

**Village of Walden
Board of Trustees Regular Meeting
May 6, 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	Willie Carley
	Sean Hoffman
	Edmond Leonard
	Gerald Mishk

Absent:

Mayor	Brian Maher
	Bernard Bowen

Also Present:

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

Deputy Mayor Rumbold congratulated Mayor Maher and Becky Boone on the arrival of their new baby girl on April 30, 2014.

Snow & Ice Removal Appeals

Clerk Bliss called each property that appealed the Village Manager's denial to remove the charges levied against them. They were each given the opportunity to plead their case to the Board:

Darran Prince, 40 Bergen Avenue, thanked the Clerk for sending evidence to him. According to the time stamp the workers were there for 10 minutes which translates to \$1,320 per hour. He doesn't believe that any work was done; there are no after pictures and no time stamp on the photos. He is very diligent with his property and has a girlfriend, daughter, and a friend here to attest that he always cleans the property and is quite diligent. (Photos of the property were passed around to the Board members)

Gerard Tuitt, 48 Ulster Ave, stated that his property wasn't shoveled but indeed it was. He has been living there for 10 years and has shoveled the same way every time. The pictures show that the property was shoveled. He never received a notice until he went to the post office weeks later and got the letter saying it wasn't shoveled. He's been shoveling the same way for 10 years. The summons states it wasn't shoveled but it was.

Trustee Hoffman asked if the property with the retaining wall is his.

Gerard stated yes, but where the Code Enforcement Officer is standing to take this photo is not his property.

Trustee Hoffman stated that it's not a question of whether he shoveled or not, clearly there was some shoveling done. He thinks that it is an insufficient width, narrow passageway.

Gerard stated he's shoveled the same way for 10 years.

Trustee Hoffman asked what if someone with a stroller or wheelchair tried to pass by.

Gerard reiterated that the summons states that it wasn't shoveled which is not accurate. It should state it is not done to the correct width and he should be charged a lesser fee. If he had known that it had to be wider he wouldn't have wasted his time doing that. He never received the 24 hour notice.

Deputy Mayor Rumbold stated for the record that there is no regulation in our code that states you have to get any kind of notice written or otherwise. We do that as a courtesy to give people notice to comply with the code but there is not requirement that we have to do that, just so that people know.

Gerard stated he never received any notice and it's been like that for 10 years. He takes care of his property and his neighbor's property which is abandoned, 44 Ulster Avenue. He's the one that calls to get trees taken down etc. at that abandoned property and if he had known the law he would have done it wider. As you can see it has been shoveled and if he took the time to shovel that he would have done the full width. Since it's only a question of the width he thinks \$220 is too much since he did some of it. Since he's been doing that for 10 years he thinks he is due a courtesy from the Village of some kind. He's a hard working tax payer.

Shanika Robinson, 101 South Montgomery Street, stated that she is new to Walden, been here for 2 years. Her first year here she didn't know anything about the codes as they are not in her lease. This year she is now faced with the regulations. She did her best to shovel. She recalls one day that she shoveled and both neighbors on either side of her tried to help keep hers shoveled and the plow truck came and pushed the snow back on top of the sidewalk. She asked how she is going to get it off as we had so much snow; it was ridiculous having water damages and what not. She feels that this was an unusual winter and not only from icing but for the people of Walden and what was put in place that maybe moving forward as a community we can readjust some of the things that have been put in place because who is to say that next year we won't get two times as much or more and you won't have another room full of people. She has verification from neighbors stating that they worked it out the best they could, she volunteered her yard to park cars for neighbors so they didn't get tickets and things like that. She thought this year it was good for Walden in her case to see them pull together to help one another. She comes from the Town of Newburgh and was involved in politics and has influential people in her family so to see coming from that to here she's very pleased. She has no regrets moving here and is happy to be here. She desires to integrate into this community.

Michael Santarpia, 73 N. Montgomery Street, stated that he received a summons on December 20, 2013 for not having the walkway wide enough. There were 2 snow storms within 3 days and every time the plow comes through and you have to do it 3 or 4 times like he does. He was at his son's house in Poughkeepsie and came back just to shovel the snow. He has a question about the 5% fee charged on the invoice on top of the \$200 fee, what is that for.

Manager Revella replied it's for administrative costs; postage, printing, those types of things.

Michael continued that it shows here that they did 10 houses between 3pm and 5:30pm that day and charged \$220 to each one. That's \$1200 in fees and then administrative fees on top of that.

Manager Revella replied yes, each property gets it's mailing, with 6 employees doing the work plus the vehicle needs such as gas and maintenance.

Michael commented that it's a nice business to be in. He was there when they came to do his path and it's a good thing he didn't know as he would really feel like a fool. They were there for 15 minutes and it was 55 degrees that day. He's getting up there in years. His neighbor died shoveling snow about 10 years ago and he was only 59. He's not going to kill himself out there. Its bad enough he had to come back. With something like this if he ever went away and someone didn't take care of his house, he'd owe \$4,000 with 18 snow storms. Then you foreclose on my house for not having a path wide enough.

Manager Revella stated the county would do that, we don't foreclose on houses.

Michael stated he understands putting the garbage on my taxes but a fine. That's like putting a traffic ticket on my taxes.

Manager Revella stated if you don't pay your traffic tickets they put out a warrant for your arrest.

Michael continued that something like this you don't go in front of a judge. He appealed to Manager Revella and he didn't even look into the matter.

Manager Revella replied he did look into the matter.

Trustee Hoffman interjected that he did look into the matter. He took off of work in the morning and went with the manager to look into the matter.

Michael asked if he did why then didn't he notice the 5% fee error on the invoice.

Trustee Hoffman replied it's not his job to fix typographical error. But what he did notice was that he is correct, there were 2 storms. The Village chose not to go out after the first storm. The 1st storm was 6 inches on December 15th, the 2nd storm was 4 inches on December 17th, and you were cited on December 20th which is 5 days after the 1st storm and 3 days after the 2nd storm.

Michael asked if he had the picture of his walkway. What is the measurement?

Trustee Hoffman replied yes, and actually on every cited property here tonight he has the measurement to the inch.

Michael stated we are talking about a few inches.

Trustee Hoffman replied that he had the same thought actually but what he has said at the last meeting encouraged him to go out and seek out some neutral information. He is disappointed in what he found out. The Village requires the full width, 48 inches or 4 feet. The Code Enforcement Officer stated that he didn't cite anyone if they had at least 2 feet.

Michael stated if you look at his picture you will see at least 2 feet, probably 3 feet; so we are talking about a few inches here. 18 snow storms you have to use some discretion.

Trustee Hoffman stated that personally he thinks he did use discretion. He went out 3 days after the last storm.

Michael argued that he told him the plow moves it back each storm. If you go away for a few days he would have to have someone on call. He came back to make sure he didn't leave it.

Trustee Hoffman stated that he has an obligation to make sure the sidewalk is clear and safe to pass.

Michael stated he knows what his obligations are and he does, sometime 3 or 4 times per storm. Some people don't have that but he's right on Route 52 and has a lot of snow that piles up there.

Trustee Hoffman added yes; and a lot of pedestrians also.

Michael continued that between the 2 storms, you don't think it's hard enough if you can't get through with the plow. Besides he thinks the homeowners shouldn't get hit with \$220 for 15 minutes work.

Trustee Hoffman commented that few minutes ago you were saying how difficult it is to shovel and now you are saying it's easy.

Michael stated they moved a few inches. You want to act like you are right but you are wrong and you didn't look into the matter. He'd like you to remember that the Mayor made a statement that they should have used discretion on 18 snow storms.

Kurt Engness, 2431 Albany Post Road and owner of 72 Orchard Street, stated that he usually plows the property and sometimes the tenants take care of it too but the property next to his hasn't been touched for years. He takes all the snow from the front of his property and plows to the back of house. He also salts the driveway. Has a truck with a spreader and he does multiple places in the area. It's across from the school. He has multiple properties in the area and does all of them. It was once an abandoned property and he came in and cleaned it up and is almost brand new now. He has a certified letter from the tenant that they took care of it that day twice and he was there twice also. The letter he received was dated March 6th for the February 7th storm and no time limit to clean up. He was fined the same day they supposedly came to do it. The only time they come through to do the neighbors property is when they come through with the loader.

