

**Village of Walden  
Board of Trustees Regular Meeting  
September 16, 2014**

Mayor Maher called the regular meeting of the Village of Walden Board of Trustees to order at 7:35pm.

On roll call the following were:

Present:

Mayor	Brian Maher
Deputy Mayor	Sue Rumbold
Trustees	Bernard Bowen

Sean Hoffman  
Edmond Leonard  
Gerald Mishk

Absent:

Trustee	Willie Carley
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Also Present:

Tara Bliss, Village Clerk  
Dave Donovan, Village Attorney

**Public Hearing – Local Law #5 of 2014 – Highland Avenue Stop Sign**

Mayor Maher explained this would add stop signs on Highland Avenue at the intersections of Oakland Avenue, Sadlier Place, and Highland making it a 4 way stop.

Deputy Mayor Rumbold made a motion to open the public hearing for Local Law #5 of 2014 – Highland Avenue Stop Sign. Seconded by Trustee Mishk. All ayes. Motion carried.

Deputy Mayor Rumbold made a motion to close the public hearing for Local Law #5 of 2014 – Highland Avenue Stop Sign. Seconded by Trustee Leonard. All ayes. Motion carried.

Deputy Mayor Rumbold made the motion for Negative Declaration under SEQRA for Local Law #5 of 2014 – Highland Avenue Stop Sign. Seconded by Trustee Leonard. All ayes. Motion carried.

Trustee Mishk made a motion to adopt Local Law #5 of 2014 – Highland Avenue Stop Sign. Seconded by Trustee Bowen. All ayes. Motion carried.

**Hearing – 42 Bank Street**

Dean Stickles, Building Inspector, asked the Board to hold over this hearing until the next meeting as it should be resolved by then after his meeting with Rev. Van Houten who is away until end of next week.

Trustee Hoffman made a motion to authorize the Village Manager and the Code Enforcement Officer to remove the debris on the porch of 42 Bank Street if not removed within 30 days and charge any costs associated with it back to the property owner. Seconded by Trustee Mishk. All ayes. Motion carried.

## **Hearing – 16 Northern Avenue**

Dean Stickles, Building Inspector indicated there is no need for a hearing tonight at the debris has been cleaned up at this property.

## **Village Manager's Report – Given by Clerk Bliss in Manager Revella's absence**

- Met with Village Attorney to discuss 42 Pine Street issue and FOIL requests.
- Observed drop off and traffic flow in front and back of school on the first day of school.
- Filed paperwork with DMV to obtain new license plates for the new Village vehicles. State of NY has Village of Walden specific plates now.
- Met with the Recreation Coordinator and reviewed the soccer program and the JETS trip.
- Finalized mediation issues and the date with the PBA.
- Discussed improvement to the Sunoco sidewalks with the building department. Property owner will be paying for the improvements.
- Met with Deputy Treasurer to review the Toshiba contracts.
- Met with Chief Holmes to discuss recent arrests. The last drug warrant was found and arrested which is great news.
- Met with Village Clerk and discussed issues with the newly installed Village phones as well as the Big Apple Circus invitation only event.
- Met with the Building Inspector and the new property owner of 69 Main Street to review the potential structure to be placed on that site.
- Met with the Village Engineer to review 33 Scofield Street project. Moving along well at this time.
- Met with the auditors at Vanacore DeBenedictus DiGiovanni & Weddell to discuss information and the timeline for the audit.
- Met with PBA and Special Counsel for the mediation for the PBA contract. It is likely going to arbitration.
- Met with Trustee Carley and the Walden Fire District about the fire horn/emergency signal at Village Hall. Each party getting estimates should we need a replacement.
- Met with Village Engineer and Working Leader to review Bradley Lane Project, Sewer Plant and preparations for the Belt Filter Press, and discussed sludge tank with VRI.
- Had correspondence with the Library Board Chairman about the Bradley Trust.
- Met with Chief Holmes to discuss overtime and upcoming trainings.
- Met with the auditors again to review the files for the audit report.
- Department Head meeting went well. October/November Calendar in the works. DPW has been fixing basins and preparing for winter. Department of Health inspection is this week. Village Entrances and decorating of the Village being worked on by the Recreation & Parks Department. They have been keeping up with the yard maintenance write ups from Jay. Library will be talking to the Town of Montgomery about the upcoming budget and their capital project will start in the winter. Police completed a successful crosswalk check by Dunkin Donuts. Village Treasurer having ongoing discussions with department heads about the budget and monitoring spending. The audit seems to be going well so far.

