

**Village of Walden
Board of Trustees Regular Meeting
November 19, 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

Hearing – 90 Walnut Street

Jay Buchalski explained that this property has 2 abandoned vehicles on the property. There has been no response from the owner. Would like to have the vehicles moved and charged to the property.

Deputy Mayor Rumbold asked if only one has to be removed.

Jay replied that is correct.

Trustee Bowen asked if he reached out to them.

Jay answered that he sent certified mail and posting on the house, no response.

Deputy Mayor Rumbold made a motion to remove one of the vehicles and charge it back to the property owner. Seconded by Trustee Carley. All ayes. Motion carried.

Introduction of New Employee

Chief Holmes introduced our new full time Police Officer Christopher Shaw. Life long Orange County resident who graduated in 2003 from Middletown HS and SUNY Oneonta. He has been working for the OC Sherriff's office for 6 years. He has 3 year's experience of investigative background in narcotics. He started in the Village on November 13th and is currently going through field training and then will be working midnights after that is completed. He also explained "No Shave November", a fundraiser the department is doing for Operation Dalmatian.

Hearing – 46 Scofield Street

Dean Stickles, Building Inspector, explained that there is no heat in the building and the water has been turned off for non-payment by the owner. Wells Fargo would not attend this evening. This has been an on-going property with a multitude of problems and would like to ask the Board to condemn the property. One of the two tenants is moving to Middletown.

Attorney Donovan suggested we proceed as Dean suggests. He will post the building and advise the occupants to remove themselves. They discussed the sensitivity of the time of year and while he understands, the property is not habitable at this time.

Trustee Carley asked if it's up to tenants to find their own alternative housing.

Attorney Donovan explained that Dean will be sensitive due to the time of year. But it's our responsibility to make sure it's a safe place to live.

Trustee Mishk made a motion to condemn 46 Scofield Street. Seconded by Trustee Hoffman. All ayes. Motion carried.

Trustee Carley asked if perhaps RDAC can help.

Trustee Bowen stated he couldn't do that at this time.

Faith Moore, Executive Director, Orange County Rural Development Advisory Corporation, stated it is against NYS law in a foreclosure for tenants to be forced out. She didn't know the specifics of this particular property but did offer assistance with the heat and water. She stated she would get in touch with Dean in the morning.

Mayor Maher said we could suggest the emergency housing options that are available in OC such as Dave Jolly.

Deputy Mayor Rumbold asked if he owns any other properties in the Village.

Dean replied that he does not.

Hearing – 12 Pond Hill Lane

Dean updated that the owner has applied for a building permit and that the dangerous conditions have been rectified. She has to put in additional electric but is otherwise all up to code. She has started the work and has 1 year to complete the work per our regulations. The Home Owners Association has been made aware right now through this meeting that the permit has been granted.

Dean added that Hannaford's had been given a permit for construction. They are looking at an aggressive schedule as they would like to be done by the end of June and open by July 1st. It may not look like a lot is going on but it is moving along well.

Presentation – Audit Report for 2012-2013 Fiscal Year

Donna Crowley, Vanacore DeBenedictus, DiGiovani, and Weddell, stated that they have completed the audit and have given a draft audit report. The draft report does not contain the opinion letter. She reviewed a few highlights from the report. The big change was the November 19, 2013

fixed assets. This year the Village received an evaluation and so that is reflected in the report. That number went down from last year. The net position increased even with an increase in debt this year, which is good. All the fund balances have a very healthy position so the Village is in good shape. One glitch for the Library, they said that they would use \$41,000 and they only actually have \$37,000 so we just have to be cautious about that. Capital Projects has a negative balance which is completely normal due to BANs. Most funds had an increase except for Sewer and the Library for a total increase of \$1.3 Million. Fixed assets increased by \$1.3 million. Debt \$6.6 million and many of the BANs don't have much left on them, a lot have small balances, but overall there was an increase of \$600,000. There is no deferred revenue now due to an accounting change so that increases the Village's net position by \$1.6 million. Overall the Village's balances reflect a good shape.

Trustee Bowen asked her if we were in the positive in the overall findings.

Donna answered yes.

Trustee Bowen asked how we compared to other Villages.

Donna replied good. A lot are struggling with different funds being in the red particularly sewer funds, but the Village of Walden is looking good.

Trustee Carley asked based on our accounting practices, how does it look to you.

Donna said overall increase on how things are being done. Definitely see an effort on things being done. Not perfect but there were much fewer audit adjustments this year so we are moving in the right direction.

