

**Village of Walden
Board of Trustees Regular Meeting
December 9, 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	Sean Hoffman
	Edmond Leonard
	Gerald Mishk

Absent:

Bernard Bowen
Willie Carley

Also Present:

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

Public Hearing – Local Law #10 of 2014 – Landlord Registry Law

Deputy Mayor Rumbold asked if the landlords had been notified that the public hearing was rescheduled for tonight.

Mayor Maher replied he had notified a few in person, but did not send out an email to everyone that it had been moved.

Attorney Donovan stated that the notice was republished in the paper.

Trustee Mishk made a motion to open the public hearing for Local Law #10 of 2014 – Landlord Registry Law. Seconded by Trustee Hoffman. All ayes. Motion carried.

(There were no public comments.)

Trustee Leonard made a motion to close the public hearing for Local Law #10 of 2014 – Landlord Registry Law. Seconded by Trustee Hoffman. All ayes. Motion carried.

Trustee Hoffman made the motion for Negative Declaration under SEQRA for Local Law #10 of 2014 – Landlord Registry Law. Seconded by Trustee Leonard. All ayes. Motion carried.

Trustee Mishk made a motion to adopt Local Law 10 of 2014 – Landlord Registry Law. Seconded by Trustee Hoffman. 4 ayes, 1 nay (Deputy Mayor Rumbold), 0 abstentions. Motion carried.

Mayor Maher thanked everyone for working on the many revisions for this local law.

December 9, 2014

Hearing – 25 South Montgomery Street

Jay Buchalski, Code Enforcement Officer, explained that there is a large tree trunk that has fallen on the side of the house. It is laying across the stairs there and there are now children playing on it and before someone gets hurt he is requesting to get it removed. Other items were cleaned up at the property about 2 weeks ago but not the tree for some reason. It is a dangerous situation.

The owner/occupant was not present at the hearing.

Deputy Mayor Rumbold made a motion to give the Village Manager and the Code Enforcement Officer authority to have the tree trunk removed from 25 South Montgomery Street and the owners of the property charged for its removal. Seconded by Trustee Leonard. All ayes. Motion carried.

Village Manager's Report –

- He has had to do some DPW supervision since the last meeting where he covered vacation time by the working leader and the mechanic.
- Had a snowstorm over Thanksgiving which went as smooth as possible. A few issues on Galloway about mailboxes but didn't hear any other complaints. Some mailboxes are leaning forward into the roadway and getting closer to the road every year could be from the people putting their hands into the mailboxes, not sure what caused it. Some of them are cracking and breaking off from the plow or the force of the snow as it's being plowed. The post office should be citing properties for violations as we cannot enforce violations of their code. We have given their code to the residents in the past and we let the postmaster know as well. No one witnessed the snow or the plow damaging the mailboxes that is just an allegation.
- We've had several water breaks since the last meeting. Keeping overtime to a minimum. Most have been service lines and one main on Wait Street.
- Crews cut back the trees including several on Ulster Avenue. DOT will be going out to do their trees also on Ulster Avenue. The crews finished patching of holes which all got done before the snowstorm.
- The tree in the square was up and decorated on time and the electric on Main Street are all set.
- Building Department move was successful, have been there since December 1st.
- Officer Morris is officially off 207c and has been retired effective November 17, 2014. We are working with PBA on a replacement.
- Department heads are all working on evaluations and inventory before year end.

Trustee Leonard asked when the no parking signs on S. Montgomery Street would be put in.

Manager Revella replied we are waiting for the UFPO then signs will go in as well as around the school.

Deputy Mayor Rumbold said she noticed a stack of returned water/sewer bills. What is the procedure with those?

Manager Revella replied we do our due diligence to make sure addresses are good. That amount is normal but some of them are from the last water/sewer billing. The Deputy Treasurer does as much as she can to get a good address. If we can't find it bills get added onto the taxes. The warrant gets signed on April 30th and goes on the June tax bills.

Deputy Mayor Rumbold asked meanwhile, because the water department fund is supposed to be self-sustaining, how do we operate with that kind of money that is outstanding.

Manager Revella replied frugally. Our end of year projections have improved based on payments, revenues, project status, and lack of budget overages.

Deputy Mayor Rumbold asked how do the bills get to the \$3,000-\$4,000 point.

