

**Village of Walden
Board of Trustees Regular Meeting
July 15, 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
	Sean Hoffman
	Edmond Leonard
	Gerald Mishk

Absent:

Mayor	Brian Maher
	Willie Carley

Also Present:

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

Village Manager's Report

- Got the new shirts and signs for all the departments in accordance with the union contracts.
- Had a few meetings with the DEC regarding gas odors on William St. and Valley Ave. It was finally resolved today. There was a pipe running under the former Hess Station that was connected to our sewer line that was depositing petroleum into our sewer system. DEC is going to continue to monitor that to make sure there is no residual effects. There were a few fire calls related to that issue as well.
- Had few meetings with attorney to follow up on items and our Special Council as well about PBA Agreement.
- Has reviewed all outstanding water bills and garbage bills, staying ahead of the game, looks good.
- Summer camp has begun and been great. Enrollment is up over last year's numbers and running smoothly.
- Investigator Werner was promoted to Sergeant.
- Did some follow up on different resident complaints and concerns. A tree came down on High Street and we cleaned that up after the storm.
- DPW has been fixing catch basins and pot holes around the Village. Bradley Lane project is going well.

Trustee Hoffman asked about the meeting he had with the special prosecutor about the landlord registry law.

Manager Revella replied that he reviewed the meeting with Attorney Donovan and he will be revising the law for the July 31st Town Hall meeting.

Trustee Leonard asked who will do any investigations with Werner's promotion.

Manager Revella replied that one of the sergeants will do that for now through his probationary time. He will finish up any investigations he was already working on.

Trustee Bowen asked if there was a need for an investigator.

Manager Revella replied that he will discuss that with Chief when he gets back from vacation.

Trustee Mishk asked how long the Working Leader has been on vacation and if Dave Green is officially filling in for him while he's gone.

Manager Revella replied for 3 weeks. He and Dave Green have been helping out with things while he's gone.

Trustee Mishk replied that if he's going to be filling in he should do the report also. He saw his report but it is very limited.

Approval of the June 3, 2014 Minutes

Trustee Mishk made a motion to approve the June 3, 2014 minutes. Seconded by Trustee Bowen. All ayes, 0 nays, 0 abstentions. Minutes approved.

Trustee's Committee Reports

Town of Montgomery & Library Board liaison – Trustee Leonard

Trustee Leonard stated he had nothing at this time.

Village Clerk & Village Treasurer Liaison – Trustee Bowen

Trustee Bowen stated he had nothing to report at this time.

Police Department Liaison – Deputy Mayor Rumbold

Deputy Mayor Rumbold reported that foot patrol is going on in good weather. Congratulations to Sergeant Werner on his promotion. We are working on getting the new cameras in the Village to be added to the dispatcher's monitoring.

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

Trustee Hoffman reported that he spoke to Building Inspector today and the department is still busy with permits. Discussed the leak on Valley Ave. and the Planning Board agenda is pretty busy for tomorrow night including the Thruway use request that is on our agenda this evening.

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

Trustee Carley was absent.

Manager Revella reported that Summer camp is going well, SYLA started this week, Flag Football is going well, Teen Center is operating 6 nights per week, the 6K Race is August 2nd, and Soccer Registration is next week at Olley Park. Been doing property maintenance as the list comes into them. Farmers market is going well.

Village Justice and DPW Liaison - Trustee Mishk

Trustee Mishk stated he discussed some issues with Manager Revella, but seems like the work is being done. Saw some patch work being done and all is at status quo at this time.

Public Comment on Business of the Board

Anita Vandermark, 76 Highland Avenue, wanted to comment on the Discover Walden event. She wanted to commend Nanette DeGroat on her hard work but wanted to ask her to be more discreet on events that are being planned. We are always looking to keep our image good and is concerned about bikinis and motorcycles on Main Street and how that will reflect our image to the public. We all know how the newspapers are, if they see that it will be on the front page. She's not old fashioned she likes both bikes and bikinis.

