

**Village of Walden
Board of Trustees Regular Meeting
December 3, 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.

Becky Pearson, 167 Walnut Street, stated she hasn't been at the last few meetings and asked what the Board decided to do about employees.

Mayor Maher explained that employees will be exempt except for the Clerk, Treasurer, Manager and Consultants.

Becky asked if the amount they can spend on an investigation will be included in the law.

Mayor Maher explained that no specific limit was set based on prior cases and that they were advised they would not need to be in the law by the Village Attorney.

Becky asked if the Mayor could summarize the changes made.

Mayor Maher reviewed the changes made to the law: took out any 2 Trustees could cause an investigation, employees were exempted from the law, and a Super Majority is required for an investigation rather than majority. He was advised today that there are several individuals that are named in this law who stated they feel they should be exempt as well as the employees have been and requested it be stated on the record.

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

Village Manager's Report

- Resolved the issue at 15 Walden Estates Road. Mrs. Martin was advised of the conditions for the retaining wall.
- There was a property that was condemned. Still several properties that are shut off with water and more to be added tomorrow due to non compliance on their payment plans. Will shut off as many as we can tomorrow and see if those will come forward and comply with their plans.
- Met with Trustee Leonard about the Rail Trail and there have been some great improvements made. Got some information today which should help progress this along and go more quickly.
- Had meeting with DOT and they gave a time table of April for the Ulster Avenue Sidewalk project and he will continue to follow up with them. We will hope to have bids out by April 1st.
- Communicating with ECS, they are contracted through the state to eliminate brown outs in the state. Looking for large users to sign up to switch over to generator power and they will pay us to do so. Will likely be on the agenda in January to discuss.
- The tree is up in the Square. Tree lighting is this Thursday. Everything seems to be moving along well.
- We have been trimming back trees from the road to get ready for plowing trucks this year. We are prepared for winter storms if they do come.
- CSEA meetings continue and will update in Executive Session but seems we may have come to an agreement.
- Attorney has been working on policies for the Village employees.
- Peter has been tracking all the loans and send out draft letters to all those that have loans with the Village to communicate with us regarding their plans. We also have our Attorney doing some title researches to update our records here.
- Had various meetings with our Engineer on Capital projects.
- Met with Trustee Hoffman to go over water usage issues. Leak detection grant has been awarded. Water production is going well compared to our usage.
- Friday we had a lot of police activity for a number of things. There was a homicide and Grand Jury was held today. We had an unrelated DWI case, as well as a contractor that hit a gas main by the homicide crime scene, and we also had someone die in their sleep over night. Police dept did a great job taking care of everything. Thanks to the State Police for their assistance throughout the day.

Trustee Mishk questioned the information referenced in the Managers report about the State Labor Dept.

Manager Revella said they are investigating a contractor that did work for us in 2011, can't say more without jeopardizing the investigation. Have no current contracts with that contractor at this time.

Trustee Bowen asked about the loans, has anyone said they had different amounts etc.

Manager Revella stated that we did have some people that have different documentation that has been brought in and we are working on that.

Deputy Mayor Rumbold said she has had a lot of contact from Village residents who are upset about the Town tax rate and asked if the Board would like to make a statement about the high increase they are suggesting.

Trustee Mishk feels something does need to be said as it needs to be addressed but not sure about the impact. Letter to the editor would be great.

Trustee Carley agrees with Trustee Mishk.

Trustee Hoffman agrees as well. May be more ceremonial and may not lead to anything. Feels we should continue participation in the Town budget process as not to burn any bridges there.

Mayor Maher agreed with Trustee Hoffman and added that a courtesy call would be a great start.

Trustee Bowen said something acknowledging our dislike but that it's not personal. We have to voice our opinion because if we don't, it's like saying its okay to do it again.

Trustee Leonard stated that at the next to last budget meeting; Manager Revella and Trustee Mishk both attended and made many comments. They are saying that the property next door hasn't been rented and went against the A fund. Also the money for the settlement was taken out of the A fund and given to B fund. They are saying this is a one shot deal and should come down next year to what we are used to.

