

**Village of Walden
Board of Trustees Regular Meeting
March 22, 2016**

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
	Edmond Leonard
	Gerald Mishk, Jr.
	John Ramos
	Brian Sebring

Absent:

Also Present:

John Revella, Village Manager
Tara Bliss, Village Clerk

Hearing – 20 Lafayette Street

Jay Buchalski, Code Enforcement Officer, explained there were initially 5 vehicles on the lot last year, got down to 2, and now down to 1 abandoned vehicle at the property. No communication from the owner who is not present tonight. This is the second time this same property is up for violation for this.

Deputy Mayor Hoffman asked if he anticipated if given another week the car would be removed.

Jay replied that particular vehicle has been there forever, just covered with a tarp now.

Trustee Ramos made a motion to remove the abandoned vehicle at 20 Lafayette Street and charge any fees associated with its removal to the property owner. Seconded by Trustee Leonard. All Ayes. Motion Carried.

Village Manager's Report –

- Working on fixing our electric rates and workers comp rates and made considerable progress on both. Waiting for determinations in writing from both of those entities, only have it verbally at the moment.
- Updates with the proposal from the Thruway Sporting Goods for the application for park use and they will be here tonight as well.
- Had various meetings with the County, one is on hazard mitigation on the overall county plan and the other is on economic development over the county and trying to help the Village in whatever we can do.
- Engineer, Mayor, and himself had a meeting with the state on the Ulster Avenue sidewalk project which they gave us authorization to go ahead with the next phase

and can meet the deadline of having it funding this year. Queenan to speak more about that if have questions.

- Discussed community center and getting it back in play either through grant funding or whatever type of funding we can get.
- Welcome packet is now on the website and getting an initial publication for distribution of 100 to see how it goes as we can always get more.
- Kiosk map was finalized for Orchard Street parking lot within the next few weeks.
- Met with special counsel and police regarding personnel matters, making some good progress on those. Trustee Mishk working with us on them as well.
- Water department is waiting for initial distribution of meters to get put in and getting the utility billing in as well. Upgrades coming same time as the meters which should be helpful.

Trustee Adams asked if we expect workers comp and electric to come in the form of cash refunds or credit.

Manager Revella replied we would get credits and have held bills to keep it in this fiscal year.

Mayor Rumbold asked about a lot of conferences with constituents asking about water/sewer billing, is there an issue with that.

Manager Revella replied yes, there is an issue on the bills we asked the billing company to segregate the bill to have the quarterly fees separate from the usage charges but the bills didn't come out that way. We are asking for it to be corrected for the next billing. We will have the gallons conversion when we get the new meters in and the new software.

Trustee's Committee Reports

Town of Montgomery & Library Board liaison – Trustee Leonard

Trustee Leonard reported that he had nothing new to report.

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

Trustee Ramos reported that he had nothing new to report on the school board. He met with Mr. Bliss most of the month and they are getting summer programming ready. Last basketball date is the 29th. He went to the Community Council meeting and they have some great things being projected and hopefully we can get the community center rolling and get some feedback from our legislators and congressmen.

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

Deputy Mayor Hoffman reported that the Building Inspector is on vacation so they were unable to meet. They will meet again prior to the next Board meeting.

DPW Liaison– Trustee Sebring

Trustee Sebring reported he met with Fred yesterday and the new flatbed is almost done, had a few minor problems and had to send back to Amthors to be fixed. Crew is out cleaning catch basins. The sweeper is out and was shared with the Town of Shawangunk as a reciprocating agreement.

Village Offices Liaison – Trustee Adams

Trustee Adams reported that the new budget is out to review. We are holding our own.

Police Department Liaison – Trustee Mishk

Trustee Mishk reported that he met with Chief and they discussed issues including budget cuts to save money. One way is on the older computers trying to change the software instead of replacing the entire computers. Chief is looking into purchasing a new AED as the 2 we have are close to not being serviceable with our contract.

The Mayor read the community events listing into the minutes.

Manager Revella stated that we are adding a few items to the agenda including a property maintenance hearing request at 62 Ulster Avenue and 47 South Montgomery Street as well as surplus of DPW Equipment Items.