Action Items

Resolution 6-14-15 – Youth Bureau Grant Funding

Manager Revella reported that this is required for last year's funding to apply for and receive funding from the Youth Bureau. We have to do this annually. The amount is \$17,100 which is funding for the SYLA, DARE, Teen Center, and Summer Youth Employment Program.

Trustee Bowen made a motion to approve Resolution 6-14-15 for Youth Bureau Grant Funding in the amount of \$17,100. Seconded by Trustee Hoffman. All ayes. Motion carried.

Hearing Request – 42 Bank Street

Jay Buchalski, Code Enforcement Officer, explained there is a TV on the porch of the property and they have not complied with his request. They sent a response that they covered it with a tarp on June 2, 2014. This is owned by the Walden Baptist Church who got a third notice and then he received a letter on June 7, 2014 arguing about interpretation and compliance with the code because the tarp is over the TV and that it would remain there until their September 13, 2014 event. He asked to remove it again and they have not complied to date and have another item covered with a tarp next to it. They are arguing that you can't see what the item is because it is covered with a tarp and that they feel the matter is closed.

Trustee Mishk made a motion to set a hearing for 42 Bank Street for August 12, 2014 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Leonard. All ayes. Motion carried.

Hearing Request – 21 Walden Estates Road

Jay Buchalski, Code Enforcement Officer, explained there is a lot of debris on the property that needs to be cleaned up including mattresses in the back of the property. Additionally there is no hand railing on the stairs on the back of the property. It could be in the process of being foreclosed on as it is not occupied currently however it is listed in the owner's name at this time, not a bank. No correspondence has been returned at this time.

Trustee Leonard made a motion to set a hearing for 21 Walden Estates Road for August 12, 2014 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Hoffman. All ayes. Motion carried.

Temporary Event Sign Request – 8/14/14

Manager Revella stated that this is a request to put a sandwich board style sign at the corner of Old Orange Ave and Orange Avenue for an event on August 14th. The Building Inspector approved it and Chief said it was fine but has been on vacation so he hasn't signed it yet.

Trustee Hoffman made a motion to approve the Temporary Event Sign request for Col. Bradley Hose Co. #2 for their August 14, 2014 Penny Social as outlined in the application. Seconded by Trustee Mishk. All ayes. Motion carried.

Discover Walden Event Request

Nanette DeGroat, event organizer, asked about the certificate of insurance for the buggy rides and if she should ask the Bruderhoff's or the Community Council about that.

Manager Revella replied she should ask them.

Nanette explained that the Business Directory that they previously requested funding for will not be included at this time as it is just too large and will take too long to get done. The proposed Chalk Off has been moved to Flanagan Chiropractic's parking lot. She asked for some cones to be put down at the Rail Trial for the walk that morning in the trouble spots.

Manager Revella told her she would need to ask the Town Supervisor or the DPW Secretary, Jan Ool, as it is not Village owned past the switchback, the Town owns it.

Nanette continued that everything else is all set. Signs are all up and the banners are going up now. The Tattoo shop is not going to be part of the event so they are not doing the Bikini bike wash any longer.

Discussion Items

Commemorative Entrance Signs

Manager Revella stated that the Mayor asked to discuss this. It is about putting commemorative signs on the Village entrance signs such as the one sign that was up there about the championship softball team. He does not recommend putting that back on the entrance sign perhaps they could do another sign behind the entrance sign, on a separate post listing any commemorative things. Feels it should speak for itself and be its own thing.

Deputy Mayor Rumbold agreed but also commented that the Village entrance areas are packed with signs. Do people ask us where they can put them? It looks like a circus.

Manager Revella said that is why they have the temporary sign requests that come before the Board. It's a busy time of year right now for events. Someone wanted the softball sign put back up but the new entrance signs are wider than the last one. The beautification committee is working with Village to do landscaping at entrances.

Dean Stickles, Building Inspector, stated the entrances do look quite cluttered and it would be a good idea to promote from within the need for Temporary Event signs.

Deputy Mayor Rumbold agreed stated it does look cluttered. We spent a lot of money on the signs and it looks terrible.

