

**Village of Walden  
Board of Trustees Regular Meeting  
December 11, 2012**

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	Edmond Leonard
	Tara Lown
	Sean Hoffman
	Willie Carley

Absent

Bernard Bowen

Also Present:

John Revella, Village Manager  
Lori Pinckney, Village Clerk  
Austin DuBois, Village Attorney

**Public Hearing - Comprehensive Plan**

Hearing will remain open until January meeting.

**Hearing – 161 Elm Street**

Jay Buchalski, Code Enforcement Officer, commented the property remains the same and there has been no response from the owner.

Mayor Maher confirmed the request is for the Village to clean the property and charge the owner.

Deputy Mayor Rumbold made the motion to pass Resolution 23-12-13: 161 Elm Street. Seconded by Trustee Lown. 5 ayes, 0 nays, 0 abstentions (Trustee Carley not present). Motion carried.

**Hearing – 38 Center Street**

Jay indicated the issue has been resolved.

Deputy Mayor Rumbold asked when it was resolved.

Jay responded as of today.

**Hearing – 39-43 Main Street**

Eduardo Navarro, owner of Zona Rosa Restaurant, provided the cans of paint indicating the colors the restaurant was painted.

Dean Stickles, Building Inspector, indicated this hearing is for the painting of the exterior that was approved by the ARB back in September. He was told this evening that Mr. Navarro painted the front of the building prior to anyone's knowledge. The colors had to

be checked and the ones approved came from the Benjamin Moore historical colors chart, which he provided.

Manager Revella asked for the color chart to compare them to the paint cans Mr. Navarro provided.

Dean provided the approved colors: the trim was to be Hawthorne Yellow (HC-4) and the panels Sherwood Green (HC-118).

Mayor Maher asked if the paint cans Mr. Navarro provided are the historic colors just described.

Dean responded both are Home Depot Behr brand paints.

Manager Revella commented that he spoke with Mr. Navarro today and he was under the impression that because his colors were close to the approved colors that they would be acceptable. He offered to explain to Mr. Navarro that is why he is here today and they need to be those exact colors.

Manager Revella spoke with Mr. Navarro in Spanish.

Mayor Maher asked the Manager to ask Mr. Navarro if at the Planning Board when these colors were approved what the disconnect was and if anyone let him know specifically or was able to translate for him.

Manager Revella responded Mrs. Maher was there to translate.

Deputy Rumbold suggested providing Mr. Navarro with a copy of the color chart with the colors circled.

Manager Revella confirmed he told him that and we will help to make sure he gets these exact colors and they can't be similar. We need a time frame to be established.

Dean commented on October 3<sup>rd</sup> a letter was sent to Mr. Navarro regarding the approved paint colors and asking when he was going to start re-painting. Mr. Navarro could have easily contacted him with questions; his number is right on the letter.

Manager Revella commented that Mr. Navarro apologized but he did not receive the letters until recently, that whoever received them at his house did not give them to him right away. He did confirm that Dean called him and talked to him about the issues but he said it was already painted and he wasn't sure what that meant so when he went to the meeting and was told he needed to paint he thought that as long as the paints were similar to the colors, then he was okay and didn't think there was an issue.

Mayor Maher confirmed with the Manager that Eduardo fully understands now.

Manager Revella responded yes, he is just waiting for a timeframe.

Deputy Mayor Rumbold recommended Mr. Navarro purchase the Benjamin Moore paint now so he has the exact color.

Trustee Hoffman recommended allowing Mr. Navarro to paint as soon as the weather allows with an end date of May 1<sup>st</sup>.

Deputy Mayor Rumbold recommended Mr. Navarro coordinate with the Building Inspector.

Dean suggested if the weather is conducive within the next week, that he paints it, but if conditions deteriorate then he should wait for the first possible date in April.

Attorney DuBois suggested Mr. Navarro buy the paint now as a show of good faith but allow until May 14<sup>th</sup> to re-paint.

The Board agreed.

Trustee Carley asked who will be monitoring this if we say paint now, weather permitting.