Public Comment on Business of the Board

Becky Pearson, 167 Walnut Street, asked about the tax cap override. It would be nice to keep it but with the library vote that won't happen. Ponds at Riverside has been a long time. Arbor Day thank you if you chose to do it and hope you all come. With regard to the solar law some things in here don't apply to the Village. She asked who sets the limitations and standards. They aren't in the law and feels they should be. She commented that solar farms are not going to be allowed. She asked about the townhouse law as there is nothing in the packet.

Deputy Mayor Hoffman replied that the solar law and townhouse law are just up for discussion tonight.

Action Items

Hearing Request – 39 South Montgomery Street

Jay Buchalski, Code Enforcement Officer, explained that there were 6 unregistered/vehicles on the property and now down to 2 vehicles. Also there were piles of debris and about 50% of it has been cleaned up. No one from the property is present this evening.

Deputy Mayor Hoffman made a motion to set a hearing for 39 South Montgomery Street for Tuesday, April 5, 2016 at 6:30pm or as soon thereafter as the matter could be heard. Seconded by Trustee Adams. All ayes. Motion carried.

Hearing Request – 47 South Montgomery Street

Jay Buchalski, Code Enforcement Officer, explained that there is debris scattered all throughout the property including a pool that is falling down which also has debris inside of it. Noticed it when he was looking at 39 South Montgomery Street. Has not gotten any correspondence from the owners.

Trustee Ramos made a motion to set a hearing for 47 South Montgomery Street for Tuesday, April 5, 2016 at 6:30pm or as soon thereafter as the matter could be heard. Seconded by Trustee Leonard. All ayes. Motion carried.

Hearing Request – 62 Ulster Avenue

Jay Buchalski, Code Enforcement Officer, explained that there is debris at the back of the property. He received the returned certified that they have received it but has not gotten any additional communication.

Trustee Ramos made a motion to set a hearing for 62 Ulster Avenue for Tuesday, April 5, 2016 at 6:30pm or as soon thereafter as the matter could be heard. Seconded by Trustee Mishk. All ayes. Motion carried.

Park Use Request – Thruway Sporting Goods 5/21/16

Brett Concors and Mario Torchio were present from the Thruway Sporting Goods.

Manager Revella explained that at the request of the Board they have provided more detailed description of the proposed event to be held at Olley Park on May 21, 2016 10am-5pm. Chief saw no issues with the event and Recreation and Parks saw no issues. Seems organized and looks like an eventful day. They are also requesting a waiver of the park use fees and usage of our sandwich board signs to put out at the Village entrances.

Brett stated they were no longer looking for volunteers to help with parking. Are offering cross promotional advertising in exchange of waiving the fees and using our sandwich board signs. Will be putting ads in the Times Herald Record, The Sentinel, Wallkill Valley Times, signs around the Village, as well as radio advertising on WRWD and WPDH, and online advertising also on Facebook and other social media.

Trustee Sebring made a motion to approve the Park Use Request from Thruway Sporting Goods for May 21, 2016 at James W. Olley Community Park including usage of our sandwich board signs at Village entrances hence approving their temporary event sign request and the use of the Village logo on advertising for the event all pending proof of insurance from the applicant as well as the vendors naming the Village of Walden as additional insured. Seconded by Deputy Mayor Hoffman. All Ayes. Motion Carried.

Trustee Leonard made a motion to waive the park use fees for the Thruway Sporting Goods Event on May 21, 2016 at James W. Olley Community Park. Seconded by Deputy Mayor Hoffman. 6 Ayes, 1 Nay (Trustee Mishk), with 0 abstentions. Motion Carried.

Trustee Adams asked if we could keep an accounting of how many people worked for this project to know where we stood in the future for these types of events.

Arbor Day Request – 4/28/16 at Olley Park (rain date 5/5/16)

Trustee Ramos made a motion to approve the Arbor Day Celebration for Thursday, April 28, 2016 at 10am at James W. Olley Community Park with a rain date of Thursday, May 5, 2016 at 10am. Seconded by Trustee Mishk. All ayes. Motion carried.

