

**Village of Walden  
Board of Trustees Regular Meeting  
March 4, 2014**

Deputy Mayor Rumbold 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:

Deputy Mayor	Sue Rumbold
Trustees	Bernard Bowen
	Willie Carley
	Sean Hoffman
	Edmond Leonard
	Gerald Mishk

Absent:

Mayor	Brian Maher
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Also Present:

John Revella, Village Manager  
Tara Bliss, Village Clerk  
Dave Donovan, Village Attorney

**Public Hearing – Local Law #3 of 2014 – Landlord Registry Law**

Trustee Hoffman made a motion to open the public hearing for Local Law #3 of 2014 – Landlord Registry Law. Seconded by Trustee Bowen. All ayes. Motion carried.

Deputy Mayor Rumbold explained that the document in front of everyone tonight about the Landlord Registry Law is a culmination of discussions that the Board had in reference to this issue and is by no means a final document. It is a draft of the law and tonight's public hearing is about gathering input from the public about those ideas coming from those conversations that created the document that is in front of you. It is not set in stone and can be changed or altered and wants the public to understand that this is in no way the final law. She asked that those that wanted to speak tonight please sign up on the sheet provided and please limit their comments to 5 minutes or less so that everyone gets an opportunity to speak on the topic.

Attorney Donovan explained that the Village already has a Landlord Registry Law but that this proposed local law proposes changes to the existing chapter 221 "Registration of Local Property". The changes in this proposed law include the following modifications: Asks for additional information about the property including the number of rooms and the dimensions of the rooms in the unit; Designation of a managing agent that they lives within 10 mile radius of the Village so they could be contacted if there was an issue with their property; there are fee requirements; and every time the unit turns over they need to give information to the Building Inspector and he can inspect the unit to make sure it is code compliant. We talked before about if access is denied to the unit we have to have a reasonable purpose to go in and we can't just condition re-renting upon inspection. If we

are given access we can do the inspection if not then we can go to court to get into the premises. There are also penalties for violation and fees associated with it.

Deputy Mayor Rumbold read a letter from Michael Ciardullo, 92-100 West Main Street, landlord. The letter is pertaining to the Local Law and his opposition to it. (Copy of letter filed in the Village Clerk's office)

Daniel Maldonado, 1 Maryland Court Newburgh owner of 36 Ulster Avenue, feels it is not right when you own a multi family property in this area; first of all you need to consider lot sizes and consider comps. He bought his at \$295,000 high market if you do the comps in his neighborhood no lots have sold for higher than \$140,000 and on top of that there are additional charges on the property. So a person like himself has bought a house at \$295,000 and his loan is \$2,300 and his income is \$2,000 so if you do the math he's already in the hole. You have to add on there additional fees added on top of all the fees he already has to pay such as water and the utilities and now you are talking about putting another fee on top of that. It's a form of extortion and it's not right. What about privacy issues and asking for insurance information as well?

Brett Egeth, 50 South Montgomery Street, owner occupied. Asked how many multi family properties are in the Village.

Manager Revella replied there are 921 rental units in the Village.

Brett clarified that was units not number of properties.

Manager Revella confirmed.

Brett continued that he owns 8 rental units on one property and feels he provides a nice, clean house and feels in turn the Village will be taxing him by this law. Penalizing the people who are providing nice clean units is not fair. He has 8 units in his property which had 9 initially. He got a C.O. for each unit it is not grandfathered in the house was built in 1884. He went through a lot of expense and hard work to do this. He knows the Village is out of money due to snow removal being a huge cost this year and salt has been a huge cost this year. Cleaning the streets has been a huge cost but you are talking about putting your hands in the pockets of people who are breaking their butts to keep their mortgages paid. He personally works 2 full time jobs as an example. People are just landlords and if you keep reaching into their pockets you will wind up with empty buildings and unpaid taxes and you will penalize those that do comply and have a record of compliance and it's not fair. Do you know how hard it is to rent to people in this Village and what its like to evict people? Going to the sheriff to have the papers served and go through all the expenses and the time it takes to get these professional renters out of the property that slipped through the process. Not sure if the Board knows what its like to get slammed with water bills that are back due and to have to pay all the monies and insurance just keeps going up. It gets more difficult every year and the renter pool gets slimier.

Ray Lustig, 128 Ulster Avenue, feels that having read the law it has come down to a money raiser for the Village. It offers very little other than what you have the ability to do right now with the NYS uniform code. As far as charging the landlords for an inspection fee is really wrong. It's like saying let's charge the business owners for snow removal because the snow is in front of their businesses so why should the whole Village have to

pay for it. Or like saying only people who have children in school should pay for school taxes. Landlords are being singled out to pay an extra fee and it's wrong. The money will go into the general fund and be spent on fireworks or whatever else but it's really wrong to pick on the landlords who have financial hardships themselves to pay an additional fee like this. The law itself is very vague in his opinion. It says that Dean has the right to shut down a building because it's a nuisance. What defines a nuisance? Maybe this law came from the Village of Monticello, he isn't really sure, but you are opening the door for litigation. For example the law states that it is for the general well being and health and welfare of the citizens. If that's the case then why doesn't everyone have to have an inspection including single family homeowners? He doesn't see why they are concerned with safety and make sure they are up to code because we are concerned with every citizen's well being not just the rental people. As far as the progression we have started off with a rental permit and then the law passed a law that the smallest apartment must be 900 square feet which functionally rules out any new apartments in this Village unless you have something special going on. There are houses in the Village that don't even have that kind of square footage. All the sudden he hears about this law and it wasn't transparent. He was personally very discouraged that he didn't know about this and that the Village didn't announce that landlords would be subject to a fee; he was very disheartened. As Mike said he wanted you to postpone this law, he personally would like to take a straw poll prior to the election. He thinks that whether you are for this law or against it is something he would like to know prior to the election. Last but not least, you are going down the road like the Village of Monticello, wanting to get on the front page of the Times Herald Record about having issues with the rental law. The only thing this gives you that you don't already have is the ability to access 2 family and single family residences. Right now under NYS law you can do everything basically that this law says except require certain permission; therefore he suggests and understands the need for possibly looking at the 1 and 2 family houses as that might be, but that can be accomplished by registering once every 3 years for inspection and charging a \$50 fee per building. Doing that the law would leave you enough ability to go into the 1 and 2 family houses because that's the only thing you are picking up with this law except the revenue and that is wrong.

Susan Taylor, 128 Ulster Avenue, landlord and her concern is charging \$100 per building and \$10 per unit. What is that \$10 per unit for? All she sees in the law is that you are filling out a registration form and are you saying that if there are more units it takes more time to go over a form that they fill out? She checked other municipalities, the Town of Shawangunk charges \$50 every 3 years to inspect as the uniform code allows; the Town of Newburgh is also \$50 but they inspect every year. There is an exchange there. You are asking for \$100 and she has an 8 family so that's a \$180 per year she has to pay and she doesn't feel its right for the Village to charge for filling out a form. Also, one of the penalties is a fine of up to \$500 for first offense and 15 days in jail. The Board should review that penalty as she shouldn't have to go to jail to fill out a form. She feels the Board needs to rethink this law and wants to know why the Village didn't ask for their input. We have always had a good relationship. She has always been proud of the fact that things like this don't happen in Walden as they do in other municipalities and now she has egg on her face. She hopes this law goes away or is rewritten in a different way so it's fair to everyone.

