

**Village of Walden  
Board of Trustees Regular Meeting  
September 20, 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  
Dave Donovan, Village Attorney

**Attorney Client Privilege**

Deputy Mayor Hoffman made a motion to enter into attorney client privilege to discuss legal issues involving 14 Riverview Street. Seconded by Trustee Adams. All Ayes. Motion carried.

**Hearing – 14 Riverview Street**

Dean Stickles, Building Inspector, stated the property condition has not changed from the November inspection of 2015.

Attorney Donovan explained that we had executed an administrative warrant and inspected the interior of the property at 14 Riverview Street with a Structural Engineer. We have gotten the report from the Structural Engineer and the Board has determined the premise are dangerous and unsafe and told the owner to rectify the conditions by this evening and if not the Board would then consider whether the house should be removed or ordered vacant until the deficiencies be remedied.

Glenn Ramcharitar, owner 14 Riverview Street, stated he feels the warrant wasn't necessary as he sent an email to Dean that he could visit the property at any time. We are talking about the safety for the tenants and the building itself. He is not in the best of health so could not take care of the issues as efficiently as he would have wanted. He has spoken with tenants who are looking for residency elsewhere at this time. He has spoken to two contractors and is waiting for quotes and information from them. Also this is a financial burden to him which he is working on securing funds. He said he did not have the list of violations from last November and from the Structural Engineer in September 2016. He was not aware that the Village completed the cleaning of the yard and outside violations. The tenants told him they took care of that and that no one came to the property to remove items.

Mayor Rumbold stated that we can provide a copy of details as well as a copy of the codes pertaining to what can be on the property, what cannot, how many residents you can have in an apartment.

Attorney Donovan explained that the resolution before the Board tonight provides that the property be vacated on or before October 4, 2016 and remain vacant until the violations are fully abated to render the property safe and secure.

Trustee Sebring made a motion to approve Resolution 13-16-17 for 14 Riverview Street. Seconded by Trustee Ramos. All ayes. Motion carried.

### **Hearing – 42 Bank Street**

Jay Buchalski, Code Enforcement Officer, reported that the property still has construction debris which needs to be removed, and has been ongoing since June 2016. Plywood and shingles on the front porch, pallets around the shed and in the rear of the property, and two tarps that are hiding something he doesn't remember what they are covering.

Dennis DeGroat, 42 Bank Street, stated that nothing has changed since the first letter. All the items are his personal belongings or belongings of the church. None of this is garbage or debris as defined in the code Chapter 214-7C which is supposed to be miscellaneous around the property. The shingles are new and unused for our porch roof repairs, not garbage or refuse.

Deputy Mayor Hoffman asked if they intend to do a building permit for roof work.

Dennis replied that is not the point and is a completely different topic; to be honest he doesn't know how we even got here.

Deputy Mayor Hoffman replied that he did not respond which is how you got here. It seems by the mannerism you are presenting this evening that you are trying to argue with us and essentially waste our time. It may not be garbage but it is unsightly and un-neighborly.

Mayor Rumbold asked if there is room for these items in the shed regardless of what it is for example so that it doesn't look as unsightly.

Dennis replied that the items will not be cleaned up from the property as he feels they do not violate this code. It is not our intention to waste your time.

Eric James, chairman of the Board of the Walden Baptist Church, added they are trying to hire someone to fix the roof when he has time to do it and he wanted us to put the items in a place so it's accessible. They don't need a building permit according to his engineering degree unless it's \$800 worth of work which this is not. Does not have a schedule per say but it will be done as the person who is doing it schedule allows.

Eric stated that anytime there is a problem with this property he would like to be called directly.

Trustee Ramos made a motion to adjourn the hearing for 42 Bank Street until the next meeting on October 4, 2016. Seconded by Trustee Sebring. All ayes. Motion carried.

## **Public Hearing – Local Law #7 of 2016 – Abandonment of Use**

Trustee Mishk made the motion to open the public hearing for Local Law #7 of 2016 – Abandonment of Use. Seconded by Trustee Ramos. All ayes. Motion carried.

Attorney Donovan explained that this law addresses non-conforming uses and their abandonment and takes out one word “voluntary” as it is confusing and can have many means.

Trustee Leonard made the motion to close the public hearing for Local Law #7 of 2016 – Abandonment of Use. Seconded by Trustee Ramos. All ayes. Motion carried.

Deputy Mayor Hoffman made the motion for Negative Declaration under SEQRA for Local Law #7 of 2016 – Abandonment of Use. Seconded by Trustee Leonard. All ayes. Motion carried.