Deputy Mayor Rumbold said that our Board has been very fiscally responsible for our taxpayers and feels it is undermining when other Boards inflict budget increases on our tax payers almost indiscriminately at times. It concerns her that there is nothing we can do about it and we just have to take it. She feels it's a statement to our residents that we are doing our part to represent them. Not everyone is as fiscally responsible as we are because we have managed to maintain and sustain our Village in a manner that has not broken the bank and will continue to do that but want you to realize that there are other groups/Boards that don't essentially think the way that we do and do business the way we do. She thanked the Board, Manager, Treasurer and employees for doing their part to keep things down and remaining a role model in fiscal responsibility.

Mayor Maher suggested a resolution something as simple as saying the Village of Walden Board denounces the excessive tax increase of the Town of Montgomery A fund which will adversely affect the taxpayers of the Village of Walden. He also suggested that if they do pass this non-binding resolution, that they also attach it with a phone call to the Town Supervisor. He would like to add a 2nd liaison to the Town Board.

Deputy Mayor Rumbold asked if they could have it prepared for the January meeting.

Mayor Maher said they could do it right now, have it formally prepared by the Village Attorney.

Deputy Mayor Rumbold thinks it could be done in January as she wants to be careful with the wording and not to rush it.

Trustee Hoffman suggested also following up by offering a hand in demonstrating how they could be more fiscally responsible as well.

Mayor Maher agreed.

Trustee Mishk commended our Village Manager for his comments made at the budget session they went to. Also found they had already made their minds up.

Mayor Maher suggested we pass a resolution tonight and have 2 liaisons to work with the Town of Montgomery Board.

Trustee Mishk mentioned to include other two Villages as well.

Trustee Bowen asked about the shared services piece.

Mayor Maher agreed and added that we have a number of things with the Villages. But there certainly are some larger items that could be discussed further. We will add as a seventh action item.

Trustee Hoffman brought up the speed humps they talked about in the past.

Manager Revella said the Engineer was getting the design and may try Oakland Ave in the spring which would fall under this year's budget.

Trustee Leonard mentioned the bill for the generator he saw. He questioned the retainage of 5%; can that cover the damages from the generator issues?

Manager Revella replied that is an insurance issue and we are dealing with our insurance company because the wires were crossed.

Mayor Maher commended Lauren Bliss, Deputy Clerk on her diligence for the camera.

Deputy Mayor Rumbold asked if the snow policy changed.

Manager Revella explained that the policy itself didn't change, but we did update the snow emergency notification that we use from the police station, we go through a process where we get a certain amount of snow, and they will notify DPW.

Deputy Mayor Rumbold asked if they knew if the tenants that were displaced from the condemned building, had found shelter.

Trustee Hoffman stated that Dean said one person was still looking but expects them to be out soon.

Deputy Mayor Rumbold asked about creating a Local Law to allow our Building Inspector to inspect apartments before people are placed there.

Attorney Donovan said that Dean doesn't know. There is no requirement to notify the Village of placement of these families.

Trustee Mishk asked if they can place something in the Landlord Law.

Attorney Donovan stated it can be in the law but do we have the man power to do that is the question.

Trustee Hoffman said that we were going to provide a list to the county and maintain that list with them. We started that process but that it wasn't doing anything as the county wasn't checking the list. We are waiting for Dave Jolly's replacement to come in so we can set a meeting with him to address this topic.

Deputy Mayor Rumbold stated that it's appalling that a government agency, who is charged with providing shelter for some of the most vulnerable people in our society, don't care enough about them to inspect the place and make sure that it is safe and is habitable. She thinks that taxpayers should be astounded and angry to think that something that is supposed to be benevolent and life changing and life sustaining, is treated with such indifference. She is angry that they aren't doing their jobs by placing people and are not caring where they are placing them. She is very disappointed in the system and is ashamed that places like this exist in the Village. She hopes the meeting will take place and be very fruitful.

Mayor Maher did confirm that he and Trustee Hoffman would meet.

Approval of the November 19, 2013 Minutes

Deputy Mayor Rumbold made a motion to approve the November 19, 2013 minutes. Seconded by Trustee Mishk. All ayes. Minutes approved.

Trustee's Committee Reports

Town of Montgomery & DPW liaison – Trustee Leonard

No report.

