

**Village of Walden
Board of Trustees Regular Meeting
July 7, 2015**

Mayor Rumbold 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 | Sue Rumbold |
| Deputy Mayor | Sean Hoffman |
| Trustees | Brenda Adams |
| | Gerald Mishk, Jr. |
| | Brian Sebring |

Absent:

Bernard Bowen
Edmond Leonard

Also Present:

Tara Bliss, Village Clerk
Dave Donovan, Village Attorney

Public Hearing - CFA Application

Trustee Adams made a motion to open the public hearing for the CFA Application for a proposed Community Center at James W. Olley Community Park. Seconded by Trustee Sebring. All ayes. Motion carried.

Village Planner, Kristen O'Donnell, handed out the draft application for the Board's review as well as the engineers report.

Village Engineer, John Queenan, stated that the application is for a proposed 5,000 square foot Community Center with a full kitchen, meeting space, community space, and offices. We will be applying for the maximum amount available of \$400,000 and the project is estimated to be about \$750,000 so the Village would have to match that \$400,000 if we were granted the funds to do this project.

Trustee Adams asked how long we would have to come up with the rest of the money.

Kristen replied that we wouldn't be told if we are granted the funds until next fiscal year. So we would have time to seek additional public funding.

Trustee Adams asked how long we would have to get the money once the grant goes into effect.

Kristen replied 18 months. It is a short turn around as they want you to have it done in 20 months. We have to show proof of funding in the application and that they can match the grant if they are awarded. Have to show that upfront in the application and she will work more with the Village Manager when he returns.

Deputy Mayor Hoffman asked if in kind services can be used towards the Village's share of the funds. For example say that the Village DPW does some of the work.

Kristen replied yes absolutely.

Trustee Sebring made a motion to close the public hearing for the CFA Application for a proposed Community Center at James W. Olley Community Park. Seconded by Trustee Mishk. All ayes. Motion carried.

Attorney Donovan explained we need a negative declaration that must accompany this application fulfilling our SEQRA review and is prepared tonight to adopt should the Board be inclined to take action on that.

Deputy Mayor Hoffman commented that number 3 on the back of the negative declaration, it talks about the fact that it would be limited to day time hours and that no night time noise or lighting is anticipated. He understands the majority of the events may not have lighting but some events in the Village of Montgomery for example are at night time. Additionally, in number 5 the word storm water is spelled incorrectly.

Kristen replied that we can change that on the application and is completely reasonable to reflect that there may be events but inside not outside. She will correct the typo as well.

Trustee Adams made a motion for Negative Declaration under SEQRA for the CFA Application for a proposed Community Center at James W. Olley Community Park. Seconded by Trustee Sebring. All ayes. Motion carried.

Hearing - 50 South Montgomery Street

Mayor Rumbold explained that the homeowner asked for this hearing to be postponed until the July 21st meeting as he has another hearing for a property he owns in another municipality this evening. He wrote a letter to John and herself and also spoke to her on the phone.

Trustee Adams made a motion to adjourn the hearing for 50 South Montgomery Street until Tuesday, July 21, 2015 at 6:30pm or as soon thereafter as the matter could be heard. Seconded by Trustee Sebring. All ayes. Motion carried.

Hearing - 40 Walnut Street

Jay Buchalski, Code Enforcement Officer, explained that there has been no change in the condition of the property. There is a broken fence, the porch needs to be repaired, and there is still debris in the yard.

Clerk Bliss gave a notice for a scheduled sale on July 2nd of this property to the Attorney.

Attorney Donovan stated that since we are not sure if this sale has occurred or not he suggests we proceed since we have no knowledge that this sale has taken place or that the title has changed.

Trustee Mishk made a motion to authorize the Village Manager and the Building Department to clean up the property at 40 Walnut Street and charge any fees associated

with that to the property owner. Seconded by Deputy Mayor Hoffman. All ayes. Motion carried.

Hearing - 11 Capron Street

Jay Buchalski, Code Enforcement Officer, explained that nothing has changed on this property from 2 weeks ago. Porch is filled with debris and the porch is actually dropping down and is rotting.

