

**Village of Walden
Board of Trustees Regular Meeting
September 30, 2014**

Mayor Maher called the regular meeting of the Village of Walden Board of Trustees to order at 6:30pm.

On roll call the following were:

Present:

Mayor	Brian Maher
Deputy Mayor	Sue Rumbold
Trustees	Bernard Bowen
	Willie Carley
	Sean Hoffman
	Edmond Leonard
	Gerald Mishk (Arrived Late)

Absent:

Also Present:

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

Public Hearing – Local Law #6 of 2014 – Use Request B-1 Zone

Manager Revella explained this law will give permission for a “Health Club” in the B-1 zone. The only B-1 zone in the Village is the Thruway Plaza.

Deputy Mayor Rumbold made a motion to open the public hearing for Local Law #6 of 2014 – Use Request B-1 Zone. Seconded by Trustee Hoffman. All ayes. Motion carried.

Trustee Bowen made a motion to close the public hearing for Local Law #6 of 2014 – Use Request B-1 Zone. Seconded by Trustee Carley. All ayes. Motion carried.

Trustee Hoffman made the motion for Negative Declaration under SEQRA for Local Law #6 of 2014 – Use Request B-1 Zone. Seconded by Trustee Leonard. All ayes. Motion carried.

Trustee Leonard made a motion to adopt Local Law #6 of 2014 – Use Request B-1 Zone. Seconded by Trustee Bowen. All ayes. Motion carried.

Public Hearing – Local Law #7 of 2014 – No Parking Zone, Ivy Hill Road

Manager Revella explained this law would make 2 no parking spaces in front of the pump station on Ivy Hill Road. If we were to have an emergency we would not be able to access the pump station while cars are parked there.

Deputy Mayor Rumbold made a motion to open the public hearing for Local Law #7 of 2014 – No Parking Zone, Ivy Hill Road. Seconded by Trustee Bowen. All ayes. Motion carried.

Trustee Bowen made a motion to close the public hearing for Local Law #7 of 2014 – No Parking Zone, Ivy Hill Road. Seconded by Trustee Hoffman. All ayes. Motion carried.

Deputy Mayor Rumbold made the motion for Negative Declaration under SEQRA for Local Law #7 of 2014 – No Parking Zone, Ivy Hill Road. Seconded by Trustee Hoffman. All ayes. Motion carried.

Deputy Mayor Rumbold made a motion to adopt Local Law #7 of 2014 – No Parking Zone, Ivy Hill Road. Seconded by Trustee Bowen. All ayes. Motion carried.

Public Hearing – Local Law #8 of 2014 – No Parking Zone (school hours), Maple Street

Manager Revella explained this parking zone is on Maple Street from Walnut Street up towards Pine Street on the Northerly side of the street, a 100 foot section. There will be no parking there at all to allow for bus traffic during school hours only.

Deputy Mayor Rumbold made a motion to open the public hearing for Local Law #8 of 2014 – No Parking Zone (school hours), Maple Street. Seconded by Trustee Bowen. All ayes. Motion carried.

Trustee Leonard made a motion to close the public hearing for Local Law #8 of 2014 – No Parking Zone (school hours), Maple Street. Seconded by Trustee Hoffman. All ayes. Motion carried.

Trustee Hoffman made the motion for Negative Declaration under SEQRA for Local Law #8 of 2014 – No Parking Zone (school hours), Maple Street. Seconded by Trustee Leonard. All ayes. Motion carried.

Trustee Bowen made a motion to adopt Local Law #8 of 2014 – No Parking Zone (school hours), Maple Street. Seconded by Trustee Hoffman. All ayes. Motion carried.

Public Hearing – Local Law #9 of 2014 – 15 Minute Parking Zone (school hours), Orchard Street

Manager Revella explained this law would allow for 15 minute parking zones during school hours only on Orchard Street right in front of the school.

Deputy Mayor Rumbold made a motion to open the public hearing for Local Law #9 of 2014 – 15 Minute Parking Zone (school hours), Orchard Street. Seconded by Trustee Leonard. All ayes. Motion carried.

Trustee Bowen made a motion to close the public hearing for Local Law #9 of 2014 – 15 Minute Parking Zone (school hours), Orchard Street. Seconded by Trustee Leonard. All ayes. Motion carried.

Trustee Leonard made the motion for Negative Declaration under SEQRA for Local Law #9 of 2014 – 15 Minute Parking Zone (school hours), Orchard Street. Seconded by Trustee Hoffman. All ayes. Motion carried.