- Met with Village Attorney and Village Clerk to follow up on local laws and contract review. Need discussion item at the September 30<sup>th</sup> meeting regarding water code revisions.
- Met with developer for North Montgomery Street.
- Met with the Walden Baptist Church.
- Attending the 9/11 Memorial Service in the Square
- Met with Trustee Hoffman & Working leader.
- Currently attending the NYCOM conference in Lake Placid NY.

Dean Stickles explained that he reviewed the retaining walls on Ulster Avenue as requested by the Board. He gave photos to the Board. The question was on 68 Ulster Avenue wall which collapsed 5-6 years ago and most of it is cleared. There is a 40 inch area to walk on the sidewalk. The only issue would be the tree that would need to be cut down by the property owner.

Mayor Maher advised Dean to check with John first to make sure that would not interfere with the Betterment Grant for the Ulster Avenue Project that we are in the final stages with DOT and are optimistic that it will happen this spring.

Dean added that the sidewalks in their current condition are in far worse shape than the walls are. None of the walls there are in danger of falling.

Deputy Mayor Rumbold asked David Sperry if that satisfied his question from the last meeting.

David Sperry, 12 Overlook Terrace, indicated it did.

### **Approval of the August 14, 2014 Special Meeting Minutes**

Mayor Maher explained that this was not an official meeting so no minutes need to be taken. In the future they would be taken in a different manner.

Attorney Donovan confirmed.

### **Approval of the September 2, 2014 Minutes**

Deputy Mayor Rumbold made a motion to approve the September 2, 2014 minutes. Seconded by Trustee Leonard. 6 Ayes, 0 Nays, 1 Abstention (Trustee Bowen). Minutes approved.

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

#### **Town of Montgomery & Library Board liaison – Trustee Leonard**

Trustee Leonard stated there are 2 pages of events going on at the Library through November including the Run/Walk the Runway event on October 26<sup>th</sup> at OC Airport.

#### **Village Clerk & Village Treasurer Liaison – Trustee Bowen**

Trustee Bowen reported that we have a total of \$5.4 million collected which is 90% of bills that were sent out in June for taxes. Lauren and Marisa are doing all the water/sewer bills and work with Kevin Kyle to read all the meters and enter into the KVS system. Will report more on the audit that is currently going on now at the next meeting.

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

Deputy Mayor Rumbold reported that we applied for and received 50% cost of our vests for this fiscal year. We are attending the missing persons training in Kingston, firearms training, and the Intel Summit for Chiefs and Sheriffs in October. Looking into a Chaplain program for Police Department and are looking for input. The PBA is on board and we think it will be a nice addition to the Police Department. The retirement celebration for Sgt. Schwandt is on 9/28 at Walden Fire House, \$25 per person.

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

Trustee Hoffman reported that he met with Dean today, reviewed agendas for Tri Board and Planning Board meetings this week. Thanks to everyone for their input at the Tri Board meeting tonight.

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

Trustee Carley was absent.

### **Village Justice and DPW Liaison - Trustee Mishk**

Trustee Mishk reported Dais is on hold as we are waiting for materials. Hopefully will begin on the 18<sup>th</sup>. DPW is working on Bradley Lane. Sidewalk project on Gladstone will be started this week, then Highland area sidewalk project. All updates have been posted on the website. One of the Department Reports does not give a clear picture of what is going on and he will talk to John about that. It seems as if he does this once a week when he knows he does it more frequently than that.

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

Mary Ellen Matise, 21 Clinton Street, announced the book signing from Dr. Schwartz on Sunday the 21st. With regard to the garbage contract, it is really not bad for the cost we pay. She is not recommending we take it on and keep what we have. Having a Supervisor in town clearly helps. Maybe we need to revisit the issue with garbage cans and code enforcement. With regard to the Main Street trees, please think about the space it will take up not just from the businesses. Will we be able to pull up and open up car doors if planters are placed close to the curb? Something to think about.

Becky Pearson, 167 Walnut Street, asked since we put garbage bills on the taxes how is that working out.

Peter Sullivan, Village Treasurer, replied it has gone well. With 94% of tax collection that means that payment has been taken in for garbage as well.

Becky continued that there were some great comments about another alternatives for the Main Street trees at the last meeting. She doesn't think planters will give you what you need. Looking at the costs, could we take them down ourselves to save money? Grates and taking the metal off would be saving a lot of money and create a beautiful atmosphere. If there are no trees, the Holiday season would not look as beautiful. She suggested looking into other ideas to save money and make it look good. With regard to the Oakland Avenue issue, you need to do this Village wide if you do this. This tree and all the trees on that street have always been an issue with this particular homeowner.

