayor Maher stated that this law before us has the Ethics Board come to a determination and bring to the Village Board. And it has a component for employees relative to an employee penalties would be brought to Village Manager.

Attorney Donovan confirmed.

Mayor Maher suggested that they get rid of the employee component and just have this cover the Planning Board, Zoning Board, Trustees, Clerk and Treasurer.

Trustee Leonard agrees because the Manager has power to investigate with regards to employees. He feels it would be redundant to have Ethics Board do the same thing.

Trustee Bowen said he feels the same way as Ed.

Trustee Hoffman asked what message that sends to the public.

Mayor Maher stated he feels that it says that our Village Manager has the power to do that and that we trust who we have in place to enforce that.

Deputy Mayor Rumbold stated that 15A says the Village Manager does have that power in the Village Manager form of government. She views the Ethics Board as an advisory board. She wanted it to be a place that the public can go to deal with Zoning Board, Planning Board, and Trustees. They only give opinions and have no power for punishment or anything. What the question was in her opinion was how do they make that determination? How do they find that out if they can't get documents or testimony to come to that conclusion? They were asking can they have the authority to get the information. She feels the question we should be considering is what do we want the Ethics Board to be and how do we want them to be able to do that duty.

Mayor Maher asked if she felt employees should be included.

Deputy Mayor Rumbold said when we asked the Attorney nothing can supersede the Village Manager under 15A. They cannot be included in the law.

Attorney Donovan confirmed that point. If there is an Ethical complaint filed against an employee, if found valid then it gets referred to Village Manager for penalty.

Trustee Carley asked if the Village Manager can also solicit their assistance to make a determination.



Deputy Mayor Rumbold asked what the difference is.

Trustee Carley replied he can do that because he is the employer. He can solicit anyone he wants which is legal.

Deputy Mayor Rumbold stated she didn't see a difference.

Trustee Carley said he does see a difference. The Ethics Board should be an advisory Board to give opinions and he feels that doing their own investigations is wrong. He does not feel they should have the authority to do that.

Mayor Maher asked if the Ethics Board could investigate employees which is what they are concerned about.

Deputy Mayor Rumbold said that is different then because now you are saying that the Village Manager can then go to the Ethics Board and ask a question.

Trustee Hoffman stated he does feel they should be included. He is concerned with the message it would send to the public if they are not included. He also wanted to suggest they make a change in terms of the level we talked about a supermajority and having 2 employees on the Board rather than just 1.

Trustee Bowen commented that then you would have an employee investigating an employee. That's why it went back to John to make the decision. He can seek anyone for knowledge or advice including the Ethics Board.

Trustee Hoffman said he thinks it comes back to his original questions which was can he do anything.

Trustee Bowen replied not by himself, he should bring to the Board.

Mayor Maher asked if the Village Manager can enforce the Ethics code with employees.

Attorney Donovan replied no but that he has other supervisory duties relative to these employees. He's going to say that such employee violated whatever duty he has in the Village. Section 38 is only for the Ethics Board to impose opinions. If an employee has violated a covenant in their employment act then they are subject to punishment by the Village Manager.

Manager Revella added and depending on the type of employee they may have civil service proceedings.

Trustee Hoffman asked if when someone is hired does the employee read and sign that they have received and understand Chapter 38, Ethics Code.

Manager Revella stated yes.

Trustee Hoffman asked why.

Manager Revella replied because they are subjected to it. He can't enforce it but they are subject to it.

Mayor Maher clarified that Sean's question is if he can't enforce it what's the point of the code at all.

Attorney Donovan stated that all he was saying was that if there was some other violation that there may be a violation for some other duty of their employment.

Mayor Maher stated the concern is that there is no mechanism to enforce.

Trustee Hoffman asked if we can give him the authority to enforce.

Attorney Donovan stated that when someone is hired their standard of conduct is held to the Ethics code. Not a board of Ethics but as a duty of his employment. When they sign it as an employee they have to abide by it.

Trustee Carley stated it depends on the situation. The Village Manager can impose whatever penalty he decides. Has seen it happen several times in his experience. Mechanism to utilize for a standard of conduct it is grounds for removal.

Manager Revella stated that employees are collectively required to abide by all the policies and procedures of the Village.

Trustee Mishk thought the Ethics Board intent was to reinsure public trust in a municipality. We are a small Village and many of us are friends with each other and employees. Ethics can be violated by more than one person and it could include an employee or Board member. He feels they should include the employees and have the Village Manager enforce it. He thinks the authority has to be there so the investigation can be conducted fairly and impartially.

