

**Village of Walden  
Board of Trustees Regular Meeting  
October 3, 2017**

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 T. Hoffman
	Trustees	Brenda Adams
		Faith Moore
		John Ramos
		Brian B. Sebring
		Lynn E. Thompson

Absent:

Also Present:	John Revella, Village Manager
	Tara Bliss, Village Clerk
	Dave Donovan, Village Attorney

**Village Manager's Report**

- There was a large Buddhist gathering at the Temple from September 21<sup>st</sup> through the 25<sup>th</sup>. He gave a speech on the 21<sup>st</sup> for His Holiness' birthday. Our Police Department was present at the event on the weekend and the Temple was generous enough to give us donations towards the costs for the police and for the Recreation Department to go towards Harvest Fest. The Treasurer has those.
- Had a good meeting with special counsel regarding policies for the Village. We will go over the policies with the Department heads first and then share that with the Board so they can see what has been going on.
- Had some intermittent duties with DPW as our Superintendent had some personal medical issues going on. Been pushing along to get done with DPW, plus catch basins, patching, and little things here and there.
- NYS Comptroller has here since the 19<sup>th</sup> and will be here for at least another 10 days. They are doing their audit of the Village. Had light discussions about things back and forth but has been pretty productive so far.
- Had a meeting at the DEC regarding the status of pump stations and the plant and the upgrades for the requirements for the new SPEDES permit. Got the new SPEDES permit and will work through those items to make sure we are in compliance under the permit. A few changes from last year namely the Tin Brook Pump station where they are looking for a discontinuance of the overflow. Our Engineer has been looking at options and we will see what the best course of action for that is to present to the Board and decide what our next step might be.
- Good discussions with the Treasurer regarding different funds and preparation for tomorrow's Worker Comp audit. Have been hustling around in the office a lot lately due to all the audits going on, hopefully calms down soon.
- DASNY Grant has been fully submitted for the \$150,000 for the Riverfront Park.

- The Pine Street award package has been all submitted to CDBG-DR. Hopefully can contract that out soon.
- Our Attorney is working on some final real estate resolutions and title work for the Ulster Ave project so hopefully we can get that moving forward as well.
- Had the chance to interview potential Police Officer candidates we will continue to fill the vacancies we have. Should have the 1<sup>st</sup> position appointed shortly and that person will have to have medical done through the County and then will come to the Board to be introduced.
- Had a salary survey meeting yesterday, they will be back next week. Will take 30-40 days to complete the survey for the portion that was approved by the Board.
- Harvest Fest went great at the new location. Weather wasn't that wonderful and had some quirks especially with parking and things like that that we worked out but was a great turn out and will follow up after the wrap up meeting.
- Had a good meeting with the Zoning Board chair and the Mayor about ZBA processes to change in the future with different code issues coming up through the years that we should revise, a few definitions and recommendations to be revised.

Trustee Adams asked for elaboration on his conversation with Patricia Hennigan about Olley Park.

Manager Revella replied that she was concerned about the digging going on at Olley Park in the back. We are allowed to take a certain amount of fill to use in the Village every year, in this case we are using it around the DPW building instead of buying it. She was making sure we were going to remediate before we leave but we weren't finished yet when she asked about it.

Trustee Adams asked about the Temple Event and that in the Police Chief's report where he put in a figure for what it cost the Police Department. Do we get any of that money back?

Manager Revella stated that they did make a donation to the Village. It was close to the expense Chief gave but not quite. They gave us \$4,000 total.

Mayor Rumbold asked about NYCOMCO as she noticed they were in the building again. Were they able to improve the reception?

Manager Revella replied no, not improved yet but they are continuing to try to work on it with trial and error. They are also working on a plan for next year with the County as well but the issue is not fixed yet.

Mayor Rumbold wanted to note that the meeting with the DEC, she feels we owe thanks to the Manager, Deputy Mayor, Engineer Queenan, and Attorney Donovan for attending and getting positive results, thank you for your hard work.

### **Approval of September 19, 2017 Minutes**

Trustee Adams made a motion to approve the September 19, 2017 minutes. Seconded by Trustee Ramos. All ayes. Motion carried.

## **Trustee's Committee Reports**

### **DPW Liaison– Trustee Sebring**

Trustee Sebring reported that he spoke with Fred today and DPW has been busy repairing catch basins throughout the Village. Work in the new DPW building is still going on, things to be done in the shower stalls in the bathrooms and piping for air system in the building. The mechanic has been busy working on vehicles. Guys were busy patching the old water digs. Working on 2 new PD vehicles installing lights, radios and sirens. The Water Department put in 31 new meters and sent out more cards for residents to get into houses.

Mayor Rumbold asked for an ETA of the building to be completed including the punch list.

Manager Revella replied we don't have an ETA yet.

Trustee Sebring recommended when the building was finished that all the Trustees get a tour.