Trustee Mishk asked if we had more work to do on signs.

Manager Revella replied the solar lighting caps need to go on the top still and then the landscaping around the bases.

Deputy Mayor Rumbold asked if he could talk to Mike and see Dean about uncluttering the entrance signs with all the added temporary signs. There has to be a better way to advertise all these great events. It detracts from the signs.

Trustee Hoffman stated that one of the signs is an advertisement for real estate. Dean is working on an answer to John about that.

VS Walden – Thruway Plaza Use Request

John Joseph, owner of VS Walden Thruway Shopping Plaza, explained they purchased the property a year ago and there is a building in the rear of the shopping plaza. Upstairs was formerly the appliance center and downstairs was a storage area. Initially they wanted to use it all for storage but don't need as big of an area so they will continue to use the storage downstairs but would like to have a gym and a shooting range in that area. He has Anytime Fitness that would like to lease the building for the gym and the shooting range would be part of the Thruway Sporting Goods. The building has an elevator in it and is 34,000 sq feet. Sporting Goods would like to use it similarly to Davis Sporting Goods which is a shooting range that was in the basement of CVS in Pearl River. He is proposing that they would split the building and half would be the gym and other half would be shooting range.

Deputy Mayor Rumbold asked if this was allowed in our code.

Manager Revella stated that not currently accepted in a B-1 zone. There is no other B-1 property in the Village.

Attorney Donovan stated that if the use isn't specifically permitted it's prohibited. So a work out facility is not a specifically listed use and shooting galleries are specifically prohibited. Shooting galleries are associated with carnivals in our code. He did want to state that he has a bit of a background on indoor shooting ranges as there was one in the Town of Chester and they are highly regulated with regards to noise and building.

Trustee Hoffman asked we were looking to add the use to the permitted use table or changing the zoning map.

Attorney Donovan replied that first thing is to think if that is something you want to do. Then there would be a need for the applicant to file a petition for the zoning change, then Planning Board and on through the process.

Trustee Hoffman asked if we could look at them individually rather than as a group.

Trustee Leonard asked if it would be a large expense to comply with all the regulations.

John explained that the cost is about \$50,000 per lane and is highly regulated and professionally managed. They are looking for an ancillary use to their sporting goods store. Davis has a high membership and he thought it was a good ancillary use.

Trustee Leonard stated it would probably be pretty popular as there aren't many places to go and shoot at.

Trustee Mishk stated he is concerned about a facility like that in such a populated area. There are a lot of milling issues that have to be done first and is probably safe but he's concerned about the 1% of risk that it poses to the public. As a police officer for 27 years, in his experience he saw many accidents with ricochet which concerns him especially on the same level as a gym. Should be on its own level not on the same level as gym.

Attorney Donovan stated that if the Board wanted to analyze and react to the request it would need to go through the petition process anyhow.

Deputy Mayor Rumbold asked if we talked to Chief Holmes about this at all. With his experience perhaps they can enlighten us on this request.

Manager Revella stated that at this point the question is, would you consider this use request. Should he start the petition process or not.

Trustee Bowen replied that with everything going on in the Village he would say not right now.

Deputy Mayor Rumbold replied that in all fairness to the applicant we need to find out the facts first before saying no. That way we can make an informed decision.

Trustee Leonard agreed, and suggested we get background information and specs.

Manager Revella stated that we can get the manufacturer specs to start and give to the Board. He doesn't think the Board would be against the recreational use for the gym usage.

Deputy Mayor Rumbold stated that we want to be fair to you and the community at the same time and we will put this on next agenda.

John thanked the Board and stated he had one last item to talk about that was not on the agenda. Franco's wants to do some outside seating which requires an outdoor café application but he is not asking the Board for a vote at this time. He just wanted to show the plan. He wanted to do a small addition in the front and sell beer and wine and add an outside patio with a 3 foot high aluminum fence. The area already has a retaining wall around it and is raised up from the ground.

Trustee Mishk asked if he got approval from the State Liquor Authority for the beer and wine permit yet.