Presentation – Affordable Housing Informational Presentation - RDAC

Faith Moore, Executive Director, OC RDAC gave a presentation on what affordable housing is. They have been in OC for 30 years and have been involved with over 1,000 affordable housing solutions. She explained she is a 2013 Pattern for Progress graduate and through that program she participated in a class project about affordable housing where they developed a marketing plan for affordable housing. Affordable housing is deemed affordable to those incomes equal to the Area Median Income (AMI) and do not exceed 30% of their income on housing. That is inclusive of utilities. National standard for housing cost is 30%. Some of your neighbors that are lacking affordable housing are seniors, veterans, persons with disabilities and first time homeowners. Communities thrive on housing that is affordable. Jobs are created and local businesses flourish. Look at the Village of Montgomery and Hamlet of Pine Bush for example; their Main Streets are glowing.

Village Manager's Report

- Toys For Tots Train is coming back on Sunday, December 8th at 2:35pm.
- Ulster Avenue sidewalk project will be scheduled for April 2014.
- Applied for and are still in the running for a TEP grant for the pedestrian bridge which should find out about in December.
- Also in the running for a grant through Senator Larkin's office which we should find out results in January.

- Received the new skid steer at DPW.
- Got all of the road salt in so we are ready for winter.
- Hannaford's is moving along quickly.
- Road and curbing projects are done for the year.
- McKinley Monument project has been completed.
- Main Street Grant is pretty much completed.
- Been working with Chief on the personnel issues in PD.
- Been working on 207c issues which are moving forward.
- Christmas Tree will be delivered tomorrow for the square.
- We had a few water main breaks and have fallen on weekends or holidays.
- He reviewed Capital projects with the Treasurer.
- Adding action item tonight for 15 Walden Estates Road, Heather Martin.
- Been meeting with CSEA and PBA for negotiations which are progressing.
- Did water shut offs and got many payment plans. Only a few that are still shut off currently.
- Congressman Maloney came to have a Town Hall session this past Saturday.
- Went to the Town Board Meeting for the budget, expressed concerns about the budget but it was pushed forward anyway. Looks like we are in for a large increase in our Town taxes.
- Farmer's Market meeting for next year was good.
- Audit report will be reviewed in Executive Session.
- Veteran's Day ceremony was great. Very well attended and very touching.
- He met with Jim Burpoe of OC Procurement to discuss purchasing and where we can look to save money and improve our contracts.
- Capital projects are moving along well. Well 4 Generator is moving forward and almost complete. Making some modifications to treatment plant to implement the policy changes that have been put in place lately.

Trustee Hoffman asked how many water accounts were shut off.

Manager Revella replied that it's at least 6, not 100% sure.

Deputy Mayor Rumbold noticed we were finalizing Clinton and Ridge Street. Who's doing the punch list?

Manager Revella replied Lanc & Tully is reviewing with GT.

Deputy Mayor Rumbold asked what did the company from NJ do.

Manager Revella stated that that's part of GT as a subcontractor.

Deputy Mayor Rumbold questioned if they were working today.

Manager Revella answered yes. They have not been paid in full yet as work has not been completed. Hopefully this week it will be completed and then they will submit a final bill.

Approval of the May 28, 2013 Fluoride Meeting Minutes

Village Clerk Bliss announced there is a correction to the minutes in the last sentence which should read: "Manager Revella stated for the benefit of the public that he and his children all drink this water and he will ensure that it is the most safe and best fluoride as possible."

Deputy Mayor Rumbold made a motion to approve the May 28, 2013 Fluoride Meeting minutes with said correction. Seconded by Trustee Mishk. All ayes. Minutes approved.

Approval of the June 4, 2013 Minutes

Deputy Mayor Rumbold made a motion to approve the June 4, 2013 minutes. Seconded by Trustee Bowen. All ayes. Minutes approved.

Approval of the June 18, 2013 Minutes

Deputy Mayor Rumbold made a motion to approve the June 18, 2013 minutes. Seconded by Trustee Bowen. All ayes. Minutes approved.

Approval of the July 2, 2013 Minutes

Deputy Mayor Rumbold made a motion to approve the July 2, 2013 minutes. Seconded by Trustee Bowen. All ayes. Minutes approved.

Approval of the July 16, 2013 Minutes

Deputy Mayor Rumbold made a motion to approve the July 16, 2013 minutes. Seconded by Trustee Bowen. All ayes. Minutes approved.

Approval of the August 13, 2013 Minutes

Deputy Mayor Rumbold made a motion to approve the August 13, 2013 minutes. Seconded by Trustee Bowen. All ayes. Minutes approved.