Attorney Donovan explained the issues with the porch stabilization or safety of the porch would have to be cited and then action could be taken through the NYS Building Code and would be brought forth by the Building Inspector should he feel that way.

Trustee Adams made a motion authorize the Village Manager and the Building Department to clean up the property at 11 Capron Street and charge any fees associated with that to the property owner. Seconded by Trustee Sebring. All ayes. Motion carried.

31 Seeley Street

Jay Buchalski, Code Enforcement Officer, explained this property is a foreclosure and someone went in and cleaned out the property and put all the belongings on the yard on Friday July 3rd. It was supervised by the Orange County Sherriff's office and remains like that today. He cited the property today but called Attorney Donovan to find out if the Village can go in and move or cover up the debris as it's not fair to the neighboring properties to have to look at this.

Attorney Donovan replied that it needs to be served a notice of violation and then the Board could proceed with a hearing. His suggestion at this time is to authorize the Building Department to secure the premises to relocate the material into the back yard and cover with a tarp and to render the property less unsightly. Since we don't know all the facts it could be what appears to be done was done as an eviction proceeding and the law provides for that. He did some research and it's the landlord who is actually the one who is responsible for clean-up.

Trustee Sebring made a motion authorize the Village Manager and the Building Department to move the debris in the front yard of the property at 31 Seeley Street to the back yard and covered with a tarp and charge any fees associated with that to the property owner. Seconded by Trustee Adams. All ayes. Motion carried.

Village Manager's Report –

Absent.

Approval of the June 16, 2015 Meeting Minutes

Tabled.

Approval of the June 19, 2015 Special Meeting Minutes

Trustee Adams made a motion to approve the June 19, 2015 Special Meeting minutes. Seconded by Deputy Mayor Hoffman. 4 ayes, 0 nays, 1 abstention (Trustee Mishk). Minutes approved.

Trustee's Committee Reports

Mayor Rumbold announced that due to the resignation of Trustee Carley she has appointed Trustee Gerald Mishk, Jr. in his place. She welcomed him back to the Board.

DPW Liaison– Trustee Leonard

Trustee Leonard had nothing new to report.

Village Offices Liaison – Trustee Bowen

Trustee Bowen was absent.

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

Trustee Hoffman reported that he met with Dean and went over the status of the landlord registry returns. So far he has sent out 100 and gotten about 55 back. Planning Board has 3 items including a generator at the senior building on Main Street, a sign at Dunkin Donuts, and an extension request for the townhouse project. ZBA will be considering an easement request and handling some administrative needs.

Town of Montgomery & Library Board liaison – none

Police Department Liaison – Trustee Sebring

Trustee Sebring reported we have been given a grant from Senator Larkin's office. We received \$5,000, Montgomery received \$10,000 and Maybrook received \$10,000.

Recreation & Parks Department and Valley Central School Board Liaison – Trustee Adams

Trustee Adams reported the first Music in the Grove concert was last night which was interesting and was good. Refreshments were great, thanks to Hannaford and the Recreation & Parks staff for cooking. Figuring about 350 kids in summer program. Maybrook closed their summer program for lack of participants so we have a lot of youth from Maybrook registering. As of right now the photo and bio of John Howland is up on the wall at the Teen Center. She thanked Mike and Tara Bliss for taking care of that.

Mayor Rumbold read the community events into the minutes. She also explained that there will from this day forward be some Liaison changes that will include Trustee Leonard becoming the Town of Montgomery & Library Board Liaison, Trustee Sebring will now become the DPW Liaison, and Trustee Mishk will become the Police Department Liaison. These changes will be reflected in the reports for next meeting.

Public Comment on Business of the Board

None.

Action Items

191 East Main Street Loan – Sewer Lateral Bid Approval

Re Hagele, Rehab Loan Administrator, explained he is overseeing the loan process for the Village, newly appointed by John Revella. The work required for this project exceeds the \$20,000 limit that the Village Manager can approve so it then goes to the Board for approval. We received 2 bids, one was in line with his and Dean's expectations. That bid was \$22,800 bid by TAM Enterprises, Inc. The work has to be done as it's a health situation with a blocked sewer lateral.