Robert Amend, 126 Ivy Lane Washingtonville landlord 69 & 73 Ulster Avenue, stated that most of the topics have been commented on but everyone is upset about the money of  
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course and the Board is trying to work around the 2% cap to not increase taxes, but we still get the hike in the taxes anyway. He doesn't see any of the things happening that we were promised with the monies. For example he's heard for the last 5 years they are going to redo the sidewalks on Ulster Avenue but nothing seems to happen.

Manager Revella replied that project is scheduled for this spring and is using grant funds, not Village money. It's supposed to be started before June first and is being done by the NYS Department of Transportation.

Robert continued that it seems like there has been a lot of input from the Village Code Enforcement Officer as we've had a lot of snow and he is looking to get people fined for snow removal. It seem like we are trying generate money from no where to pick up additional monies to pay for the municipality. He knows a lot of municipalities are struggling with money and trying to pay the bills such as snow removal and salt. It's a lot to put on the landlords. The rental pool is not what it used to be and it's hard to get good renters while our expenses seem to be continuing to climb. The rents are also climbing with these additional fees and that will get us into additional papers. It may not seem like a lot of money but when you factor in water, taxes, insurance, and sewer all going up it's a big burden. It's possible in this Village to get a water bill for \$3,000 if you don't watch properly. These expenses just get out of control and somewhere we need some sort of cap so we can actually rent these building and maintain the buildings and make a business venture that actually works. Putting this out without the input of the landlords was not a good idea and maybe we can get it squared away over the next couple meetings or months.

Trustee Hoffman explained the point of this hearing tonight is get the public's input and consider them. This law is in now way a done deal.

Don Atlas, P.O. Box 557 Johnson and owner of 13 Maple Street, commented about the need to have a responsible person be the building super or manager. He lives 25 miles away and he could designate the most immature person to be the point of contact. In this day and age you should really have a database where you have email or a cell phone so you can contact them directly. By contacting directly is better than going through a second party and in this day and age it's really archaic to have a 3<sup>rd</sup> party you should just contact them directly which would be very simple to set up. As far as the fees, he owns properties in 4 municipalities and by far this municipality is the most expensive. He's not sure why but it is. Garbage is the most expensive. Truthfully, he's going to pass the fees onto the tenants and that is the reality so they will be paying the bill and will be an additional thing for them to pay. He knows we have to raise money but he's not paying it, they are going to pay it. The registry forms he filled out years ago but not sure why they have to be updated if you already have the information. It seems like overkill and intrusive. What really annoys him is why does the Village need his insurance information? It's his personal business information. Doesn't know how the Village would benefit from having his personal information. It's not your business it's his business. It's a rental building and you have some involvement to keep it safe but it's really not your business. We don't need to be micro managed and it is very intrusive. The fines and being punishable by jail is silly and overkill and not necessary in his opinion.

Maureen Drury, 195 South Montgomery Street, landlord has a cottage behind her house and she is lucky to have a good renter for the past 13 years. When she first saw this law  
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the first reaction was that she felt insulted by this law when she read it. She tried to brush it off as she doesn't want to feel insulted. She feels she does a great job as a landlord as last year she put in \$2,000 worth of replacement windows into the cottage. She doesn't even have replacement windows in her house; she has 14 year old drafty windows. So she tries not to be insulted that you think she possibly doesn't know how to do her job. She takes care of her tenant. She asked where the \$100 fee came from, was it arbitrary or based on something? She feels it's excessive. Filing fee is fine but this is extremely excessive.

Deputy Mayor Rumbold reiterated that this document is just a culmination of discussion. It was an arbitrary fee that we discussed at length and we are here tonight to get the input from the public so we can figure out what amount should be in this document.

Maureen stated it's sad that this will have to increase the rent for her tenant. Which is unfortunate as the rent is already high. Her 26 year old is living at home because he can't afford to live on his own, he's working hard but it's hard for people to afford it and now to throw another fee on top of that doesn't help matters. And she wanted to add that the garbage fee is ridiculous as well.

Larry Curasi, 6 Taft Avenue Montgomery, Landlord of a number of properties commented that he just learned of this law today and didn't have time to prepare but he does object to the fees and processes the Board is trying to implement. He owns properties in Middletown and they have a similar type of thing and it became very difficult to sell the property when it was time to get rid of them and same thing in Port Jervis. It's difficult enough in Walden and there are more things involved than the issues here. Adding additional fees to the people who are already struggling is not necessary. He would like the Board to postpone taking action so he can read more about it.

Kellie Gayton, 3 Brook Court, owner of properties on Main Street and Orange Avenue. She is supporting the opposition to this law and agrees with everyone that spoke before her. The landlords are already struggling. If the goal of the law is to upkeep properties by adding more to the landlords who are already strapped financially is only going to make it worse and the landlords will not be able to handle it. When you own multiple properties and you start adding it up the landlords simply can't handle it.

Steven Mavros, 548 County Road Montgomery, Landlord of a number of properties stated he was caught off guard by this law. The Board has been talking this for 6 months but it sounds like a pretty big secret since he only heard about it today. He owns a lot of properties in many other municipalities in Orange, Sullivan, and Dutchess Counties and Walden is special place but the point is, say Middletown has a similar law, and he understands the law is the law and he respects that but he hopes you are really listening to the input as a lot of other cities don't want to work with the landlords and only make it seem like they do. He hopes you really will do that. He suggested giving workshops so the landlords so they can get involved. The more you work with the landlords the better the solution is going to be. It's definitely very important to get involved because it's terrible in other places and it makes your investment more stale too. It's important to be invested in your city. Look at Port Jervis and Middletown that's why it looks the way that it does and why people live there other than Walden. There are many other factors but hopefully you will listen to what others have to say and will come up with a good solution.

Raynard Ozman, 130 W. Main Street, stated that a lot of people touched on what we feel is important tonight. He thanked the Board as we don't want to have slum lords but we don't want to have illegal apartments but we don't want to penalize the good folks either. His suggestion is to set up a work session and what you will find what will come of that is a treasure trove of information as they share their information with the Board. In this type of setting on a one on one at the same table he feels ultimately we can reach middle ground. A few people touched on the valuations of properties which he feels is important because if they are not marketable in the Village the valuation will go down and the amount of work the landlord will put into the property will go down and the Village will not benefit. He encourages a meeting.

Anastasia Clark, 128 Smith Lane and owner of 31 Bank Street, commented that this should make the landlords in the Village get together and make a landlord association. Other municipalities have them such as Newburgh where it is a \$100 to join it and they get free legal advice. She feels enough is enough and a lot of changes are not good and we should get together and fight.