Trustee Mishk asked if he received the notice on his house.

Kurt replied no, but he doesn't live there.

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Trustee Mishk asked if the tenant got the notice.

Kurt stated no. As you can see with the picture that the walkway was plowed which you can see that people can actually come and get out of their cars because he removed the snow. The kids came home and shoveled that day too. At night time he drives by because he commutes that way around 9pm every night. He's been dealing with the snow for 25 years. He salts the walkway and everything. As you can see, half is wet and half is where the snow got pushed up on there. This is the first time seeing this notice. As you can see the inspector where he got out of the vehicle to take this photo, he wouldn't have been able to get around if it wasn't clear. That's the reason why he takes down at other houses and pushes up past the sidewalk. He knew it needed to be cleaned up but when he came by that night it was clear. He checks it every night. He pushes the snow into the back of the house where he has 5 car parking in the rear.

Robert Amend, 69 and 73 Ulster Ave, stated that on the 7th he received a notice that the walkway was not wide enough. It had been shoveled as he came home to make wider. He did so and was taken care of on the 7th by noontime and then he got the summons that they didn't do the work and that you came on the 8th and did it. He gave photos a few weeks ago to show it was shoveled not snow blown. Your guys didn't come anywhere near it on Saturday. He has witnesses and photos that were previously turned in. They were snow blowing it was shoveled on Friday. He contacted John and he emailed that he was mistaken; some sort of mix up and it was not looked up well.

Manager Revella stated he asked the Recreation Coordinator and he signed off that is was done with the width issue; on the 8th at 11:30am.

Robert continued that they allegedly came by on Saturday and did snow blowing.

Manager Revella asked if perhaps he did clear it on the 8th and the state plow came and pushed it back on the sidewalk.

Robert stated no, his neighbors saw that they walked by and waved.

Alice Turcios, 60 Ulster Ave, stated she was outside with her dog and they left the blowers in the road and went and looked and motioned to the other guy that it was done, never touched it.

Nancy Zimmerman, 73 Ulster Avenue, said she personally asked Chris to check it who said it was perfect and nothing needed to be done. Shawn checked it when she was outside as well.

Robert stated that we got 2-3 feet on the 6th and on the 7th they asked to make it wider.

Trustee Hoffman asked for clarification that the citation was on the 7th and the work was signed off on the 8th that Saturday. He asked Mr. Amend if he cleaned it and took photos by noon time on Friday.

Nancy added that she talked to Chris personally on Saturday and he said that nothing needed to be done to it.

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Robert continued that there were a lot of storms it's easy to make a mix up.

Alice added when she saw Shawn he said it was fine and went the other way.

Ms. Catenco (speaking on behalf of her father Rodolfo Catenco as she stated he doesn't speak English very well), 105 South Montgomery St, stated they have been living there for 15 years and never received a fine/violation before. When they got the violation they immediately contacted the Inspector. They were not aware of 4 feet in width requirement. She called the construction owner but they didn't give us enough time to do it because within 30 minutes it was already done by the Village. By the time he came to the house there was nothing to do. They feel the inspector should have notified the workers it was going to be done not just let them do the work. They think they possibly did shovel 2 feet width on the sidewalk but weren't aware of it needing to be 4 feet which is why her mother had her call the Inspector. We were going to do it, but we didn't have enough time to do it as they were there within half an hour of calling.

Edatharayil Samuel, 47 Harmony Lane Montgomery and owner of 3 properties: 22 Ulster Avenue, 35 North Montgomery Street, and 38 South Montgomery Street, stated that the tenants at 22 Ulster Avenue shoveled their sidewalk and told him it was done. There should have been some snow left maybe that's why you say it wasn't shoveled. Then the 35 North Montgomery Street is a rental property and he had an arrangement with his people to shovel that so they did it and called him and said it was done. Also, 38 South Montgomery Street he made arrangements to have it done and they said it was done. Under these circumstances he requests a reduction or cancelation of the charges.

Trustee Mishk asked if he personally viewed the properties when they were done.

Edatharayil replied no, they told me they took care of it. He stated he couldn't go personally has he was sick.

Deputy Mayor Rumbold asked if he saw the photos.

Edatharayil replied no, he doesn't need to look at them.

Melissa Soto, tenant at 36 John Street, stated that the landlord faxed the paperwork to them today. The Village said they had removed the snow. She doesn't have specific dates or anything or the photos. Their neighbor normally comes through with a snow blower and it was done at 6 or 7pm the night of the first storm. The next day we got up to go to work but by that point the way that the streets get plowed, John Street always gets done last and when the plows come through everything from Elm Street down gets plowed in so they actually walked to work that day. They were unable to get the neighbor to snow blow that night because there was so much snow and ice. Later on that night they had tried, but he couldn't do it. They did remove it a few days later when the weather was warmer. They don't have an exact date as they couldn't get the snow blower through. When they did remove it a neighbor told her to do it wider so they didn't get a fine so they know that it was done to the right width. She heard that they send out a notice but they didn't receive any notices and then they got hit with a fine that the Village had done it but they did it themselves, not the Village.

Ramon Soto, tenant at 36 John Street, stated that the Village didn't take the snow away. They never touched it at all he had to widen the pathway himself. Like Melissa said their neighbor told them to make it wider which he did, he shoveled it and made it wider and it was fine. A few days later the landlord came to him and told them he got a fined because he never shoveled which he had. He doesn't have any proof but our neighbor came and saw that he widened it and shoveled it.

Melissa continued that their neighbors on Elm Street had received fines to fix it which is why they widened it when they told us. Actually she was still out there when she saw us out there. It was not done the night of the storm but we kept up on it all day long, but the next day after the plows came through it looked like it was a good 6 feet above their heads. We couldn't get the neighbors snow blower through it because it was all ice and waited for it to warm up and had done it themselves.

Clerk Bliss asked if there were representatives in the room for the remaining disputed properties that said they would be at the meeting tonight: O. Valentine Atekha, 41 Valley Avenue and Vincent LoMonaco, 20 Church Street.

No one was present.

Clerk Bliss called out the other properties that appealed but didn't let us know they would be here tonight to see if they had a representative present: Brian Miranda, 28 Gladstone Avenue; Ketzy Echevarria, 62 Pleasant Avenue; Pamela Seidell, 65 Pleasant Avenue; and Raymond Smith, 93 Highland Avenue.

Jay Buchalski, Code Enforcement Officer, apologized for being late, he left his glasses at home and had to go back and give them. He gave an overview of the procedure that he follows. After a snow storm is over 24 hours after the Emergency is declared over is when he would go out and start checking on sidewalks. For instance on February 3, 2014 there was a storm of 5 plus inches ending at 5pm. On February 5, 2014 we had a dusting of snow ending 9:22pm. He actually checked with Attorney Donovan that day to see if two storms back to back and he said you can only do for the second storm. On the morning of February 6, 2014 he came in at 10am and started by walking through the Village. He found 65 properties that day that are written in his book. If they are in this book it is because it was past the 24 hours. They got an order to remedy at that time posted on their door outlining the violation of Chapter 256 which includes the detail about the requirement to do 4 feet width or the width of sidewalk whichever is smaller. If it is a corner property they also have to clear out access to the street. The violation notice is signed by him with the office phone number on it to call with any questions. He's not allowed to put it in the mail box that is why it is posted on their doors. From that point he goes back to the office and waits for a while and then goes back out and takes photos which he dates and puts the time on. If they are done when he goes back he crosses it off his list. He did this for the total of 250 properties that were posted this winter. He's not sure why the February 6th storm was so big but it was. He then gives a list to the Village Manager who gives it to Mike Bliss and they go out and put down the time it's shoveled and if it's done when they get there they put done on arrival.

Deputy Mayor Rumbold asked after the list goes to the Recreation Department what happens next.