CDBG 2016 Application

John Queenan, Village Engineer, explained that we would need to set a public hearing for the next meeting to hear any other suggestions for this application due to the County on April 15th. Last year we put in for Wait Street sidewalks and while we didn't get the full amount we did get \$30,000. Overall our applications have been pretty successful in the past. The options are to apply for up to \$125,000 for a one year application or a multiyear application of up to \$325,000 over 3 years. It's a total \$1 million in total funds available

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and \$550,000 are allocated for 1 year projects and \$450,000 allocated for multiyear projects and we are competing against all other municipalities in the County. He reviewed some project ideas with Fred and John and he doesn't recommend doing the multiyear project at this time as it's a smaller pool we are competing with and the County likes to spread the money all over the County. He would suggest a 1 year project this year and is suggesting doing another sidewalk project due to the way that the capital projects look like for this year. Perhaps Oakland Avenue or East Main Street. We will try for Oakland to see if it meets the income eligibility as our number one but or second would be from Highland up East Main Street. We've already done some background work on that including surveys and topographical work in case something like this came up. Would need to set a public hearing and hear any other suggestions from the public. We would ask for the maximum and see what they give us.

Trustee Mishk made a motion to set a public hearing for the CDBG 2016 Application for Tuesday, April 5, 2016 at 6:30pm or as soon thereafter as the matter could be heard. Seconded by Deputy Mayor Hoffman. All ayes. Motion carried.

Release of Letter of Credit – Ponds at Riverside

John Queenan, Village Engineer, explained that the Village accepted dedication of these roads in 2011 and we did a walk through to accept this letter of credit but never got formally released by the board. Bond expired in 2013 so it's just a procedural action at this point.

Deputy Mayor Hoffman understands that the bond expired but they are asking us for action now. Before we do so is there any merit to make sure that everything is ok.

John replied everything was fine in 2014 when he wrote the letter.

Deputy Mayor Hoffman stated he would feel better conditioning that on your review. If it were a formality they wouldn't be asking us to take action on that.

Trustee Sebring made a motion to release the letter of credit for the Ponds at Riverside subject to the approval of the Village Manager and Village Engineer. Seconded by Trustee Leonard. All ayes. Motion Carried.

EFC Award Acceptance

John Queenan, Village Engineer, explained that we got awarded a grant for sewer planning in the amount of \$45,000. Will be using this to work on the sewer siphons on Route 52 and the Tin Brook Pump Station. This is so that we can accept the funds that has been awarded to us and authorizes the Village Manager to sign the agreement.

Trustee Adams made a motion to approve Resolution 46-15-16 EFC Grant Agreement. Seconded by Trustee Sebring. All ayes. Motion carried.

John explained that this next resolution is for a negative declaration for SEQRA review.

Trustee Adams made a motion to approve Resolution 48-15-16 EFC Grant SEQRA Determination. Seconded by Trustee Leonard. All ayes. Motion carried.

John also explained that this next resolution authorizes the spending of money which represents the local share of the agreement.

Trustee Sebring made a motion to approve Resolution 47-15-16 EFC Grant Local Share Authorization subject to attorney review. Seconded by Trustee Leonard. All ayes. Motion carried.

EFC 2016 Application

John Queenan, Village Engineer, explained that EFC has another 3 year program out this year for water/sewer projects, the same grant we just received. It's a state wide program who has put aside \$75 million for these types of projects. Applications are due April 15th and covers critical water/sewer infrastructure improvements. We have a lot that could fit into this program due to our DEC Consent Order and he met with Fred and John and they have narrowed it down to the sewer area. These types of applications we get more points for hardships and they are looking for critical needs. We are either looking at eliminating the siphons on route 52 or possibility tin brook pump station with the bypass there. Pine street pump station would have been his first choice but he heard we would be getting some of that funding for that complete rehab. He suggests the siphons but we need a public hearing to hear any other ideas.

Deputy Mayor Hoffman made a motion to set a public hearing for the EFC 2016 Application for Tuesday, April 5, 2016 at 6:30pm or as soon thereafter as the matter could be heard. Seconded by Trustee Sebring. All ayes. Motion carried.