Mayor Maher concluded that 4 Board members are against employees being included, 2 are for it, and 1 abstention. That is a majority so we are going to move forward. There was a question about the financial component. We gave an estimation that it would be about several thousands per case. How would be budget for this?

Manager Revella stated that currently we have about 2 to 3 times per year we may have to do this at most. We would budget that way approximately \$10,000 and hope for less. There is no way to gauge it so we would have to budget and adjust accordingly.

Mayor Maher continued that the next topic is for an investigation to be conducted should it be a supermajority, 4 to 1, or unanimous, or 3 to 2.

Trustee Mishk, Trustee Hoffman, Trustee Leonard, Deputy Mayor Rumbold, and Mayor Maher, all agree that it should be a supermajority; 4 to 1 and that they should strike 2 Trustees are able to call for an investigation.

Trustee Carley and Trustee Bowen both feel they should have no investigative power and also no subpoena power as they don't feel it is necessary.

Mayor Maher asked about the next topic: Education of the Ethics Board members. He asked if Attorney Donovan's firm could handle this.

Attorney Donovan confirmed that training would be done by his law firm.

Mayor Maher asked if the Board was in favor of giving subpoena power.

Trustee Leonard, Mayor Maher, Deputy Mayor Rumbold, Trustee Hoffman and Trustee Mishk all said yes.

Trustee Bowen and Trustee Carley said no.

Mayor Maher asked if the Village Clerk, Village Manager, and Village Treasurer should be included or not.

Trustee Carley, Trustee Bowen, and Mayor Maher said no. Trustee Mishk, Trustee Hoffman, Deputy Mayor Rumbold, and Trustee Leonard all said yes.

Manager Revella commented that they are all subjected to the Board.

Trustee Bowen asked about qualifications for serving on the Ethics Board.

Mayor Maher stated that the Board is the process for vetting and determining the qualifications. Also each member would be trained by our Attorney.

Trustee Carley asked if we could beef up the process as he has seen nothing in writing. He would like something more formal.

Deputy Mayor Rumbold commented that not too long ago employees didn't have a place to bring their issues to. They weren't confident to bring their concerns to the Village Manager or their supervisor because they didn't have the confidence. So what about those employees who might still feel this way?

Trustee Bowen replied they would go to the Ethics Board.

Mayor Maher asked Attorney Donovan to rewrite the law using what the majority of the Board has preferred and present it again to the Board at the next meeting.

Trustee Hoffman made a motion to have Attorney Donovan rewrite the law with said changes and reintroduce to the Board at the November 19, 2013 meeting. Seconded by Trustee Mishk. All ayes. Motion Carried.

#### **Resolution 19-13-14: Exempt Properties**

Manager Revella explained we have to do this every year so we don't have to pay taxes on the property the Village owns.

Trustee Bowen made the motion to approve Resolution 19-13-14: Exempt Properties. Seconded by Trustee Leonard. All ayes. Motion carried.

### **Appropriation of Funds – Deus**

Deputy Mayor Rumbold made the motion to appropriate funds from the general fund surplus to the Capital 82 fund in the amount of \$8,650 for the Deus. Seconded by Trustee Leonard. All ayes. Motion carried.

### **Appropriation of Funds – Well 4 Generator**

Trustee Bowen made the motion to appropriate funds from the water fund surplus fund to the Capital 122 fund in the amount of \$110,000 for the Well 4 Generator. Seconded by Mayor Maher. All ayes. Motion carried.

### **Temporary Sign Approval – 10/19/13 Trees for Tribs Event**

Dean stated we have a local law and he asked that this be abided by from this point forward and that the proper paperwork and guidelines are followed.

Manager Revella commented it is supposed to be turned in 30 days prior to the event.

Trustee Hoffman stated that this it is up to the Board's discretion to approve these and to get the input of the Building Inspector and the Chief on placement of the signs.

Deputy Mayor Rumbold asked how we were informing people of this new sign law.

Trustee Bowen suggested we put this out in our bi monthly calendar.

Trustee Leonard made a motion to approve the Temporary Sign Application for the October 19, 2013 - Trees for Tribs Event with the stipulation that the event coordinators be notified of the criteria of the special event sign law. Seconded by Trustee Bowen. 6 ayes, 0 nays, 1 abstention (Trustee Carley). Motion Carried.