John replied that Franco had called and the SLA said there was no restrictions but it has to meet their criteria.

Attorney Donovan stated that is a separate approval for outdoor service.

Trustee Mishk stated that they may not approve it being closest to this highly traveled area.

John said he is counseling Franco, he doesn't know the process there but the improvements they are suggesting will enhance the property either way.

Trustee Hoffman said that the process is a 2 step process. They would need us to approve the outdoor café and then the site plan approval would need to be approved by the Planning Board. So it's hard to determine which place you go to first.

John replied that they are already going before the Planning Board tomorrow and we are fairly close to going to a public hearing for that.

Manager Revella stated they have submitted their \$50 fee for the permit which is the process per our code for the Outdoor Café permit.

Trustee Mishk asked if there were any regulations on how close it can be to a road.

Manager Revella stated that our law only restricts impeding the public sidewalks and this is not on the sidewalk.

Trustee Leonard commented that the height of the existing retaining wall would stop cars from going into that area.

John said he would put in curbing to isolate it even further and add landscaping or a lawn of some sort.

Deputy Mayor Rumbold asked if he was looking of the Board to take action on this tonight.

John replied no, he just wanted to give information on it to the Board at this time.

Deputy Mayor Rumbold said the Board would like more information at the next meeting and have it on the agenda again as an Action item to make a decision. We will have feedback from the Planning Board at that time. All Board members, please let the Manager know if there is something else you want information on specifically.

Attorney Donovan state he was looking at the site plan and asked if there was anything showing the number of tables and the location of tables. He is suggesting he provide that to the Board.

John replied no, just umbrellas.

Trustee Mishk asked about the code that states they must provide 4 feet for adequate space.

Attorney Donovan stated that applies to cafes located on public sidewalks only.

John replied a sidewalk is there now, but is located below the wall at a different elevation.

Public Comment

Jessica Metzger, 4 Gracewood Court, commented that she likes the idea of a shooting range next to sporting goods. There was one in Chester and they are completely contained and very safe and she feels it would be an asset to the Village. She does suggest getting as much info as you can of course but she feels it would be beneficial. With regard to the temporary event signs; does anyone know if there is a vendor or RFP that the Village uses where you can do certain styles and sizes and give a set price to an entity coming in to post a sign and be in compliance? You can give them the vendor information and will look more uniform and cleaner. She drove by Midge Norman Park on Saturday and it was not unlocked at 1pm. Who unlocks the park for the youth to play?

Manager Revella stated that during the week the Parks Department opens it otherwise the Police Department opens it. If there is an event on the weekend the Parks Department could open it but the Police Department are the only employees on duty during the weekends.

Jessica asked why we don't have Park & Rec employees working on the weekends. The Police Department has important things to do and an officer may not have an opportunity to unlock it. Having another department do that is not fair as we don't ask other departments to make arrests. We need a person who is responsible for opening the park every Saturday and Sunday. They were respectful kids who didn't jump the fence and destroy the park.

Brenda Adams, 31 Valley Avenue, commented on the Fund Balance. Peter explained the revenue shortage is greater than proposed and then you did a resolution to adjust the fund balance at the last meeting. It appears your fund balance is less than \$100,000 give or take and she was hoping the Village would look at the current budget to see if anything could go on hold so you don't use as much fund balance this year. Next year's budget will be affected if you don't take action on this or prepare for this now. This year's budget was a good budget, she attended the budget sessions and everything seems useful but at some point the fund balance will run out. She's not talking about a one-time capital expense, talking about the absorption needed for wages etc. At some point there will be no more fund balance. When you start working on next year's budget you will either need to increase taxes or cut services to make up the Fund Balance so she is hoping the Board is planning on revisiting things and see what you might be able to save on going forward.

Anita Vandermark, 76 Highland Avenue, announced the fundraiser for the Walden & Wallkill Historical Society at Franco's on July 30th lunch or dinner and includes take out and they will donate 10% of the proceeds to them. She had heard that recently there was an accident by Dunkin Donuts and several people have mentioned that DPW was there directing traffic and whomever that was had a big cigar in his mouth and no shirt on.