Deputy Mayor Rumbold stated that the Board's intention is to leave the public hearing open until March 25<sup>th</sup>. We can discuss if we want to have a work session and join the Board to discuss issues that we see. This law was publicized and it's been out there that we have been having this discussion. Maybe some of you didn't see it or weren't aware of it so in order to be fair we can always have joint meetings to discuss the issues that the board faces. There is no action tonight and the hearing will be continued.

Trustee Leonard made a motion to adjourn the public hearing for Local Law #3 of 2014 – Landlord Registry Law until the next meeting on March 25, 2014 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Hoffman. All ayes. Motion carried.

Manager Revella commented that residents are welcome to submit comments to Village Hall or mail them into Village Hall.

Deputy Mayor Rumbold commented that any discussions the Board may have had were not meant to penalize landlords in the Village; we realize that you pay taxes and support this community. There are issues that both of us face; landlords, property owners, and Board members and they need to be addressed which is why the law is being discussed. She is sure that everyone knows the issues because as landlords you know what goes on in building other than yours. So it's a good thing that we have the dialogue started and we can have a conversation and come up with something that will serve everyone taxpayers, tenants, landlords and everyone that calls this Village home. Thank you for all your comments and we hope to see everyone at the next meeting where we can continue the discussion.

Trustee Carley thanked everyone for coming out tonight. Personally it opened his eyes to the other side. Not everyone agrees with everything but we have to start somewhere. The comment came out that this is a money raiser for the Village and it is not. We have to deal with things quite often from the Village perspective that should have been taken care of by the landlord and it was being dumped on the Village so we tried to put some teeth behind something. This is just one of the ways. Unfortunately it has a good and a bad side like was stated tonight. He encourages further comments and give your opinions and be more proactive in drafting this so we can hear both sides of it. If there are 900 units that are out  
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there and there are let's say there are 450 people that own them then tonight is only a small group of people that came out tonight. It's hard to chase landlords down. That is the reason for the workshops so we can talk about these things and work it out together. This is not a unilateral thing to ram down your throat. We heard some great ideas tonight. He can imagine if we work together it will benefit everyone.

### **Public Hearing – Local Law #4 of 2014 – Zoning Change 15 High Street**

Attorney Donovan split zone and to put it in the R5 for the single family. Planning board recommended in favor and the OC planning determined it was up for local determination.

Trustee Hoffman made a motion to open the public hearing for Local Law #4 of 2014 – Zoning Change 15 High Street. Seconded by Trustee Mishk. All ayes. Motion carried.

Peter and Keith Millsbaugh, 15 High Street, is looking to put the zoning back to what it was 20 years ago to R5. It was changed with the comprehensive plan a few years back. It was used as a storage facility before and now they don't need it for storage anymore. Financially it's better to make it a single family residence.

Trustee Hoffman stated that the Planning board had no comments and Dean had included a letter in your packets. They made a favorable recommendation to change the zoning.

Trustee Mishk asked if it was a house.

Keith replied it was a garage with an apartment area upstairs that could easily be converted if they wanted to.

Trustee Carley asked what was around the building.

Keith answered there was a residences on one side and Walden Savings Bank parking lot on the other side.

Trustee Leonard made a motion to close the public hearing for Local Law #4 of 2014 – Zoning Change 15 High Street. Seconded by Trustee Hoffman. All ayes. Motion carried.

Attorney Donovan stated that if the Board wished to act on this law the number of this law would now change since the Board did not act upon what was originally called Local Law #3 tonight. This Local Law now becomes Local Law #3 – Zoning Change 15 High Street as Local Laws passed must be submitted to the State in sequential order.

Trustee Leonard made the motion for Negative Declaration under SEQRA for Local Law #3 of 2014 – Zoning Change 15 High Street and to declare the Village of Walden as lead agency. Seconded by Trustee Bowen. All ayes. Motion carried.

Trustee Bowen made the motion to adopt Local Law #3 of 2014 – Zoning Change 15 High Street. Seconded by Trustee Mishk. All ayes. Motion carried.

### **Hearing (continued) – 5 Hiddenview Drive & Hearing Request – 97 Valley Avenue**

Jay Buchalski, Code Enforcement Officer, reported the abandoned vehicles have been removed as of today so this matter is taken care of. He did however wish to speak about another property, 97 Valley Avenue, which has a tremendous amount of debris all around  
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the outside of the house which is a single family home and it appears someone has left the house. He is requesting a hearing for this property at the March 25<sup>th</sup> meeting.

Trustee Mishk made a motion to set a hearing for 97 Valley Avenue for the March 25 meeting 6:30pm or as soon thereafter as can be heard. Seconded by Trustee Hoffman. All ayes. Motion carried.

Trustee Bowen asked if we could do something sooner.

Attorney Donovan stated that we need to allow for due process.

Trustee Bowen asked if we could send a letter to the residents in the neighborhood so they know we are doing something about the situation.

Manager Revella suggested we let the neighborhood watch group know.

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

- A lot of snow removal taking place. DPW did try to also go out and get the corners and got a majority of it. They have a lot of things that are backed up such as jetting the sewer mains. They are getting to as many jobs as they can.
- Met with Frontier about possibly upgrading the phone system at Village Hall.
- Had a meeting with Mr. Jacobowitz about the Kidd Farm Project and Public utilities.
- Met with the Engineer about Dais and Fluoride.
- Met with our Insurance Company and reviewed all things in the Village and said he had no recommendations which is the only one he's had in all his 200 accounts. This is a very good review for us.
- Recreation Coordinator and our arborist Jim Prescutti are getting together to review the trees in the square as they are pulling the grates up. There is a recommendation to remove them which will cause other problems. Causing a trip hazard because they have grown larger than anticipated.
- Went over Capital projects with the Engineer and we seem to be on track. Will be discussing Olley Park Playground tonight.
- Had a meeting for a PBA grievance and Negotiations and hopefully will be wrapped up quickly.
- Library submitted a grant for the Summer Literacy Program.
- Music in the Grove committee had a meeting working on the concerts coming up this year.
- The AEDs were in the process of being serviced.
- One of our PT officers received a Purple Heart for his actions in Afghanistan.
- There is an issue with the water meters we have gotten. The MXUs which are the readers are supposed to have 20 year battery life and they aren't lasting that long as it costing us a lot of money. We will discuss options and what you want to do In budget sessions.
- Found several more properties that are illegally tapped water without meters.
- April 12<sup>th</sup> is the Easter Egg Hunt at Olley Park.
- The Clerk is getting set up for the Summer Youth Employment Program.

Trustee Carley asked when the Summer Youth Employment Program will be.



Clerk Bliss replied the dates haven't been set yet but the job fair will be in June and the work dates will be in July. Applications should be out shortly.

Manager Revella reported that he finished his portion of the budget and set budget sessions. It includes all the requests from departments and paying our debt service and it's a rather low percent right now so that we could potentially be at zero percent. Our taxes have been low for the past 4 years. We are doing well financially and that is reflected in our comptroller report.

Trustee Hoffman questioned in the Chief's report there were a number of cars that have been towed during snow storms is 28. He asked if he received any feedback on the towing rates.

Manager Revella replied, no not yet. Maybe they are being compliant and the fees are good.