Set Public Hearing – Local Law 4 of 2016 - Tax Cap Override

Manager Revella stated that this is in preparation for the fact that our budget will likely not stay under the tax cap which equates to \$10,000. If we intend to pierce the cap we need to have this local law in place prior to being able to do so.

Trustee Leonard made a motion to set a public hearing for Local Law 4 of 2016 - Tax Cap Override for Tuesday, April 5, 2016 at 6:30pm or as soon thereafter as the matter could be heard. Seconded by Deputy Mayor Hoffman. All ayes. Motion carried.

Surplus DPW Equipment Items

Manager Revella stated that we went through the DPW inventory list and found some duplicates and or old equipment that we don't need.

Trustee Adams made a motion to surplus the Hobart Handler 120V Wire Feed Welder, Hobart T-300 Welder, Simplicity Sno-Away 28" Snowblower, Cub Cadet 1130 SWE Electric Start Snowblower, Boss Smart Shield 9' Super Duty Snow Plow, 10' Tenco Plow, Tarco Highlader Jr Stainless Steel Sander/Salter, and the Air-Flo AF-2000 Stainless Steel Sander/Salter with Auctions International. Seconded by Trustee Sebring. All ayes. Motion carried.

Temporary Event Sign Request – VFW Spaghetti Dinner 4/2/16

Trustee Ramos made a motion to approve the Temporary Event Sign Request for the VFW Spaghetti Dinner to be held on April 2, 2016. Seconded by Trustee Adams. All ayes. Motion carried.

Discussion Items

Solar Panels

Manager Revella explained that this is before you because many solar companies have been going around soliciting solar panels on homes. There hasn't been a lot of regulation on them which is ok in our Village because if we don't include it it's excluded. He wanted to talk about some kind of regulations for solar panels.

Deputy Mayor Hoffman stated that currently only a building permit is required but no site plan or anything for this. Rooftop is all Dean's been allowing at this point. It is a hot topic around the County at this time. This is just a sample to think about as somethings may not be applicable, may not want to encourage ground panels. Come back ready to discuss this further.

Mayor Rumbold asked how many permits have been given out for solar panels. She also asked this to be put on the agenda for the first meeting in May as this sounds.

Townhouse Law

Manager Revella explained that we have been looking in the Village zoning ordinances that have areas that are zoned townhouse and has been a discussion about what percentage should be affordable and what does that mean for the Village "affordable". Most are in the peripheral of the Village but they recommend having them in the middle of the Village. Our current inclusionary requirement is 20% with no room for payment in lieu of. Some other places have lower percentages or give the option to make payment in lieu of. Right now it is based on the whole County but can make it more localized.

Deputy Mayor Hoffman stated he would like more information before we take action on something like this. It is unusual for us to just make a change on something like this without a request from a developer. He'd also like to get information on the median family income for Orange County as well as the Village of Walden locally. If the Engineer and the Manager can work together on that he would appreciate it and maybe put this on again in May.

Public Comment

Becky Pearson, 167 Walnut Street, asked if the garbage contract bid is out and also asked about HR 218 and what happened with that.

Manager Revella replied yes garbage bid is out, due March 31st. The HR 218 is an internal police policy. The Board went in for attorney client privilege for HR 218. It came before the Board for their input only.

Becky stated there were a lot of questions about how it was going to work and now the Board is not going to make any decisions on it and now the Board is done with that.

Deputy Mayor Hoffman replied that the Board did not take any action on it.

Mayor Rumbold stated it would become a general order through the Chief. He wanted to see if the Board was receptive to the idea and was looking for our input and now it will be a general order. What you heard in our meeting is what the policy will be.

Becky asked if it's in writing anywhere that she can read it. She gets that he wants their opinion but it could cost the taxpayers at some point.

Manager Revella stated that she can FOIL said policy which would probably answer her questions.

Deputy Mayor Hoffman stated that we can tell you what our discussion was but we took no action on it.

Mayor Rumbold stated we are talking about retirees qualifying at the same time as officers qualifying and the Village Manager understood that the Board did not want any cost put to the Village taxpayer.