Approval of the September 3, 2013 Minutes

Deputy Mayor Rumbold made a motion to approve the September 3, 2013 minutes. Seconded by Trustee Bowen. All ayes. Minutes approved.

Approval of the October 15, 2013 Minutes

Deputy Mayor Rumbold made a motion to approve the October 15, 2013 minutes. Seconded by Trustee Bowen. All ayes. Minutes approved.

Trustee's Committee Reports

Town of Montgomery & DPW liaison – Trustee Leonard

Not present (arrived late).

Village Clerk & Village Treasurer Liaison – Trustee Bowen

Trustee Bowen explained he spoke to Peter and his check list appears to be going well and the auditor's report is very favorable at this time.

Police Department Liaison – Deputy Mayor Rumbold

Deputy Mayor Rumbold stated that the Chief is looking scruffy because of their fundraiser for Operation Dalmatian; Kudos to them. Looking forward to Christmas in the Square and preparations are going well. They have been working on an event in the spring with Manager Revella. Doing another child safety program in the spring.

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

Trustee Hoffman said he met with Dean this morning and went over the Hannaford project as well as this evening's hearings. The website now has building permits on them. There is a Planning Board meeting tomorrow night.

Recreation & Parks Department and School Board Liaison – Trustee Carley

Trustee Carley said the park maintenance is still ongoing. Indoor soccer is starting as well as basketball. School board is developing their budget already and trying to come up with a strategy for how to present it to the public. They would like to go into the communities to speak to the residents about the process and be more interactive about the budget process and information. They are also hopefully looking to communicate to the public with less distraction. Talking about keeping it as positive as possible. A lot of things from last year which were negative they are trying to turn around. Having school visits this week but are asking for registration in advance.

Village Justice and Library Board Liaison - Trustee Mishk

Trustee Mishk said he is working on the deus project. In your packets is a copy of the Maybrook project.

Deputy Mayor Rumbold asked if the grant has to be spent by a certain date.

Manager Revella said that he's not sure but most have a due date.

Trustee Mishk stated they would need to bid this out and he has ideas on how to keep costs down.

Public Comment on Business of the Board

Mary Ellen Matise, 21 Clinton Street, asked about the Farmer's Market meeting because she was never called to attend the meeting.

Manager Revella stated that June Garcia attended the meeting. Wasn't sure who else was supposed to be called.

Mary Ellen asked Faith if there were any state or federal mandates or guidelines for handicapped or disabled occupants.

Faith replied that it depends on the project. Can't say that every unit has to have that. Most projects in order to get funding you get points for having a disabled access unit.

Mary Ellen said that the Village has a law, the Town house law doesn't that required that.

Faith responded that she can't speak on the Village code law but will be happy to look it up and answer any questions.

Nanette DeGrote, 80 N. Montgomery Street, asked if there were statistics about the impact that affordable housing has on tax payers. Also are they given tax breaks for building these units? As a tax payer, she feels tax payers have to pick up the slack from these

developers. How much is Main Street really impacted? How do we know it would be impacted positively by these types of developments?

Faith replied that there is a study that was done about that and she doesn't have that with her tonight. But she is happy to share it with the public. She was speaking very generically this evening but a lot of the answers would be project specific. She does have statistics to share.

Nanette stated that she would like to see the numbers. She doesn't agree that Village of Montgomery fits that mold and how it would be substantiated.

Faith said that The Village of Montgomery and the Hamlet of Pine Bush both have approvable affordable housing developments that have been built and their Main Streets are thriving. Currently in Walden there are over 13 commercial vacancies here so without the affordable housing, there are not people here to spend the money.

Nanette stated that each village is different and she feels that the Thruway killed our Main Street and hopefully that will change now that it is gone.

Action Items

Introductory LL #9 of 2013 - Ethics Code

Attorney Donovan redrafted the law with our discussed changes which Mayor Maher reviewed.

Mayor Maher read the first change was Section 3, Part D, The Board of Ethics shall have the power to conduct investigations and hearings to determine whether any member of the Village Board, any Village consultant, any duly appointed member of the Planning Board, any appointed member of the Zoning Board of appeals, the Village Clerk, Village Treasurer or Village Manager has violated any of the standards. The only thing that was up in the air was the consultants.

Trustee Carley said he didn't remember the consultants being in there.

Attorney Donovan said that if anyone wants to change it, now was the time.

Mayor Maher said to have the conversation now.

Trustee Mishk said yes.

Trustee Carley said no comment.

Trustee Hoffman said yes.

Deputy Mayor Rumbold said yes.

Trustee Bowen said no comment.