Manager Revella confirmed that Mr. Navarro understands.

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

- Bradley Park drainage continues; replaced many old connections, catch basins and top parking area will be finished last
- Minor water main break in area
- Flushing and jetting sewer mains
- Treatment building almost done
- 27 N. Montgomery Street has been surveyed, will be discussed at budget
- Winter Carnival was well attended and well planned
- The last quote for the bridge lights is due tomorrow; work will begin shortly
- Attended the Youth Bureau banquet
- Internal audit is ongoing, no major issues
- Parks buildings have been winterized, pole destroyed at Olley has been replaced
- Received bids for Village Hall generator; looking at March for generator arriving
- Continue to work with residents regarding outstanding water bills and payment plans
- The police have had a few extreme cases, code red message sent out about unlocked vehicles, cases should be resolved shortly
- Thruway Shopping Center work should resume in January, the building inspector has been there for CO work, timeframe for litigation is Dec 28<sup>th</sup>.
- NYSEG has been communicating with building inspector and are becoming compliant with franchise agreement.
- NYSEG removed the guide-wire near a dangerous tree on Main Street so we can remove the tree.

### **Approval of the Minutes – November 27, 2012**

Deputy Mayor Rumbold made the motion to approve the minutes from November 27, 2012. Seconded by Trustee Leonard. All ayes. Minutes approved.

### **Trustee's Committee Reports**

#### **DPW liaison – Trustee Leonard**

Trustee Leonard indicated he had a meeting with John to discuss the lights and he did some research on pricing.

### **Police Department Liaison – Trustee Rumbold**

Deputy Mayor Rumbold announced we received a letter from the National Association of Towns in recognition of National Night Out.

### **Community Liaison & Library Board Liaison – Trustee Lown**

Trustee Lown indicated the Orange County DOH approved baby changing stations for our library for both the men's and women's restrooms, the kitchen in the library is being remodeled and the Town of Montgomery approved their funding increase \$9435 and there will be a budget referendum in March to ask for an increase of \$6225. She commented on the successful Tri Board Mtg on Dec 4<sup>th</sup>, the Family Dance this past Saturday night was wonderful, the selections for Leadership Day awards have been made and the Toys 4 Tots train came through on Sunday. She announced the next Board meeting will be January 8<sup>th</sup> and the Walden Community Council meeting is 1/9 at 7pm at Jacobowitz & Gubits. She thanked everyone for all the hard work on Christmas on Main Street.

Mayor Maher apologized for missing many of those events due to sister having surgery; he has just received good news that there is no cancer. He thanked the Parks & Rec Dept, the Walden Community Council and the Walden Business Association for all their help on Christmas on Main Street.

### **Building Department Liaison & Planning & Zoning Board Liaison – Trustee Hoffman**

Trustee Hoffman indicated he met with the building inspector who is present tonight. Action item #4 came out of the Tri Board meeting and it was suggested two meetings of the three Boards be considered at the Re-org meeting: May 7<sup>th</sup> and December 3<sup>rd</sup>. Other items discussed at the Tri Board meeting included minutes, training and the posting of properties.

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

Trustee Carley commented the Dance for Parks & Recreation went well; he has spoken with Mr. Bliss and everything is going well. In reference to the school board, he was called away by the Manager for an Emergency Management meeting between the Town of Montgomery, Village of Montgomery and Walden. The Race to the Top discussion which is a National plan was talked about at the School Board meeting and in 2014-2015 there is a mandate for automated testing to be done via online and they are looking at Wi-Fi which has a cost of \$700,000 to \$1M. The school board talked about program cutbacks and raising taxes.

Deputy Mayor Rumbold asked if they addressed the USDA recommended changes to the lunch program to allow unlimited protein and grains but will keep the calorie count the same.

Trustee Carley responded yes; they indicated they are going back to the way it was. They didn't go into detail, but did mention the kids were hungry.

Manager Revella indicated there is an additional action item; Bid awards for surplus equipment. There is an additional discussion item on the election times. He also indicated that public comment is still open on the Comp Plan.