Trustee Hoffman asked about the plans for the meters.

Manager Revella replied we could change to a different system and we have quotes on them that we will review at the Budget session. There is a 20 year life on the batteries but have not been lasting that long.

Trustee Hoffman asked if we had communication with the manufacturer.

Manager Revella replied yes and they did replace one box because they said it was a bad batch but we tested other ones that we've had issues with also. We shouldn't have to pay anything if they are supposed to last 20 years.

Trustee Leonard asked if they were off the shelf or special batteries.

Manager Revella replied they are off the shelf, not special they make the same for everyone.

Trustee Bowen asked if there were any billing issues because of this.

Manager Revella replied that it forces us to manually read or card read the meters which slows the process. We got the system so the reader could drive around and get the readings.

Deputy Mayor Rumbold noticed he had a lot of conversations about snow removal. She asked what the chief complaint was about snow removal.

Manager Revella replied that most were requesting that their street be done next. He let them know we were working as soon as we could. The test was if a fire truck could get down the road if we couldn't, we would hit those streets first.

Deputy Mayor Rumbold stated that no one knew where to put the snow, so how much of the problems were caused by the residents putting their snow back on the sidewalks.

Manager Revella replied that some of it was but a lot of it was because there was no thaw. We plow to the curb but if it doesn't thaw then the snow and ice is built up and then the next storm comes and you are farther out and it keeps happening and compounding because of the process.

Deputy Mayor Rumbold commented on the Mechanic's report and stated she was looking for more a little more detail than what we are getting here. There are no dates, vehicle information, what was done with the vehicle etc.

Mishk agreed.

Deputy Mayor Rumbold wants to know if we have an issues which vehicles, is it being sent out or being repaired here. What is the turn around time for a piece of equipment that it's back in service? That's what she wanted to see on the report.

Trustee Mishk added he'd like to see when this work is being done the whole time between meetings or one day. This report looks like he's part time and he would like a better accounting of his time.

Manager Revella replied that he would relay the message. He was part time during this report because he was doing snow removal also.

#### **Approval of the February 18, 2014 Minutes**

Trustee Mishk made a motion to approve the February 4, 2014 minutes. Seconded by Trustee Hoffman. 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 stated that the Bank reconciliations and cash reports are up to date for January, and Peter is working on February. On going cross training continues in the office. Production looks like we're coming together as there will be changes with the building department and everyone will work together and come together as a unit.

##### **Police Department Liaison – Deputy Mayor Rumbold**

Deputy Mayor Rumbold reported that Mike Hansen, PT Officer received a Purple Heart and a Combat Action Ribbon for the Airforce as a member of the security police for the 105<sup>th</sup> Airlift. Very pleased and congratulate him. Obviously we have had a lot of snow so they have been busy with that. She asked when we have storms like we had do we have any plan to make certain that Police Officers can get out of their driveway in order to get to work.

Manager Revella replied that the ones that live in the Village can call dispatch and they can call DPW. Not a policy but they can get into work if needed. It's a courtesy. He has also picked them up himself to get them to work.

Trustee Carley commented that we need to make sure it's an unspoken rule as he could say that he has a public safety job as well and can get a little hairy.

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

Trustee Hoffman reviewed the Hannaford's project with the Engineer and Dean. They are working on the inside and drainage pipe lines. Other items were 36 Gladstone Ave we have on as an action item tonight. The Planning Board has a meeting Monday, and there is a new potential building at the Thruway site for an Auto Zone on the agenda.

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

No report.

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

Trustee Mishk reported that the Court/Board Dais is on for action tonight. The Library meeting was good and it was the budget meeting for them. It was a modest budget. Key thing is they have no fund balance. We have an action item tonight for the Library as well.

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

Jessica Metzger, 4 Gracewood Court, commented on the landlord registry law which she knows has been talked about for a long time because she comes to the Board meetings. Always seems like when the Public Hearing comes around you are accused about trying to sneak something through. Not sure what you can do to inform the public so you don't get accused of not informing the public. Those of us who attend we know about it but others don't. Not sure what else you can do besides posting in the paper and having public hearings. She just wanted to point out you aren't hiding anything but that's because she is involved. She feels it's a shame that what brought the people out tonight was the public hearing and wish that they could have stayed as she heard a lot of good ideas from some of them and perhaps if they were involved more there would be more good ideas as well.

Mary Ellen Matisse, 21 Clinton Street, wanted to know about the Dais and if it will be movable.

Manager Revella replied that the RFP that came back has to do with a Dais that's moveable but not the stage area. The Engineer can speak about it at the action item. If there was time to change the RFP he would have but there was no time.

Mary Ellen asked about the Fluoride product; did you get all the specs you asked for.

Manager Revella replied yes, from the one that responded. The engineer will talk about it.

Becky Pearson, 167 Walnut Street, wanted clarification if the Dais is moveable or not?

Manager Revella stated that the top portion table and fronts can move off the stage but the stage itself will not be moveable. The ramp will be along the wall and could or could not be movable.

Becky asked why you put it out for RFP if the Board didn't know what they wanted.

Manager Revella clarified that the vote before we did the spec was what the board wanted. At the last meeting the Board discussed some changes.

Deputy Mayor Rumbold stated that there was confusion of what she thought would be moveable. She now understands the stage will be fixed and any pieces on it would be movable. She has the wrong impression. The platform will house all the wires and we can't move the whole thing with wires on it. Can also do change work orders if we would like to switch it around.

Becky stated she doesn't understand why it wasn't done to begin with.

Deputy Mayor Rumbold replied that the issue was that she misunderstood the word moveable.

Becky asked about the Olley Park Playground and where it will be.

Manager Revella replied it will replace the current playground on the far end by the gazebo.

Becky continued about the Landlord registry law; it was nice to see people come out. Sad it has to get to a public hearing before they come out. Feels the Board members could have done more to get the public involved prior to the hearing. She urges the board to consider getting more information and getting more involvement before spending money on the attorney to draft laws that haven't been fleshed out entirely. She knows they did a good job in the beginning but there is a better way to have them involved than coming out to a public hearing. There would also have a better law to begin with if we had listened to the public in the first place.

### **Action Items**

#### **Hearing Request – 36 Gladstone Avenue**

Dean Stickles, Building Inspector, reported that the owners have walked away from the property. He would request a hearing so we can board up the open doors. It's a single family home not a rental property.

Trustee Mishk made a motion to set a hearing for 36 Gladstone Avenue for Tuesday, March 25, 2014 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Carley. All ayes. Motion carried.

Trustee Hoffman suggested Dean use the same contractor or method he used for the last one as they did a great job.

#### **Award Bid for Dais**

John Queenan, Village Engineer, explained that the RFP was sent out for a 12 foot wide by 36 foot long platform about 1 foot high. It would be made of wood, simple beams to match what is already here. Wires would have to be routed under the platform and come up to match the portable tables. We would make the tables to fit the platform. We wanted it to be simple to work in the budget left in the grant and to give most flexibility to use the space. He spoke with the contractor of this bid and he would be willing to work with the Village to possibly move the ramp but to make the entire thing moveable he would not be able to do as it would not be wood and would not match the character of the room and would be about 50% more expensive. If the entire thing is made moveable we would need to building it in sections as well as the conduit and would need to be stored which the Village would not have a place to store this.