Trustee Bowen made a motion to adopt Local Law #9 of 2014 – 15 Minute Parking Zone (school hours), Orchard Street. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

Village Manager's Report –

- Attended the 4 day NYCOM conference in Lake Placid. Was able to utilize things he learned there already in the current PBA negotiations. Materials in his office if anyone would like to look at anything he brought back.
- When he returned he met with various department heads and the Clerk to go over messages and get updated.
- There was a parking concern for Harvest Fest that we worked with Walden Community Council and the Chief to come to a resolution on.
- Waldenview Apartments are being sold on Oak Street, Peter and he are working on the balance owed on their mortgage.
- NYSDOT meeting this Friday to discuss the Ulster Avenue project.
- Been corresponding with the State Senate about the grant for Bradley Pavilion and we should be able to bid shortly.
- Auditors are meeting tomorrow with Bernard.
- Met with the Village Engineer to go over the many projects we have going on. Scofield house is framed. Bradley Lane got paved today. Gladstone sidewalk project had a dust issue up there and have been trying to work on that and finish the grading up there. There has not been much rain and the ground is like powder up there. Wait Street tank being painted, posts went up today for the new fence. Dais going along well as you can see.
- New Police and Recreation vehicles are in and are in use.
- Olley park project clearing of the hill has been going well to have more usable parkland and easier to see if children are in the woods.
- He attended the Public Hearing on the casinos in the Hudson Valley. It was very well attended. Written comments can still be made, let him know if you want to, he has the forms in his office.
- Filming going well will have a feature film being filmed in the square and using his vehicle in October.

Mayor Maher asked if we could do a premiere when the TV shows air, the public would probably like that.

Manager Revella replied yes we could work something like that out when we know when they will be aired.

Trustee Leonard asked what kind of paint they would use on the Wait Street Tank as he was worried about the temperature.

Manager Revella replied encapsulating paint, same as Gladstone tank project.

Deputy Mayor Rumbold stated she spoke with Lauren because she noticed our phone bills no longer have a log of numbers. Why is that?

Manager Revella replied we don't pay per call anymore which is likely why but she is looking into it.

Deputy Mayor Rumbold stated she asked Lauren to look into this. She is uncomfortable not having that list. The contractors on Gladstone; she understands our sweeper is not working but is it an option.

Manager Revella replied it was used and it did more bad than good. They paid for everyone to the area to get their cars washed.

Deputy Mayor Rumbold commented that they need to take care of that, it's their responsibility. The mechanics report states he worked on truck 3 "the best he could". What does that mean? Is it not repaired correctly?

Manager Revella replied that without getting a new one it's the best that it can be.

Deputy Mayor Rumbold asked how long it will last.

Manager Revella replied that it's the salt and sander which is now functional and should work for the season. We will need to evaluate in the spring if we need a new one or not.

Deputy Mayor Rumbold asked about Truck 6 "still not running right, but better", what does that mean?

Manager Revella stated that is the oldest truck we have.

Deputy Mayor Rumbold asked if we should take it out of service.

Trustee Hoffman asked if it was dangerous and if it would pass inspection.

Manager Revella replied that the issue is with the engine and we made some minor repairs to make it functional, it's not used for anything major like hauling, it's just used for transportation. It did pass inspection.

Trustee Bowen asked if this is anticipated replacement.

Manager Revella replied we will need to evaluate and discuss during budget sessions.

Deputy Mayor Rumbold asked if we had anyone else in the Village that could retrieve a vehicle from Matamoras PA, you had to go.

Manager Revella replied that we needed two people to go and he doesn't like other people driving the police vehicles so he went and Mike followed in in his vehicle. Normally the DPW guys would do it but they were tied up at that moment.

Trustee Carley asked about the Dais if that was the final color and timeline to be finished.

Manager Revella replied yes. Tops should be put on tomorrow and then they have some finishing touches such as the railing on the ramp. Then they will configure the desks the way we need them to be and talk about purchasing new chairs or not. Should be completed before the next Board meeting for sure. They are working around the reservations for the room. He would like to get a Village seal to go on the front also.

Approval of the September 16, 2014 Tri-Board Meeting Minutes

Deputy Mayor Rumbold made a motion to approve the September 16, 2014 Tri-Board Meeting minutes. Seconded by Trustee Bowen. 5 Ayes, 0 Nays, 1 Abstention (Trustee Carley). Minutes approved.

Approval of the September 16, 2014 Minutes

Deputy Mayor Rumbold made a motion to approve the September 16, 2014 minutes with stated edits. Seconded by Trustee Hoffman. 5 Ayes, 0 Nays, 1 Abstention (Trustee Carley). Minutes approved.

Trustee's Committee Reports

Town of Montgomery & Library Board liaison – Trustee Leonard

Trustee Leonard stated the Library is good.

Village Clerk & Village Treasurer Liaison – Trustee Bowen

Trustee Bowen reported nothing at this time until after the meeting with auditors this week.

Police Department Liaison – Deputy Mayor Rumbold

Deputy Mayor Rumbold reported that the PBA requested that they do the No Shave November for charity again this year. Chief and the Manager have no issues with it but she wanted to make sure the Board was ok with it. Last year they raised \$600 for the charity. Chief contacted the bus company about moving the bus stop from Highland and East up to Woodruff and East for safety issues. We spoke with the parents who are in favor of moving it as well. Police Department is ready for Harvest Fest this weekend.

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

Trustee Hoffman reported that he met with Dean today, and they discussed 33 Scofield Street status. They will schedule a walk through when it gets a little further along, let him know if you would like to attend. Mr. Sebring, Mr. Wilkins along with Dean and himself will get together to discuss the Tri Board issue. Planning Board will meet to discuss the 74 Wait Street variance request at their next meeting.