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

Mary Ellen Matise, 21 Clinton Street, commented regarding section 94: Animals discussion and cats are not controlled by the State. She asked about the GC Environmental information in the packet and asked for a copy of the proposal.

### **Action Items**

#### **39-43 Main Street**

Attorney DuBois recommended the Board set a hearing date for May 14, 2013 for this property. He also asked Mr. Revella to confirm a few things for the record due to his Spanish translation with Mr. Navarro. He confirmed with the Manager the feelings of the Board that Mr. Navarro should purchase the compliant paint within the next month and will provide proof and the Manager feels Mr. Navarro fully understood he is to re-paint as soon as possible but no later than May 14<sup>th</sup>.

Manager Revella confirmed Attorney DuBois' questions and indicated he has a Bachelors Degree in Spanish.

Attorney DuBois indicated the Board can pass a resolution where there is going to be no other hearing; resolution 24-12-13 to authorize the Village to paint if not painted by May 14<sup>th</sup>.

Dean indicated he notified both owner of building and owner of restaurant of this hearing.

Attorney DuBois responded he will do it jointly.

Deputy Mayor Rumbold moved to adopt Resolution 24-12-13, concerning 39-43 Main Street. Seconded by Trustee Leonard. All ayes. Motion carried.

#### **Posting of Properties for Planning and Zoning Boards**

Manager Revella indicated this came out of the Tri Board meeting and when someone is before either the Zoning or Planning Board they send out notices to surrounding properties and this would be an actual posting at the property.

Dean asked this item be tabled; in 1968 up until about 12 years ago it was in our Code Book: a requirement of how to post properties. It wasn't being done properly and it wasn't being monitored. He believes if the three Boards want this done, then regulations should be brought to the Village Board to be adopted into the Code Book. He asked that he and Sean be able to discuss this prior to any action. He asked that all these regulations be on the owner or the applicant and not on the building department.

Trustee Hoffman commented it was unanimous that posting the property would be beneficial for members of the public; they might not always know exactly which specific property is subject of the public hearing. Chairman Plato suggested posting the properties.

#### **Award for Village Generator Bid**

Mayor Maher indicated the lowest bidder was Fanshawe Inc dba Rockland Electric with a bid amount of \$96,500.00; the second lowest bidder was \$96,551.00.

Trustee Leonard moved to award the Generator Bid to Fanshawe, Inc dba Rockland Electric for \$96,500.00. Seconded by Trustee Hoffman. All ayes. Motion carried.

## **Hometown Bank Sign Request**

Mayor Maher indicated we received a letter from the president of the Hometown Bank at the completion of the Sign Law. It was stated that Hometown Bank is one of the few signs left not in compliance to the new law and they would be given a chance present their case to a Board that would hear it. It was his understanding that it was the Village Board but he is being told there is a different procedure.

Attorney DuBois disclosed that he serves on a Board with Steve Dederick, the VP for Hometown Bank and he feels it does not affect his ability to represent the Village. The letter from Hometown Bank is asking the Village to grandfather their sign. The way the law reads now, the Hometown Bank is a prior non conforming sign. Businesses of prior non conforming signs are permitted to remain but can not alter, replace or erect a new sign. He is under the impression that this was a determination made a while ago; the building inspector believes the Hometown Bank sign was altered within the time period that would make it essentially outlawed. The only action the Village Board could take would be to introduce a new local law to amend the Sign Law to allow Hometown Bank to keep the sign. Hometown Bank's current recourse is to appeal to the Zoning Board of Appeals.

Mayor Maher confirmed the proper course of action is for Mr. Dederick to go to the ZBA.

Dean commented they can apply to the ZBA for interpretation and can ask for a variance. They can avoid the ZBA if they externally light the sign. They can not have an internally lit sign under our current Code. The three choices are: they can comply with the law now, they can request a variance or they can request the Village Board change the law for them.

Mr. Dederick asked when did the law take place.

Dean responded 2002.