Deputy Mayor Rumbold asked what we would use to attach.

John replied with 2x6's with nails and then use brackets that would go into the floor.

Trustee Hoffman explained it would be like constructing another floor to meet the load it would need to bare above the existing floor.

Deputy Mayor Rumbold said that what people were worried about would be that it would destroy the room and destroy the integrity of the room. If you use brackets is that less evasive?

John replied, yes. They would be every 6 feet.

Deputy Mayor Rumbold asked if 20 years down the room they want to remove it what kind of work would be needed to repair the bottom floor.

John replied simply remove the brackets and restore the screw holes in the floors and the molding on the back wall.

Trustee Leonard asked if all that is necessary.

Manager Revella replied that every 6 feet is not that bad.

Trustee Leonard asked what the capacity would be when it's done.

John replied 100 lbs per square foot as it's just another floor. The contractor is willing to sit down and look at options but he doesn't feel it's a viable option to have the entire thing moveable. Once taken apart it won't go back together.

Trustee Leonard asked if it would be square.

John replied no it would be angled out.

Trustee Mishk stated the plans actually show that we can sit at the corners too.

Trustee Hoffman asked if we could keep the ramp disconnected and attach it as needed.

John stated that is a possibility.

Deputy Mayor Rumbold asked about why the ramp was on that side of the room. Is there a reason?

John stated that if it's on the other side it would block the door as well as it would not be centered in the room.

Deputy Mayor Rumbold thought it would bring about Emergency exit issue in her eyes.

John replied that it is actually equidistant no matter what side it's on.

Trustee Leonard asked if there would be raised portions on the sides and on the platform to prevent from falling off.

John replied yes.

Judge Ozman commented that the 1 foot raised is not high enough in his opinion. Ramp would have to be longer he realizes, but he feels 18 inches is better than 12 inches. The idea is to be at eye level with someone approaching and not looking down at them. But he does understand the budgeting issues. His recommendation would be at 18 inches the minimum.

John commented that the higher we go the longer the ramp will need to be; for every inch he needs another foot.

Trustee Leonard asked what the ADA specification is.

John stated that yes we had it at 16 but then we changed it to 12.

Deputy Mayor Rumbold asked if the Judge's area be raised instead of the entire platform.

John replied we could do multi level, yes.

Judge Ozman stated that elevation would help and not sure how it would match up to the tables. It's different than a normal Dais; it's a different type of design, essentially this is a platform with tables on it. He is worried about what it will look like in this room. Not sure the space is going to be a big issue. Due to the wires underneath, for safety and ease of use the fixed platform is the issue for this room. If you were to take it apart where would you put it? It will be heavy to move also. He recommends 18 inches for elevation but understands that may not work. We are trying to compromise something to try to make everyone happy. He recommends waiting as there is a question of what it will look like as we don't have a rendering of it. Perhaps one more meeting is needed.

John stated that we looked at Maybrook which is custom built and fixed, not moveable at all. We are trying to keep it portable with the tables here.

Deputy Mayor Rumbold commented that we wanted to get the judge at eye level in the beginning. Now we are going to have tables and a ramp etc. Do we need to do that kind of a project if he really only wants to have himself at eye level.

Judge Ozman commented that this style would help the Board as well with presentations and for the Board to utilize as well. Time goes by prices go up and it's harder.

Trustee Carley asked if we have to have a ramp.

John replied, yes and no. The code is grey as you need to be able to make them a part of the same level you have to be careful with that. Other thing he can suggest is don't do the platform at all and just get new tables so that the center is higher. He just needs direction from the Board on what they would like to do.

Attorney Donovan asked how long is the bid good for.

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John replied 45 days from date of award.

Trustee Hoffman asked what the timeline was to use the grant funding.

Judge Ozman stated that the grant funds should be used this year as it was awarded 2008 and will expire.

Deputy Mayor Rumbold clarified this fiscal year or calendar year.

Judge Ozman replied fiscal year.

John stated that based on the feedback tonight, he suggests not awarding this tonight and tabling it to get to meet one more time to find out what we can do. It sounds like it could be a different project.

Attorney Donovan stated there is no reason to reject the bid tonight.

Deputy Mayor Rumbold asked if we can accept the bid tonight if we plan to do something a little different.

Attorney Donovan suggests the Board doesn't do anything right now until the Board comes to a consensus. Perhaps do some sort of mock up of what it would look like.

Trustee Bowen commented that a visual would be great.

Trustee Leonard agreed and asked if a quick sketch of alternatives would be possible to have as well.

Trustee Leonard made a motion to adjourn awarding the bid for the Dais until the March 25, 2014 meeting. Seconded by Trustee Hoffman. All Ayes. Motion Carried.

### **Award Bid for Fluoride**

John Queenan, Village Engineer, completed an RFP for the fluoride material and we received one bid from Thatcher Company of New York Inc. All materials we requested have been provided. The material is NSF 60 proof and is AWWA certified. The facility is located in Florida. The product is distributed from Florida to New Jersey where it is packaged and then shipped. They have met all the requirements that we need for this material and their price is \$1,194 per ton which is a \$0.06 increase since the last time it was introduced to the water. We are recommending you award the materials so we can continue the process of introducing this to the water.

Trustee Leonard asked how long 1 ton will last us.

John replied the Village will use 1 ton per month, so about 12 tons per year roughly.

Trustee Mishk asked if we received the documents to satisfy the state Department of Health.

John replied yes we have. The State Health Department requires that anything introduced into the water be National Science Foundation (NSF) 60 approved or you may hear it  
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called ANSI American National Standards Institute which is a 3<sup>rd</sup> party certification process. The EPA said at one point that they would do this certification but found out that they didn't have the people or resources to do that so they turned to the private industry and got an independent 3<sup>rd</sup> party that would come up with standards, specifications, and certifications for the material. This facility goes through the same process and is NSF 60 approved. This organization is tied to the American Water Association and this facility meets these criteria as well.

Trustee Mishk asked if the Health Department signs off on it.

John replied that our plans have been reviewed by the Orange County Department of Health and what will happen now is that we are currently ordering parts/materials to put the fluoride back through the pumps such as meters etc. There is a public notification period of 30 days that we will be putting the fluoride into the water, then after the 30 days we have to request an inspection. Once approved they will give the ok.

Trustee Carley asked if we will have the documents so we can show public.

John replied yes, they are attached to the bid award letter.

Trustee Hoffman asked just to be clear, to get that NSF certification they have to go through the toxicology reporting and lab work and what not. That is not documentation that we receive, we just get a copy of their NSF certification, correct.

John replied that is correct, which is what we received.

Trustee Leonard asked how many locations we would be adding this to the water.

John replied 2 locations; east well in the water treatment building and Delong well.

Trustee Leonard commented that costs are higher than we had thought because we thought it was only 1 location.

John added that it's now 2 treatment points due to regulation changes from 2012.