Trustee Leonard is going to leave it alone.

Mayor Maher said he would probably take out consultants because in his opinion it would be under the Village Manager with the employees. Thinks this is Board members and appointed officials that aren't under the Village Manager. The consultants are so he would say not to put them in this law.

Trustee Mishk stated that he knows they said no to employees previously but in light of the recent Village of Montgomery incident that got sent to the Ethics Board he feels the Board should revisit that decision.

Mayor Maher stated that the Village of Montgomery doesn't have a Village Manager like we do and if that happened here he would take care of that.

Trustee Mishk said that the message he got was that there was no satisfaction from or there was hesitation to go to the Board. Thinks the whole purpose of the Ethics Board is they are in place to address those issues for Public Trust for people to go to when they have issues with the Board. And the final enforcement would be done by the Village Manager. Thinks it's something to consider keeping the employees on there.

Mayor Maher asked if they would like to rethink that conversation and put employees back into this law.

Trustee Leonard said offhand, no.

Trustee Bowen said he wasn't sure.

Mayor Maher said he doesn't believe so.

Deputy Mayor Rumbold said yes.

Trustee Hoffman said he agrees with Jerry, so yes.

Trustee Carley stated that in regards to what Jerry said, more than likely there is more to what was in the paper in that situation.

Trustee Mishk thinks that the issue was that the person was hiding behind the shield of his job thinking he doesn't have the same rules as others have.

Trustee Leonard agreed.

Mayor Maher moved onto the next change; the Board of Ethics may initiate such investigations by a vote of a minimum of 4 of its members. Section E; if a violation is found to exist and has been committed by a member of the Village Board, Planning Board, Zoning Board of Appeals, Village Clerk, Village Treasurer, and Village Manager. Has removed the employees. The matter of the Village Board in consideration the imposition of penalties set forth. There was a debate on the monetary civil penalty in the amount not to exceed \$5,000. No matter what the amount is, the penalty will still need to be approved by the Board.

Attorney Donovan stated that it limits the Board to \$5,000. If the Board felt there was criminal activity it could be referred to the court systems etc.

Trustee Carley asked about double jeopardy issues.

Attorney Donovan said that if you were to make this a potential crime, there is a limit to what you can charge which is significantly less than \$5000. There is no double jeopardy issue here. Could you impose a fine and refer it to criminal court, the answer is yes.

Mayor Maher stated they will keep the changes the way they are written.

Deputy Mayor Rumbold made a motion to set a Public Hearing to adopt LL#9 of 2013 – Ethics Code on December 3, 2013 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Mishk. All ayes. Motion carried.

Hearing Request – 5 Hidden View Drive

Jay Buchalski explained there are 2 abandoned vehicles on the property and they are only allowed to have one.

Deputy Mayor Rumbold made a motion to set a hearing for 5 Hidden View Drive on December 3, 2013 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Carley. All ayes. Motion carried.

Teen Center Heating System

Deputy Mayor Rumbold made a motion to award the bid for the Teen Center Heating System to Perfect Temperature in the amount of \$10,200. Seconded by Trustee Bowen. All ayes. Motion carried

Set Tri-Board Meeting Date 12/3/13 @ 6:30pm

Trustee Bowen made a motion to set the Tri Board Meeting for December 3, 2013 at 6:30pm. Seconded by Trustee Carley. All ayes. Motion carried.

Tree Lighting Ceremony 12/5/13 @ 4:30pm (Close square from 4-7:30pm)

Deputy Mayor Rumbold asked to specify what is meant in the square so people know what is going to be closed.

Manager Revella explained that they are closing in front of Village Hall. There will be films, choir, Santa's arrival, tree lighting, live nativity and vendors.

Trustee Mishk made a motion to close the Municipal Square from 4-7:30pm on Thursday, December 5, 2013 for the Tree Lighting Ceremony. Seconded by Trustee Bowen. All ayes. Motion carried.

Park Use Request 12/14/13 @ Wooster Grove

Trustee Leonard organized a catered event at Wooster Grove and is proposing we waive the fees as well as allow guests to bring their own alcoholic beverages. \$21 per person.

Deputy Mayor Rumbold said she doesn't feel the alcohol is necessary and could have a nice party without it.

Trustee Hoffman made a motion to approve to waive the fees and allow guests to bring their own alcoholic beverages to Wooster Memorial Grove Park on Saturday, December 14, 2013

14, 2013 for the Village Holiday Party. Seconded by Trustee Mishk. 6 ayes. 1 nay (Deputy Mayor Rumbold). Motion carried.