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

Trustee Carley reported he has been away for a while and has not been able to attend any school board meetings. The Recreation Department reports that they decorated the square for Harvest Fest and the fall season. Soccer is going well and increased numbers of 125 players. Indoor Soccer and Basketball registration is going on. Farmers Market is ending this week and we welcome any new ideas for next year. Halloween parade and haunted house begins on Oct 18th at 4pm. They need judges for the contest. Park facilities have been rented a number of times over the last month and they continue to be popular.

Village Justice and DPW Liaison - Trustee Mishk

Trustee Mishk was absent during this time period as he arrived late to the meeting.

Mayor Maher read the community events into the minutes.

Public Comment on Business of the Board

Mary Ellen Matise, 21 Clinton Street, asked about what type of action would be taken on the Accessory Apartment Law and the Garbage contract.

Mayor Maher replied we are retaking the vote with a full Board on the Accessory Apartments as it couldn't go forward before with the last vote and Zoning Board wants an answer. Garbage contract we will decide tonight if we are going forward.

Mary Ellen feels they should not be action items but should be discussion items.

Scott Hickey, 32 Highland Avenue, commented about moving the bus stop on Highland Avenue he feels it is not a good idea. Traffic patterns at the end of Highland vs the end of Woodruff, it is a way more dangerous intersection. The problems in that area are the sidewalk on the bridge which doesn't get shoveled right away in the winter which forces people to stand in the street. The street is very wide but the bridge is very narrow which makes cars coming at the same time to hug the sidewalk but when there is snow people are standing in the street, the other issue is that when cars do come down they stay in the center of the road because the bridge is so narrow which also causes problems. If Highland was a one way for that last stretch it would make it easier, not just for the bus stop. He is not sure how possible it is. He has sat there many times and seen it when it is not school time. Not a good idea to have the bus stop in the area near Dunkin Donuts due to the high traffic. He is a huge fan of making it a one way in that area.

Mayor Maher explained that with this local law people wouldn't be able to sit in their car and wait from East Main to Woodruff.

Manager Revella explained that if they sit there it makes the road narrow all the way up to Woodruff.

Mayor Maher explained people could still park a little farther up and walk down to the bus stop but with people not being able to wait in their cars on both sides it will create less bottleneaking.

Scott replied that he feels the issue is the bridge.

Mayor Maher explained they have been evaluating the issue and one of the ways we are looking to resolve it is with this local law for not standing in that area.

Deputy Mayor Rumbold added it has been a long time issue especially when people park on top of the bridge. There is no way an emergency vehicle is going to fit up there. Understands the inconvenience for the parents but it's our obligation to ensure the safety for everyone that lives there.

Mayor Maher added that this is an ongoing issue and this is the first thing we are doing to try to fix it. Nothing is off the table. Still looking to address the issue and if this doesn't work we will look into it further.

Trustee Mishk arrived at the meeting.

Action Items

Accessory Apartment Law

Mayor Maher explained that at the Tri Board meeting we discussed the Zoning Board's proposed Accessory Apartment Law and they wanted to know whether we would continue to discuss it or make it a dead item. We were tied at the last meeting so we need to take another vote to reply to them. This is just for accessory apartments, not ECHO-cottages.

Straw poll:

Mishk – Aye

Carley – Aye

Hoffman – Nay

Rumbold – Nay

Maher – Nay

Bowen – Nay

Leonard - Aye

Mayor Maher explained the response to the ZBA is that we are not interested in discussing this proposed law any further based on this straw poll.

Garbage Contract

Mayor Maher explained the Board wanted Manager Revella to be present to confirm our options for continuing the current contract which is why we tabled it last meeting since he was not there.

Manager Revella stated he met with them and discussed issues we have had in the past to ensure they won't happen again. Pricing is the same with our 3rd year option with IWS. Not sure of tipping fees from the County so we would likely have that affect the potential pricing if we did choose to bid it out. The other option of us taking over the garbage pickup ourselves for this year is not feasible without a shared back up with another municipality. If we wanted to discuss that option we should look into that in September of next year.

Mayor Maher stated we would need to discuss that option during our budget sessions.

Deputy Mayor Rumbold asked if it could be written into the contract to include the supervisor in Village during pickups when letter is written.

Mayor motioned to exercise the 3rd year option with Interstate Waste Services for Village Garbage Services through December 2015. Seconded by Deputy Mayor Rumbold. All ayes. Motion Carried.

Award Bid – Monroe Stainless Steel Spreader

Deputy Mayor Rumbold made a motion to award the bid for the Monroe Stainless Steel Spreader to Nat Winum in the amount of \$279.00. Seconded by Trustee Leonard. All ayes. Motion carried.

Award Bid – Airflo Snow Plow

Deputy Mayor Rumbold made a motion to award the bid for the Airflow Snow Plow to GT Excavating in the amount of \$1,000.00. Seconded by Trustee Hoffman. All ayes. Motion carried.

Award Bid – Terey Pavement Roller

Deputy Mayor Rumbold made a motion to award the bid for the Terey Pavement Roller to Nat Winum in the amount of \$2,689.00. Seconded by Trustee Bowen. All ayes. Motion carried.