Manager Revella replied that they divvy up the areas of the Village as well as they can with the number of staff available and they go out and start checking the properties. If not done, they clean them. If they are done they write that down. They do that for every property on the list.

Trustee Mishk asked after Jay noticed them on February 6th they were done on the 7th and 8th.

Manager Revella replied yes.

Trustee Carley stated that it's difficult because as a homeowner he goes through it also and he knows that multiple times he goes out there to shovel as well. What is difficult is when it's not clear about the law they have to understand what the requirements are and some times the requirements come after the fact that something has happened so it doesn't feel fair. Then the other side where you do your best and then mother nature or the plow come through and Jay comes and gives you a citation. Because we are in that predicament we have a lot of areas you have more snow and a lot of people who commute to our area as well. Then the landlords that are not here meaning that they that rely on their tenants to do it but not 100% sure it's done. The other side we have the honest people who are trying and the other who are not trying. Based on previous minutes the reason why the fine had to be increased was because if they kept it at \$50 a lot of folks said they wouldn't do it so the Board increased the fine to make it more appealing to have owners comply as a solution. The Board had to make it more stringent so that when people don't plow or remove the snow in their area there is a penalty. He feels there is a good correlation to the size of the storms that we have now to what we had before. Historically we had smaller storms and so the people plowed and it was sufficient and maybe that did work at that time but this one and a few actually were pretty big and so it was done but didn't meet the criteria with the Code Enforcement Officer. Respectfully he has to side with that. He looks at what he has to do and the back up from DPW or Recreation guys and what they have. They did have quite a few on the list marked DOA meaning done on arrival which is throughout the document so it shows it was several properties cited initially but when they came there it was done. Their requirement is, regardless if you agree with it, is to clear the area. There could be a lot of reasons how you plowed it or where you plowed it or how he or she threw the snow, but we have to go with the system and the way it is because it's there for a reason. He hears a lot of people and what they are saying today and he's been in the same type of predicaments himself where it didn't seem fair, but there are so many people out there taking advantage of everything we do, referring to the Village and what we put in place, but we try to weed out the truth from the non truths. He went though personally every single document to look at each one and every letter. So did all the other trustees at their own individual times. So we all are familiar with each case though it may seem like we just passed the paper along, we didn't. We had our own individual notes and we went though it individually on our own which is why he personally asked for another date at the last meeting. He didn't want to make a quick judgment to be fair to the tax payers. He took the time to speak with the Village Manager and he talked to him a few times to discuss what is fair and what is not fair. The ownice is on the homeowner to make sure their area is clean during that time period. That is the hard part; how do we make sure the area is clean when the people come to shovel. But the only thing we have to gauge our time is the 24 hours after the snow storm which is the difficult part. That's what he went though while making his decision on this.

Trustee Hoffman asked Jay about 73 and 69 Ulster Avenue which are two neighboring residents and there are pictures taken on the 7th that seem to show the sidewalk is clear.

Jay answered it was 18 inches in width as measured that was shoveled as recorded at the time the photo was taken. It was morning but he doesn't have a specific time. It is a 4 foot sidewalk in that area.

Trustee Leonard stated that he lives on South Montgomery Street and he has had to suffer from the Town plows plowing in his driveway and sidewalk. When he does it he gets as far away from the street as he can going into the grass. He blows the snow into the existing piles the Town already made so there is less chance of them burying the sidewalk again. Again, he leaves it until last because you get done and along the plows come again and you are out there snow blowing it again. It was a tough winter but as Willie said the onwice is on the property owner to comply and obviously it's not easy for some of you but we as a Board have to look at the whole picture the whole Village and obviously the majority of the people comply.

Trustee Mishk commented that he has lived in the Village for 30 years on Wait Street and has always had elderly neighbors. When he was younger he helped them with snow removal. He also has felt the brunt of the snow plow especially when there is 6 inches between the curb and the sidewalk as there is no place for the snow to go. He now does about 6 properties and on the day of this big storm, one of his neighbors got up early shoveled the snow, went to work and dropped dead. His wife called him as he has 4 wheel drive to take him to the hospital but before he could go he had to snow blow the properties to the width the best he can. He is no stranger to Jay giving him citations as he's given him citations before for other issues. He does feel for everyone but wanted to point out that as Jay stated the 24 hours doesn't start when the storm ends its when the state of emergency is ended which means when all the plowing has been finished. So yes you have to go out there 3 or 4 times, he's been out there 5 or 6 times himself. It's tough as it was a rough winter. DPW is out there working and it took them until the 8th on that one storm which shows how much work there was out there. Not sure what else to say about it, it's something we have to bare. And as far as tenants go, the landlords have the responsibility to make them aware of the code.

Trustee Leonard added that some people had complained that the clean up crew is out only out there for 15 minutes to clean up but on the other storm it was hours due to the hard ice. He imagines it balances out. Remember we pay them by the hour and just to go there incurs some expense to the Village. Please keep that in mind.

Deputy Mayor Rumbold stated that they can keep it in mind but it doesn't make it any easier and that's the hard part of the situation. All the Board members that sit here live her and pay taxes here like everyone else in this room. Sometimes what your heart wants to do you can't do because we are bound by Oath to uphold the laws of the Village and that includes all of our codes. We can sympathize with people because like everyone else she is out there 3 or 4 times doing her space. The plow comes by and she has felt aggressive towards the plow people when they plow it in. She knows how it feels, you just finished it and now you have to go out and do it again. Unfortunately that's what happens in the winter. Was this winter extraordinary, yes, but we all lived through it. Everyone in this room lived through it in this Village. And for the most part everyone in this Village

complied and did what they had to do to clean their particular space. Sometimes what she forgets is because she is able bodied is that a space that she can get thought someone else can't. They either have an artificial limb, they are in a wheelchair, have a walker, or a baby carriage and God forbid if an ambulance should need to get there and they can't because it's not clean. That's what our job is. Sometimes we have to be the bad guys to make sure certain that certain conditions exist for the welfare of the majority of the people who live in the Village. And that is what this code is about. Thought we may not like it, and we may be sympathetic, it is our duty to uphold the laws and defend the codes that have been adopted in order for us to live together as a community and ensure the safety of our citizens. Believe her that she can sympathize with everyone but understand when we take action, we don't do it lightly. We may not be happy to do but that's what we were elected to do.

Trustee Leonard stated that with regard to the property at 72 Orchard Street it was clear to him that he removed with his plow and because there was no snow there our plow blew the snow up on the sidewalk.

Trustee Mishk agreed with Ed. He asked Jay what time the photo was taken.

Jay replied around noon.

Deputy Mayor Rumbold stated it does look that way as it looks like it was mounded.

Trustee Leonard commented that the only reason it looks like that is because he had removed the snow from property so there was no snow bank to bounce it off of.

Trustee Carley stated he doesn't agree. Personally it looks like it could have been or could not have been and everyone is arguing that here tonight. The plow came and did this or didn't do this. The argument is that it's closer to the house moving to the sidewalk vs. the snow from the street going over. He hears what everyone is saying but he doesn't agree. Everyone here can make that same argument.

Trustee Leonard made a motion to uphold the appeal and overturn the snow and ice charges incurred at the property of 72 Orchard Street. Seconded by Trustee Mishk. 4 ayes, 1 nay (Trustee Carley). Motion carried.

Trustee Hoffman made a motion to deny the appeals of the snow and ice charges incurred at the following properties: 36 John Street, 41 Valley Avenue, 40 Bergen Avenue, 48 Ulster Avenue, 101 South Montgomery Street, 73 North Montgomery Street, 69 Ulster Avenue, 73 Ulster Avenue, 20 Church Street, 105 South Montgomery Street, 22 Ulster Avenue, 35 North Montgomery Street, 38 South Montgomery Street, 93 Highland Avenue, 65 Pleasant Avenue, 28 Gladstone Avenue, and 62 Pleasant Avenue. Seconded by Trustee Mishk. 4 ayes, 1 nay (Trustee Carley). Motion carried.

Gerard Tuitt, 48 Ulster Avenue, asked if he could give his check now.