Manager Revella replied that people use that amount of water which is their business, but after a billing cycling then it becomes an issue and there is nothing else we can do. That particular property you are speaking of had a break that they didn't repair, and that amount was from one billing cycle.

Deputy Mayor Rumbold asked what happens to those that made payment arrangements but didn't make their payments.

Manager Revella replied that we just sent the water department a request to do shut offs this week. It's not good to do water shut offs in the winter, but we have done some repairs over the past year and should be fine to do shut offs.

Approval of the November 18, 2014 Minutes

Clerk Bliss listed 3 minor edits to the minutes all on page one.

Deputy Mayor Rumbold made a motion to approve the November 18, 2014 minutes with stated corrections. Seconded by Trustee Hoffman. All Ayes. Minutes approved.

Trustee's Committee Reports

Town of Montgomery & Library Board liaison – Trustee Leonard

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

Village Clerk & Village Treasurer Liaison – Trustee Bowen

Trustee Bowen was absent.

Police Department Liaison – Deputy Mayor Rumbold

Deputy Mayor Rumbold reported that it was in the newspaper the other day that Officer Montanaro and Officer Kurtz responded to an unresponsive female and saved her life by administering Naloxone. It is nice to be able to report something from the police department that is commendable like that. The snow emergency went well, only 12 cars were ticketed and 4 were towed.

Trustee Leonard added that Sgt. Metzger did something similar on Youngblood Road for a male.

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

Trustee Hoffman reported that Dean and he met last week in the new offices which look great. Reviewed Planning and Zoning Board applications and work going on in the Thruway Plaza for both Mavis and Auto Zone.

Deputy Mayor Rumbold stated that the Scofield house looks really nice and is such a nice asset to the Village and looks great. She can't wait for the sign to get in to finish it off nicely. Also, it came in under budget.

Dean Stickles, Building Inspector, wanted to personally thank the Board for putting this in the budget this year. He thanked Manager Revella for pushing it along, and especially Mike Bliss and the Recreation and Parks Department for all their help with the move.

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 stated the Judge is happy about the Dais. The judge is putting in a grant for funding for chairs for the Dias. He will meet with him to discuss future projects.

The Mayor read the community events calendar into the minutes.

Public Comment on Business of the Board

None.

Action Items

Hearing Request – 17 Liberty Street

Jay Buchalski, Code Enforcement Officer, explained that there is a couch on the side of the home in the driveway. There has been no response from the owner to date.

Deputy Mayor Rumbold made a motion to set a hearing for 17 Liberty Street for January 6, 2015 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Mishk. All ayes. Motion carried.

Draft Local Law #1 of 2015 – No Parking Zone – Highland Avenue

Manager Revella stated that he went out and measured the area and it is a much shorter section and includes both sides of the road per the Board's request.

Deputy Mayor Rumbold made a motion to set a public hearing for Local Law #1 of 2015 – No Parking Zone – Highland Avenue for January 6, 2015 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Leonard. All ayes. Motion carried.

Taylor Biomass Contract Renewal

Mayor Maher explained that we approved this contract a few years ago and there is a renewal on the table tonight.

Attorney Donovan stated that this renewal moves the opening date from December 31, 2014 to December 31, 2017. The initial year still starts the same rate. Funding has been found from a private source and not through a government initiative.

Trustee Leonard made a motion to give the Village Manager authority to sign the renewal contract with Taylor Biomass. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

Village Snow Policy

Manager Revella explained that there was a snow policy that was adopted a long time ago and we have made some changes. We were advised to not include specific buildings and properties.

Attorney Donovan asked if in the past this was an internal Police Department policy. If so, he would recommend holding off on taking action on this and suggested that we add Attorney Client Privilege to this evenings Executive Session. He would like to discuss the distinction between a Departmental Policy and a Village Policy.

Discussion Items

Code Revisions – Chickens & Hens

Manager Revella explained that our Village code does not provide for people to have chickens or hens at their home. He posted it on social media and a lot of residents did weigh in on the topic, most of which was positive. Everyone was in agreement with a lot of the proposed restrictions on it including sizes of properties they would be allowed on, not permitting roosters due to noise and fighting issues, and the number of chickens/hens permitted on each property. He would suggest doing a draft local law if the Board is so inclined.

Trustee Hoffman stated that initially he chuckled but then he looked into it and was surprised at the number of municipalities faced with this same issue. There seems to be a lot of problems inherent to this topic including nuisances to neighbors, noise issues, and odor issues, as well as health issues. He understands the economics and sustainability reasons but does not think this is an issue that we need to get involved with at this time.