Becky gets that he understood but what if we get a new manager and then the Board completely changes.

Manager Revella stated that nothing they do can bind future Boards.

Becky asked about the CDBG grant in the past for the Scout Cabin for a ramp and it is still in disrepair. Are we doing anything with that? Don't we have to make that handicap accessible maybe it should be considered for your budget session?

Manager Revella stated that he believes they transferred that grant to another project.

Deputy Mayor Hoffman suggested she come to the public hearing and make a suggestion of a different project. May not be an attractive project in the pool.

Manager Revella thought it was ADA compliant after raising the ground. Not sure will check.

Becky asked about a conversation from a year ago about snow removal and Village businesses formulating a committee. What happened with that?

Deputy Mayor Hoffman replied that he had made reports in the Board meeting then on what happened. It is very similar to HR 218. Met with business representatives and conveyed and requested that Chief change the orders. Basically they changed the name of the policy to Snow procedures. Didn't really get a chance to exercise it this winter due to the weather.

Becky asked if the snowblowers they are surplus work.

Manager Revella replied no, they need parts.

She asked if we are getting a new building down at DPW.

Manager Revella replied that is our hope but it depends on budget sessions. That's our one capital project this year.

Becky asked about solar panels and you said we don't have a law so how are people putting them up without a law. If the state doesn't have anything on it how are homeowners putting them on their roofs?

Manager Revella replied we have exclusionary zoning so if it's not included in the code it is excluded. State building code is how they put them up with a building permit.

Deputy Mayor Hoffman added we were talking about ground mounted solar panels not free standing or roofing. That's not a zoning issue it's a building permit issue. Owners go through building permit process not a site plan approval.

Patricia Wolven, 86 Orange Avenue, stated she has been here for 41 years and has never asked for anything. In the 70's the Village came through and Orange Avenue used to be a tree lined street and was gorgeous. The Village came through and took down all the trees except the one that is right in front of her house. The Village would have record of it somewhere. Part of it is now dying. The sidewalk is caving in from the tree roots. Every year she has to have someone come in and clean out the pipes from the roots. There was a bad snow storm and a big branch fell off and the tree took down the wires from her house. When it rains the puddle is so large. It's not safe. She called 3 weeks ago and no one has called her back and nothing is being done. It's not her tree the Village took down the trees.

Deputy Mayor Hoffman stated that Orange Avenue is a State road so the Village wouldn't have any ownership there. It may wind up being your tree on your property.

Patricia stated someone from the Village, maybe the Clerk or the Building Department, gave her the number to call and no one calls her back.

Manager Revella replied that we don't know but he has a rep from state DOT so he will call them in the morning. They only have one week left to cut trees because the DEC won't let them cut trees due to the Indiana Fruit Bat, they aren't allowed to cut them down after the 31st of March. He will make sure the DOT rep goes and checks it out and hopefully they can come and take care of it.

Anita Vandermark, 76 Highland Avenue, asked for an update on the new Treasurer.

Mayor Rumbold replied that we can announce that the new Treasurer starts April 4th, her name is Kelly A. Kelly.

Anita asked if we could get the Yard Sale Day sign up at the entrances. She asked about the Welcome packet; how do they get it?

Manager Revella replied that they can put that up next week. We are printing copies to be kept for the Walden Community Council, at Village Hall, with local realtors, and there is a link on our website. We had talked about a welcoming committee as well.

Mary Ellen Matise, 54 Gladstone Avenue, asked about the townhouse law, is it a none site specific law.

Manager Revella replied our code is not site specific. We have Winding Brook, Northgate Drive, Northern Avenue, and Ivy Hill Road.

Mary Ellen asked if the potential project on Coldenham Road has its own law.

Manager Revella replied that is Planning Board approvals not the law. The law regulates all townhouses in the Village.

Mary Ellen thought it was site specific. So you are talking about looking at it again and maybe revising it.

Manager Revella replied yes, about the entire law not project specific, not geared toward anyone specific.