Manager Revella answered no, that if the snow and ice removal charges were not paid already they were levied onto the taxes.

Gerard stated he thought that was what this meeting was about.

Deputy Mayor Rumbold reiterated that the Board decided to levy the charges and if any were upheld we would adjust them.

Robert Amend, 69 and 73 Ulster Avenue, stated that the Village never did the work on his property so why are you charging him.

Deputy Mayor Rumbold replied there is an affirmation that the work was done on the properties.

Robert restated that the Village never did the work.

Nancy Zimmerman, 73 Ulster Avenue, stated that they spoke to the people who did the snow plowing and they said it was perfect and they didn't need to be done at noon that day. It was shoveled not snow blowed, where are the pictures showing otherwise.

Deputy Mayor Rumbold stated she was sorry, the Board made their decision.

Nancy asked if there was a higher court to appeal to.

Deputy Mayor Rumbold stated no.

Robert stated he was not paying the charges.

Deputy Mayor Rumbold stated that was his prerogative to do.

Nancy added he showed so much evidence.

Robert continued this was ridiculous and a total waste of time. The Village is going to get a bill.

Shanika Robinson, 101 South Montgomery Street, asked what she should do at this point.

Attorney Donovan stated that the Board made their decision and they are not in the position to give legal advice to anyone.

Deputy Mayor Rumbold stated she could give her a copy of code so she's aware for the future as well as the bi monthly newsletter had the regulation on it. If she's not getting the newsletter it let the Clerk know. (Handed her both papers)

Public Hearing – CDBG Application

John Queenan, Village Engineer, explained that before the board tonight is the 3 year culmination for the reapplication to the Community Development Betterment Grant (CDBG). 3 years ago we got \$375,000 which was used for various sewer projects. We used those fund and that grant has now expired and we are now eligible to reapply for the funds from CDBG. There are two choices; first is a 1 year application for \$125,000 or a multiyear for up to \$375,000. Some of the projects the County is looking for are acquisition of new property, water sewer drainage compliance, new sidewalks, ADA compliant improvement projects, roads, basically public utility improvements. He went to the seminars and the County focused on ADA compliance projects and utility system projects. The applications are due by May 30th to the County and they will notify us sometime in May 6, 2014

November and then the funds would be provided by sometime in February 2015. He has been working with John to go over some projects to consider and they have ranked them in priority of work. The first one is the rehab of the Pine Street pump station, we'd like to basically demolish the existing structure and build new and raise it up from the flood zone and integrate some new technology. Every time it floods that station floods and goes down as well as the area. We'd like to raise the grade there so it would not go down during flooding events. So we are also looking into DEC there also. That would be a multi year application and he would suggest we apply for about \$350,000. The caveat to that is that in talking to the County if there may be numerous multi year applications they may only pick a few of those projects to do. If we do a multi year application we can also submit a back up project with an option for a 1 year application. We would recommend that project be sidewalk replacement and ADA upgrades. His third and lowest priority suggestion would be the sewer main replacement on Sherman Ave or Elm Street. That's the lowest grade and not critical so that's why it's his 3rd suggestion. The Pump Station upgrade is a major problem and is critical so they County may look more favorably on that and the sidewalks they are looking at us doing more ADA upgrades. This is what we have come up with but we can do various other projects if the board so pleases.

Deputy Mayor Rumbold asked if it would still be the same amount of money.

John replied that \$375,000 would be the amount for the multi year application which means we can not apply again for another 3 years. The one year projects would be \$125,000 and that money has to be spent in one year.

Deputy Mayor Rumbold confirmed that the money has to be spent in one year but precluded from applying again in 3 years.

Trustee Leonard asked if we would be able to have it started in one year.

John replied yes, its on track to start in the fall.

Manager Revella stated that it needs to be done anyway.

Trustee Leonard commented that we are coming off of a generous 3 year grant does that decrease our odds of another 3 year.

John replied that he asked that and the County said no. They rank the projects regardless of past history. They did mention that if there are 10 multi years they aren't going to give all ten so they suggested having a back up as they like to give money to every community. Trustee Hoffman made a motion to open the public hearing for the CDBG Application. Seconded by Trustee Leonard. All ayes. Motion carried.

Deputy Mayor Rumbold stated that if the Board decides to do a multiple year application for the \$375,000 and a sub application for the \$125,000 as well we would need a motion to do so.

John replied yes, he's recommending a multi year of \$325,000 for the Pine Street Pump Station with a back up of a one year for \$125,000 for sidewalk improvements.

Deputy Mayor Rumbold stated she just wanted to clarify for the public.

Manager Revella stated that sometimes they grant for less, and we can change the amount.

Trustee Mishk asked if we could possibly get both.

Manager Revella replied no, it's one or the other.

Trustee Hoffman stated if we do this then we are not eligible for the next few years if we get the 3 year.

John replied yes, but they may give \$250 and make it a 2 year, we are at the hands of the County.

Becky Pearson, 167 Walnut Street, asked if we finished the water towers and fencing around them.

Manager Revella stated that we are slated to do that now.

Becky asked if we could apply again for that or not.

John replied that we finished Gladstone, finished Highland and this year we are budgeted to do Wait Street water towers.

Manager Revella stated that we couldn't get a CDBG grant to do it last year.

Trustee Hoffman stated that it's not retroactive. You have to have project, hold onto the project, get the grant, do the work, and then get reimbursed.

Becky replied that she knows but thought there were ones that didn't get finished.

Trustee Hoffman said that even if we did have one, we have to go through certain requirements in order to get it.

Becky asked if we would bond for it and how much.

John replied that the Gladstone tank was finished with County money.

Manager Revella commented that it was about \$97,000 but there are two tanks on Wait Street.

Eugene Campbell, 14 Evergreen Lane, new to Walden but has written grants in Connecticut. There are two components, one is brick and mortar which you are applying for and there is also a social service component. Just wondering if the CDBG you are applying for is only for the HUD component.

Manager Revella replied it's only the brick and mortar component. The service component is done through the County. Residents and individuals can apply for that funding but Municipalities are not allowed to apply for it. There are people looking for residents to apply for those funds.

Deputy Mayor Rumbold asked how the Board felt about the suggested projects. The Pine Street Pump Station has been an issue for a while now.

Manager Revella explained that the Pine Street Pump Station flooded in Irene and again with Sandy. It's below river level so the bottom of the pumps is difficult there.

Trustee Hoffman asked if they would use the existing structure and increase the elevation.

John replied yes.

Trustee Leonard stated basically what you did on McKinley Avenue with the new pump station there.

John replied yes.

Manager Revella stated we would have to do the generators there also and convert to natural gas and raise the generator there too.

Trustee Hoffman asked if the differential is 18 inches.

John stated we would raise it a good 3 feet.

Trustee Leonard asked if we don't do this and it floods, we got FEMA to pay for it last time, would they do that again if it flooded again.

John replied yes they would pay again if it happens.

Manager Revella replied as long as it is declared a disaster.

Attorney Donovan commented it does depend on if we have Flood insurance. They would deny if you didn't have it. Most didn't get covered with FEMA funds.

Trustee Carley stated that if you have not done mitigation efforts they can also deny.

John commented that we are also targeting sewer as that's our infrastructure that's hurting for funds. Water is doing well and we stated to move out of that.

Trustee Leonard made a motion to close the public hearing for the CDBG Application. Seconded by Trustee Carley. All ayes. Motion carried.

Trustee Mishk made a motion to authorize the application for a 3 year CDBG Application for \$375,000 for rehab of the Pine Street Pump Station with a sub application for a 1 year CDBG Application for \$125,000 for Sidewalk Improvements. Seconded by Trustee Leonard. All ayes. Motion Carried.

Village Manager's Report

- There has been a selection for a new alternate for the Planning Board. John Ramos who lives on Alfred Place. He apologizes he couldn't make it tonight he will

likely be at the next Board meeting to introduce himself if he can make it. He has taken his oath and will begin attending all the Planning Board meetings.