Mr. Dederick asked that it makes no difference that this sign was erected in 1996 and has been lit since that time.

Attorney DuBois responded the issue is that the face of the sign has changed; it has been altered.

Mr. Dederick indicated the name of the bank changed. He asked for a copy of the 2002 and a copy of the amended law.

## **Budget Adjustments**

Manager Revella indicated the budget amendments are for three positions' salary increases. He confirmed the Board had the revised copy. He indicated a decrease in budget code 9730.600 BAN Principal Payments by \$6,730.00; Budgets to increase are 1230.100 Manager Personal Services by 3,275.00, 1410.100 Clerk Personal Services by 1,500.00, Budget number 1620.120 Rec Admin Personal Service by 1,450.00, 9030.800 Employer FICA by 390.00, 9035.800 Employer Medicare by 90.00 and 1980.400 MTA by 25.00 which totals the \$6,730.00.

Mayor Maher commented that through evaluation of personnel, we transferred funds in a line and added that to certain employees' salary lines.

Trustee Hoffman made the motion to approve the budget adjustments.

Deputy Mayor Rumbold asked if we are doing these individually and if not why.

Mayor Maher responded no because it is one transfer.

Trustee Leonard seconded.

Deputy Mayor Rumbold indicated she has no problem with 1230.100 Manager; that was something that was discussed with the Manager. She believes we are setting a precedent by doing something like this at this point. Generally, salary increases are done during budget where the public can voice their opinions about any changes in those lines. She has no problem rewarding people for jobs well done; she is against this because of the nature of policy.

Mayor Maher disagreed, he believes the Board is not in violation of any of those things and there are reasons for all of these changes.

Trustee Hoffman confirmed that it's a timing issue for Deputy Mayor Rumbold.

Deputy Mayor Rumbold responded yes, the Board needs to set a policy. We are talking about personnel and salary; it has always been a discussion during the budget, the public can give their input about line changes and she thinks we should stick with that policy. Salaries should be part of the budget process. She has no issue with the Manager as this was discussed with him as part of his contract, but other salary increases belong where they've always been as part of the budget process. We are talking about non-negotiated salaries.

Trustee Carley commented we are talking about it in open government and informing the public and he doesn't see it as precedence. An increase in salary or increase in pay can come at any time, it is discussed and it's either a yes or a no.

Trustee Leonard commented this is an unusual situation brought on by the fact that the Village elected to go with the State Law that allowed us to offer early buyouts for retirement and we were under the restriction for two years; that terminated Sept 1<sup>st</sup> and we've had to hold the line on increases. Obviously the employees were aware of this and that's why there have been requests for additional salary and we've hired a lot of new people and we hired them relatively low and this is an attempt to rectify that. He feels the employees involved are doing a good job and we don't want to lose them and he is for it.

Trustee Carley – aye

Trustee Hoffman – aye

Trustee Lown – abstention

Deputy Mayor Rumbold – nay

Trustee Leonard – aye

Mayor Maher – aye

Motion carried.

## **Bid Awards for Surplus Equipment**

Manager Revella commented we received bids on seven different items; one item we are rejecting all bids on. He provided the highest bids:

SRECO Sewer Jet – \$1000 by GT Excavating  
2004 Crown Vic - \$778.99 by Liberty Motors, Inc  
KNESE Pump (4 inch) - \$200 by GT Excavating  
Stanley Pole Saw - \$27 by Carl Soloman  
Stanley Chain Saw - \$27 by Carl Soloman  
Wacker Tamper - \$156 by Nat Winum

Trustee Lown made the motion to award the bids as read. Seconded by Trustee Hoffman. All ayes. Motion carried.

Deputy Mayor Rumbold made the motion to reject all bids for the JRB Side Dump Bucket. Seconded by Trustee Lown.

Trustee Hoffman asked if it will be re-bid.

Manager Revella responded no.

All ayes. Motion carried.

Manager Revella commented that at a previous Board meeting he appointed Oscar Alleyne as an alternate to the Planning Board but due to time conflicts he is unable to meet on Monday nights so he has been appointed as an alternate to the Zoning Board.