Trustee Mishk made the motion to adopt Local Law #7 of 2016 – Abandonment of Use. Seconded by Trustee Adams. All ayes. Motion carried.

## **Village Manager’s Report**

- Wrote to DOT regarding the crosswalks in the Village and PD did another crosswalk detail and got 36 more violations. They seem to be interested in assisting us for the locations on Route 52 East Main Street and Woodruff and North Montgomery and Wait Street. They will provide more signage and striping. No time frame has been given at this time.
- Wrote to Supervisor Hayes regarding the disparity between the funding for the Recreation & Parks Department. Have given him more details at his request.
- Conducted interviews for new Deputy Treasurer and they will begin on Monday.
- Met with the Working leader for the new building.
- Quotes for Wait Street sidewalks were all above the level of funding we have and are looking to rebid later tonight.
- New civil service position created to provide a Senior Library Clerk position which has been filled.
- Utility billing was a little late this quarter as we transitioned over to the new company and are working out the kinks now.
- Received an agreement for Sports Illustrated Play to sign up people for recreation programs online and be able to increase communication between participants, coaches, and program directors.
- Had to send out a code red about the Algae level in the Wallkill River. Hopefully rainfall will help that dissipate.
- Haunted trail work is going well and making good progress.
- Attended the NYCOM conference with the Clerk in Saratoga. Good networking and great classes.

## **Approval of September 6, 2016 Minutes**

Trustee Adams made a motion to approve the September 6, 2016 Minutes. Seconded by Trustee Mishk. All ayes. Motion carried.

## **Trustee’s Committee Reports**

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

Trustee Leonard reported he attended the Health care advocacy and senior planning program here last Saturday from 9am-1pm which was great but it was not well attended.

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

Trustee Ramos reported that he feels Principal Heiderman is a good fit for Walden Elementary School. He and Mr. Xanthis will be meeting again and he will continue to bring up changing the voting polls. Parks and Rec has basketball and indoor soccer registration under way.

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

Deputy Mayor Hoffman reported that he met with Dean and discussed 14 Riverview and ongoing planning board applications.

**DPW Liaison– Trustee Sebring**

Trustee Sebring reported that we have had a number of water leaks which were mostly house services. Took 2 police cars to Healey for some warrantee work. DPW is beginning to move to the temporary facility.

**Village Offices Liaison – Trustee Adams**

Trustee Adams reported that the office has been working hard with the new programs despite being short staffed. Kelly continues working on audit preparation.

**Police Department and Justice Department Liaison – Trustee Mishk**

Trustee Mishk reported that he met with Chief today and he reported they are working on staffing for Harvest Fest to keep overtime down. October 2<sup>nd</sup> will be a child safety seat program at Hannaford and the PBA Senior Dinner the same day from 4-7pm.

Mayor Rumbold read the community events into the minutes.

**Public Comment on Business of the Board**

None.

**Action Items**

**Introductory Local Law #8 of 2016 - Illegal Drug Use, Possession or Sale**

Manager Revella explained that we have been talking about what we can do to help thwart the drug issues in our county, state, nation. Maybrook had adopted something like this and the Board had wanted to consider something similar.

Attorney Donovan stated that this would allow the Board, DA, or PD to commence eviction proceedings for illegal drug use, possession or sale. If 2 or more convictions of any person would be subject to this law. Quality of life issue for neighborhoods who have drug use. No court challenges at this time. Maybrook has not had any recourse to this yet. This came from the state level gives a little more clout. No hierarchy established so the Board could do that but if the DA wasn't willing to take that step we would be able to do this and would assist in prosecution of this. More record keeping at the level of PD? Someone would need to build a case of course. Our system does document this. Does not appear there has to be a conviction to act on this.

Deputy Mayor Hoffman made the motion to set a public hearing for Local Law #8 of 2016 - Illegal Drug Use, Possession or Sale for October 4, 2016 6:30pm or as soon thereafter as the matter can be heard. Seconded by Trustee Ramos. All ayes. Motion carried.

### **Wait Street Sidewalk Bid**

Manager Revella stated that we did get a low bidder but they were non-compliant so we are asking the Board to decline the bids and rebid.

Trustee Leonard made a motion to reject the bids received for the Wait Street Sidewalk Project and rebid the project again. Seconded by Trustee Sebring. All ayes. Motion carried.