- Had discussions about PBA agreement with Special Counsel. Will likely update in executive session.
- Went over with the Engineer the proposed projects for the CDBG application.
- Met with the Building Inspector, Working Leader, and Engineer on the Hannaford project to discuss plans there. Reviewed the work there to make sure everything with the meters will be a little more accessible for us, they are constantly under water so we have some drainage there to make them more accessible for us and the owner as well.
- Conducted interviews with the Working Leader for DPW positions. Made one appointment so far and likely second appointment shortly. Posted for the Full Time Deputy Treasurer Position as well as internally for the PT Dispatcher and PT Officer positions according to the contracts. Deputy Treasurer position was in the paper and on the website as it's a public posting.
- Went over billing and duties of the office with Treasurer and Deputy Treasurer so we are ready for transitioning the office.
- Had a great Arbor Day celebration with Walden Elementary School, Fox Hill Community, and Most Precious Blood School. Planted 3 large Blue Spruces to start our own little tree farm so we don't have to constantly look for trees for the Square for the holidays. Once they are big enough we can use them.
- Reviewed status of our 207c cases with the Clerk.
- Prepared and set out letters to residents with the Clerk for the Name Change at Old Orange Avenue, as well as the Snow and Ice Removal letters about tonight. Got some feed back on the name change and the Mayor will be following up on those.
- Had a good meeting with Trustee Leonard and Supervisor Valk about the rail trail extension. Making some good progress. Have more work to do but it is still possible with the 3 municipalities working together (Town of Montgomery, Town of Shawangunk, and Village of Walden) to get that extension done.
- Went through a lot of the files at the Scofield house with the Clerk to make sure they were properly labeled. A lot of the boxes over there were mixed and/or didn't have labels on them at all. Also the Attorney and Engineer have been helping with that as well to see what we need to keep and what we don't have to keep. Putting expungement dates on the boxes from here on out to help with that.
- Went over the water main project on Bradley Lane with the Working Leader. Doing well there but have been slowed by the utilities in the road, weather, and clay. Making good progress this week.
- Went over the bank accounts with the Treasurer to transfer our funds to the new banks. Signed all cards for them. Also go the paperwork on the payment of Village Taxes online.
- Went over with the stripping crew areas that will be done. First area was the square and in front of the school which we like to do around spring break time. After June 1st we will continue throughout the Village.
- Library announces that starting June 1st they will be open until 8pm on Wednesdays. They are doing some joint programs and applying for grants as well.
- Have the tax warrant prepared for later tonight.
- Clerk and Historian are working on the June 7th Monument Tour which will be nice.
- Flag Football Registration started yesterday and the Tennis program will start on May 12th.

- Did work on the bids for the new vehicles that will be bid in June.
- Reviewing documents with the Attorney for the HODAG funds to make sure we have everything ready for that as we have been looking for some forms.

Trustee Hoffman asked how Well 6 rehab has been going.

Manager Revella replied slowly. The piping that goes down the shaft was pitted badly and some other issues. Engineer can speak to it further. It's been on a temporary pump for maybe 10 weeks.

John Queenan, Village Engineer, stated that unfortunately in doing the rehab to the Well 6 we found that the existing pump was not salvageable so we had to order a new one and get a temporary pump in the meantime. They do a video during something like this and at the bottom we have a mesh screen which we found was eroded and behind the mesh is gravel and we are starting to get gravel in through the screen and that will eventually destroy the new pump we are putting in. So we are working with the company to get a quote to put in new wiring to protect the old screen.

Manager Revella added that the shaft pipes had to be replaced.

John added that we are doing the whole pump replacement and that was included, the only thing not included was the screen. In the meantime we have a temporary pump and then when we get the quote we can get a new screen and get the work done.

Deputy Mayor Rumbold asked if he had a clue as to the cost.

John answered that it would be between \$5,000-\$10,000 to rescreen.

Trustee Hoffman asked what about the new pump.

John replied that the new pump was \$27,000 but that was budgeted for. The \$60,000 for cleaning was also budgeted. He hasn't gotten a full report from them yet but they estimate that we could probably go between and 550-600 gallons per minute from that well if we had to. We are not permitted to but we could. Post development and pre development we were maybe 340.

Trustee Hoffman asked what we were getting out of the temporary pump right now.

John replied between 300-320 so we are pretty close to where we were before the project.

Trustee Hoffman commented he was concerned about the demand on the water.

Manager Revella stated we have a lot more ability with Well 4 now since that rehab was done last year. We are ok right now.

Trustee Leonard asked what the new screen material was gonna be.

John replied he wasn't certain of the specifics yet; either bronze or copper.

Deputy Mayor Rumbold asked what the erosion was from, something in our water.

John replied the water is actually very clean there it's just the age of the pump. If you think about it we are putting a large straw and pulling the water and with the constant get higher velocity that is what we are tending to see with the pressure of that. It's probably 60-70 years old.

Deputy Mayor Rumbold asked what the average lifetime of that is.

John replied we are probably at it. But if you look at well 4 which was older that was in pretty good shape and that was at 90 years old. We are just pulling more volume in Well 6. We are averaging 100 gpm on Well 4 and on 6 we do 340 gpm.

Approval of the April 1, 2014 Minutes

Trustee Hoffman made a motion to approve the April 1, 2014 minutes. Seconded by Trustee Mishk. All ayes. Minutes approved.

Approval of the April 22, 2014 Minutes

Trustee Carley made a motion to approve the April 22, 2014 minutes. Seconded by Trustee Hoffman. All ayes. Minutes approved.

Trustee's Committee Reports

Town of Montgomery & Library Board liaison – Trustee Leonard

Trustee Leonard stated he spoke with Ginny about the Library and as John mentioned they will be open Monday through Thursday until 8pm. They are also going to invite Montgomery Town Board to show off the library which is a good idea to get them to see it as most have not been in our library to aide us in budget season next year.

Village Clerk & Village Treasurer Liaison – Trustee Bowen

Trustee Bowen was absent.

Police Department Liaison – Deputy Mayor Rumbold

Deputy Mayor Rumbold reported that through April we have already had over 3,000 calls for service. They have a lot of training going on; FEMA training at 911 center for 2 of our officers, and Crime Scene and Evidence training at Stewart that one of our officers will be attending. Officers are making every effort to swap shifts so we don't have to pay OT when they attend these kinds of trainings.

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

Trustee Hoffman reported that he spoke to BI today to go over the snow clearings before us today as well as procedure in general. Also the ZBA had their training with Attorney Robert Dickover last night and it went well.

Becky Pearson commented it was great; best they have had.

Recreation & Parks Department, Emergency Services, and Valley Central School Board Liaison – Trustee Carley

Trustee Carley stated he had nothing at this time.

Village Justice and DPW Liaison - Trustee Mishk

Trustee Mishk reported he had nothing at this time.

Public Comment on Business of the Board

Gil Torres, 7 Sunny Place, stated that Viridian was on the agenda at the last meeting so wondering why it is not on the agenda today.

Manager Revella replied the Mayor didn't discuss putting it on the agenda with him, he didn't know.

Gill continued he was new to this so he thought it would be this meeting.

Deputy Mayor Rumbold replied that the Mayor just had a baby but we can ask him.

Manager Revella stated we wanted to keep the agenda light tonight due to snow removal issues. He can put it on for the 20th for discussion; he didn't know the Mayor had told him tonight.

Becky Pearson, 167 Walnut Street, commented about the parking on South Montgomery Street that the Board should just have it go back to the way it was and not have that discussion any more. One way street there is crazy and it was done like that for years so just put it back. And re design of square why is that back again.

Manager Revella stated that it's a traffic and safety issue.

Becky replied that it has been there for 100 years.

Manager Revella replied we are trying to make it pedestrian friendly.

Becky asked if we would need another crossing guard to pay for.

Manager Revella commented that hopefully it would eliminate that.

Becky summed up by saying to keep it the way it is; it's not broken.

Nanette DeGroat, 80 N. Montgomery Street, corrected the calendar that the meeting on Wednesday for the Grand Reopening is 7pm and Friday is 9am. Are 3,000 calls for service above normal?