Mayor Maher asked Dean Stickles, Building Inspector, if this is an issue where people have them illegally?

Dean replied that most are kept out of site. We've had more issues with roosters than hens over the years. His only question is who will enforce this? Police will not do that. Personally he doesn't feel they belong in a Village as properties do not have enough space.

Mayor Maher stated that where he grew up he would agree that is not the place for them but he asked if Dean thought that some properties did have enough land to do that.

Dean replied that maybe some that have 15,000 square feet of property. He feels there should be some sort of approval process as well. How do we regulate the number people have and how they are kept?

Deputy Mayor Rumbold added that as a child they had chickens but she lived in the country on a property that had 3 acres of land. She can tell you it is not easy to keep chickens, it's hard to keep the area clean and there is an odor. Before she would be inclined to draft a law she would like to see if we can have a presentation perhaps from Cornell Cooperative Extension on the care and requirements of chickens and hens. If people are interested in this they may not understand the expense or the work involved in maintaining chickens.

Manager Revella stated that he would speak to the Library to see if they would sponsor an educational seminar and see how well it is attended before we go into drafting a law. If it's not well attended perhaps we don't need to move forward.

Public Comment

Anita Vandermark, 76 Highland Avenue, asked if the contractor would come back to clean up the piles of dirt on the Highland Avenue sidewalk project.

Manager Revella replied that yes, they will come back and clean up the piles but they will not be able to reseed due to the weather.

Anita asked what the plan is for Highland Avenue parking law.

Manager Revella replied that there will be no parking for the first 170 feet on the Nash/North side and 150 feet on the South side which is about 2 car lengths towards the bridge. The home owner's on that side, the Nicoli's, are in favor of reducing the issues there as well and are ok with having no parking where he just described.

Anita added that everyone did an outstanding job with Christmas in the Square.

Payment of the Audited Bills

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

Correspondence

None.

Miscellaneous Comments from the Board of Trustees

Trustee Mishk commented that he wanted to commend everyone on the tree lighting ceremony. It was great, well attended, and well set up. He asked if anything new came up on the bus stop issue.

Mayor Maher stated he was unfortunately not able to connect with the school district to set up a meeting. There is a new person in that position and they reached out to us today to set up a meeting. We are looking at next Tuesday or Wednesday for a meeting with Chief, Willie, John and himself.

Trustee Hoffman commented that the tree lighting was wonderful and the toys for tots train on Sunday was also well attended.

Deputy Mayor Rumbold stated that she feels we need to think about a speaker system when we do Christmas in the Square. What we had seemed inadequate when we had the 9/11 ceremony any of the ceremonies held down at Veterans Park.

Manager Revella stated that we have one we just need to utilize the equipment, it is part of the movie system we purchased.

Mayor Maher added that it was not set up because of the movie showing on the screen, so we used the system that the Live Nativity had this time but then we moved our system when the movie was over to the stage when Santa arrived. We talked about elevating it for next time where it's supposed to be so people could hear it better.

Manager Revella added that we could look into getting electric down at the bottom of the hill at Veterans Park where the ceremonies take place as the Community Council uses their battery operated system since there is no electric at the bottom of the hill. They had used a generator in the past but it is too noisy. Perhaps we can tap into the lights on the bridge. He will look into that for the future.

Deputy Mayor Rumbold continued that Christmas in the Square was wonderful, the tree is beautiful, the Department of Public Works and the Recreation and Parks Department did a great job. The Walden House Tea on Sunday was absolutely wonderful as well, great tea, delicious food, warm fire, and wonderful music.

Trustee Leonard commented that Peter had mentioned that he thought we should start a list of houses that are not occupied and if everyone looked around it wouldn't be a bad idea.

Manager Revella replied that Dean already has a list.

Dean Stickles asked what purpose Peter was looking for the list.

Trustee Leonard replied for when it snows, sidewalks and shoveling. He suggested he ask Peter as he thought it would be a good idea for some reason.

Mayor Maher asked if anyone attended the Sunshine Society luncheon today.

Clerk Bliss replied that she, Manager Revella, Deputy Mayor Rumbold, and Recreation Coordinator Mike Bliss all attended today and it was beautiful and a special treat.