## **Discussion Items**

### **Ethics Code**

Mayor Maher indicated this has been discussed for a few meetings now. He asked the Board if they would like to change what the Ethics Board currently has the ability to do. Currently they are just an advisory Board, they are not allowed to subpoena individuals or documents and render an opinion.

Attorney DuBois commented he researched a couple of other villages. The Village of Warwick has the same as Walden right now; their Ethics Board is solely to render advisory opinions. The Village of Goshen and the Village of Cornwall on Hudson are at a halfway point between what Walden has now and what was recommended by the Ethics Board. He indicated instead of giving the Ethics Board the power to issue subpoena, Goshen & Cornwall on Hudson's laws provide that the Village Board can empower the Ethics Board from time to time to do so. He read the Cornwall Law.

Mayor Maher asked the Board if they are okay with keeping the Ethics Board the way it is, they are only able to issue advisory opinions or if they want to venture in and discuss making changes to the Ethics Board. Then if we decide we want to make changes, then we will get into specifics. He asked each member their opinion.

Trustee Carley recommended keeping the Ethics Board the way it is.

Trustee Hoffman commented we should consider changes but consider it carefully. It would provide a level of confidence as a whole.

Trustee Lown commented she too would like further discussions on it.

Trustee Leonard agreed with Sean and Tara; he would like clarification of the powers they are asking for with limitations on cost.

Deputy Mayor Rumbold commented the Board has to make a decision if that's going to be the venue for the public to question or have an opinion about elected officials and the actions that they take. She believes there has to be a venue to allow the public to do that so is it going to be through the Ethics Board or is there another venue. She feels it needs to be discussed.

Attorney DuBois responded there is another venue – freedom of the press. He will look into the removal process.

Trustee Hoffman clarified that we have some recommendations from the Ethics Board and it's his understanding they have considered these carefully and they feel this is what they need. He does not believe the Village Board needs to start from scratch or come up with an impeachment process. He thinks the Village Board needs to consider this and we've decided we do want to make some changes and now we are in the "nuts and bolts" and what changes we want to make; whether we want adopt this proposed law or make some changes.

Deputy Mayor Rumbold confirmed it is all about investigative powers. She indicated if we do not want to give the Ethics Board the power, then what other venue is there for the public.

Mayor Maher confirmed the Village Board would like to consider changing the role of the Ethics Board and now we need to determine what the changes are.

Attorney DuBois responded there is likely a State office for the public to use; he will look into it.

Trustee Hoffman referenced the proposed changes provided by the Ethics Board; he would like to remove any association with the Village Board of Trustees and he would suggest instead of a majority vote, make it a unanimous vote. He mentioned Section 38-8 which references suspension and removal. He then read the portion of the proposed law: If a violation is found to exist, the Board of Ethics may issue penalties as set forth in Section 38-8 of the Village Code of Ethics, and/or a monetary civil penalty in an amount not to exceed \$5000.00. He asked for clarification of what is in Section 38-8.

Mayor Maher asked the Attorney to provide a new set of recommendations with some of the changes that have been suggested. He commented the majority of the Board would like to look into providing the Ethics Board with more power. It will be on the next agenda.

### **Section 94 of the Village Code: Animals**

Trustee Lown commented there are some cat issues but she has not had the opportunity to investigate in more detail other than the law that was provided to us for review and asked if this discussion can be tabled until the next meeting.

### **Commercial Garbage Pickup**

December 11, 2012

Manager Revella commented as part of the garbage bid this year we included a proposal for commercial pickup. Our Code currently requires all properties to be part of the Village-wide pickup. In the past, the commercial sector and multi-family dwellings were excluded from this privilege. We have had meetings with IWS regarding the costs, how it would be billed and the rates. It is proposed that IWS will allow each entity to decide what size container they want and how frequently they would like to be picked up.

Deputy Mayor Rumbold confirmed all businesses would be required to participate.

Manager Revella responded yes and he solicited several businesses last year in anticipation of the contract.