Deputy Mayor Hoffman asked if the entire loan amount would be the \$22,800.

Re replied yes it would be for the total amount of the bid and not repaid until the property is sold.

Attorney Donovan disclosed that TAM is a client of his for the record.

Trustee Adams made a motion to award the bid for the 191 East Main Street Sewer Lateral to TAM Enterprises Inc. in the amount of \$22,800 an amount also to become a loan amount for the property that will be repaid to the Village when the property is sold. Seconded by Deputy Mayor Hoffman. All ayes. Motion carried.

Re thanked the Board and stated that when John returns from vacation they will sit down and take a look at the guidelines as it seems some of them should be modified.

Bond Reduction – 78 Oak Street (Auto Zone & Hannaford Supermarket)

Attorney Donovan asked since this is a performance bond if we would replace it with a maintenance bond.

John Queenan, Village Engineer, explained the bond was for all private improvements for the Hannaford Shopping Center. We would like to reduce the bond for the Hannaford Supermarket section because all requirements have been completed. Dean Stickles did all the work at Auto Zone, he is not involved with that project, but Dean is saying it is done.

Trustee Mishk asked about the fence at AutoZone.

Deputy Mayor Hoffman indicated that the fencing he is tying onto the performance bond with Anytime Fitness.

Deputy Mayor Hoffman made a motion to release the performance bond for the Hannaford Supermarket per the request of Lanc & Tully Engineers. Seconded by Trustee Sebring. All ayes. Motion carried.

Trustee Adams made a motion to release the performance bond for AutoZone per the request of Dean Stickles, Building Inspector. Seconded by Trustee Sebring. All ayes. Motion carried.

Deferred Compensation Plan

Peter Sullivan, Treasurer, explained that we had received inquiries from employees about loans and in order to do that that would require a change to our current program and would have us doing the administration of the loans themselves. We became aware of the NY Deferred Comp plan which is a better plan and they do all the administration and have less of a fee. It seemed a better arrangement and investment choices are also a broader array.

Trustee Adams commented this would also reduce the Village's liability should anything go wrong.

Peter replied yes. We are the fiduciary for the current plan and we'd like to get off that so that the responsibility stays with the state. Employees do have knowledge of plan change

and we answered all questions received satisfactorily. There are also emergency loan provisions as well and employees should have access to funds with this new plan.

Trustee Adams made a motion to change the Deferred Compensation Plan to the NY Deferred Compensation Plan. Seconded by Trustee Mishk. All ayes. Motion carried.

Replacement Water Meters

John Queenan, Village Engineer, gave a memo last month advising that we met with 3 meter companies and it gave the pros and cons of each. We have done a little more research and involvement and think at this time we would like to pursue a cellular water meter system. It reduces the need to install additional infrastructure and we will have no meter reader required which will free up time. It will also work well with our software system. It will provide a customer portal so residents could log on and access their account at any time. That is what separates the cell portion and separates one company from the two. Options are basically the same but cuts all that out and the meter runs on the existing cell network and is not tied to one particular carrier and pings information to a cloud and the Village as well as the residents have access to the information. We don't need any antenna or any additional infrastructure if we go this way. There is a cost for the cell system, which is \$0.89 cents per meter per month and is guaranteed for 10 years. We can pay up front or do billing. Meter pricing is all generally the same. He feels it's the best option at this point. When a customer needs a final reading done, the office staff can do it instead of waiting on someone to go out and read the meter. System can be set up beyond technological issues and sends reports daily to say temperature sensor is low so they can go out and check that. It will also cut down on water loss.

Mayor Rumbold asked if there was ever an interruption in the cell. Can they be read visually if needed?

John replied yes we can. Since it is not tied to a particular provider so it goes to a different provider. If everything went down we can hand read. Reader also has a memory and can read all these and move forward. Currently the Town of Walkkill, Village of Monroe and Cornwall on Hudson are all using these types of meters.

Trustee Mishk asked what an outside transmitter costs.