Budget Amendment – Police Department Donations

Deputy Mayor Rumbold wanted the public to know that those donations went into the general fund and we are just removing them from the general fund and putting them in that line so that they can be purchased.

Deputy Mayor Rumbold made a motion to appropriate \$19,000 from the 2012-2013 Surplus for police uniforms and dispatcher chairs from previously approved donations received. Seconded by Trustee Mishk. All ayes. Motion carried.

Budget Amendment – Capital Projects

Trustee Bowen asked if this was bothering our bottom line.

Manager Revella said no, they already had CHIPS funds for that.

Deputy Mayor Rumbold made a motion to transfer \$89,400 from the 2012-2013 Surplus to the Capital 121 account for previously approved projects due to additional unbudgeted funds received from CHIPS in the amount of \$81,000 plus other additional revenues received. Seconded by Trustee Leonard. All ayes. Motion carried.

March 18, 2014 Board Meeting Date Change

Deputy Mayor Rumbold made a motion to change the March 18, 2014 Board meeting date to March 25, 2014 due to local election day being held on March 18, 2014. Seconded by Trustee Leonard. All ayes. Motion carried.

15 Walden Estates Road – Retaining Wall

Manager Revella wanted to make sure the Board gives approval for building the wall in the easement subject to our attorney's conditions that are outlined on the memo. Once our attorney has reviewed and agrees, he will then write up a document to be filed for the maintenance.

Attorney Donovan said that if the Board is inclined to approve it should be subject to the items to be address in John Queenan's memo dated 11/19/2013 and Village Attorney approval.

Trustee Hoffman asked if the applicant was going to pay the fees.

Manager Revella replied yes. Haven't discussed it with her yet, wasn't sure if it would be approved yet but told her he would let her know after the Board meeting what the conditions were and that she is to pay those fees.

Trustee Carley questioned if this was common practice if someone is asking to build on the Village easement.

Manager Revella responded that in this situation, it would make the future beneficial so they are inclined to allow it to happen.

Trustee Leonard asked if he recommended that she raise the level of her backyard so that the water drainage can take place.

Manager Revella said John Queenan's comments address that.

Trustee Bowen made a motion to approve the project as outlined subject to the conditions of John Queenan's memo dated 11/19/2013 and Village Attorney approval for 15 Walden Estates Road. Seconded by Trustee Mishk. All ayes. Motion carried.

Trustee Bowen amended his previous motion to include the fees that it would cost the Village to do this, such as engineering costs and filing fees. Seconded by Trustee Mishk. All ayes. Motion carried.

Main Street Grant – Street Scape Projects

Manager Revella said that they would like to put out garbage receptacles for trash. Pricing is approximately \$7,000. A total of 12 cans with lids and liners; Municipal grade.

Deputy Mayor Rumbold asked if they were metal.

Brenda Adams answered yes. They would be green with black inserts. Similar to the ones we had.

Deputy Mayor Rumbold is concerned with container care.

Trustee Hoffman said there are swing doors available as an option.

Manager Revella said its minimal cost to do it that way.

Trustee Carley stated 60 gallon size doesn't do swing doors.

Deputy Mayor Rumbold said the other ones looked nice but still got damaged and didn't look nice.

Mayor Maher said there are cameras are on Main Street.

Trustee Carley asked if they can look for some with hinges.

Manager Revella replied definitely.

Deputy Mayor Rumbold asked what the time limit was.

Brenda answered 20 days.

Trustee Bowen questioned having the customer service person monitoring things in the Village.

Manager Revella said that they have him here.

Brenda said that they have to send the proposal tonight and need to purchase and pay for them before the end of the grant which is December 9th. All NY Main Street grant money has a 5 year commitment for maintenance. Will have to do inventory to be certain they are taken care of.

Deputy Mayor Rumbold made a motion to approve expending \$7,000 for garbage cans and liners through the NY Main Street Grant – Street Scape. Seconded by Trustee Bowen. All ayes. Motion carried.

Discussion Items

Zoning Amendments from Comprehensive Plan

Manager Revella said they discussed the changes that had been proposed and showed the Board and ready to move forward. It is all inclusive in the packet the Board has tonight.

Deputy Mayor Rumbold stated she didn't have time to read through the whole thing, asked if it could be put back on discussion for the next meeting.

Manager Revella said that they would like to consider their attorney to draft a proposal of the law with the amendments so they can review that.

Mayor Maher said they won't need to make a decision. If they make a draft they could always change the draft.

Trustee Leonard made a motion to approve the Village Attorney to make a draft local law of the presented zoning changes from our comprehensive plan. Seconded by Trustee Mishk. 6 ayes. 1 nay (Deputy Mayor Rumbold). Motion carried.