### **Hearing Request – 90 Walnut Street**

Jay Buchalski, Code Enforcement Officer, explained there are 2 abandoned unregistered vehicles on the property and the owner doesn't answer mail or respond to notices.

Trustee Hoffman made the motion to set a hearing for November 19, 2013 at 6:30pm or as soon thereafter as possible for 90 Walnut Street. Seconded by Trustee Mishk. All ayes. Motion carried.

### **Approval of Skid Steer Bid**

Trustee Leonard made a motion to approve the Skid Steer Bid received from A. Montano Co, Inc. in the amount of \$32,745.36. Seconded by Trustee Mishk. All ayes. Motion carried.

### **Discussion Items**

#### **Village Entrance Signs**

Mayor Maher explained that we discussed this at the last meeting.

Deputy Mayor Rumbold asked Manager Revella for an overview explaining the costs.

Manager Revella explained that the corporation who makes the signs is part of the Brudderhoff Community (Fox Hill Community) that hand carves the signs and the wear is a longer process than just regular wood. You've probably seen the Village of Maybrook's  
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sign for example. The size was based on field observations by the Recreation Coordinator. The colors were based on traditional historical colors and the sample is exactly the same color. We got a few other quotes for similar type signs and they were about \$5,000 more than the lowest quote. We wanted to do them uniformly because it's cheaper and looks more uniform all at once. The work for installation would be done in house but we are just in the talking process about this part at this point with regards to planting and materials to be used. The current signs are hard to read not at every entrance. They are very narrow and the color doesn't pop out. There are not many plantings because we were figuring out what we were going to do there.

Trustee Hoffman asked how long we have gotten out of the current signs.

Mayor Maher stated 15 years.

Recreation Coordinator Bliss stated that the signs have deteriorated over the year and had to paint them 10 times over past 10 years. There are two pieces of wood screwed together and both sides are bowing like bananas and have to be re-screwed annually.

Mayor Maher commented that maybe the font size is too big and doesn't seem as inviting.

Manager Revella stated the price is only good until the end of October. We would expect delivery within 4 weeks and they would be installed prior to winter. We are looking into wood poles with sliders to prevent rotting so that they will last longer.

Mayor Maher stated that if we have funds now we should do it now.

Manager Revella stated we have surplus funds, not an infinite amount of money but we have the funds.

Deputy Mayor Rumbold stated we are already incurring costs every year.

Trustee Mishk made a motion to authorize the Village Manager to expend \$16,740 to purchase 6 Village entrance signs. Seconded by Trustee Bowen. All ayes. Motion carried.

### **Zoning Amendments from Comprehensive Plan**

Manager Revella went over the suggested changes from the comprehensive plan with Attorney Donovan that was given to everyone today.

Attorney Donovan stated that most of work is done and he and John worked on it and made changes based on what Alan gave them.

Manager Revella stated that most of the changes affect existing properties now and making these changes so it will not affect them and bring more conformity to the zones.

Trustee Hoffman commented that when Alan was here he asked if he could do portions and so this is just a piece with more to come.

Manager Revella confirmed that.

Trustee Hoffman questioned that we will have to draft a local law to accept these so should we do it all at one time.

Attorney Donovan replied yes but if his schedule doesn't permit you might want to do in pieces but not drag out the length of time you do it in.

Manager Revella stressed the importance of the Board looking at the changes between now and the next meeting.

### **Public Comment**

Diane Sanbothe, 90 Liberty Street, commented on the traffic issues during Harvest Fest which she was glad to hear it went well. There were no Police Officers directing traffic and were using crossing guards to direct traffic. Traffic was horrendous that day. Veterans Park flag; why is the flag at half staff?

Manager Revella stated there was a recent a government deemed reason but doesn't remember the exact event.

Diane continued by saying that if the Village doesn't have a Dog warden what are people supposed to do?

Manager Revella advised to call Village PD.

Diane stated there is a white sign on North Montgomery Street that currently says nothing. It is faded so she's guessing it said no parking on it or something like that at one point. She wanted to comment that prohibited left hand turns are not being honored. Crosswalks are horrendous, no one abides by them. She asked the Mayor why she didn't get a call from Larkin's office about her cemetery.

Mayor Maher said he would find out why.

Mary Ellen Matise, 21 Clinton Street, asked about the sign law and where on the ecode it is listed? It's not updated.

Manager Revella stated that General Code is in the process of being updated, trying to save money by grouping updates together.