Award Bid – 2003 Chevy Silverado Pick Up

Trustee Leonard made a motion to award the bid for the 2003 Chevy Silverado Pick Up to Jason DeGroot in the amount of \$1,005.00. Seconded by Trustee Hoffman. All ayes. Motion carried.

Award Bid – Ever Ride Zero Turn Mower

Deputy Mayor Rumbold made a motion to award the bid for the Ever Ride Zero Turn Mower to GT Excavating in the amount of \$1,000.00. Seconded by Trustee Bowen. All ayes. Motion carried.

Discussion Items

Main Street Trees

Mayor Maher explained that both John Queenan, Village Engineer, and Jim Presutti, Village Arborist are here to discuss options on this topic.

John explained they have been working with John Revella and Mike Bliss on this but the problem is literally growing by the day. Half the trees are growing out of their wells, some are growing too high, and some are growing into buildings and coming out of the ground therefore pushing up the sidewalk. You have options such as trimming back some that are not an issue. The ones that are too big would need to be taken out, grind the stumps and put in portable or a removable tree in a planter, replace the sidewalk there and maybe make it a decorative stamp where the planter would go. That is the direction we are looking to go in.

Manager Revella added that we have a few problem trees, not all of them after doing an inventory. Some people have suggested removing the tree and the roots and replacing with a new tree. How do we do that and is that possible?

John replied we would have to take out the entire stump which would then require sidewalk, road, curb, electrical lines, sewer services and gas services all needing to be taken out. That is not a small task to do.

Jim added that when there is nothing but blacktop around them and they have a 3 foot hole you are putting a tree such as the Locust trees we have that can grow to 100 feet tall, they are destined to push up sidewalks. If you don't remove the whole tree including the roots you will see the Locust tree regrow from anything you may have missed in there. If you go to the extent of removing it and planting a new tree, it will grow but eventually you will see small sprouts of the old tree growing as well. The Black Locust is an evasive tree in NY and it can't be used anymore. That is the issue and you have to consider the amount of what you have to try to take out to get this tree out including the curbing and streets that need to be removed.

Manager Revella asked if there is a different kind of tree we could have used that wouldn't have been as evasive or trees we should use in the future that possibly won't do this kind of damage.

Jim replied that any tree will be evasive but others may not be as aggressive as others. Urban street trees such as the 2 he has recommended for the containers are slower growing trees.

Deputy Mayor Rumbold asked if we can put things in to kill the stump and the roots, will that kill the regrowth.

Jim replied that a root that is that big will shrink as the fluids go out of the root but will create an air gap around the tree which will cause settling in the road/sidewalk naturally.

Trustee Leonard asked if it will kill the root system, will it destroy all the system.

Jim replied that if you grind the stump 6 inches below grade chances of it coming out is minimal but it would take a lot longer for that root to settle. Wouldn't need treatment, just let mother nature take her course.

Mayor Maher asked how long we have for the others to do this same thing.

Jim replied that some are already doing this but you are talking another 5-8 years before you see them pushing. Some are close to doing that already. Not all but some of them.

Mayor Maher asked how many we need to focus on right now.

John replied 4 right now and then another 6 that have constant electrical issues.

Mayor Maher asked how long it will take to do pruning of all the trees.

Jim replied that many of the Main Street trees are in the wires already and NYSEG can come in and take 10 feet all the way around which will not leave you much. Need to prune them at least 2 feet from the buildings also which will leave you with not much left.

Trustee Bowen asked how long it takes to take out a tree with this process.

Jim replied and hour and ½ to take it down, to grind another ½ hour. Not long to do.

Manager Revella stated we would do in house pruning and grinding to save on costs.

Jim stated he was happy to come in and do a class, wasn't happy with some of the pruning that has taken place on Scofield.

Manager Revella stated we would be happy to do that but that within the past year the contractor for NYSEG did that not the Village. We haven't done pruning this past year.

Jim stated it is better to prune now when the leaves are off the trees to see the structure. This is a winter project.

John added that it would be about a day per tree to replace the sidewalk once they were taken out and those with electrical work it gets longer. Electrical is attached to the tree, want to detach them and put into a bollard. \$1,000-1,200 per tree to do this. We've been extending the electric each year which has been approximately \$300 per year. There are

41 total trees including the square and Main Street. There are 4 with sidewalk heaving and 6 with constant electrical issues.

Trustee Mishk asked if it would be better to just rewire them.

John replied it would be a bigger project to do that. We would do bollards that come out of the ground, small post where the electric would be accessible.

Deputy Mayor Rumbold explained there is nothing in the budget to do this at this time. What is the danger of waiting until next spring for the next budget cycle? Is that too long to wait?

Jim replied it is not immediate but we do have some that are coming up already.

Trustee Mishk asked if we could cut the grates to be wider and do that in house to save money.

Jim explained that you could but the root flare causes the grate to be pushed up at an angle and the grate is very thick only have an inch thickness before you are into the splines. You could try it but they are very thick. Be cautious because if you cut the tree you will kill it. To get another year out of them take the grates out of the problem ones and put in some soil. That will give you time until you can budget appropriately.