John replied that is what is currently on the houses now. There will be some properties that this won't work on so it would be wired to the existing meter if service is low.

Mayor Rumbold stated she spoke with Fred as she was concerned about the Commercial meters. These can be adapted to the current meters so we don't have to go through the cost to replace those meters.

John agreed that will be fore buildings with multi apartments and can come in and hook up and save in meter replacement costs. Have a group that need to be replaced and then we can replace them and leave the meters. That is phase one, upgrade the software and the system and get the meters out.

Trustee Adams asked when this kicks in. When do we pay the \$0.89 per meter?

John replied as soon as the board decides. We would pay when the unit is installed. He would recommend doing the 10 year lot on cost of meter up front. Unit is guaranteed for July 7, 2015

10 years fully. Based on cost of meter. If the meter was say \$250 they would add \$100 to the meter to cover the \$0.89 cents for 10 years.

Trustee Sebring asked who would put these in.

John replied the Village can do it or we could use a contractor.

Trustee Sebring asked about training if done in house.

John replied it wouldn't need much training as its pretty standard. Some like to do the installation themselves so it's all set.

Trustee Sebring asked about those houses that haven't upgraded their meters now.

John replied that would be part of the capital up front.

Attorney Donovan interjected that the questions associated with the cost will be answered as we will go out to bid so some of these questions may not be pertinent depending on when the bids come back. Maybe we only get 1 or multiple. He suggests waiting and evaluating when the bids come back.

Trustee Adams asked Peter if we have money to pay annually if paid monthly vs up front.

Peter replied we did not put that specifically in the budget but are doing better than the forecast we made and he feels we can plan and adjust as it comes.

Deputy Mayor Hoffman asked if these would include upgrades here.

John replied yes. Phase one would be to get rid of bad meters and set up software foundation.

Deputy Mayor Hoffman asked if there was a chance to get multiple bids with better pricing or if only one bid based on his evaluation memo.

John replied this company at this time is the only one that does cellular. Other 2 said they are developing the same technology.

Deputy Mayor Hoffman asked if it would be any benefit to structure the bid with 2 separate specs in order to get more competitive bids.

Attorney Donovan replied that if we wanted to put out alternate bids we could do the cellular type system versus the one with the base station with antenna receiver. Or could do the meters but not a cellular system.

Deputy Mayor Hoffman is concerned with only one vendor what motivation do they have to keep costs low.

John added we could bid for a different meter we could still use that on a cheaper meter. Attorney Donovan commented that his point was taken.

Deputy Mayor Hoffman made a motion to authorize Lanc & Tully to prepare the bid specifications for the Cellular Water Meter Replacement in an amount not to exceed the previous estimate submitted by Lanc & Tully Engineers. Seconded by Trustee Mishk. All ayes. Motion carried.

John added that the Belt Filter press is up and running as of tomorrow. Going to be doing some testing for a day or two and then will be online.

Public Comment

Bruce C. Dunn, Sr. attorney for Harry McLaughlin, owner of 40-42 Hepper Street, stated that his client owns the gym and weight center, which is a business location. He first wanted to congratulate the Board on their efforts to focus on the quality of life issues and they really appreciate that. He wanted to bring to your attention a situation at 36-38 Hepper Street as it is zoned mixed use for a multifamily residence. They would be happy to share dozens of police reports and arrests for drugs, domestic disputes, disorderly conduct etc. If it was in your neighborhood you would find it intolerable as well. Happy to work with the Board and counsel and Code Enforcement Officer to improve the quality of life in that neighborhood. His client is happy to report and help in any way that he can.

Mayor Rumbold asked if this had been brought to Village Manager.

Bruce replied that he wrote a letter last September to Dean and the Mayor and met with Dean Stickles to review the file. In May 27, 2014 there was a letter in the file to make an appointment for inspection which at that time hadn't been done and still has not been done to their knowledge.

Attorney Donovan recalls speaking with Dean about this letter but not with the Village Manager. His suggestion is to have the Board if they are so inclined to direct the Attorney to meet and discuss the matter with Dean, Jay, and John to see what appropriate measures can be taken to remedy the situation. He let Attorney Dunn know he is away next week but will report back after he has spoken to Dean, Jay, and John.