Deputy Mayor Rumbold replied compare to other years.

Manager Revella added it's more than double the Town's calls.

Deputy Mayor Rumbold added that a call for service can be a crime; it can be a medical call. We have it broken down in a report.

Trustee Hoffman added that it can even be if someone picks up and dials 911 they have to do that.

Nanette asked if that was normal protocol for our officers to attend those calls.

Deputy Mayor Rumbold stated that if the call is in Town on say River Road, we respond and secure the scene and the Town responds so that is a call for service also.

Nanette asked if there were more calls in specific areas in the Village.

Manager Revella commented that since we consider even fire calls police calls we have a lot of fire calls at Waldenview Apartments so maybe a good volume there. A lot of these could be a lot of stuff. Automatic alarms force a fire call for example they burn food and the alarm goes off.

Nanette asked if that could be helped.

Manager Revella replied it's just the sensitivity of the alarms but you want that to slow it down before a fire starts to prevent fires.

Nanette feels that is a lot of tax payer dollars.

Manager Revella replied yes.

Nanette asked about paying taxes with credit cards. Will that not come with fees for using the credit cards?

Manager Revella replied that effective June 1st we will be able to take credit cards. The Village is not getting fees but the person paying with their card gets the fees. We give them the option but they pay the cost. There is a list of charges they must agree to incur if using their card or e-check.

Greg Raymondo, 200 Orange Avenue, asked about the fire hydrants and school bus stops who is responsible for keeping them clear of snow.

Manager Revella replied that the school bus stops is not Village responsibility. What do you mean about the fire hydrants?

Trustee Hoffman stated it's not in our code.

Greg replied it did a long time ago.

Trustee Hoffman replied yes he understood but it's not a requirement in our code of whose responsibility it is.

Manager Revella commented that each property owner is in their best interest to clean around the hydrants. The Fire Department does now.

Greg stated that they Fire Department used to do it but no one comes for snow removal of the hydrants. The Village cleaned it years ago.

Manager Revella stated he can assure him the Fire Department does go around and clean them out.

Greg continued that his point is that there is a school bus stop in front of his house and years ago the Village took care of it. The State drives right by. He could not get out of house for 5 days. He has pictures that the snow went up to his second floor. He couldn't put it anywhere else. He did have a fire one year but hasn't seen Fire Department come clean them. Then the Village did it, but now no one does it.

Deputy Mayor Rumbold stated that most homeowners clean it. In most areas she has seen that the owner cleans around them. Does everyone? No, but they should.

Greg asked next winter when this is an issue, who do you call.

Manager Revella replied he would call Village Hall. If there is a list we'll get it on their list.

Action Items

Tax Warrant – Resolution 40-13-14

Trustee Hoffman made a motion to adopt Resolution 40-13-14 Levying Village Taxes for Fiscal Year 2014-2015. Seconded by Trustee Leonard. All ayes. Motion carried.

Award Bid – Belt Filter Press

John Queenan, Village Engineer, reported that we had a bid opening on Thursday May 1st where we received 4 bids for the Belt Filter Press. The lowest bid received was from TAM Enterprises in the amount of \$392,831. The other 3 were from Spectraserve for \$617,600; Coppaloo Services, Inc. for \$538,200, and Blue Heron Construction for \$592,556. TAM came to the pre bid meeting and has a good handle on the project and is familiar with the Village. The bid is compete but more than we budgeted for, slightly higher. We went though the bid and some of the items we can do without and possibly have DPW do and reduce it down to \$373,000. He needs to go over these changes with the contractor and DPW. We bid things out stating that the Village can add or remove as needed. The project is worth \$400,000 to \$450,000. We ran into bit of problem with electrical. Not enough juice at the plant to suffice a new unit down there so we have to add service and that's where the cost came from.

Deputy Mayor Rumbold asked what the specific items we would be taking off were.

John replied things like cleaning the building, taking off all the old insulation, disinfecting items, laying some concrete on the floor, all these item are all things that DPW can possibly do. When we bid things out we like to have everything included so that's why it was included in the bid.

Trustee Leonard asked if we would do these things prior to the contractor coming in.

Manage Revella stated that we have actually started to do so already.

John added that the old unit is gone, the building is cleaned out, and the trailer is gone. The building was basically gutted by DPW so we have a shell and we need to work from there.

Deputy Mayor Rumbold asked if there were any concerns with using TAM, the lowest bidder.

Attorney Donovan stated that he would like to disclose for the record that TAM Enterprises are current clients of his and have been clients for a number of years. If there were ever an issue between the Village and TAM he would not be able to represent either party.

Manager Revella commented that TAM has done work for the past year and half and have been responsive whenever we have had issues. They have also gotten called in for emergencies.

Trustee Hoffman asked if he wanted the Board to make a motion to award the bid subject to the change order.

Attorney Donovan stated that generally speaking the law allows you to negotiate with low bidder. You may wish to do said negotiation before awarding the bid. You can speak to them up prior to awarding the bid. If you want to award for up to \$350,000 but not want to hamstring engineer and he really wouldn't want to recommend that. He suggests negotiating first and then come back and award the bid.

Peter Sullivan, Village Treasurer, stated that we projected for \$350,000 and \$40,000 for engineering and we spent \$20,000 already.

Trustee Hoffman would like to see that come back after negotiations.

Deputy Mayor Rumbold suggested we table this and come back to it.

Trustee Mishk asked what our time constraints were on this. Didn't we have to make it known to the DEC what we were doing?

Manager Revella replied yes, the DEC was advised via letter.

John replied that we would like the press to be operational by the end of November.

Trustee Mishk asked if we could do it in that time frame if we table it right now.

John replied yes we can do this. The unit will take 16 weeks to get here.

Trustee Leonard asked if we have budgeted enough for sludge disposal in this period.

Manager Revella replied yes for about 5 months.

Trustee Hoffman asked if the low bidder was also handling some of the sludge removal.

Manager Revella replied no; earth care.

Trustee Leonard made a motion to table the awarding of the bid for the Belt Filter Press until the next Regular Board meeting on May 20, 2014. Seconded by Trustee Mishk. All ayes. Motion carried.

Discussion Items

Parking on South Montgomery Street (between Walker Street and South Street)

Manager Revella stated that we reviewed this with the Engineer. We got the number of spaces lowered to 2 and ½ spaces that need to be eliminated.

Trustee Hoffman stated we are looking at a total of 3 spaces then.

John Queenan, Village Engineer, reported that we looked at this back in 2012, the turning off of South Montgomery Street and West Main Street. What we decided at the time was to relocate the curb up 3 ½ feet. We had gone through a bunch of scenarios and turnings. We hoped that relining the curbs would help but there is still an issue there. In front of you is the overall intersection. The problem we are coming into is for tractor trailers and large vehicles making that turn onto South Montgomery Street. We have a pinch point for the turn because the road comes in at an angle. A tractor trailer does not make it in any scenario based on auto analysis program so the Fire truck and school bus are our concentration. Red lines on the drawing are the wheels blue lines are the overhang of the vehicle. You can see from the drawing that 38 feet should be eliminated to make this turn possible for these vehicles. It's a wide intersection so it leaves the first spot there and leaves two parallel spots that are recommended to be removed. That was the worst scenario of the two. A city bus cuts into that same 38 foot space and the school bus does not. Based on the analysis we are recommending to start by eliminating 2 spots at approximately 44 feet in length.

Trustee Leonard stated that this becomes more difficult in the winter with snow accumulations as was seen this winter.

John said that the analysis program says 38 feet. If stripped you need to have standard 22 feet per space.

Trustee Mishk asked if this took into account someone who was new to the area who haven't made this turn with a wide enough swing.

John reported that the program does the most common scenario and adjusts for a 10% factor. It does an average of different scenarios.

Trustee Hoffman stated that it's based on not a perfect driver but better than average.

John commented that we are assuming that for larger vehicles the drivers are used to driving them and not just out joy riding.

Trustee Mishk stated that he thinking of a Shortline charter bus or a tractor trailer but obviously they can't make the turn.