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

Trustee Ramos reported that he attended the September 25<sup>th</sup> meeting where he was very vocal about the owner of the bus company not being present at the time so parents could voice their concerns about school bus issues. Haven't had any negative comments from pushing ahead the start time of High School, so hopefully that is worked out. Harvest Fest was fantastic. Bradley Park was beautiful and we had enough space for everyone. Had a few hiccups at the beginning but ironed them out and next year it will be even better. Thanks to Walden Community Council and everyone who was present.

### **Police Department and Justice Department Liaison – Deputy Mayor Hoffman**

Deputy Mayor Hoffman reported that he met with Chief twice and they primarily discussed the Temple event the Manager mentioned previously and filling the vacancies in the department. We also discussed the communications with NYCOMCO and they met again yesterday and discussed the fleet. An interoffice memo was drafted by the Chief that everyone received summarizing where we are with the new SUVs which are 2-3 weeks out if all goes well. He also gives a status of our existing cars. Currently 2 cars are out of service and 2 are in service with further details in the memo. Lastly he gave us a long term projection to help us with the vehicle planning. This memo was in response to an inquiry by the Mayor.

### **Village Offices Liaison – Trustee Adams**

Trustee Adams reported that she had the opportunity to speak with Lisa Hickey from the Comptroller's office and she was able to put her concerns away. She was concerned because in the beginning it was only going to be here a short while and then we found out it was a 30 day audit. She advised that a 30 day audit is normal and they can go up to 6 months. She did a NYS Retirement audit and explained that NYS Retirement no longer has field reps and therefore the Comptroller's office does go out so they moved that job to them. She is focusing on the financial condition. She asked if there was anything that might be triggering her and she said that susceptible to stress factor is a factor but not the total reason. By December we should have a draft and then we need to respond within 30 days and the final report will be in the end of February or beginning of March. She wanted to thank the Clerk and the previous Clerks for taking such good notes with the Board minutes that she went back and looked through on the website. It gave a great history of

what has been asked for over and over again by certain people. Lastly Kelly had the misfortune of having an extremely rude encounter over the tax rebate about the Library which we have to remember is autonomous as it has its own Board and its own budget and we can't make them go any faster. She apologized that Kelly had to be the receiver of such bad manners over \$2,300.

### **Planning and Zoning Boards as well as the Building Department Liaison – Trustee Moore**

Trustee Moore reported that she didn't get to meet with Dean in person but has had several emails with him regarding several properties and tightening up our code enforcement. More to follow on that.

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

Trustee Thompson reported that the Town meeting comes after our meeting. The Rail Trail repairs are moving ahead on schedule and are hoping to be completed by end of October and things are going forward. They did secure the panels from the Tappansee Bridge to get Hill Street Bridge repaired. The Library has been incredibly busy. The Underground Railroad presentation was a not as well attended as we would have hoped but it was a great presentation. There was an Astronomer here from SUNY Orange and another author KL Going which will have 2 sessions one with Walden Elementary School and the other with Most Precious Blood students and on the 21<sup>st</sup> there is an interesting afternoon program with Mr. Liebman who was a pilot during the Cuban Missile Crisis at; that will be at 1pm. Still talking to different companies about the security systems at their next Board meeting tomorrow. And the children's section plans are moving forward.

Mayor Rumbold read the community events into the minutes.

Manager Revella explained that agenda changes for tonight are Letter A which is not on the agenda and G is potentially awarding the fuel storage tank bid.

### **Public Comment on Business of the Board**

Becky Pearson commented about the Standard Work Day resolution; why some employees get 8 hours and some only get 7.5 hours. Wouldn't it behoove to all be the same? Just a thought. The townhouse issue is on the agenda, can we discuss what you are talking about with regards to it.

Manager Revella stated that the thoughts are to table the matter at the moment. That is up to the Board of course but it will likely to be tabled. Feel free to make comments.

Becky continued that she read the letter in the packet which is confusing. She thought the law changes the affordable units from 20% to 10% that is what you are talking about.

Mayor Rumbold and Manager Revella both stated that is correct.

Becky said that in there somewhere, not part of this law, you granted an applicant a smaller sized unit, correct.

Mayor Rumbold stated we have granted nothing. The specifics were there would be 20% affordable units and they had a minimum of 20 feet and non-affordable units would be 24

feet. When 20% affordable were put into the mix those units could be a minimum of 20 feet the others had to be 24 feet.

Becky stated that the original law said everything was 24 feet.

Attorney Donovan stated he doesn't recall that.

Becky stated that when you changed it you changed the size of the units in the law.

Mayor Rumbold stated that affordable has always been a minimum of 20 feet everything else had to be 24 feet.

Becky disagreed. What did the applicant come back for in 2012?

Mayor Rumbold stated in 2012 there was a Trustee that brought forward the possibility of going from 20% affordable to conform down to the 10% that everyone in the County.

Becky disagrees.

Manager Revella stated there was a change from 22 feet to 20 feet for the affordable units, he does not recall how or why.

Deputy Mayor Hoffman stated that currently they are 20 feet wide, but you were leading into something.