Mayor Maher asked what if a business did not want to go with IWS for whatever reason. He asked if every single business was notified this was happening.

Manager Revella responded they are required by law to be in the Village program now. He indicated every single business got a notice last year this was a possibility. He did solicit several businesses regarding their costs now and what their costs would be under the program and one would save \$1200 per year and two others would save \$600 per year. We are working to make sure everyone would see a savings.

Mayor Maher asked if he's run into any business that was not okay with this as he has heard from two that are against it.

Manager Revella responded he has not and they all say there won't be a problem as long as they are saving money. He commented that over 60% of the businesses currently use IWS.

Mark VanWeelden, General Manager of IWS, provided a packet to the Board and commented IWS would take the burden off the Village to provide notice to the businesses. IWS will draft a letter to all businesses with Village approval and they will provide their Sales staff to the businesses to right-size their current level of service. He indicated it's typically a pretty smooth transition.

Deputy Mayor Rumbold asked about businesses that have current service contracts.

Mark responded and the Attorney can confirm, it is already in the Village's Code and it's already enforceable in the code, it thereby nullifies any agreement. This is anticipated to be a March 1<sup>st</sup> implementation and he provided a transition plan with proposed dates. The packets provide some rough numbers which indicate a 37% per month savings. He indicated the only other local municipality that has a program like this in Rockland County.

Manager Revella commented he really wanted the Board to have this packet of information; he indicated there is some information in the packet that shouldn't be disseminated.

Trustee Carley commented this sounds like the Sign Law again; this has been on the books for a long time and there could be certain businesses that don't want to do it and want to be grandfathered in.

Manager Revella responded this is different; this is a service not a fixture on a property.

Mayor Maher commented as long as all the due diligence has been done and the business community was well informed and their opinions are heard. He asked about the transition timeline, starting January 8<sup>th</sup>, so is the Board expected to take action tonight.

Manager Revella responded he tries to do as much as he can; as with the residents we try to notify them but can't go to each resident. He indicated this is for the next Board meeting; tonight's discussion is to take in information, answer questions and get feedback from the public. There is nearly 4 weeks to get that feedback and hopefully take action at the next meeting.

Deputy Mayor Rumbold asked why we aren't discussing this with the businesses.

Manager Revella responded we have; a letter was sent out early 2012 about the possibility of commercial pickup and IWS went around to the businesses as well.

Mark commented IWS documented 103 visits to the businesses. He indicated the dates in the packet are not concrete; they put together what a transition line would look like and for a smooth transition it should take 3 months. There would be notification, IWS needs to right-size the containers and the Village needs time. The goal is to not be in the Village every single day. He provided an example of a service change form to assist in the communication between the Village, the business and IWS.

Manager Revella commented we will either continue to do the quarterly billing or as discussed in the budget we could do billing on taxation.

Trustee Hoffman asked about the right-sizing and if it's done annually.

Mark responded the business will contact IWS and the billing sent to the Village will be listed separately. There will be an effective date of the change, put a change order together, allow the Village to process it for approval, which will allow IWS to make the change. The business owner will have to be aware that the next quarterly billing will reflect the change. Generally, with their current customer base in the Village there aren't many changes. He described the process of a business that closes.

Trustee Carley commented he is concerned with businesses having a problem with this and recommended sending another letter.

Deputy Mayor Rumbold asked what are the benefits to the Village besides less wear and tear on the Village streets.

Manager Revella responded if we can give a cost savings to our businesses, they will hopefully stay in our Village and keep people employed.

Mark responded there is one point of contact for the service; it will be known if the service is good or bad. The business owners will complain to the Board, there won't be multiple calls.

Deputy Mayor Rumbold commented we have had past issues with IWS with residential and she doesn't want to add commercial customers to that mix.

Mark responded from a business standpoint based upon their last survey, they did a rough estimate of the cans and its \$93,000 in cans. The Village awarded a three year with one year options which effectively every year you will hold your finger to our pulse. The Village has leverage when IWS has \$93,000 worth of container capital that we've put into the Village. He indicated IWS does that to exercise their full option which is good business for everyone. Realistically, there will always be service issues and its how IWS handles those issues with the businesses and residents and the level of communication that makes the difference. IWS needs to protect their investment.