Deputy Mayor Rumbold added that EPA continues to say that diluting these solutions is the answer to the issues that they have with it. She still doesn't believe it belongs in the water. We have such a close number to the EPA standard and people are getting fluoride from other sources. She feels it's an unneeded cost and unneeded risk to the public. Thank you John for the documentation, it doesn't change her feels on the topic.

Trustee Hoffman made a motion to award the bid for Fluoride to Thatcher Company of New York, Inc. in the amount of \$1,194.00 per ton. Seconded by Trustee Leonard. 5 ayes, 1 Nay (Deputy Mayor Rumbold), 0 abstentions. Motion carried.

### **Request Waiver Fee – Hudson Valley Honor Flight**

Tabled as there was no one present at the meeting from the organization.



### **Bond Reduction – Hannaford/Thruway Site Plan**

Manager Revella reported this is a standard reduction for work that has already been performed.

Attorney Donovan explained it would be to change the amount from \$424,000.00 to \$267,742.00 or a reduction of \$156,258.00.

Dean Stickles, Building Inspector, explained it's for the work that's been completed to date at the site and has been signed off by their engineer and our engineer. That is what we recommend. The Planning Board also recommends reducing the bond to this amount.

Trustee Mishk made a motion to reduce the original Bond for the Hannaford/Thruway Site Plan amount of \$424,000.00 to \$267,742.00 or a reduction of \$156,258.00. Seconded by Trustee Carley. All ayes. Motion carried.

### **Updated Village Policies**

Manager Revella explained that he mentioned at a Board meeting in January that he and the Attorney have reviewed policies to adjust them accordingly. The only major changes are the substance abuse testing policy. The rest are updates to current policies and the addition of a social media policy.

Trustee Hoffman asked if this has been distributed to the employees already.

Manager Revella replied that they have been distributed to the department heads already and from there they would distribute them to their employees. Most of these policies are already in place the two newer ones came from one of the departments. Needs to be approved by CSEA and PBA also.

Trustee Bowen asked if it would be signed by the employees.

Manager Revella replied yes.

Attorney Donovan commented that most of these already existed but what the Manager asked him to do was to put them all in one place. He would like to have the date on the front as it would be subject to review and modification as time goes on.

Manager Revella added that we might get comments from CSEA about how to implement such as the substance abuse testing policy.

Trustee Hoffman asked if we could put a notice in paychecks.

Manager Revella replied no.

Deputy Mayor Rumbold stated she would like to give more time to get more feedback. She would like to table this until the 3/25 meeting.

### **Olley Park Playground**

Manager Revella explained that the playground is part of summer camp program and our improvements for that program. We need to start the process now in order to get the playground finished before summer camp opens as well as ordering it so that it's here in

time for the installation. It's not going to be paid for until June 1<sup>st</sup> in the next fiscal year budget but he needs the Board to be ok with the replacement to get in time for camp.

Deputy Mayor Rumbold clarified that the money for the playground is in next year's budget which has not been approved yet and we may say no. What is the amount?

Clerk Bliss replied total of \$104,774.02 which includes the mulch and the equipment.

Trustee Bowen asked if this is included in the preliminary budget.

Manager Revella replied it was.

Trustee Leonard asked if the discount was because we were ordering it in advance.

Manager Revella replied no, that's the state bid amount.

Trustee Hoffman asked for an overview of the drawing.

Manager Revella replied it is similar to the Bradley Park playground. One large swing set and two age appropriate pieces of equipment one for the older age group and one for the younger age group.

Trustee Bowen asked how long it takes to put it together.

Manager Revella replied less than 2 weeks but we want to factor in variables.

Trustee Hoffman asked if the Recreation Coordinator still likes the rubber mulch.

Manager Revella replied yes, it's safe and works well.

Deputy Mayor Rumbold asked what the deadline is to order this.

Manager Revella replied that we need to order it so it's here the first week in June so that it can be up before camp starts. The next meeting would be the deadline to order this.

Deputy Mayor Rumbold stated she would like to have the Recreation Coordinator at the next meeting with photos so she can see what it looks like and digest this before we spend that much money.

Manager Revella replied that we will have to remove the old equipment regardless if you do this or not. It's not ideal and needs to be upgraded so he would like permission from the Board to begin that removal process to get the area ready for camp regardless if they approve the purchase of the equipment or not.

Trustee Hoffman made a motion to get the Village Manager permission to remove those sections that need to be removed from the current Olley Park Playground. Seconded by Trustee Leonard. All ayes. Motion carried.

## **Bradley Trust Transfer Request**

Manager Revella explained that the Library would like to move the account from the current bank to another bank to get a better rate.

Trustee Carley made a motion to permit the Library to move the Bradley Trust Fund to another bank in order to seek a better interest rate. Seconded by Trustee Leonard. All Ayes. Motion Carried.

## **Discussion**

### **Overlook at Kidd Farm**

Manager Revella reported that he had a meeting with the applicant regarding the utilities on the Town House project and what will be public and what will be private. The road and drainage will be private but they would like public water and sewer system. We will only be responsible for the mains not service lines. There was also a request for a booster station that would be turned over to the Village based on our specifications at completion of the project which will boost the water pressure in that area. Along those lines there are other public improvements that would be dedicated to the Village which would be an upgrade of our sewer pump station that we currently have at Edmunds Lane. There are applications that need to be filed with the Department of Health or the Department of Transportation and depending on whether they are public or private that is who will sign them. If the water and sewer is public based on engineers approval then the Village Manager needs to sign the agreement, if it's private then the applicant signs the agreement. So far the Planning Board has gone the route of the water and sewer being public and dedicated to the Village at some point and that is where we are at.

Deputy Mayor Rumbold asked if we take the water and sewer lines then whose specs are used when this is being put into that area.

John Queenan, Village Engineer, replied that the Village Planning Board designs it to meet the Village specifications. Streets and water and sewer are designed according to Village specs; all that is being followed because it goes through a process. Where they currently are right now is that they have preliminary approval right now from the Planning Board but they need outside approvals from Department of Transportation, Department of Environmental Conservation, and Department of Health and this is typical for developments. Bottom line, if its private the applicant signs, if public the Village needs to sign the applications as the Village will be the owners.

Manager Revella added that by doing this it doesn't bind the Board to accept the dedication of the stations until all the improvements are done. We won't accept them until they meet our specifications. Same as other developments like Beazer.

John added that it was referred to him from the Planning Board and what will happen is that after they get final approval, they begin construction, the Village inspects the plan and as it's going into the ground the Village inspects to ensure that it's up to our specifications. Very complicated process.

Trustee Carley asked what the con is.

John replied that for a development of 200 plus units which is significant infrastructure installation, what happens is it's required that they do testing on the systems and what he

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finds on a system this large is if the economy is good life is good. When it's not so good and they don't want to put anything into the maintenance and upkeep of the site, then it's not so good. In the end the transportation corporation or the HOA is out of funds they don't do the upkeep and are not as attentive as we are to these types of systems. It eventually falls on the official owner of the system regardless of what they do so it could end up costing you as they typically don't do as much upkeep and repair as we would do. For a system this size and what's included he recommends we be involved from the get go to be sure that it's done up to our standards before it gets to a point, or ever get to a point that we have to step in and take it over.