Village Clerk & Village Treasurer Liaison – Trustee Bowen

Trustee Bowen reported that he will be meeting with Manager Revella about the audit findings and that Peter Sullivan, Village Treasurer, will give an overview at the January 7th meeting about a mid year review.

Police Department Liaison – Deputy Mayor Rumbold

Deputy Mayor Rumbold reported that the DARE graduation is tomorrow at 10:30am. MPB is December 19th, no time is set yet. Thanks to Lauren Bliss and Manager Revella for the new police department camera. PD is working with the Recreation Dept for the Christmas tree lighting this Thursday. Uniforms have been ordered and likely to be delivered within the next month. She commended our Police Dept for this weekend's event handling.

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

Trustee Hoffman reported that the Planning Board has an extension request for the Overlook at Kidd Farm project on their next agenda.

Recreation & Parks Department and School Board Liaison – Trustee Carley

Trustee Carley reported that Christmas in the Square is Thursday December 5th and the Square will be closing at 4pm. The Holiday Family Dance is on Saturday at 7pm. Indoor soccer has started; games are on Saturdays at Wooster Grove. The parks are being winterized. Decorations for the Village are almost completed. School Board meeting is Monday December 9th.

Village Justice and Library Board Liaison - Trustee Mishk

No report.

Clerk Bliss announced the Leadership Day recipients. The 4th annual Leadership Day Awards Ceremony will be on Thursday, January 9, 2014 at 6:30pm on the 3rd floor. We will be honoring Brenda Adams for the Midge Norman Volunteer of the Year Award, Arthur Jefferson III for the Ronald I. Jacobowitz Youth of the Year Award, Helen Schoonmaker for the Sam Phelps Service Award, and Ampac Paper LLC for the Community Business of the Year Award. Our keynote speaker will be Hon. Steve Neuhaus.

Manager Revella announced that we received a \$500 anonymous donation to the Police Department as well as a \$4,000 donation from Fox Hill for the Village Entrance Signs.

Mayor Maher asked the Village Attorney to put together a proclamation for the Fox Hill Community to be presented at the January 7, 2014 meeting.

Manager Revella announced that the Village Entrance signs should be in by December 9th.

Mayor Maher Read the Community Events List into the minutes.

Public Comment on Business of the Board

Mary Ellen Matise, 21 Clinton Street, commented on the Sohn's letter in the packet as she was confused about it and what he was looking for. She asked about the check being ready for the garbage cans for the NY Main Street Grant as she just wanted to make sure that the taxpayers don't get stuck paying for the improvements.

Brenda Adams replied that the situation had already been handled.

Greg Raymondo, 200 Orange Ave, asked about the Town taxes. He is concerned that people are now not able to afford to live in the Village. He urged the Board to have a strong reaction. Can the Village secede from the Town? He feels that we need to do something because the Town does not care about us. Where do the people go, what can they do?

Mayor Maher urged the tax payers to attend meetings and speak up regularly.

Action Items

Introductory LL #9 of 2013 - Ethics Code

Deputy Mayor Rumbold made a motion to adopt Local Law #9 of 2013 - Ethics Code. Seconded by Trustee Hoffman.

Roll Call:

Trustee Mishk – Yes

December 3, 2013

Trustee Carley – No
Trustee Hoffman – Yes
Deputy Mayor Rumbold – Yes
Mayor Maher – Yes
Trustee Bowen – No
Trustee Leonard – Yes

Motion carried.

Introductory Local Law #1 of 2014 – Zoning Changes from Comp Plan

Attorney Donovan explained this needs to be referred to the Village Planning Board, the Orange County Planning Board and the Town of Montgomery as a neighboring Town.

Deputy Mayor Rumbold made a motion to set a Public Hearing for Introductory Local Law #1 of 2014 Zoning Changes from Comp Plan on Tuesday January 7, 2014 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Leonard. All ayes. Motion carried.

Introductory Local Law #2 of 2014 – Yard Waste

Trustee Bowen made a motion to set a Public Hearing for Introductory Local Law #2 of 2014 Yard Waste on Tuesday, January 7, 2014 at 6:30pm or as soon thereafter as could be heard. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

Village Clerk Request

Deputy Mayor Rumbold made a motion to grant the Village Clerk an additional year to move within the Village limits as requested. Seconded by Trustee Bowen. All ayes. Motion carried.