### **Election Times**

Mayor Maher read the memo from Lori regarding the times of the election; it is requested to change the times from 6am-9pm to 9am-9pm. He indicated it was one of the first elections in a long time that there were no contested positions and there was very low turnout. He recommended keeping the 6am to 9pm times for those that work in the City.

Trustee Lown commented she maintains her sentiment as she is out of Village limits by 8am everyday and don't return until sometimes until well after 9pm.

Trustee Carley commented he understands the numbers but he knows many people that commute a distance and recommended keeping it 6am.

Trustee Hoffman commented that he and his wife were 2 of the 6 voters last year; he commented it is a very long day and there is always the absentee ballot option.

Trustee Lown recommended starting at 6am.

Deputy Mayor Rumbold recommended starting at 6am.

Trustee Leonard recommended trying the 9am as a trial for this election.

Mayor Maher recommended starting at 6am.

### **Comp Plan**

Manager Revella commented everything is on the website for the Comp Plan; there are copies available in the Village office as well as the Library.

Alan Sorenson, Village Planner, commented he's been working with the Village over the last year to update the 2005 Comprehensive Plan and prepare the Generic Environmental Impact Statement. This update is not a re-write of the Comp Plan; it's a refinement of the Plan with regard to the demographics and population. There was a Public Hearing held by the Comprehensive Plan Committee back in November and there were some minor revisions to the draft Plan which the Board has now accepted for public review. We are doing the State Environment Quality Review concurrently with the Comp Plan.

Manager Revella confirmed the public hearing will be closed on January 8<sup>th</sup>.

Trustee Leonard asked if there is anything back from Orange County Planning as to the Draft.

Alan responded he will check with David Church; they have 30 days to respond.

Trustee Hoffman asked the Manager to confirm that someone sent the 239 referral to the County.

Alan responded he knows it was referred and will check on it.

Manager Revella clarified January 8<sup>th</sup> the comment period will be closed.

### **Public Comment**

Mark VanWeelden, from IWS, clarified the 37% savings is an aggregate revenue and does not include tax, so the savings would be more.

Vincent Tornone, 12 Yale Drive, asked for clarification on the lights.

Manager Revella responded the Village's procurement policy requires 3 written estimates if it's over \$5000 and they are due tomorrow. Our timeframe was contingent upon whoever wins having to order that new head, but we have the head and it should shorten the timeframe and should be complete a lot sooner; it should be done before January. The Bridge will be completed first.

Vincent asked for clarification on the Thruway.

Manager Revella responded the facades will all be re-done as well as the parking lot.

Alan Sorenson, Planner, clarified that the Board accepted the draft on 11/27, comment period will run to 12/27 and if there are no comments on the GEIS or the Comp Plan, the Board can adopt as soon as January 8<sup>th</sup>.

Mary Ellen Matise, 21 Clinton Street, commented there is nothing in the public packet regarding the budget adjustments (for Jessica). In addition (for Becky), the discussion leading up to it was never in public because it was salaries and all in Executive Session. She mentioned the Ethics Code and the time she was brought before the Ethics Board for a letter she wrote that was published in the paper. Two Village Board members filed a complaint but there was nothing to investigate. She mentioned that most things brought in front of the Ethics Board since 2005 have been pretty clear cut.

Manager Revella responded the Ethics Board at the time should not have accepted the complaint because it was non compliant.

Trustee Hoffman responded the Ethics Board has asked the Village Board to consider the changes to the law.

Mary Ellen commented the public has the voting booth to question their elected officials and they have Article 78. She commented that firing people is the Manager's job and if it is someone appointed by the Board, then it's the Board's job. Regarding animals, she mentioned the Town of Montgomery is likely not going to be able to support the Will Spay  
December 11, 2012

program and suggested maybe the Village could help as one of the ways to deal with the cat issue. Regarding the commercial garbage pickup, she asked if the whole Village is in the program then can the bills be put on the tax bill; the public wants it.