Trustee Hoffman added that one of the cons was if there were previous inflow and infiltration problems we would have no mechanism to do investigations so this provides a mechanism so there are no problems in the future.

Trustee Carley added that is a benefit to the Village to be involved.

John commented that you will take it from day one and will be phased in over a few years before full build out; it will slowly incorporate itself. He feels that with the size and what's included in the improvements it should be taken.

Trustee Bowen asked if that was what the Planning Board is recommending.

John replied yes, the same is recommended by our Planning Board and he believes it's the wish of the developer as well.

Deputy Mayor Rumbold asked when they build these systems do they create a mapping system, do we know where the valves are. In the Village there are areas that we don't know that information and we are creating that system now so the DPW knows where to shut off things etc.

John replied that yes we require drawings at installation and a representative is on site when the improvements are in the ground.

Attorney Donovan added that what is supposed to happen is a mapping system is prepared, our engineer reviews it, inspects the work and then the Board considers it before dedication.

Trustee Bowen asked if there was a cost to the Village.

John replied no, everything is done by the developer, paying inspection fees etc. and the developer posts bonds and if they walk away from the project we have the bond to finish the work with.

Trustee Bowen asked what if something breaks is there a warrantee.

John replied yes, there is a 1 year warrantee if breaks from the date of acceptance by the Board.

Attorney Donovan stated that if the Board was so inclined, the only action required is to authorize the Village Manager to sign water and sewer main extension applications after meeting the approval of the Village Engineer. That's if you would like to take action tonight.

Deputy Mayor Rumbold stated that since it's a discussion item right now and the community should be able to talk about it she would like to put it on the agenda for 3/25.

Trustee Carley feels it's clear that it's in the Village's best interest to oversee from the start as Queenan said. Why prolong it any longer as it won't change the pros and cons already presented.

Trustee Bowen stated that since it's a discussion item we could all absorb it and then vote in 3 weeks, why rush.

Trustee Carley stated there are a lot of things we are already putting off until the next meeting, he disagrees and feels we should vote on it right now as nothing will change between now and then and it won't cost the Village anything.

Trustee Mishk sees both sides of the argument.

Trustee Hoffman stated that he would like to wait until next meeting.

Trustee Leonard feels this moves it back over a month for the applicant since our meeting is in 3 weeks and the Planning Board only meets once a month. He won't be able to move forward on his project.

Trustee Hoffman disagrees. All he needs on this is a signature on a form to submit to DEC and DOH. He can still make submissions to other agencies. He doesn't understand the urgency.

Trustee Leonard stated that we have taken action on discussion items in the past.

Deputy Mayor Rumbold stated that this was the type of action where she would like to get public input. She feels they should be able to have an input.

Trustee Leonard said the public has input at the Planning Board level.

Trustee Carley added that if the benefit to the Village doesn't change why not vote.

Deputy Mayor Rumbold stated that the majority of the Board feels that we should wait until March 25<sup>th</sup> meeting so it will be an Action item and the public will be able to comment on it at that meeting.

Trustee Hoffman clarified that the Engineer has given his comments to the applicant and so what we are asking is the Village Manager is going to sign those applications after the plans have been revised there is nothing stopping the applicant from revising those plans now to help himself expedite the process. If we would take action tonight he would still need to revise the plans. So technically the applicant could submit those plans right after the meeting on the 25<sup>th</sup>.

Jerry Jacobowitz, applicant, stated that information was not true.

Deputy Mayor Rumbold stated that if the applicant is allowed to speak we will have public comment on it as well.

Trustee Hoffman stated that if he has said something inaccurate then he would like to know what that is.

Jerry continued that he does not wish to be here on the 25<sup>th</sup> as it's his wife's birthday and with all due respect she takes precedents. He does not agree with Trustee Hoffman. He got Mr. Queenan's review and Mr. Gainor's review of the plans, which is unusual to begin with to have to engineers review; usually it's just one engineer. They raised some questions about design which if it's going to be a Village system we agreed to do those things which cost us more money and is more problematic but we agreed to do them anyway. If you are not going to take over those facilities then we are not going to do that work and feels he can't complete the plans until the Board decides what they are doing. In 3 more weeks they won't be able to do more work until that happens. It may take the engineer a few hours or a day but we aren't going to do any changes until that decision is made.

Trustee Hoffman thought there was some time issue and he thought it could be expedited but it now sounds like there is not time issue.

Jerry stated yes there is as he would like this to be authorized and then have their application out by the end of the week. All he can say is 3 weeks later is 3 weeks later and we're not doing more work until that is known. Thank you for allowing him to speak.

Brenda Adams said that Mr. Queenan stated there would be no cost to the Village but what about his time that he's spent on this already.

Manager Revella replied that the applicant reimburses the Village for his time.

Deputy Mayor Rumbold clarified that we won't have costs until we take dedication and something happens then.

Becky Pearson asked about when we do take dedication and we have a problem and we have to dig up properties and the road to make repairs, who then takes care of the repairs on that road.

Manager Revella replied we are just talking about the water lines. If we fix the water main and we dig up the road to fix it, then we fix the road. A year after we take it yes we have to fix it if we dig it out.

John stated that on any street, if a water main breaks the repair has to be completed. Benefit is we won't own the road. We can repair and then patch it.

Becky asked if we could be sued if not patched properly.

John replied no.

Trustee Hoffman stated it is part of the easement agreement with the HOA. It has to be because we aren't taking the streets.

### **Set Budget Session Dates**

Manager Revella stated that the first week in April would be ideal.

Deputy Mayor Rumbold stated that the dates will be March 31, 2014; April 2, 2014; April 7, 2014 after the reorganization meeting; and April 8, 2014 all beginning at 6:30pm.

### **Public Comment**

Mary Ellen Matise, 21 Clinton Street, asked about Farmers Market and what is going on.

Clerk Bliss replied that it will be Thursdays in the Square from 2-7pm.

Mary Ellen announced that Local History Day is April 6<sup>th</sup> at 2pm in the Bradley Assembly Room. Trying to get good things about Walden out there, hope everyone can make it.

Anita Vandermark, 76 Highland Avenue, wished the people who came for Public Hearings stayed then they would be up to date on what is going through. How much does fluoride cost the taxpayers?

Manager Revella replied that it's included in the water fees already.

Anita continued that perhaps you should consider a judicial bench instead of a big elaborate platform. She announced that Knights of Columbus are having take out meals on Fridays during lent for just \$6 just call and pick it up between 5-7; Meet the Candidates Night is Thursday; Walden Community Council Meeting is at Hunter Insurance on March 12<sup>th</sup> at 7pm; Indoor Yard Sale on March 30<sup>th</sup> for Friends of Walden Youth; and Election Day is March 18<sup>th</sup>. Check out the Wallkill Valley Times Almanac as it has all the meeting dates for the Historical Society and the Community Council; it's in the Library and outside the Clerk's office.