Public Comment

Anita Vandermark, 76 Highland Avenue, asked about the sign that is by the McKinley Monument is it supposed to be there.

Manager Revella said no signs are allowed.

Mayor Maher stated he would remove it on his way home tonight.

Deputy Mayor Rumbold assumes that employees have seen it, can't they just remove it?

Manager Revella said that only certain Village employees can remove it; the Mayor, Building Inspector, and Code Enforcement Officer.

Anita asked if there was another night in the week for the party as it conflicts with the Teen Center hours.

Trustee Leonard stated that it would have conflicted whether it was Friday or Saturday night and Mike Bliss, Recreation Coordinator, agreed to close the Teen Center for that one night.

Anita is concerned the Board is setting a precedent for alcohol usage.

Trustee Leonard replied only if they let it be a precedent.

Anita reminded everyone that at the Walden House, there is a meeting tomorrow for the Veterans.

Nanette DeGrote, 80 N. Montgomery, agreed with Mrs. Vandermark about the holiday party due to the Teen Center conflict. Does the Village need as many donation boxes that are around the Village?

Attorney Donovan said he couldn't answer that but he will look into it.

Nanette continued that there are a lot of them plus we have TLC. She was wondering about where we are at with the Fluoride issue.

Manager Revella said that our engineers met with the County engineers and are going over small changes needed regarding electric, pump size, and should be done by end of January.

Nanette asked where the toxicology report is.

Manager Revella stated that there is no toxicology report yet.

Nanette said that Salve was asked to send the toxicology report to the Board and that fluoride was bought well before 2012. They sent a safety data sheet to the Board with a copy right of 2012. What we have here doesn't go with this report. It says Safety and it says North American version. She's concerned with this change and what other versions are out there. Glad we are using liquid vs. the powder form as that presents a whole other issue. If you read through this it talks about toxicity and damages it can cause. There is nothing in there about the length of the study etc. and if this was a true toxicology report then this information would be known. She cautioned the Board about using this company.

Deputy Mayor Rumbold wanted to be clear that Manager Revella asked for a toxicology report.

Manager Revella said that was the correspondence from the engineer and the prior correspondence from the attorney, yes.

Trustee Carley asked if this was on a previously purchased product.

Manager Revella said it was from the product they proposed to purchase which was the former product, not sure if it's going to be the same product after the analysis from the county health department.

Deputy Mayor Rumbold asked if they need a report on what they already have.

Manager Revella said if we're going to get new stuff, we will need a new report.

Trustee Leonard questioned if we aren't going to use the material we have, how will we dispose of it?

Manager Revella answered properly.

Nanette added it would be costly to dispose of.

Deputy Mayor Rumbold asked what happens if we don't have a toxicology report.

Manager Revella said that he will inform the Board and ask for their guidance.

Trustee Mishk asked if they can have an outside person do a toxicology report and bill it back.

Manager Revella said that we can ask for a report to be done on our own product, but doesn't think it can be billed back to the company.

Nanette questioned if the state should have these on file.

Manager Revella said they may.

Nanette responded that they don't.

Mary Ellen Matise, 21 Clinton Street, asked about the deus drawing provided in the packet.

Manager Revella said it was from Maybrook.

Mary Ellen questioned the zoning changes concern about shifting RM1 to Town house zone and we developed the Town house law. Doesn't that put the Village in a position of liability in not living up to their law to cover the disabled section of that law?

Attorney Donovan said he would be happy to look into it if the Board would like him to.

Becky McNally, 52 Oakland Avenue, if we're going to get the metal containers for Main Street, she suggested they Board take into consideration the color based on the lamp posts which are peeling badly. Perhaps paint them or use aluminum containers. She expressed her concern about the participation of the decision of the Village entrance signs. Disappointed that they were basically ostracized, they weren't given any of the information.

Manager Revella said that they e-mailed that to the committee and to the Community Council as well.

Becky said that she didn't get it and neither did Ms. Winum.

Manager Revella said that Ms. Winum replied to it.

Mayor Maher stated that they made a motion to approve the price not the design. But the Village made an effort to inform the committee of the changes made prior to ordering. The timeline may have caused some miscommunication and some changes were made on the feedback that was given to us.

Becky said it was at least 9 months ago when they requested to be part of the process and they hope to partner with the Village and not ignored.

Jessica Metzger, 4 Gracewood Court, commented on the reason that Trustee Bowen abstained from the vote regarding the Ethics Board.