Trustee Bowen asked if there is anything that will grow with the trees.

Jim replied yes but they still have the trip hazard.

Manager Revella stated that we can prune within the current budget. Try to prune all of them before plowing season. Grate problems will be removed and put other material in there that won't be a tripping hazard until the next budget sessions.

Local Law #10 of 2014 – Landlord Registry Law

Mayor Maher spoke with Manager Revella and Deputy Mayor about the productive changes made reflected in this draft law.

Manager Revella reported that the meeting with the Prosecutor they reviewed the law, and there was no issue with it excluding some minor edits that were forwarded to Village Attorney which is what is before you now. Single family homes are not in the code as it is not feasible and is not reflected in this draft. We have over 800 units to be updated annually already without single family units which is keep track of as we don't know when someone is renting their home as it is hard to tell. We changed a few things about service of process and no issue from the Prosecutor's standpoint. Penalties were addressed also. Property citing would be the next step by our Building Inspector and would then go before the court who would be processed by Village Attorney or Special Prosecutor just like we do hearings now in front of the Board.

Mayor Maher added that we made some changes as John explained including fees and single family home exemption. We added that someone in Orange County area needs to be a representative for each property which are meaningful and what we discussed as a Board.

Trustee Carley stated he didn't get a chance to read this so he can't make a decision right now.

Mayor Maher explained we would not be making a decision on this tonight, if we decided to we would only set a public hearing for this local law tonight.

Trustee Leonard would like to see owner occupied properties exempt also because we can serve a notice on them easily as they live there. Was designed to be able to reach owners that we couldn't reach and we can reach those that live at the properties.

Mayor Maher stated that we wouldn't want them to be exempt as this is information gathering.

Trustee Leonard stated that this was brought up by landlords at the Town Hall meeting because they live there.

Trustee Mishk stated that this would throw a loop hole in the law as anyone can say they live there; how would we prove it.

Attorney Donovan stated that the intention of the law is to identify rental property there is no distinction between people who live there or don't live there. He's concerned about saying some of you have fees others don't by creating an exemption like this.

Trustee Leonard argued that at the properties where the owner lives there are not the problems it's the absentee landlord that is the problem.

Trustee Hoffman added that the problem with this landlord registry per Dean is caused by change in ownership.

Attorney Donovan stated that the current law on the books does not make a distinction between whether they live there or not.

Trustee Carley stated that he thought the intent was to identify people to talk to when we have an issue with a property.

Manager Revella replied that's why we wanted to change the existing law. We are adding to that by having someone local to contact.

Trustee Leonard reiterated that he was referring to people who live on the property to exempt them from having to register.

Mayor Maher stated he was against that entirely.

Trustee Hoffman stated if we did that it would be a change in the opposite direction.

Trustee Carley said he understands why people who live here aren't ok with the \$25 fee.

Mayor Maher said that the \$25 fee was fine with the majority of the 20 landlords that were there when they discussed it. Of course they didn't want to pay anything, who would but they were ok with the fee.

Attorney Donovan asked what is the purpose of the fee. If it is to offset the overhead and administrative costs it doesn't have anything to do with where they live.

Trustee Carley said he wished that he knew that as it would have been easier to explain to the community.

Mayor Maher said that initially it was a higher fee and the majority was ok with the \$25 fee, for the reason that was explained at the Town Hall meeting.

Trustee Mishk reiterated that the point of the law was to strengthen the law. Dean said he's had a hard time getting people to register.

Trustee Leonard added that communication was the other issue discussed at that meeting.

Mayor Maher replied that they have been contacted since that meeting. Are we ready for a PH on this?

Trustee Carley asked if we could send out correspondence to the landlords annually.

Manager Revella explained that is what the law states. They have to register annually so they would be contacted when they didn't register. We can do that when they register, but we can't contact people who don't register. We can send out reminders that it's time to register and we can put it on the calendar. But it's not going to work 100% of the time and you will always get people who don't read their mail, email, or newsletters.

Deputy Mayor Rumbold asked how often apartments are inspected.

Manager Revella replied that per our code inspections are every 2 years for multifamily. Commercial can be done every year. Are they done every year; no. Fire suppression systems are done annually. He does as much as he can and now that Vicki is freed up from other treasurer duties we are hopeful to be more.

Trustee Hoffman added that there are a few that Dean cannot get access to.

Deputy Mayor Rumbold asked how many can't we get into and are we still being contacted by the county prior to

Manager Revella stated that when we can't get access to them it comes before the Board. There were 2 we just condemned within the last year. Another we finally got access to on Scofield.

Trustee Leonard asked how much it is costing us in legal fees to condemn properties.

Manager Revella replied we board up the property but the cost is charged to the property. Dave Donovan does not charge any extra fees.

Deputy Mayor Rumbold asked if the ones we can't access fall through the cracks or is there some way we can say we are going into this building.

Manager Revella replied not since 2011 but back then we got a subpoena for one on Main Street. Before it got that far they let us in and Dean cited them for many thing.