Becky Pearson, 167 Walnut Street, commented on the Dais and suggested getting bar height tables and sit on stools instead of a big elaborate thing; it's an alternative without the costs or making things permanent. The other idea is to just raise the judge's table.

Brenda Adams, 31 Valley Avenue, back when they narrowed Valley Avenue and added the grass strips in and it was changed to a one way we were told at that time that the parking on the one way would have to be on the left side of the street facing route 52 because of the oncoming traffic, it was a safety issue. In the instances of snow it's even narrower because people park on the street and the piles of snow are there also. The Village comes through and cleans up the street with no parking on it but they can't do the other side because cars are parked there. Is it true that we can't park on the right side of the street?

Manager Revella stated that was just a recommendation not a requirement and the Board could make it whichever side they wanted.

Brenda continued that you would save a foot to 2 feet for every parked car. With regard to 97 Valley Avenue, she is glad to send out an email to everyone on the neighborhood watch group but that won't get everyone on the street, but she will ask them to tell the neighbors.

Trustee Hoffman asked Manager Revella to look into that parking issue.

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

Trustee Hoffman made a motion to pay the audited bills. Seconded by Trustee Mishk. All ayes. Motion carried.

### **Correspondence**

Deputy Mayor Rumbold read a letter from Joe Horan sent to the Village Manager's office today regarding the Edmunds Lane project, recommending that it go before the Planning Board.

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

Trustee Leonard has put in a report from the NYCOM meeting earlier this month; any questions feel free to ask. One update was that he talked to Barbara VanEps about the fact that the top republican is not happy with the tax cap and later this week NYCOM will know if it will fly or not.

Trustee Bowen asked about South Montgomery Street and the left hand turn. There is an SUV that parks on the snow there and he thinks it's the same guy with the white car that parks there. Can we stick a stick in there for no parking?

Trustee Mishk just wanted to make a clarification on the judges Dais. Judge had money funded to him to improve court room. We jumped on it to make it accommodate both the Board and the court since we are using free money.

Deputy Mayor Rumbold thanked everyone for coming out tonight.

### **Executive Session –Village Manager 105 F, Potential Litigation, and Personnel of a particular person.**

Trustee Mishk moved to go into Executive Session to discuss Village Manager 105 F, Potential Litigation, and Personnel of a particular person. Seconded by Trustee Bowen. All ayes. Motion carried.

### **Reconvene**

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

### **Waive Penalty on Rehab Loan - 33 Orange Avenue**

Trustee Leonard made a motion to waive the penalty for the rehab loan for 33 Orange Avenue. Seconded by Trustee Bowen. All Ayes. Motion Carried.

### **New Terms on Rehab Loan – 92-100 West Main Street**

Trustee Hoffman made a motion to accept the new terms for the \$20,210.00 rehab loan for 92-100 West Main Street at 3% over 10 years due the 10<sup>th</sup> of each month with the understanding there will be no further modifications made to the loan. Seconded by Trustee Carley. All Ayes. Motion Carried.

### **Adjournment**

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



**Village of Walden Board of Trustees  
Regular Meeting  
March 4, 2014  
Motions & Resolutions**

**Public Hearing – Local Law #3 of 2014 – Landlord Registry Law (later changed to Local Law #4 of 2014)**

Trustee Hoffman made a motion to open the public hearing for Local Law #3 of 2014 – Landlord Registry Law. Seconded by Trustee Bowen. All ayes. Motion carried.

Trustee Leonard made a motion to adjourn the public hearing for Local Law #3 of 2014 – Landlord Registry Law until the next meeting on March 25, 2014 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Hoffman. All ayes. Motion carried.

**Public Hearing – Local Law #4 of 2014 – Zoning Change 15 High Street (later changed to Local Law #3 of 2014)**

Trustee Hoffman made a motion to open the public hearing for Local Law #4 of 2014 – Zoning Change 15 High Street. Seconded by Trustee Mishk. All ayes. Motion carried.

Trustee Leonard made a motion to close the public hearing for Local Law #4 of 2014 – Zoning Change 15 High Street. Seconded by Trustee Hoffman. All ayes. Motion carried.

**This Local Law now becomes Local Law #3 – Zoning Change 15 High Street as Local Laws passed must be submitted to the State in sequential order.**

Trustee Leonard made the motion for Negative Declaration under SEQRA for Local Law #3 of 2014 – Zoning Change 15 High Street and to declare the Village of Walden as lead agency. Seconded by Trustee Bowen. All ayes. Motion carried.

Trustee Bowen made the motion to adopt Local Law #3 of 2014 – Zoning Change 15 High Street. Seconded by Trustee Mishk. All ayes. Motion carried.

**Hearing Request – 97 Valley Avenue**

Trustee Mishk made a motion to set a hearing for 97 Valley Avenue for the March 25, 2014 meeting at 6:30pm or as soon thereafter as can be heard. Seconded by Trustee Hoffman. All ayes. Motion carried.

**Approval of the February 18, 2014 Minutes**

Trustee Mishk made a motion to approve the February 4, 2014 minutes. Seconded by Trustee Hoffman. All ayes. Minutes approved.

**Hearing Request – 36 Gladstone Avenue**

Trustee Mishk made a motion to set a hearing for 36 Gladstone Avenue for Tuesday, March 25, 2014 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Carley. All ayes. Motion carried

### **Award Bid for Dais**

Trustee Leonard made a motion to adjourn awarding the bid for the Dais until the March 25, 2014 meeting. Seconded by Trustee Hoffman. All Ayes. Motion Carried.

### **Award Bid for Fluoride**

Trustee Hoffman made a motion to award the bid for Fluoride to Thatcher Company of New York, Inc. in the amount of \$1,194.00 per ton. Seconded by Trustee Leonard. 5 ayes, 1 Nay (Deputy Mayor Rumbold), 0 abstentions. Motion carried.

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### **Olley Park Playground**

Trustee Hoffman made a motion to get the Village Manager permission to remove those sections that need to be removed from the current Olley Park Playground. Seconded by Trustee Leonard. All ayes. Motion carried.

### **Bradley Trust Transfer Request**

Trustee Carley made a motion to permit the Library to move the Bradley Trust Fund to another bank in order to seek a better interest rate. Seconded by Trustee Leonard. All Ayes. Motion Carried.

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Trustee Mishk moved to go into Executive Session to discuss Village Manager 105 F, Potential Litigation, and Personnel of a particular person. Seconded by Trustee Bowen. All ayes. Motion carried.

### **Reconvene**

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

### **Waive Penalty on Rehab Loan - 33 Orange Avenue**

Trustee Leonard made a motion to waive the penalty for the rehab loan for 33 Orange Avenue. Seconded by Trustee Bowen. All Ayes. Motion Carried.

### **New Terms on Rehab Loan – 92-100 West Main Street**

Trustee Hoffman made a motion to accept the new terms for the \$20,210.00 rehab loan for 92-100 West Main Street at 3% over 10 years due the 10<sup>th</sup> of each month with the understanding there will be no further modifications made to the loan. Seconded by Trustee Carley. All Ayes. Motion Carried.

### **Adjournment**

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