Trustee Bowen said that he doesn't believe in the power of subpoena and doesn't want to get in the middle of that.

Jessica stated that it's your job to vote.

Trustee Bowen responded that she can't tell him what his job is; that he's entitled to his opinion just like she is entitled to her opinion.

Jessica said that she understands when recusal happens but as an elected official is part of a decision to be made she asks him to vote and do his job. She explained that Dr. Hooley did come to the community and gave a great explanation of the fund balance issues as there were a lot of questions about it. He gave a breakdown of the entire \$4.3 million in our shortfall. Truthfully it cannot be calculated accurately until June 30th. And there is a portion of balance that is always floating around from July 1st to June 30th every year.

Trustee Carley said that there are so many variables so he didn't want to go into great detail.

Jessica suggested Dr. Hooley be invited to a Board meeting to explain it. She is concerned that our seniors don't know what is going on and feels they would benefit from their input and how it would affect them. She suggested he formally invite him here.

Trustee Carley agreed.

Jessica said her friend had a vanity break on their porch and were cited the next day. When the Code Enforcer sees something, is there a time schedule before they leave a summons on someone's door.

Payment of the Audited Bills

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

Correspondence

Trustee Carley said that 17 Highland Avenue is concerned about sidewalk buckling.

Manager Revella said it is on the list of sidewalks to be replaced. Depends on the funding right now so he can't give a timeline at this time; earliest is the spring.

Trustee Carley said that in between the Candy Store and the Bank there is a large tree that is bending the grate around the tree.

Manager Revella said 82 West Main Street. There is actually an issue with those trees. We will have to make a decision of what to do as these trees were planted and we were told they would grow to 8 ft and are now 20 ft.

Miscellaneous Comments from the Board of Trustees

Trustee Leonard stated he talked about using a local tire store with the mechanic and he has agreed to do so.

Mayor Maher congratulated former Mayor Becky Pearson on the birth of her 2 grandsons today.

Deputy Mayor Rumbold asked if the vehicles are ready for winter.

Manager Revella answered yes.

Deputy Mayor Rumbold asked if they thought anymore about the issue on Main Street about sidewalk shoveling and some people only doing a shovel width.

Manager Revella said that it is on the calendar again with the code to try to communicate and then we can cite them when it happens. He will have our Code Enforcement Officer cite Main Street first this winter.

Deputy Mayor Rumbold said that she has been getting requests for over 400 food baskets for local people and thinks everyone should be aware of the great need in our community.

Trustee Hoffman asked about the George Street follow up.

Manager Revella said he spoke to Chief a few times but not sure if he followed up on it.

Mayor Maher commented on the possible use of a neighborhood watch in that area.

Trustee Mishk asked about garbage pickup stating that the trash cans on Wait Street are being left in the street. It happened today for example.

Manager Revella said that they just have to let us know the day that it happens so we can tell the supervisor.

Deputy Mayor Rumbold doesn't understand why it's such a big deal and that it keeps happening.

Manager Revella said to take photos of it and we can fine \$250 per incident. If the Board wants, Attorney Donovan can put them on notice on this.

Trustee Mishk questioned if the route supervisor is riding around, why isn't he noticing it?

Deputy Mayor Rumbold stated she is tired of it. Either they get it fixed or that's the end of that.

Executive Session – PBA Negotiations, CSEA Negotiations, Property Purchase and Personnel of a particular person.

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

Reconvene

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

Adjournment

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

**Village of Walden Board of Trustees
Regular Meeting
November 19, 2013
Motions & Resolutions**

Hearing – 90 Walnut Street

Deputy Mayor Rumbold made a motion to remove one of the vehicles and charge it back to the property owner. Seconded by Trustee Carley. All ayes. Motion carried.

Hearing – 46 Scofield Street

Trustee Mishk made a motion to condemn 46 Scofield Street. Seconded Trustee Hoffman. All ayes. Motion carried.

Approval of the May 28, 2013 Fluoride Meeting Minutes

Deputy Mayor Rumbold made a motion to approve the May 28, 2013 Fluoride Meeting minutes with said correction. Seconded by Trustee Mishk. All ayes. Minutes approved.

Approval of the June 4, 2013 Minutes

Deputy Mayor Rumbold made a motion to approve the June 4, 2013 minutes. Seconded by Trustee Bowen. All ayes. Minutes approved.

Approval of the June 18, 2013 Minutes

Deputy Mayor Rumbold made a motion to approve the June 18, 2013 minutes. Seconded by Trustee Bowen. All ayes. Minutes approved.