Clerk Bliss commented that is why the actual new local laws are posted on the website.

Mary Ellen asked about well head protection; is anything happening with that? She commented it's been a few years.

Becky Pearson, 167 Walnut Street, asked why the proposed Ethics law is not online.

Clerk Bliss replied that only approved laws are posted.

Becky asked if yoga will be replaced.

Manager Revella said yes but that hasn't been determined yet.

Becky thanked the Village for the Mums for Veterans Park. She asked about the Cal Ripkin league and their proposed Ball field. Will there be parking or lighting also?

Manager Revella stated there may be costs at some point.

Becky asked if it is part of the park master plan.

Manager Revella replied part of the park plan is a new ball field just not exactly where they are suggesting putting it. If we can get it for free that would help out a lot.

Becky asked if it changed the amphitheatre plan.

Manager Revella replied no.

Becky asked what Line items in the Town of Montgomery budget he was referring to in the letter to the Town Supervisor.

Manager Revella replied code red, dial bus, and rail trail maintenance.

Becky asked if in the Police contract she heard that we buy a new police car after 50,000 miles.

Manager Revella replied that was incorrect.

She asked about the Central Hudson Easement was listed in the May 21<sup>st</sup> minutes. Why would that be in executive session?

Manager Revella replied it was property purchase. We gave them a larger easement for \$5,000.

Becky stated that with regard to the Ethics law she suggested the Board think about you personally not being here. One day you will not be here but the law will so you have to think long term. The process can be very political and it's about protection and power and not just for today.

Anita Vandermark, 76 Highland Avenue, thanked everyone who attended tonight's meeting. She commented to Willie that the eligibility of the Ethics Board members is subject to the same requirements as a Village Trustee. She asked if there was only one meeting in November.

Mayor Maher replied yes due to Election Day on the 1<sup>st</sup> Tuesday of November.

Anita continued about the Town of Montgomery Senior Independence Project that is having a resource day at Town of Montgomery Town Hall on November 13<sup>th</sup>. They need more volunteers, just an hour or 2 hours a week to give a ride to the doctor or make a phone call or help someone to write a letter for them. If you know of any volunteers please send them our way.

Clerk Bliss reminded everyone about the Leadership Day nomination forms that are due on November 25<sup>th</sup>.

October 15, 2013

Diane Sandbothe asked about the Toys for Tots event for the Holidays.

Manager Revella stated he would look into that.

### **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 - None**

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

Trustee Leonard commented that it was an outstanding Harvest Fest this year. Oak Street parking lot was filled all day. He also announced he was working on a Village holiday party for employees.

Deputy Mayor Rumbold also commented that Harvest Fest was great. She was concerned about sidewalk clearing in the winter which is upon us and the seniors on Main Street.

Manager Revella stated that we will post on the Village calendar and website.

Deputy Mayor Rumbold thanked the Police Department for the help with the HUD work at the Main Street building while they were doing the parking lot. She asked if the trees were trimmed.

Manager Revella stated that not all but the ones that were pointed out were trimmed.

Trustee Hoffman thanked the employees for attending meeting and the discussion tonight was good. He asked about Hill Street Bridge.

Manager Revella replied there is no update and but it is not to be used is all we know.

Mayor Maher asked to schedule another face to face meeting with the Town once he gets a reply about the A fund and B fund letter.

Trustee Carley also said thanks to the employees tonight; it was good thing to hear their voice. He echoed Becky's comments and stated we do have to think long term. There are great people in place now but down the road you just never know. That's his position on it.

Trustee Mishk asked about DPW Street Sweeper if it was working as there are a lot of covered storm drains with leaves. He asked about 12 Pond Hill Lane what fee she paid for the permit.

Manager Revella replied that it hasn't happened yet until his meeting with her on Thursday.

Trustee Mishk asked what would happen if she doesn't qualify for the permit?

Manager Revella replied the fee is triple the normal fee.



**Executive Session – Refuse RFP’s, PBA Negotiations, and Personnel of a particular person.**

Deputy Mayor Rumbold moved to go into Executive Session to discuss Refuse RFP’s, PBA Negotiations, and Personnel of a particular person. Seconded by Trustee Mishk. All ayes. Motion carried.