### **William J. Larkin Jr. Pavilion and Play Area Dedication Ceremony**

Trustee Ramos made a motion to postpone the William J. Larkin Jr. Pavilion and Play Area dedication ceremony that was set for Sunday September 25, 2016 to a later date to be determined at the next Board meeting. Seconded by Trustee Adams. All ayes. Motion carried.

### **Public Comment**

Ben Rizzo, 7 Pine Street, is upset that the Code Enforcement Officer and the Recreation & Parks guys are all liars. He was told they were going to cut some poison sumac so he said sure go ahead and they charged us almost \$1,300 which the bill was not anything that they did, they lied. It couldn't have taken 9 hours to do the job and he feels it has been padded for some reason. They didn't arrive until 10am and left before 2pm. He feels there is discrimination from the Code Enforcement Officer as he gets along with everyone else including Mike Bliss. The Code Enforcement Officer is a nuisance.

Manager Revella explained that he received the appeal letter he sent but he has not rendered a decision yet. If he doesn't like the appeal decision he can come to the Board at that point.

Chester LaBarron, owns a lot of property in Walden for many years, since 1948 he's been a property owner and in the real estate business so he's not green to the process. He received a bill for Commercial Garbage for a dumpster that he's been trying to get rid of for a few years at this point. He has been told by the office that if the water is turned on at the property he has to have a dumpster. Everyone there takes advantage of the dumpster but the tenants he has there don't need a dumpster at 82 West Main Street as they don't generate enough garbage. Everyone around them uses it and he has to pay for it. He feels he is getting 2 bills for the same dumpster. Not sure why he has to pay for a dumpster that they don't use.

Manager Revella stated that as long as a property has water service they are obligated to provide garbage and sewer services. If you don't need the size dumpster you have or the frequency of pick-ups you are scheduled for you can change that with the garbage company but you will still get a bill based on the size of the container and frequency of pick up that is at the property.

Anita Vandermark, 76 Highland Avenue, asked if they were going to repaint the crosswalk at Main and Orchard.

Manager Revella replied yes, that was due to the water dig, it will be repainted.

Lynn Thompson, 34 Riverview Street, thanked the Board for continuing on the pursuit of 14 Riverview Street. It is difficult but she is trying to hang in there and hope they will keep forging ahead. She is surprised that the landlord came tonight and tried to use his health

issue as the reason why he hasn't complied to the violations. He's had an entire year and his health issues just happened. He sees it every single day. Additionally, the issues with the animals at the property do not stop. The Animal Control Officer is a waste. She went to the Town Board meeting and told them about it. Chief Amthor was so rude to her neighbor on the phone the other day, she heard it herself, and it was uncalled for. When they redid the sidewalks on Riverview Street a few years back she noticed the shut off valves disappeared and she is not aware if they've ever been found. There are hundreds of them like that. Complained about 14 Riverview Street and 15 Riverview Street playing basketball with the hoop in the street. She asked Jay but he said it was Dean.

Charles Savasta, 16 Riverview Street, stated that he doesn't mind the basketball hoop being there but when it comes to 10pm he shuts it down. The water shut off valve for his house is buried too. It was about 16-17 years ago and his inside valve is broken too. He thanked the Board for their action tonight about 14 Riverview. They were busy little bees cleaning but people are still living in the basement and the car in the driveway. He knows in 2 weeks it will be done and he is grateful. Glenn is a nice guy to some respect just a bad property manager. He appreciates they are leaving.

Manager Revella advised him to contact the water department about the shut off valve issue.

Mary Ellen Matise, 54 Gladstone Avenue, stated that the Walden Elementary School history club this year she and Nancy Phelps will be working on the Women's Club records with them. Would like some tourism money for her walking tour brochure.

Beth Keator, 37 Riverview Street, asked about the dogs and they are going to court on the 5<sup>th</sup> as the judge gave them 30 days to comply. Had another issue with a different dog that was loose at the same property. She's afraid to walk her dog down that part of the street. Has a continual issue with the Animal Control Officer of the Town of Montgomery.

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

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

### **Correspondence**

None.

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

Mayor Rumbold stated that we hosted the Lauterback and Dunkelman family reunion and did a virtual walking tour with the Historian and the Village Clerk. We gave them some postcards and articles to take with them. They actually identified people in a photo that was in the slideshow that didn't have names or dates on the photo. Got nice thank you notes from the family.

### **Adjournment**

Trustee Sebring moved to adjourn. Seconded by Trustee Adams. All ayes. Meeting adjourned.

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Motions & Resolutions**

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