Trustee Hoffman saw the other component of relocating the stop bar. He doesn't recall that being done. If it has been done it's not being respected.

Manager Revella stated correct. It has not been done as we need the County to do that.

John stated that we would recommend taking the double yellow line to the crosswalk to come out to be more perpendicular.

Trustee Leonard stated he was leary of that happening considering the Town.

Deputy Mayor Rumbold asked if we were certain that we were doing the right thing.

Manager Revella stated that is a separate issue. We are talking about the turning radius. A Tractor trailer doesn't make it up there regardless.

Deputy Mayor Rumbold wanted to make sure that it was clear for the benefit of the public that that there is no way a tractor trailer could go up cross street even if it was two way.

Trustee Hoffman asked if we could also stripe the parking spaces.

Manager Revella stated yes, if this happens he would do that.

Deputy Mayor Rumbold asked where the signage was for the Street sign.

Manager Revella stated its right by the stop sign.

Deputy Mayor Rumbold asked if it was clear that someone can see the sign.

Manager Revella replied there really is no good spot to make it any clearer. It's clear as can be but not easy.

Deputy Mayor Rumbold thought that if the signage was different maybe it would alert drivers more.

Trustee Carley asked about where the catch basin is and agreed that it's true you can't really see it.

Deputy Mayor Rumbold asked who is affected by the loss of these spots; the Reardon building?

Manager Revella replied yes, number one. Not sure what owner is doing with building at this time since the fire. They didn't always utilize the spots, the 15 minute spot yes not the other ones. At night a few are used there but not during the day as much.

Trustee Leonard stated there is always room on Walker Street if utilized.

Trustee Hoffman thought there is a lot of point for the relocation of the stop bar which would help a lot in that area.

Deputy Mayor Rumbold agreed but then we would have drivers creeping up to be able to see oncoming traffic from West Main Street.

Trustee Hoffman commented that he doesn't see that happening over a double yellow line.

Trustee Mishk stated that a double yellow line won't do anything in his experience.

John added that potentially adding a caution sign would be another suggestion but would need the County to approve that.

Trustee Mishk stated that several vehicles don't even hesitate.

Trustee Carley asked if we could widen that.

John replied that no, we are pinned on both sides with curbs and retaining wall at insurance company and private property on the other side. County won't likely look at making this a one way. The catch basin is owned by the state. If you take the bump out going straight up it slows them down a little bit. Have to deal with the state on that issue.

Manager Revella stated that if the Board is inclined to consider a no parking zone we can do a draft Introductory Local Law for next meeting.

Trustee Hoffman stated that the analysis goes hand and hand based on the relocation of stop bar.

John replied he was avoiding that.

Attorney Donovan will draft a Local Law for the next meeting.

Square Re-Design

Manager Revella reported that this was discussed 2 years ago. Just wanted to know if the Board wanted to go ahead and do some work there. We had budgeted \$10,000 a few years ago. Maybe add some paver or some rods or crosswalks there; do some minor work in the area to delineate the area.

John Queenan presented the plan that was done a few years ago by Esposito.

Manager Revella stated that we had set up a test case with some cones out in the areas the plan would be at. There was one cone that was continuously hit but no other cones were disturbed.

John reported that Esposito was looking to make it a triangle with brick pavers. The area is 2,600 sq feet and 230 feet of curbing. We would have to amend the one corner where the cone had gotten hit.

Trustee Carley stated that it wouldn't be a circle anymore. If you go down Orchard Street but you can't do anymore it looks to sharp to him. Can't make the left to go all the way around towards Walnut Street.

Manager Revella stated that no parking would be taken away. We would be looking at removable posts for events and things.

Trustee Hoffman states that he sees curbing needed to be replaced every year. He thought that if it was a mountable material it would be better if anyone drives over it. It would still delineate it. Currently it's confusing to new people in the Village. I've mentioned that we've seen many people go up the wrong side of road. We joke about it

that it's worked for year, why change it but with a School and the Day Care there we need to do something that defines it a little more.

Manager Revella stated that when we had the cones out there we did have tractor trailers, deliveries, and we even talked to drivers out there and there were no issues other than that one cone that got hit.

Deputy Mayor Rumbold asked how this design would aid pedestrian traffic which she feels is the goal with the redesign.

Manager Revella stated it would aid pedestrians going from St. Andrews corner to the music store they can cross more easily. Right now you have to go all the way around if you do it correctly but if you are cutting across it's a long way to go.

Trustee Hoffman stated that we have a lot of kids cutting across. A crosswalk would be a brick island safety zone.

Trustee Leonard asked what we were talking about with cost.

John replied that if you stick with the granite curbing its \$45 per foot. He would estimate that it would be \$10,000 for curbing alone. Stamping of asphalt, adding crosswalks, and curbing would run you around \$15,000-\$20,000 total.

Deputy Mayor Rumbold suggested we give this time to digest again and have on the agenda for next meeting.

Request to Fire Department for employees to use gym facilities.

Manager Revella stated that a few employees presented this suggestion to him. There would be no cost to us just give certificate of insurance to Fire Department.

Trustee Leonard asked what their gym facility has.

Manager Revella reported they have Bike, stair climber, tread mill, universal weights, free weights, and something else.

Deputy Mayor Rumbold asked why we were doing this.

Manager Revella replied that they would let our employees use the facility because of our relationship with them.

Trustee Carley asked why we were looking at their fitness off duty.

Manager Revella stated it would be covered by our insurance. It would help them at work as well.

Trustee Carley stated he understood that but why are they looking at us for their own fitness. Do they not want to put it on their own insurance?

Deputy Mayor Rumbold asked how can they specify that Village employees can use their equipment that is purchased by tax payers outside the Village limits. Not sure she wants to get involved in that.

Trustee Hoffman asked if was like a shared service just like when we borrow something from the Village of Montgomery.

Deputy Mayor Rumbold commented that they would be precluding everyone else.

Manager Revella stated that is not true, someone else could make a request as well. He doesn't see the detriment to the Village for asking.

Deputy Mayor Rumbold doesn't understand how they can specify who can and can not use the facility.

Trustee Hoffman stated isn't it the same as using our Little League fields.

Deputy Mayor Rumbold replied that was a Village issue. She's talking about a Fire District that doesn't just encompass the Village but outside the Village. Village employees can use it but you can't.

Attorney Donovan stated that he's never seen this with gym equipment but certainly with their fire halls there is a fee to use and you are required to provide certificate of insurance.

Trustee Carley stated he doesn't see why we are getting into the business of recreation.

Trustee Leonard stated that a lot of companies now are providing gym memberships to employees. Yellow Freight at one time did it as well.

Manager Revella stated that fit employees make for fewer injuries.

Trustee Mishk asked who asked for this.

Manager Revella replied the employees.

Deputy Mayor Rumbold stated that this would be on for discussion at the next meeting.

Public Comment

Becky Pearson, 167 Walnut Street, thanked the Board for Arbor Day. Kids had a great time. The Village, over the past 8-9 years, has planted over 1,000 trees by kids the kids. They aren't all alive. Thanks to everyone for the support of the project. Kids love it and they learn and Jim Presutti is just great. They planted over 100 trees plus 3 large blue spruce trees.

Trustee Hoffman asked about the 3 large trees. The hope is to use them for Village Christmas Trees correct? How long until they reach the size we would like.

Becky replied about 25 years. The Village is Tree City USA again this year, have been for 8 years now. Benefit to the Village in order to get more funding.

Trustee Carley asked what Tree City was.

Becky replied that it is when you spend so much per year on trees, the planting and maintenance on them. Another state program you get recognized for. Application goes in in January and show you do so much in the program along with the arborist sends pictures. It's nice to be a part of so thank you. South Montgomery Street is a County Road to Route 52 correct.

Manager Revella replied yes.

Becky continued by asking why we are doing this and not the County. They did the guardrail in the past why aren't they spending the money to fix this.

Manager Revella answered so that we can have parking on it. They don't care about it that's not their position.