Resolution 24-13-14 – Designating Polling Place for Village Election

Trustee Leonard made a motion to approve Resolution 24-13-14 – Designating Polling Place for Village Election on Tuesday, March 18, 2014 to The Walden Firehouse 230 Orange Avenue Walden. Seconded by Trustee Mishk. All ayes. Motion carried.

Award Bid - Wooster Grove Train Station Gutter Project

Deputy Mayor Rumbold made a motion to accept the bid for the Wooster Grove Train Station Gutter Project from H. DeVries Home Improvements in the amount of \$9,990. Seconded by Trustee Mishk. Motion carried.

Trustee Bowen asked about references for the company.

Manager Revella stated that they already have done work for us as they did the Yankee Gutter on Village Hall.

Trustee Leonard asked if it was commercial grade gutters.

Manager Revella said that they are using what's there, trying to make sure it stays historically intact without much destruction.

Resolution 25-13-14 – Opposition to Town of Montgomery Budget Increase

Trustee Mishk made a motion to approve Resolution 25-13-14 – Opposition to the Town of Montgomery Budget Increase. Seconded by Trustee Leonard. All ayes. Motion Carried.

Mayor Maher stated The Village of Walden Board of Trustees hereby strongly objects to the excessive tax increase of 16.58% to the Town of Montgomery A Fund which will adversely affect the tax payers of the Village of Walden.

Discussion Items

None

Public Comment

Mary Ellen Matisse, 21 Clinton Street, handed out literature on the Walden Elementary School Archives Award that was given to the Walden History Club. Village Clerk will make a certificate of recognition. She is working on a photo to memorialize the achievement to be displayed in Village Hall. Route 52 East as you come into the Village looks terrible. Cars parked up to the highway, cars for sale, cars that are being worked on are all over the place.

Rod Freeman, 42 Overlook Terrace, commended the Board on doing a good job. Is there something to do about minimizing the fire horn? There could be more to that but it would be great to see that eliminated or minimized. Safety in the Village is a concern due to the recent events that he has heard of including a robbery on Main Street, Homicide on the West side and there seems to be a growing concern for safety in his opinion. The Village should say something to the public to try and ease their minds. With the taxes going up, housing property value going down, school taxes going up sure to follow, if safety goes away, we are going to have a hard time attracting residents to the Village.

Deputy Mayor Rumbold commented that he was not alone in his concerns; however by not hearing about every day incidents it is evident that the PD is doing their job. Our close proximity to Newburgh and Middletown is something that needs to be kept in mind. People ask why we aren't doing xyz but we are constantly working. She feels the community has to be constantly vigilant about telling the PD what they see. The economy is not helping the situation but people need to be mindful of their neighborhoods and give the PD a hand as they can't be everywhere 24 hours a day 7 days a week. Perhaps a neighborhood watch could help in your neighborhood. We do have some areas that are very successful with their Neighborhood Watches.

Becky Pearson, 167 Walnut Street, thanked the PD for the Veterans Day Ceremony. Asked about the 16.58% tax increase, what was that from?

Trustee Leonard replied that the Osram building was purchased with the A Fund monies had a tenant but they had left and now have a loss of income from that of \$100,000 a year. They have been unable to secure another tenant and that's all charged to the A fund. That's what the lawsuit was about.

Mayor Maher explained that they gave back the money to the A Fund the last 2 years so now you are seeing it because the revenue is not there this year.

Manager Revella stated they also have a large surplus that they are not willing to use more of.

Becky asked about the 2% tax cap.

Mayor Maher stated they did a resolution to override the tax cap at the budget meeting. The quality of life report is higher than Town of Wallkill and Newburgh which is huge.

Deputy Mayor Rumbold asked which fund they go to when you're talking about commercial properties within the town.

Manager Revella answered both funds.

Deputy Mayor Rumbold wondered if there's a formula for how much goes where.

Manager Revella said he's sure there's supposed to be one at the comptroller's office but not sure what it is. Not sure about the amount. He addressed this at the budget meeting as well but they didn't want to listen.