Mary Ellen stated we never had one before that project came up. You were talking about putting affordable housing in the center of the Village but we don't have townhouses in the center. There is a way to have a community that has land banking that the municipality has the land and eliminates the land tax from the people who own the units. Similar to the condominium idea but it allows you to have affordable housing. Great idea if you have properties that are adjacent and start land banking. Would need to develop a law for this. But talking about developing affordable housing closer to the center of the Village that is a great way to do it. She believes it came from Vermont. She gave flyers for Colden Day 4/24/16 and Local History Day 4/2/16 for the record and bulletin boards.

Payment of the Audited Bills

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

Correspondence

Trustee Adams stated she had a verbal conversation with Willie Carley regarding the Zika virus and what we do about mosquitos in our community.

Manager Revella added he spoke to him as well. The County assists us in the eradication of mosquitos.

Miscellaneous Comments from the Board of Trustees

Trustee Leonard stated the Egg Hunt on Saturday was an impressive turn out and kids had a great time. Fun watching them.

Trustee Ramos also stated the Egg hunt was great and had over 500 people. He submitted the Golden Award application for our parks and recreation and should hear something by April 15th. Good luck and thanks for the excellent work by the staff.

Deputy Mayor Hoffman wished the Manager a nice trip. There is an overlap in vacations with some department heads wanted everyone to know.

Manager Revella stated that in the event of an emergency the Clerk knows the procedure and will work with the Mayor to make sure it takes place.

Trustee Adams asked for the status of the phone bills and being overcharged. Manager Revella stated that was rectified and then had several had new problems arise. We were hacked but we are covered and the charges were all reversed. Took off and we hope to be sure that it stays off for the next billing cycle.

Trustee Adams did see a lot of credits on the bills. Commercial multifamily rehab just wanted to make sure is being worked on by Attorney Donovan.

Manager Revella confirmed and also stated that the truck route and the budget modification policy are also on his list also.

Trustee Adams wanted to comment on the calls she has been getting from concerned people who are afraid that they won't be able to stay in their homes and are asking how we can balance our budget and keep the taxes low. Lot of seniors moving and selling their homes as they can't afford to stay. Only going to include municipalities that stay in the tax cap, do we know anything else about that?

Trustee Leonard stated he would call NYCOM to see what the update is.

Manager Revella stated that we have been under the cap for 5 years and now we have a year where we don't have a choice, should be an amortization.

Trustee Adams stated the people who are not on STAR are fearful of the Village taxes. Scared to find out how they can keep their homes.

Mayor Rumbold added that we will be as conservative as possible as we always have been. We've all seen how many people come out to vote, or attend meetings, or budget sessions. This is an unrealistic state mandate. Pension costs are going up, health care is high, workers comp costs, and it's just unrealistic. She thinks everyone is scared about taxes with or without the exemption.

Trustee Mishk thanked voters that came out last week and for their support for reelecting the incumbents. Anita mentioned a deli that opened up but wasn't able to make it work and has now sold it to another person who is trying to make it a real Italian deli. The new owner never even had to close the doors between owners. Immediately the building inspector penalized him for changing his sign on the building rather than being more welcoming. We will continue to lose businesses if we aren't more welcoming, he felt it was wrong of the Building Department to do that.

Mayor Rumbold gave her congratulations for Trustees Adams, Mishk, and Ramos and Deputy Mayor Hoffman on their election wins. She looks forward to working with them. Thanks to Recreation & Parks Department for the Easter egg hunt, it was fabulous. She asked for a schedule for department heads for budget sessions.

Executive Session

Trustee Mishk moved to go into executive session to discuss potential litigation regarding DEC & PESH correspondence. Seconded by Trustee Sebring. All Ayes. Motion carried.

Reconvene

Trustee Sebring moved to reconvene the regular meeting. Seconded by Trustee Adams. All ayes. Motion carried.

Adjournment

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

**Village of Walden Board of Trustees
Regular Meeting
March 22, 2016
Motions & Resolutions**

Hearing Request – 39 South Montgomery Street

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Hearing Request – 47 South Montgomery Street

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Hearing Request – 62 Ulster Avenue

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Arbor Day Request – 4/28/16 at Olley Park (rain date 5/5/16)

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