Manager Revella asked if that person was bear skinned.

Anita replied that is what she heard but she didn't see it herself, it was just hearsay, but we need to watch our public image.

Mary Ellen Matise, 21 Clinton Street, spoke in favor of the indoor range but feels it should be separated from the gym facility. Her reason is because of lead and ventilation concerns that might affect people working out in the gym. Good ancillary use to Thruway Sporting
July 15, 2014

Goods. Someone going to a range will likely be more safety conscious than someone just buying a gun. She sees the parking lot and access to the range more of an issue and having enough security in the area than the inside of the range. Our Police Department doesn't have their own shooting range other than the one by the wells on Route 52 and this would give them a space to qualify.

Nanette DeGroat, 80 N. Montgomery Street, talked about the event signs at the Village entrances and stated that she doesn't feel it is an issue. It happens 2 months out of the year when there are a lot of events going on to make another rule or restriction for 2 months out of the year is just not needed. The signs she got from Mike Bliss aren't too big and doesn't think it looks bad or unorganized. She feels it looks like our Village is alive and we have things going on and she likes that. She asked Trustee Mishk to expand on the comment he made about gun ricochets that come out into public areas.

Trustee Mishk replied that didn't happen at their range as it was in a wooded area far away from the public. He meant he as an officer saw ricochets. If you have people walking through a populated parking lot carrying guns and they are susceptible to people taking those guns away.

Nanette replied that they are a very big seller of guns down there and it's the exact same situation down there now where they already have the issue going in and out of the area as it is so she doesn't see the issue.

Trustee Mishk stated that most ranges are in secluded areas. The city of Newburgh Police Department had a range in their basement and they put that to a stop because they were concerned about ventilation and other things. You also have to be aware of the ricochet issue. No matter how safe you try to be it only takes one time for an incident to happen. He and his family will not be working out at a gym next to the range.

Nanette asked about the beer and wine sales at Franco's and if it would be inside or outside as it wasn't clear when they were discussing it earlier.

John replied it would be indoors.

Payment of the Audited Bills

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

Correspondence

Trustee Mishk stated that he got a rather large email about fluoride.

Manager Revella asked for a copy of that correspondence as he didn't receive it.

Trustee Hoffman pointed out a letter in our packets from an Oakland Avenue resident and asked the Manager his thoughts on it.

Manager Revella replied that the resident is concerned about backing out of his driveway due to the width of the road in that area and he wants a no parking zone across from his driveway. He is not sure if he is inclined to take away parking on that road. Perhaps

changing the curb for more room would help. He also has a tree issue and in fact he wants all the trees removed on the Street.

Miscellaneous Comments from the Board of Trustees

Trustee Leonard mentioned the Car show on Saturday which was great, he was impressed with the variety of cars. He wanted to thanks his extended family and the public for the prayers and concerns for his wife and visiting her in the hospital.

Deputy Mayor Rumbold also commented the Car show was great. Nice turn out and nice people from all over. Amazed at the amount of men that take such diligent care of their cars.

Executive Session

Trustee Bowen moved to go into Executive Session to discuss Collective bargains with the PBA and the employment history of a particular person. Seconded by Trustee Mishk. All ayes. Motion carried.

Reconvene

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

Adjournment

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

**Village of Walden Board of Trustees
Regular Meeting
July 15, 2014
Motions & Resolutions**

Approval of the June 3, 2014 Minutes

Trustee Mishk made a motion to approve the June 3, 2014 minutes. Seconded by Trustee Bowen. All ayes, 0 nays, 0 abstentions. Minutes approved.

Resolution 6-14-15 – Youth Bureau Grant Funding

Trustee Bowen made a motion to approve Resolution 6-14-15 for Youth Bureau Grant Funding in the amount of \$17,100. Seconded by Trustee Hoffman. All ayes. Motion carried.

Hearing Request – 42 Bank Street

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Hearing Request – 21 Walden Estates Road

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Adjournment

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