Approval of the July 2, 2013 Minutes

Deputy Mayor Rumbold made a motion to approve the July 2, 2013 minutes. Seconded by Trustee Bowen. All ayes. Minutes approved.

Approval of the July 16, 2013 Minutes

Deputy Mayor Rumbold made a motion to approve the July 16, 2013 minutes. Seconded by Trustee Bowen. All ayes. Minutes approved.

Approval of the August 13, 2013 Minutes

Deputy Mayor Rumbold made a motion to approve the August 13, 2013 minutes. Seconded by Trustee Bowen. All ayes. Minutes approved.

Approval of the September 3, 2013 Minutes

Deputy Mayor Rumbold made a motion to approve the September 3, 2013 minutes. Seconded by Trustee Bowen. All ayes. Minutes approved.

Approval of the October 15, 2013 Minutes

Deputy Mayor Rumbold made a motion to approve the October 15, 2013 minutes. Seconded by Trustee Bowen. All ayes. Minutes approved.

Introductory LL #9 of 2013 - Ethics Code

Deputy Mayor Rumbold made a motion to set a Public Hearing to adopt LL#9 of 2013 – Ethics Code on December 3, 2013 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Mishk. All ayes. Motion carried.

Hearing Request – 5 Hidden View Drive

Deputy Mayor Rumbold made a motion to set a hearing for 5 Hidden View Drive on December 3, 2013 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Carley. All ayes. Motion carried.

Teen Center Heating System

Deputy Mayor Rumbold made a motion to award the bid for the Teen Center Heating System to Perfect Temperature in the amount of \$10,200. Seconded by Trustee Bowen. All ayes. Motion carried

Set Tri-Board Meeting Date 12/3/13 @ 6:30pm

Trustee Bowen made a motion to set the Tri Board Meeting for December 3, 2013 at 6:30pm. Seconded by Trustee Carley. All ayes. Motion carried.

Tree Lighting Ceremony 12/5/13 @ 4:30pm (Close square from 4-7:30pm)

Trustee Mishk made a motion to close the Municipal Square from 4-7:30pm on Thursday, December 5, 2013 for the Tree Lighting Ceremony. Seconded by Trustee Bowen. All ayes. Motion carried.

Park Use Request 12/14/13 @ Wooster Grove

Trustee Hoffman made a motion to approve to waive the fees and allow guests to bring their own alcoholic beverages to Wooster Memorial Grove Park on Saturday, December 14, 2013 5-9pm for the Village Holiday Party. Seconded by Trustee Mishk. 6 ayes. 1 nay (Deputy Mayor Rumbold). Motion carried.

Budget Amendment – Police Department Donations

Deputy Mayor Rumbold made a motion to appropriate \$19,000 from the 2012-2013 Surplus for police uniforms and dispatcher chairs from previously approved donations received. Seconded by Trustee Mishk. All ayes. Motion carried.

Budget Amendment – Capital Projects

Deputy Mayor Rumbold made a motion to transfer \$89,400 from the 2012-2013 Surplus to the Capital 121 account for previously approved projects due to additional unbudgeted funds received from CHIPS in the amount of \$81,000 plus other additional revenues received. Seconded by Trustee Leonard. All ayes. Motion carried.

March 18, 2014 Board Meeting Date Change

Deputy Mayor Rumbold made a motion to change the March 18, 2014 Board meeting date to March 25, 2014 due to local election day being held on March 18, 2014. Seconded by Trustee Leonard. All ayes. Motion carried.

15 Walden Estates Road – Retaining Wall

Trustee Bowen made a motion to approve the project as outlined subject to the conditions of John Queenan's memo dated 11/19/2013 and Village Attorney approval for 15 Walden Estates Road. Seconded by Trustee Mishk. All ayes. Motion carried.

Trustee Bowen amended his previous motion to include the fees that it would cost the Village to do this, such as engineering costs and filing fees. Seconded by Trustee Mishk. All ayes. Motion carried.

Main Street Grant – Street Scape Projects

Deputy Mayor Rumbold made a motion to approve expending \$7,000 for garbage cans and liners through the NY Main Street Grant – Street Scape. Seconded by Trustee Bowen. All ayes. Motion carried.

Zoning Amendments from Comprehensive Plan

Trustee Leonard made a motion to approve the Village Attorney to make a draft local law of the presented zoning changes from our comprehensive plan. Seconded by Trustee Mishk. 6 ayes. 1 nay (Deputy Mayor Rumbold). Motion carried.

Payment of the Audited Bills

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

Executive Session – PBA Negotiations, CSEA Negotiations, Property Purchase and Personnel of a particular person.

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

Reconvene

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

Adjournment

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