Manager Revella responded if we are going to do it for all properties in the Village, it would be set at a minimum, likely the residential rate but some commercial rates will be more than what a resident pays so we can't have one rate. To be a tax it has to be one rate.

Mary Ellen expressed thanks for putting up Rod's sign in the Library. She also handed out brochures on Organ donation and asked that all employees be given one.

Anita Vandermark, Highland Ave, thanked the Recreation Dept for the Senior Trip. She announced the Masons are having a breakfast on Saturday 12/15 and Fox Hill is having their live nativity that evening. On 12/17 at the Firehouse is the wrapping of the gifts for Operation Dalmation and she asked for volunteers.

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

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

### **Correspondence - none**

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

Trustee Leonard commented about the award for National Night Out and thanked John Conklin and everyone involved. He mentioned the Toys 4 Tots train from Sunday and how they collected 7000 toys. He commented on the HPS lights and considering hiring an electrical contractor possibly twice yearly to be discussed during the budget sessions.

Deputy Mayor Rumbold commented the Christmas on Main Street event was great and thanked the Committee. She mentioned the Historical Society's Holiday Tea at the Walden House and she unfortunately missed it. She indicated the Historical Society sent out a flyer about their need to keep our landmarks in good condition and in proper repair. She asked if anyone can donate anything it would be greatly appreciated.

Trustee Lown announced the fireworks at 7pm for New Year's Eve. She provided a correction for the Village Board meetings in January as they were wrong on the Village Calendar.

Trustee Hoffman wished everyone a Merry Christmas.

Trustee Carley commented about the Ethics Board and recommended looking at their past cases to possibly help with the decision.

Mayor Maher thanked the Sunshine Society and the luncheon. He mentioned Pat Eislie had documents from the WW II era about building a WWII Stadium in the Village of Walden and it never go off the ground and maybe it's time to discuss it again.

### **Executive Session – Personnel, Property Purchase, Potential Litigation, PBA Negotiation**

Deputy Mayor Rumbold moved to go into Executive Session to discuss Personnel, Property Purchase, Potential Litigation, and PBA Negotiation. Seconded by Trustee Lown. All ayes. Motion carried.

**Reconvene**

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

**Adjournment**

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

**Village of Walden Board of Trustees  
Regular Meeting  
December 11, 2012  
Motions & Resolutions**

**Approval of the Minutes – November 27, 2012**

Deputy Mayor Rumbold made the motion to approve the minutes from November 27, 2012. Seconded by Trustee Leonard. All ayes. Minutes approved.

**39-43 Main Street**

Deputy Mayor Rumbold moved to adopt Resolution 24-12-13, concerning 39-43 Main Street. Seconded by Trustee Leonard. All ayes. Motion carried.

**Award for Village Generator Bid**

Trustee Leonard moved to award the Generator Bid to Fanshawe, Inc dba Rockland Electric for \$96,500.00. Seconded by Trustee Hoffman. All ayes. Motion carried.

**Budget Adjustments**

Trustee Hoffman made the motion to approve the budget adjustments. Seconded by Trustee Leonard. 4 ayes, 1 nay, 1 abstention by Trustee Lown. Motion carried.

**Bid Awards for Surplus Equipment**

Trustee Lown made the motion to award the bids as read. Seconded by Trustee Hoffman. All ayes. Motion carried.

Deputy Mayor Rumbold made the motion to reject all bids for the JRB Side Dump Bucket. Seconded by Trustee Lown. All ayes. Motion carried

**Payment of the Audited Bills**

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

**Executive Session – Personnel, Property Purchase, Potential Litigation, PBA Negotiation**

Deputy Mayor Rumbold moved to go into Executive Session to discuss Personnel, Property Purchase, Potential Litigation and PBA Negotiation. Seconded by Trustee Lown. All ayes. Motion carried.

**Reconvene**

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

**Adjournment**

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