**Reconvene**

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

**Adjournment**

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

**Village of Walden Board of Trustees  
Regular Meeting  
October 15, 2013  
Motions & Resolutions**

**Public Hearing – Local Law 9 of 2013 – Ethics Code**

Deputy Mayor Rumbold made a motion to open the public hearing for Local Law 9 of 2013 – Ethics Code. Seconded by Trustee Mishk. All ayes. Motion carried.

Deputy Mayor Rumbold made the motion to close the public hearing for Local Law 9 of 2013 – Ethics Code. Seconded by Trustee Bowen. All ayes. Motion carried.

**Hearing – 15 Woodruff Street**

Deputy Mayor Rumbold made a motion to clean up the debris at 15 Woodruff Street and bill it back to the property owner. Seconded by Trustee Mishk. All ayes. Motion carried.

**Hearing – 3 Sunny Place**

Deputy Mayor Rumbold made a motion to order the pool be removed at 3 Sunny Place and billed back to the property owner. Seconded by Trustee Bowen. All ayes. Motion carried.

**Approval of the May 7, 2013 – Tri Board Meeting Minutes**

Trustee Hoffman made a motion to approve the May 7, 2013 Tri Board Meeting minutes. Seconded by Trustee Leonard. 6 ayes, 0 nays, 1 abstention (Deputy Mayor Rumbold). Minutes approved.

**Approval of the May 7, 2013 Minutes**

Trustee Mishk made a motion to approve the May 7, 2013 minutes. Seconded by Trustee Leonard. All ayes. Minutes approved.

**Approval of the May 21, 2013 Minutes**

Trustee Leonard made a motion to approve the May 21, 2013 minutes. Seconded by Mayor Maher. All ayes. Minutes approved.

**Approval of the September 17, 2013 Minutes**

Deputy Mayor Rumbold made a motion to approve the September 17, 2013 minutes. Seconded by Trustee Bowen. All ayes. Minutes approved.

**Approval of the October 1, 2013 Minutes**

Trustee Mishk made a motion to approve the October 1, 2013 minutes. Seconded by Trustee Leonard. All ayes. Minutes approved.

**Introductory Local Law #9 of 2013 – Ethics Code**

Trustee Hoffman made a motion to have Attorney Donovan rewrite the law with said changes and reintroduce to the Board at the November 19, 2013 meeting. Seconded by Trustee Mishk. All ayes. Motion Carried.

### **Resolution 19-13-14: Exempt Properties**

Trustee Bowen made the motion to approve Resolution 19-13-14: Exempt Properties. Seconded by Trustee Leonard. All ayes. Motion carried.

### **Appropriation of Funds – Deus**

Deputy Mayor Rumbold made the motion to appropriate funds from the general fund surplus to the Capital 82 fund in the amount of \$8,650 for the Deus. Seconded by Trustee Leonard. All ayes. Motion carried.

### **Appropriation of Funds – Well 4 Generator**

Trustee Bowen made the motion to appropriate funds from the water fund surplus fund to the Capital 122 fund in the amount of \$110,000 for the Well 4 Generator. Seconded by Mayor Maher. All ayes. Motion carried.

### **Temporary Sign Approval – 10/19/13 Trees for Tribs Event**

Trustee Leonard made a motion to approve the Temporary Sign Application for the October 19, 2013 - Trees for Tribs Event with the stipulation that the event coordinators be notified of the criteria of the special event sign law. Seconded by Trustee Bowen. 6 ayes, 0 nays, 1 abstention (Trustee Carley). Motion Carried.

### **Hearing Request – 90 Walnut Street**

Trustee Hoffman made the motion to set a hearing for November 19, 2013 at 6:30pm or as soon thereafter as possible for 90 Walnut Street. Seconded by Trustee Mishk. All ayes. Motion carried.

### **Approval of Skid Steer Bid**

Trustee Leonard made a motion to approve the Skid Steer Bid received from A. Montano Co, Inc. in the amount of \$32,745.36. Seconded by Trustee Mishk. All ayes. Motion carried.

### **Village Entrance Signs**

Trustee Mishk made a motion to authorize the Village Manager to expend \$16,740 to purchase 6 Village entrance signs. Seconded by Trustee Bowen. All ayes. Motion carried.

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

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

### **Executive Session – Refuse RFP's, PBA Negotiations, and Personnel of a particular person.**

Deputy Mayor Rumbold moved to go into Executive Session to discuss Refuse RFP's, PBA Negotiations, and Personnel of a particular person. Seconded by Trustee Mishk. All ayes. Motion carried.

### **Reconvene**

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

**Adjournment**

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