Trustee Leonard mentioned that they also have a bonding issue to pay bills.

Manager Revella stated that if there was an emergency, he suggested they do a Bond for 6 months.

Becky questioned the Yard Waste Law.

Manager Revella replied that they are not allowed to accept plastic bags with yard waste such as leaves at the landfills any longer and we wanted to make sure the law reflected that change.

Becky asked about money that was received for trees from the electric company; have we planted any trees. Will we be?

Manager Revella said that we still have the money because it is to only be used for trees but we haven't done that yet.

Becky asked if they only trim trees down on Walnut Street. Can they not trim her tree next year?

Manager Revella asked her if it's healthy.

Becky answered, yes.

Manager Revella said they will only trim branches that are lower than 10 feet.

Mary Ann Landolina, 147 Walnut Street, commented on the Town Budget, that years ago the Town Board had to consist of one person from each Village; has that just gone away?

Attorney Donovan said it was not part of the law at that time.

Mayor Maher stated that they did do that at one time but there are no representatives from any Village on the Board now.

Mary Ann added that Kelmoor Street/Kelmour Street sign needs to be corrected. She asked for the sign to be replaced years ago and it never was. Now there is a house in the back and if ever the Fire Dept had to come to the house, there's no sign. How are they supposed to know that there's a house back there.

Manager Revella asked if it's a private road.

Mary Ann stated she didn't know but it was a shared driveway that is on the Village map and on her deed.

Manager Revella requested her to bring in a copy of her deed to find out and research it. 911 would require the resident to have their address on the corner.

Payment of the Audited Bills

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

Correspondence

Trustee Carley asked Valley Central School District to do a presentation of their Budget to the Village Board.

Deputy Mayor Rumbold thanked the Veterans Park Committee for the Veterans Day Ceremony. It was breathtaking and wonderful. Please come out for Christmas in the Square. It's going to be a great time. Thank you to everybody that has worked hard on that.

Miscellaneous Comments from the Board of Trustees

Trustee Leonard was impressed with Veterans Ceremony, gets better every year. The turnout was excellent.

Trustee Bowen attended Sgt. Herlihy's mom's funeral and commended the PD for coming out to support him that night. It was nice to see the unity.

Trustee Carley commented about the fire horn as we have discussed it.

Manager Revella stated the commissioners rejected our recommendations. He feels we need more of a public service announcement for emergencies etc.

Mayor Maher stated that perhaps Trustee Carley could contact the Fire Commissioners Board to address the issue.

Manager Revella suggested a joint Board meeting would be best at this point.

Mayor Maher suggested that Manager Revella and Trustee Carley coordinate that joint meeting. He expressed his excitement for our Christmas in the Square on Thursday. Walden Bucks raffle tickets are still available and will be drawn that evening. He also

announced that in April 2014 he will be expecting a baby girl. He also congratulated Becky Pearson and Bernard Bowen on becoming grandparents recently.

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

Trustee Hoffman moved to go into Executive Session to discuss PBA Negotiations, CSEA Negotiations, Property Purchase 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.

CSEA MOA

Trustee Mishk made a motion to accept the 2013-2018 CSEA Memorandum of Agreement. Seconded by Trustee Leonard. All ayes. Motion Carried.

Adjournment

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

**Village of Walden Board of Trustees
Regular Meeting
December 3, 2013
Motions & Resolutions**

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

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

Introductory LL #9 of 2013 - Ethics Code

Deputy Mayor Rumbold made a motion to adopt Local Law #9 of 2013 - Ethics Code. Seconded by Trustee Hoffman. 5 ayes. 2 nays (Trustee Bowen and Trustee Carley). Motion carried.

Approval of the November 19, 2013 Minutes

Deputy Mayor Rumbold made a motion to approve the November 19, 2013 minutes. Seconded by Trustee Mishk. All ayes. Minutes approved.

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Resolution 25-13-14 – Opposition to the Town of Montgomery Budget Increase

Trustee Mishk made a motion to approve Resolution 25-13-14 – Opposition to the Town of Montgomery Budget Increase. Seconded by Trustee Leonard. All ayes. Motion

Carried.

Payment of the Audited Bills

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

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Adjournment

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