Payment of the Audited Bills

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

Correspondence

Everyone received an invitation for General Montgomery Day Parade. Please let the Clerk know if you would like to attend and she will make the arrangements.

Miscellaneous Comments from the Board of Trustees

Deputy Mayor Hoffman stated that in the past we discussed the snow policy and addressing that and yesterday he and Jerry met and rehashed it again. He'd like to review with the new Board members from the meeting back in February to reevaluate the policy to see if we can provide them some relief. We were looking to see if there was any ability including talking to John, Chief, and DPW. We had talked about maybe sending out a questionnaire to businesses and perhaps speak about it at the next meeting. Would like to speak to the Manager when he gets back.

Trustee Adams asked if there was a stipulation as to where we move snow from in the code requirement. On Valley Avenue and William Street is a cut through and we get a lot of traffic there and she wondered if there was a status or marker to remove snow based on priority with DPW.

Deputy Mayor Hoffman replied that he believes that is up to the Manager and DPW the priority of what streets are cleared first.

Trustee Adams asked what happened to 36 Gladstone Avenue.

Clerk Bliss replied it was taken care of by the property owner so no hearing was needed.

Trustee Adams asked what happened to 45 Sunset Drive and the pool issue.

Clerk Bliss stated she would follow up with Dean on that and get back to her.

Trustee Mishk thanked the Mayor for giving him the opportunity to serve again. He was on the Board when we changed Old Orange Ave to Lustig Court and he recently spoke with people in that area and found it alarming that they all stated that no one was asked about the change as we were informed. They have all accepted that however the street hasn't been changed with the GPS and mappings. Residents are complaining that they can't get their packages and deliveries based on that.

Mayor Rumbold stated she remembers speaking with John about that and he said we sent out the notifications.

Clerk Bliss stated yes that is correct and she has the letters in her office.

Trustee Mishk continued that lastly with regard to the Highland Avenue project and the grass. There are a lot of spots where he observed sand used with top soil for grass so there is no grass in some areas. One resident paid money to have sidewalk not interfere with their property reconstruction of a wall to match up to the old grass. They have a lot of weeds and crab grass resulting from the contractors seeding.

Mayor Rumbold stated she was at Olley Park to observe the first day of the summer program. Everyone looked like they were having a great time. It was well coordinated and it looks great down there. There is plenty of staff there as well to assist. There was a boat with a lifeguard for those that were in the swimming area. She attended the concert last night and despite a few glitches with the grill she felt it was wonderful and well attended for the first one. She would like everyone to get the word out and invite more people. It was very generous of Hannaford to donate the hamburgers and hot dogs. She reminded everyone about eh August 1st Senior BBQ and Movie Night. Would like it to be well attended so let everyone know about it.

Adjournment

Trustee Sebring moved to adjourn. Seconded by Deputy Mayor Hoffman. All ayes. Meeting adjourned.

**Village of Walden Board of Trustees
Regular Meeting
July 7, 2015
Motions & Resolutions**

Public Hearing - CFA Application

Trustee Adams made a motion to open the public hearing for the CFA Application for a proposed Community Center at James W. Olley Community Park. Seconded by Trustee Sebring. All ayes. Motion carried.

Trustee Sebring made a motion to close the public hearing for the CFA Application for a proposed Community Center at James W. Olley Community Park. Seconded by Trustee Mishk. All ayes. Motion carried.

Trustee Adams made a motion for Negative Declaration under SEQRA for the CFA Application for a proposed Community Center at James W. Olley Community Park. Seconded by Trustee Sebring. All ayes. Motion carried.

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Approval of the June 19, 2015 Special Meeting Minutes

Trustee Adams made a motion to approve the June 19, 2015 Special Meeting minutes. Seconded by Deputy Mayor Hoffman. 4 ayes, 0 nays, 1 abstention (Trustee Mishk). Minutes approved.

191 East Main Street Loan – Sewer Lateral Bid Approval

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