## **Action Items**

### **Outdoor Café Permit – 74 Oak Street**

Tabled.

### **LL#6 – Use Request B-1 Zone**

Trustee Bowen made a motion to set a public hearing for Local Law #6 of 2014 – Use Request B-1 Zone for Tuesday, September 30, 2014 at 6:30pm or as soon thereafter as could be heard. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

### **LL#7 – No Parking Zone, Ivy Hill Rd (Pump Station)**

Trustee Leonard made a motion to set a public hearing for Local Law #7 of 2014 – No Parking Zone, Ivy Hill Rd (Pump Station) for Tuesday, September 30, 2014 at 6:30pm or as soon thereafter as could be heard. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

### **LL#8 – No Parking Zone (school hours), Maple Street**

Deputy Mayor Rumbold made a motion to set a public hearing for Local Law #8 of 2014 – No Parking Zone (school hours), Maple Street for Tuesday, September 30, 2014 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Mishk. All ayes. Motion carried.

### **LL#9 – 15 Minute Parking Zone (school hours), Orchard Street**

Trustee Hoffman made a motion to set a public hearing for Local Law #9 of 2014 – 15 Minute Parking Zone (school hours), Orchard Street for Tuesday, September 30, 2014 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Bowen. All ayes. Motion carried.

### **Set Town Hall Meeting for LL#10 – Landlord Registry Law**

Mayor Maher explained this law has gone through many different drafts and we've had a few town hall meetings on this. There are a few minor changes in this proposed law before us. He wanted some direction from the Board on this. The landlords are expecting another meeting on this law but that is up to the Board.

Trustee Hoffman stated he does not see a reason to have another Town Hall Meeting. Only thing that has changed at this point is the fines.

Trustee Mishk said he was disappointed that he hasn't heard the plan from the special prosecutor on how we can enforce the laws we already have in place before we move forward.

Deputy Mayor Rumbold and Trustee Bowen agreed with Trustee Hoffman and Trustee Mishk.

Trustee Leonard said he still didn't see where we exempted the owner occupied properties. Dean recommended we don't include single family houses as there is no way to track them. Feels it needs more work before moving forward.

Attorney Donovan said that this Local Law allows you to fine people in your Local Justice Court. To shut down a property your local justice courts cannot do that, would need to go to Supreme Court. Nothing can be done in this law to change that. If you want to fine

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someone for failure to register, you can fine them, but can't compel them to register. Generally if you find someone not in compliance you would send a letter and other ways that don't involve court or expenses. If they don't comply maybe you want to bring them to court to fine them but most judges will just encourage them to register. The issue is if there is a dangerous condition with someone who fails to comply there is nothing to be done about it in the local justice court.

Mayor Maher asked the Village Manager to get us the information from the Special Prosecutor before we move forward.

### **Garbage Contract**

Tabled until Manager Revella could be present.

### **Set Trick or Treat for Friday, October 31, 2014 6-8pm**

Trustee Bowen made a motion to set Trick or Treat for Friday, October 31, 2014 from 6-8pm. Seconded by Trustee Leonard. All ayes. Motion carried.

### **Discussion Items**

#### **Main Street Trees**

Mayor Maher said he was not in favor of the idea of the planters.

Deputy Mayor Rumbold likes the trees and suggests we deal with the trees that are the issue right now and leave the others as they are. In the past the barrels we had were basically garbage receptacles.

Trustee Mishk stated that we can't plant new trees if we take those trees out per the Arborist. The soil would not be able to sustain the tree.

Clerk Bliss stated that we can grind the stump that is exposed but the roots of the trees are entangled in the wires and the pipes below the street level which is what is causing the problem. Those roots would not be able to be grinded out. Planting another tree would not have any space to grow because those old roots would still be present.

Mayor Maher will work with Village Manager on other solutions.

#### **No Standing Zone – Highland Avenue (between East Main Street and Woodruff Street)**

Mayor Maher explained there is already a no parking zone on the Nash side of the road. The idea is to make it a No Parking and No Standing Zone.

Deputy Mayor Rumbold stated that the road is narrow so when the parents are parking there waiting for the kids to get off the bus there is no room for other vehicles to get up the street. That is dangerous as it prohibits an emergency vehicle from getting up the street.

Trustee Mishk asked if moving the bus stop would make the situation better.

Deputy Mayor Rumbold said that John has asked that and they refuse to move it. They figure that's the safest drop off and pick up point.