Trustee Mishk wanted to relay that he has heard from a number of people from a number of different organizations who wanted to publicly commend the Recreation and Parks Department and Department of Public Works for their hard work in making the Square look stunning for the Harvest Fest and Christmas in the Square. It really looks wonderful.

Mayor Maher apologized to Anita Vandermark for not responding to her that he was unable to attend the Sunshine Society luncheon that was held today. He thought he had responded and he was sorry that he missed it.

Deputy Mayor Rumbold added that they really do a wonderful service and they don't get a lot of recognition for it.

Manager Revella stated they provide equipment for people who may be immobilized or need to borrow equipment for a short period of time.

Clerk Bliss added that it's a lot of coordination for the volunteers and personal time spent to help the residents who need assistance and it's not just in the Village it's in the Town of Montgomery.

Anita added they also visit the nursing homes and people who are shut in.

Clerk Bliss wanted to remind everyone about Leadership Day on Thursday, January 8, 2015 at 6:30pm. The honorees will be notified and then the public announcement will be out for everyone.

Executive Session

Deputy Mayor Rumbold moved to go into Executive Session to discuss personnel of a particular person, Collective Bargaining Negotiations with the PBA, and attorney client privilege session. Seconded by Trustee Hoffman. All Ayes. Motion Carried.

Reconvene

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

Village Clerk Request

Mayor Maher made a motion to grant the Village Clerk an additional year to move within the Village limits as requested. Seconded by Trustee Hoffman. All Ayes. Motion Carried.

PBA Negotiations

Mayor Maher made a motion to allow the committee to re-enter PBA Negotiations. Seconded by Trustee Hoffman. All Ayes. Motion Carried.

Adjournment

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

**Village of Walden Board of Trustees
Regular Meeting
December 9, 2014
Motions & Resolutions**

Public Hearing – Local Law #10 of 2014 – Landlord Registry Law

Trustee Mishk made a motion to open the public hearing for Local Law #10 of 2014 – Landlord Registry Law. Seconded by Trustee Hoffman. All ayes. Motion carried.

Trustee Leonard made a motion to close the public hearing for Local Law #10 of 2014 – Landlord Registry Law. Seconded by Trustee Hoffman. All ayes. Motion carried.

Trustee Hoffman made the motion for Negative Declaration under SEQRA for Local Law #10 of 2014 – Landlord Registry Law. Seconded by Trustee Leonard. All ayes. Motion carried.

Trustee Mishk made a motion to adopt Local Law 10 of 2014 – Landlord Registry Law. Seconded by Trustee Hoffman. 4 ayes, 1 nay (Deputy Mayor Rumbold), 0 abstentions. Motion carried.

Hearing – 25 South Montgomery Street

Deputy Mayor Rumbold made a motion to give the Village Manager and the Code Enforcement Officer authority to have the tree trunk removed from 25 South Montgomery Street and the owners of the property charged for its removal. Seconded by Trustee Leonard. All ayes. Motion carried.

Approval of the November 18, 2014 Minutes

Deputy Mayor Rumbold made a motion to approve the November 18, 2014 minutes with stated corrections. Seconded by Trustee Hoffman. All Ayes. Minutes approved.

Hearing Request – 17 Liberty Street

Deputy Mayor Rumbold made a motion to set a hearing for 17 Liberty Street for January 6, 2015 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Mishk. All ayes. Motion carried.

Draft Local Law #1 of 2015 – No Parking Zone – Highland Avenue

Deputy Mayor Rumbold made a motion to set a public hearing for Local Law #1 of 2015 – No Parking Zone – Highland Avenue for January 6, 2015 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Leonard. All ayes. Motion carried.

Taylor Biomass Contract Renewal

Trustee Leonard made a motion to give the Village Manager authority to sign the renewal contract with Taylor Biomass. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

Payment of the Audited Bills

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

Executive Session

Deputy Mayor Rumbold moved to go into Executive Session to discuss personnel of a particular person, Collective Bargaining Negotiations with the PBA, and attorney client privilege session. Seconded by Trustee Hoffman. All Ayes. Motion Carried.

Reconvene

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

Village Clerk Request

Mayor Maher made a motion to grant the Village Clerk an additional year to move within the Village limits as requested. Seconded by Trustee Hoffman. All Ayes. Motion Carried.

PBA Negotiations

Mayor Maher made a motion to allow the committee to re-enter PBA Negotiations. Seconded by Trustee Hoffman. All Ayes. Motion Carried.

Adjournment

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