Trustee Hoffman made a motion to set a public hearing for Local Law #10 of 2014 – Landlord Registry Law for Tuesday, October 21, 2014 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Mishk. All ayes. Motion carries.

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

Manager Revella explained this local law may not be as necessary as it was if the school bus stop changes their location. Not sure if you want to continue this until we have the info back from Chief.

Tabled at this time.

No Parking Zone – Oakland Avenue

Manager Revella explained there were letters received by a property owner who requested this due to site distance pulling out of his driveway when cars park across the street from them. He has asked the Village for many years to get rid of the tree at the end of his driveway. If the Board will allow us to remove the tree it might alleviate a lot of the site line issues. The tree is actually in part of his driveway. He spoke to him and is ok with this but still wants parking removed across from his driveway. Expressed concerns about how difficult it would be to eliminate parking but he still wanted us to consider the parking issue. The tree is on the same side as the wires and could eventually cause an issue with the wires. Perhaps he can work with NYSEG to get them to help with the costs of the removal.

Trustee Bowen asked who pays for the removal.

Manager Revella stated that the costs are usually incurred by the home owner.

Deputy Mayor Rumbold has a concern about this being ok for now and then the homeowner writing to us again asking for more to be done. If we remove the tree, then let the homeowner know that is it, we will not be doing anything further.

Trustee Bowen commented that he is concerned that this will be setting a precedent.

Manager Revella agreed stating that it may be perceived as setting a precedent by doing this, many residents have complained about trees and issues like this. The tree is in the right of way and he has been discussing this with the Attorney. He will first determine that before removing it.

Mayor Maher stated the no parking zone is no longer up for discussion.

Water Code Revisions

Manager Revella explained we have had some problems over the years where our code requires homeowners to be responsible for the sewer laterals from the main to the home. For some reason that didn't transfer to the water services. Our code allows for homeowner to be responsible for the water lines in the same fashion, from the main service to the home with the Village maintaining control of the curb stop. It would still require street opening permits and we could still turn off water at the curb box. What
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happens is that if there was a leak on the service line the homeowner would replace the pipe from the house to the curb stop. Eventually because of the differences in the pipe on either side of the curb stop or if they disturbed the earth it would cause a leak eventually on the other side. If we did this it would require them to do this all the way to alleviate future issues like this.

Deputy Mayor Rumbold asked if this was an oversight when it was established.

Manager Revella replied that he doesn't think they anticipated these issues that homeowners would just replace the whole thing but they don't always, they just replace what is not working or what they are responsible for causing leaks on our side.

Trustee Hoffman said in his experience he has seen it both ways and doesn't understand how it would work administratively. If they own the whole line then they can do whatever they want and we can't compel them to replace it in the street to make a complete connection.

Manager Revella replied that a permit is required for this type of excavation.

Trustee Hoffman added that we have been actively replacing mains with success and if the homeowner is responsible for that then if we did a capital project and replaced mains are we going to replace those mains and have the Village pay for those future private service lines.

Manager Revella replied that we would reconnect those service lines if they are in decent shape which would be accessed at that time.

Trustee Hoffman asked if we would access those individual homeowners.

We would have to assess when we got there and tell them that we can't reconnect the line without them doing some work on their portion.

Trustee Hoffman is concerned that we don't know that until we open things up and access the situation. At that point we are going to tell someone that we can't connect them until they pay for it. He wants to be careful we are going down a road we want to be.

Manager Revella replied that many municipalities are doing it this way. Nothing is set in stone, we are just beginning the discussion starting now. He would like to see how places like the Village of Montgomery do it and see if it will work here.

Trustee Hoffman suggested perhaps including it in the Village's cost.

Attorney Donovan stated that he will go over the code and suggested changes and talk to John and Fred about these issues to better understand what the issues are so we can see how we can address this.

Public Comment

Brenda Adams, 31 Valley Avenue, asked about the garbage outside the library entrance and around the building and if we are going to clean up for Harvest Fest. Perhaps sweep the sidewalks.

Manager Revella replied that our street sweeper is not working we were looking to rent one but it's not available until next week, we are going to try to borrow one.

Brenda added that the bigger picture is that it looks bad when anyone comes to our Village. If any building looks good it should be our municipal building. Our entrance way downstairs looks so blah. Can we do anything to make it look friendly and welcoming? It shouldn't cost that much money to do that. Other places she has been to it looks more inviting.

Mayor Maher wanted to talk to Brenda about that outside of the meeting. He's had an idea for a long time about that specifically.

Brenda does not agree with the owner occupied building exemption because there are foreclosures on her own street recently even where people lived there and it was owner occupied and rental on the other. Just because someone lives there doesn't mean they take care of it, so she doesn't agree.

Mary Ellen Matise, 21 Clinton Street, commented that at one time there was a grant to do a mural in the entrance of the building and it didn't happen. Original intention of the landlord law was because we didn't know who the landlords were and a way to contact them. There are a lot of illegal apartments as well and we couldn't get a hold of them in an emergency. She asked why bother with the electricity on Main Street, it's a short period of time that we use the electric, just 3 weeks out of the year, she's in favor of not having electric there for people to steal from the Village. Regarding the garbage contract you said it will be the same cost from Jan to Dec 2015. We've paid from June 1st to May 31st. Shouldn't it be synced to our fiscal year if we continue to bill residents in advance? Maybe now we do an 18 month contract instead of 12 month.