Trustee Hoffman made a motion to have our Village Attorney draft a local law for a No Standing Zone on Highland Avenue (between East Main Street and Woodruff). Seconded by Trustee Bowen. All Ayes. Motion Carried.

### **No Parking Zone – Oakland Avenue**

Trustee Hoffman explained that he and Manager Revella just looked at this situation the other day. The resident states that he can't back out of his driveway because the road is narrow and there is a large tree at the edge of his driveway. When someone parks on the opposite side of the street as his driveway he cannot get out of his driveway and has had to cancel appointments because he can't get out of his driveway.

Mayor Maher would like to meet with the resident and find out more about the situation by looking at the property first and talking to John to get more information.

Trustee Leonard agreed.

Deputy Mayor Rumbold stated that his letter seems sincere, we should talk to him to find out more information. He didn't ask about the tree, more about the cars parked on the opposite side of the street.

Mayor Maher indicated he's concerned about what Becky brought up, we would need to do something on almost every street if we do this.

Trustee Hoffman stated that once you look at it you will see that defining the issue is not the problem, but coming up with a solution is going to be difficult.

Mayor Maher asked everyone to take a look at the area and he will talk to John and find out more about the situation.

### **Public Comment**

Mary Ellen Matisse, 21 Clinton Street, commented about the Oakland Avenue, the tree there has been in issue since 2006. We has Jim Prescutti go and neuter the tree a number of times actually at his request. He has altered his driveway a bit since then based on this photo. Oakland Avenue is not as narrow as say Clinton Street or Locust Street or some other streets. Perhaps he should back in to be better able to get out of his driveway. There are bigger issues on other streets that haven't been dealt with than this one issue.

Anita Vandermark, 76 Highland Avenue, thanked the board for discussing the issue at the end of Highland Avenue as it is a dangerous situation. Thanks for the stop signs on Highland also, hope it helps. She asked about the shooting range at the Thruway, what is the thoughts as far as noise would be concerned.

Mayor Maher said we need more information on that as we don't have answers yet. That is tabled for now.

Anita said she heard that the fire department after the vote did not pass will be opening it again in October, the exact same proposal.

Jordan Wilkinson, Wallkill Valley Times Reporter, confirmed they will be putting the same proposal up on October 21<sup>st</sup>.

Becky Pearson, 167 Walnut Street, commented on Highland Avenue and recommended going to the school board personally to get them to move the bus stop, it would possibly help.

Mayor Maher said that Superintendent Hooley makes those changes only and they will not budge. He's dealt with it from 11 other bus stop issues while working at the Senator's office and there is such reluctance from Valley Central to move the stops for some reason, it is very frustrating.

Becky continued on about the Oakland Avenue tree issue and it's interesting that he put a pillar at the end of driveway where the old tree used to be as well. Was odd that a tree came down and a pillar went up in its place.

Trustee Hoffman said that when he looked at the driveway it appears that the edge of driveway is curbed which is what makes it difficult in his opinion.

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

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

### **Correspondence**

None.

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

Trustee Leonard thanked the PBA for the senior dinner, it was great. He has been working for 2 years now with John Valk and Todd from the highway department to increase the rail trail through the Town of Shawangunk. He went to the meeting last month and got a letter of support. We are working on a grant for incidentals like diesel fuel for the equipment. It would increase our rail trail 1.5 miles and take it right up to the prison. It's a big win for us. Hope it will happen in a few years.

Deputy Mayor Rumbold thanked the PBA for the dinner also, it was great. Thanks for the Bruderhoff for their food, including rolls, desserts, and singing. She hopes everyone can attend harvest fest on October 3<sup>rd</sup> and 4<sup>th</sup>.

Mayor Maher thanked everyone for attending our 9/11 ceremony, it was truly a great event. It will be an annual event.

Trustee Leonard added that the Library has a picture book about 9/11 called "Aftermath" which is beautiful, check it out.

### **Adjournment**

Deputy Mayor Rumbold moved to adjourn. Seconded by Trustee Bowen. All ayes. Meeting adjourned.



**Village of Walden Board of Trustees  
Regular Meeting  
September 16, 2014  
Motions & Resolutions**

**Public Hearing – Local Law #5 of 2014 – Highland Avenue Stop Sign**

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**Hearing – 42 Bank Street**

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**Payment of the Audited Bills**

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

**Adjournment**

Deputy Mayor Rumbold moved to adjourn. Seconded by Trustee Bowen. All ayes. Meeting adjourned.