Trustee Hoffman stated that a guard rail is a safety issue that is something different than this. If you asked the County they would put it on their list but nothing would be done about it. Experience tells you nothing. Plus we can do parking on the street.

Becky feels someone should try approaching the County.

Manager Revella replied we did. He is on the committee a year before the project was brought up and this is not something they are willing to do for us but willing to review it.

Becky said spending our money on a County road to preserve parking doesn't make sense to her.

Other answer from the County is to eliminate parking all together.

Manager Revella stated we are only looking at taking 2 out of 10 spaces total.

Becky suggested they look into it, as she was successful. Maybe the Mayor should contact them instead of the Manager. Sometimes it's a political thing.

Trustee Hoffman stated it's a safety issue and their likely response will be to take away all parking. It's a lower priority issue to them.

Nanette DeGroat, 80 N. Montgomery Street, asked about the gym cost; if they don't want to take liability why should we? What would we be responsible for?

Deputy Mayor Rumbold replied replacement of or any damages done to equipment and if the employees hurt themselves.

Manager Revella stated they would still be subject to our ethical and disciplinary codes.

Nanette asked about the garbage cans on Main Street, where are we with that.

Manager Revella stated we just got funds from the Walden Community Council Main Street Grant to replace them.

Nanette said good then they should be going up soon.

Manager Revella stated we had a second issue come up about trees to figure out how to make it all work.

Nanette spoke about coming off of South Montgomery Street, she comes off there probably every day and agrees to move over the yellow lines as it might help and would push people over to the right a little bit. She has to creep out into the crosswalk to see as Sue stated. When she is walking from the West Side Deli and across to the Reardon building you have to cross River Road you have to look because they don't even put their blinkers on or look and are going really fast. That little push out doesn't stop them because they are over the line anyway. It's dangerous especially for pedestrians. Instead of pavers up here maybe the bluestone could be used up here.

Trustee Hoffman stated that if someone put a wheel on it, it would crack it.

Kerron Barnes, 120 Orchard Street, stated that Mary Ellen spent much of last summer working on 2 grants from the William G. Pomeroy Foundation for historic markers; one for Walden Knife and one for NY Knife Co. We received a check for \$2,000 for the two signs. It was nice to work with Mary Ellen as she did a lot of research and was an interesting project.

Fred Perna, 31 Van Wyck Court Walkill, stated that as a past fire commissioner the Village shouldn't be involved with the gym.

Payment of the Audited Bills

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

Trustee Leonard asked for more information about the invoice from VRI all day pump bill on Pond Road Pump. He asked if Fred could answer what it was about. The one with the 7 hours for a mechanic and laborer that were there.

Fred replied that they worked with one of our guys with the electric as we can't do that.

Trustee Leonard stated there is no horsepower on it and don't know if the fuses were checked afterwards. He'd like more information on the bill, thought it was generic, and very expensive.

Fred replied he could get it for him.

Correspondence

Trustee Mishk reported he was copied with the Village Manager from Car Tech about 3 complaints he made about zoning violations and asking for results.

Miscellaneous Comments from the Board of Trustees

Deputy Mayor Rumbold commented that she went to the Spring Tea at the Walden House which was wonderful as usual. She had a great time. She asked what was going on with the speed hump on Oakland.

Manager Revella replied in their free time will get on it. They have to put in water main first. They are prepared for it they just need time to do it. Depending on the projects may have to solicit help.

Deputy Mayor Rumbold thanked the Board for their work on the snow removal issues; she knows it wasn't easy especially when residents aren't happy. We are bound to uphold the laws of the Village. It puts us in a tough situation because we have to balance what our job is and sympathizing with people for situations like that. Thanks for being here and helping make a tough decision.

Trustee Hoffman wanted to thank the employees who worked on the snow/ice removal on that as well. Jay, Tara, and John did a tremendous amount of work on this. They were available for our questions. He personally spoke to Jay and John for a long time on this. And Tara made it easy to get through by putting it all together for us. He also wanted to thank Fred for his report. It was the most detailed report he has ever seen and very enlightening. It was much appreciated.

Deputy Mayor Rumbold stated that she also called and told Fred the same thing. They do so much and it gives us insight as a Board member. We have been asking for similar reports from other dept heads. Not sure where you have the time but it was insightful and we truly thank you.

Trustee Mishk asked where we are with the pedestrian bridge.

Manager Revella stated we are negotiating with Norfolk Sothern. They are not inclined to sell, they want a lease but we can't do that.

Trustee Hoffman made a motion to amend Resolution 40-13-14 Tax Warrant to take off the snow and ice removal charges incurred at 72 Orchard Street and to amend the 8th resolve paragraph in the resolution to be less \$220 for property maintenance charges. Seconded by Trustee Mishk. 4 ayes, 0 nays, 1 abstention (Trustee Carley). Motion carried.

Executive Session

Trustee Hoffman moved to go into Executive Session to discuss Collective bargaining negotiations with the PBA. Seconded by Trustee Carley. All ayes. Motion carried.

Reconvene

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

Adjournment

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

Village of Walden Board of Trustees
Regular Meeting
May 6, 2014
Motions & Resolutions

Snow & Ice Removal Disputes

Trustee Leonard made a motion to uphold the appeal and overturn the snow and ice charges incurred at the property of 72 Orchard Street. Seconded by Trustee Mishk. 4 ayes, 1 nay (Trustee Carley). Motion carried.

Trustee Hoffman made a motion to deny the appeals of the snow and ice charges incurred at the following properties: 36 John Street, 41 Valley Avenue, 40 Bergen Avenue, 48 Ulster Avenue, 101 South Montgomery Street, 73 North Montgomery Street, 69 Ulster Avenue, 73 Ulster Avenue, 20 Church Street, 105 South Montgomery Street, 22 Ulster Avenue, 35 North Montgomery Street, 38 South Montgomery Street, 93 Highland Avenue, 65 Pleasant Avenue, 28 Gladstone Avenue, and 62 Pleasant Avenue. Seconded by Trustee Mishk. 4 ayes, 1 nay (Trustee Carley). Motion carried.

Public Hearing – CDBG Application

Trustee Hoffman made a motion to open the public hearing for the CDBG Application. Seconded by Trustee Leonard. All ayes. Motion carried.

Trustee Leonard made a motion to close the public hearing for the CDBG Application. Seconded by Trustee Carley. All ayes. Motion carried.

Trustee Mishk made a motion to authorize the application for a 3 year CDBG Application for \$375,000 for rehab of the Pine Street Pump Station with a sub application for a 1 year CDBG Application for \$125,000 for Sidewalk Improvements. Seconded by Trustee Leonard. All ayes. Motion Carried.

Approval of the April 1, 2014 Minutes

Trustee Hoffman made a motion to approve the April 1, 2014 minutes. Seconded by Trustee Mishk. All ayes. Minutes approved.

Approval of the April 22, 2014 Minutes

Trustee Carley made a motion to approve the April 22, 2014 minutes. Seconded by Trustee Hoffman. All ayes. Minutes approved.

Tax Warrant – Resolution 40-13-14

Trustee Hoffman made a motion to adopt Resolution 40-13-14 Levying Village Taxes for Fiscal Year 2014-2015. Seconded by Trustee Leonard. All ayes. Motion carried.

Trustee Hoffman made a motion to amend Resolution 40-13-14 Tax Warrant to take off the snow and ice removal charges incurred at 72 Orchard Street and to amend the 8th resolve paragraph in the resolution to be less \$220 for property maintenance charges. Seconded by Trustee Mishk. 4 ayes, 0 nays, 1 abstention (Trustee Carley). Motion carried.

Award Bid – Belt Filter Press

Trustee Leonard made a motion to table the awarding of the bid for the Belt Filter Press until the next Regular Board meeting on May 20, 2014. Seconded by Trustee Mishk. All ayes. Motion carried.

Payment of the Audited Bills

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

Executive Session

Trustee Hoffman moved to go into Executive Session to discuss collective bargaining contract negotiations with the PBA. Seconded by Trustee Carley. All ayes. Motion carried.

Reconvene

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

Adjournment

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