Manager Revella replied that we didn't bid it that way, we can offer and see what they say.

Attorney Donovan stated that we can't do that as that is not the way it was bid to have a 6 month extension. That would be outside the bid award.

Mayor Maher asked if moving forward we could change those dates when we RFP next time.

Attorney Donovan replied yes.

Manager Revella stated that would need to be decided in March 2015.

Mary Ellen added that she knows there are no parking signs by the ATM at Walden Savings Bank but people still stand there. Perhaps you could make it a no standing zone.

Attorney Donovan stated that it would require a new local law to do that.

Anita Vandermark, 76 Highland Avenue, announced that the final meeting for Harvest Fest is tomorrow night at 6:30pm NY School of Music. Decorations for Harvest Fest look wonderful however what about West Main Street as it's a part of the festivities this year.

Mayor Maher commented that was a great point.

Manager Revella replied he would talk to the Recreation Coordinator about that.

Anita also asked with the stop signs would be put in on Highland.

Manager Revella replied that they just got ordered so as soon as they get in. Sidewalk project is starting on Thursday.

Payment of the Audited Bills

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

Correspondence

Deputy Mayor Rumbold received a letter from Mr. Malnic on Oakland that she gave to the Clerk.

Miscellaneous Comments from the Board of Trustees

Trustee Carley stated he attended Sgt. Schwandt's retirement party on Sunday, was nice and well attended.

Manager Revella replied that we are taking photos with the measurement in it with the time stamp going forward.

Deputy Mayor Rumbold thanked Anita for reminding everyone about Harvest Fest this weekend. She asked about the brush by the Tin Brook.

Manager Revella stated he left a message about brush by Tin Brook and has a meeting on Friday with State DOT to discuss brush, patching holes, lights at intersections, and the Ulster Ave project.

Deputy Mayor Rumbold continued about snow plowing and if we have a winter like this year what will we do differently this year since we had issues with corners. In the Square going down Orchard was bad by the monument.

Manager Revella replied we will pack corners for turn radius issues. Resident that lives there is required to remove the corner as well. We remove the snow as soon as we can.

Deputy Mayor Rumbold stated that her question is, what did we learn and are we going to change anything to not let that happen again.

Manager Revella replied streets will be cleared from curb to curb and packed corners. We will remove snow as much as possible as we tried to do this year.

Deputy Mayor Rumbold clarified who is responsible to cut into the mounds of snow on the corners.

Manager Revella replied the owner of that building. They get cited and we do it 24 hours after the snow is done. We cite and remove at the same time.

Deputy Mayor Rumbold said this year it was not done within 24 hours. We need to do a better job this year and feels we can do a better job doing that as people still need to live there and the businesses still need to function.

Manager Revella added we can try to give more advanced notice to the public. It is on the calendar already for example.

Trustee Leonard asked if he had any information on how long the repaving of Route 52 will take.

Manager Revella replied no, but not more than a couple of days. Being done by the state.

Trustee Leonard added that Jim Taylor told him that he has financing of his project; gasification. Should be some sort of announcement shortly.

Mayor Maher added that Sgt. Schwandt's retirement party was great and he enjoyed it. Conklin's did the catering which is why it was so great. Was fun and nice to be a part of that. He was one of the first people he got into an argument with when he first became Mayor and he also just got engaged. It was nice for himself and Willie to represent the Board at that and present him with a nice certificate for his years of service. Harvest Fest is this weekend.

Antonia, 2 Spruce Court, asked about snow and if the Village has exemptions for the elderly.

Mayor Maher explained there are volunteer services that they can call. He suggested they call our police dispatch and they can direct them where to go but there are no exemptions permitted as a Village.

Trustee Carley added that he is not sure if John reported already, but there was a meeting he attended with John about the Fire Department horn and we discussed the horn sounds. We discussed a few months ago the snow removal policy where we talked about how to document if an area has been shoveled within the correct time frame and have it measured.

Executive Session

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

Reconvene

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

Adjournment

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

**Village of Walden Board of Trustees
Regular Meeting
September 30, 2014
Motions & Resolutions**

Public Hearing – Local Law #6 of 2014 – Use Request B-1 Zone

Deputy Mayor Rumbold made a motion to open the public hearing for Local Law #6 of 2014 – Use Request B-1 Zone. Seconded by Trustee Hoffman. All ayes. Motion carried.

Trustee Bowen made a motion to close the public hearing for Local Law #6 of 2014 – Use Request B-1 Zone. Seconded by Trustee Carley. All ayes. Motion carried.

Trustee Hoffman made the motion for Negative Declaration under SEQRA for Local Law #6 of 2014 – Use Request B-1 Zone. Seconded by Trustee Leonard. All ayes. Motion carried.

Trustee Leonard made a motion to adopt Local Law #6 of 2014 – Use Request B-1 Zone. Seconded by Trustee Bowen. All ayes. Motion carried.

Public Hearing – Local Law #7 of 2014 – No Parking Zone, Ivy Hill Road

Deputy Mayor Rumbold made a motion to open the public hearing for Local Law #7 of 2014 – No Parking Zone, Ivy Hill Road. Seconded by Trustee Bowen. All ayes. Motion carried.

Trustee Bowen made a motion to close the public hearing for Local Law #7 of 2014 – No Parking Zone, Ivy Hill Road. Seconded by Trustee Hoffman. All ayes. Motion carried.

Deputy Mayor Rumbold made the motion for Negative Declaration under SEQRA for Local Law #7 of 2014 – No Parking Zone, Ivy Hill Road. Seconded by Trustee Hoffman. All ayes. Motion carried.

Deputy Mayor Rumbold made a motion to adopt Local Law #7 of 2014 – No Parking Zone, Ivy Hill Road. Seconded by Trustee Bowen. All ayes. Motion carried.

Public Hearing – Local Law #8 of 2014 – No Parking Zone (school hours), Maple Street

Deputy Mayor Rumbold made a motion to open the public hearing for Local Law #8 of 2014 – No Parking Zone (school hours), Maple Street. Seconded by Trustee Bowen. All ayes. Motion carried.

Trustee Leonard made a motion to close the public hearing for Local Law #8 of 2014 – No Parking Zone (school hours), Maple Street. Seconded by Trustee Hoffman. All ayes. Motion carried.

Trustee Hoffman made the motion for Negative Declaration under SEQRA for Local Law #8 of 2014 – No Parking Zone (school hours), Maple Street. Seconded by Trustee Leonard. All ayes. Motion carried.

Trustee Bowen made a motion to adopt Local Law #8 of 2014 – No Parking Zone (school hours), Maple Street. Seconded by Trustee Hoffman. All ayes. Motion carried.

Public Hearing – Local Law #9 of 2014 – 15 Minute Parking Zone (school hours), Orchard Street

Deputy Mayor Rumbold made a motion to open the public hearing for Local Law #9 of 2014 – 15 Minute Parking Zone (school hours), Orchard Street. Seconded by Trustee Leonard. All ayes. Motion carried.

Trustee Bowen made a motion to close the public hearing for Local Law #9 of 2014 – 15 Minute Parking Zone (school hours), Orchard Street. Seconded by Trustee Leonard. All ayes. Motion carried.

Trustee Leonard made the motion for Negative Declaration under SEQRA for Local Law #9 of 2014 – 15 Minute Parking Zone (school hours), Orchard Street. Seconded by Trustee Hoffman. All ayes. Motion carried.

Trustee Bowen made a motion to adopt Local Law #9 of 2014 – 15 Minute Parking Zone (school hours), Orchard Street. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

Approval of the September 16, 2014 Tri-Board Meeting Minutes

Deputy Mayor Rumbold made a motion to approve the September 16, 2014 Tri-Board Meeting minutes. Seconded by Trustee Bowen. 5 Ayes, 0 Nays, 1 Abstention (Trustee Carley). Minutes approved.

Approval of the September 16, 2014 Minutes

Deputy Mayor Rumbold made a motion to approve the September 16, 2014 minutes with stated edits. Seconded by Trustee Hoffman. 5 Ayes, 0 Nays, 1 Abstention (Trustee Carley). Minutes approved.

Garbage Contract

Mayor motioned to exercise the 3rd year option with Interstate Waste Services for Village Garbage Services through December 2015. Seconded by Deputy Mayor Rumbold. All ayes. Motion Carried.

Award Bid – Monroe Stainless Steel Spreader

Deputy Mayor Rumbold made a motion to award the bid for the Monroe Stainless Steel Spreader to Nat Winum in the amount of \$279.00. Seconded by Trustee Leonard. All ayes. Motion carried.

Award Bid – Airflo Snow Plow

Deputy Mayor Rumbold made a motion to award the bid for the Airflow Snow Plow to GT Excavating in the amount of \$1,000.00. Seconded by Trustee Hoffman. All ayes. Motion carried.

Award Bid – Terey Pavement Roller

Deputy Mayor Rumbold made a motion to award the bid for the Terey Pavement Roller to Nat Winum in the amount of \$2,689.00. Seconded by Trustee Bowen. All ayes. Motion carried.

Award Bid – 2003 Chevy Silverado Pick Up

Trustee Leonard made a motion to award the bid for the 2003 Chevy Silverado Pick Up to Jason DeGroot in the amount of \$1,005.00. Seconded by Trustee Hoffman. All ayes. Motion carried.

Award Bid – Ever Ride Zero Turn Mower

Deputy Mayor Rumbold made a motion to award the bid for the Ever Ride Zero Turn Mower to GT Excavating in the amount of \$1,000.00. Seconded by Trustee Bowen. All ayes. Motion carried.

Local Law #10 of 2014 – Landlord Registry Law

Trustee Hoffman made a motion to set a public hearing for Local Law #10 of 2014 – Landlord Registry Law for Tuesday, October 21, 2014 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Mishk. All ayes. Motion carries.

Payment of the Audited Bills

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

Executive Session

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

Reconvene

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

Adjournment

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