Becky stated that in the law that is how it is stated now for every townhouse unit in the Village of Walden at any time. So now it's 10% not 20% they stay the same size at 10% as opposed to 20%.

Deputy Mayor Hoffman replied that personally, that is why he asked the Mayor to table this matter. So he can consider it further.

Becky feels that is a discussion to have in public. That is the same comment you gave the last time you discussed it.

Deputy Mayor Hoffman said he had the same question when he got the letter which caused him to go back and he looked at it again and he feels there is some confusion on what is being considered by this Board by the Developer.

Becky reminded it should not be drafted for one Developer it is for the whole Village.

Mayor Rumbold commented that when the law was drafted there was a certain legislative intent and we are not certain if the law, the way it reads, clearly represents that legislative intent and the Deputy Mayor would like to look it over. That is what the confusion is. We want to make sure the legislative intent it is clear so that everyone understands it.

Becky commented that as she understands it is either 20% or 10% and the affordable is x amount.

Mayor Rumbold stated it could be ambiguous so we want to consider if we want to craft it differently.

Becky commented that Trustee Sebring talked earlier about touring the DPW building. Why are you not touring it now while it is being built?

Mayor Rumbold stated we have been he meant an official tour when it was finished.

Mary Ellen Matise commented for the record about fluoride that she is still against it. You have things from experts but she still has the same sentiments from when they came here last time and she asked each of them if they drink fluoridated water and they all had private wells; not one drank fluoridated water. The townhouse issue; this letter is very bizarre. Alludes to having discussions in executive session about this; what is that whole deal? Their first target is senior citizens and she has still been asking about accessibility from the get go. How do they get to the 3<sup>rd</sup> floor bedroom? From July and May and there were comments in the press about a big investigation on affordable units and tax credits and the whole system. It highlighted regulatory problems in the system.

Manager Revella stated that sounds like low income not affordable which are 2 different things.

Mary Ellen replied it says affordable. It could be an issue with what is going on.

#### **Action Items**

##### **Property Maintenance - 64 Oak Street**

Tabled.

##### **Resolution 12-17-18: Parklands Reserve Fund Usage**

Trustee Adams asked if this money is for the new parking lot that was put in at Bradley Park.

Manager Revella confirmed.

Trustee Ramos made the motion for Negative Declaration under SEQRA for Resolution 12-17-18: Parklands Reserve Fund Usage. Seconded by Trustee Sebring. All ayes. Motion carried.

Trustee Ramos made the motion to adopt Resolution 12-17-18: Parklands Reserve Fund Usage in the amount of \$9,636.31. Seconded by Deputy Mayor Hoffman. All ayes. Motion carried

##### **Resolution 13-17-18: Justice Department Grant**

Deputy Mayor Hoffman made the motion for Negative Declaration under SEQRA for Resolution 13-17-18: Justice Department Grant. Seconded by Trustee Ramos. All ayes. Motion carried.

Trustee Moore made the motion to adopt Resolution 13-17-18: Justice Department Grant in an amount not to exceed \$30,000. Seconded by Trustee Adams. All ayes. Motion carried

##### **Resolution 14-17-18: Setting the Standard Work Day for all employees**

Trustee Adams made the motion to adopt Resolution 14-17-18: Setting the Standard Work Day for all employees. Seconded by Trustee Sebring. All ayes. Motion carried.

### **Fluoride Discussion (continued from 9.5.17 meeting)**

Attorney Donovan explained that at this point the Board has had additional information that has been submitted in writing as the requirement from the Health Department to consult with health professionals. If the Board is satisfied with the information and you wish to move forward to remove fluoride from the water at this point he would suggest that the Board authorize him to prepare a resolution to discontinue the fluoridation of the Village drinking water.

Trustee Ramos made a motion to authorize the Village Attorney to draft a resolution for the next board meeting to discontinue the fluoridation of the Village drinking water. Seconded by Trustee Thompson. 6 ayes, 1 nay (Deputy Mayor Hoffman). Motion carried.

### **Townhouse Affordable Units**

Tabled.

### **DPW Fuel tank storage facility award bid**

Manager Revella explained that the bids came back much higher than we had anticipated but our Engineers feel we can do a select portions of the bid to meet the immediate needs and can do the other items at a later date and time should we wish to. These items would include installation of items 4, 5, 6, 8, and 10 detailed on their bid form which states the following:

4-supply and install one twin dispenser with sump and platform, including gall piping and wiring, complete. Cost is \$15,856.00.

5-Supply and install all monitoring gauges, sensors and probes for electronic tank monitoring including all wiring and components. Monitor location to be determined by contractor and owner. Cost is \$16,795.00.

6-Supply and install a fuel management system that incorporates the use of programmable chip keys (40) and software to record all transactions and accountability for all departments that fuel at the site. Complete system shall be supplied and installed including all wiring and appurtenances. Cost is \$15,889.00.

8-Furnish and install underground conduits as needed and all electric and sensor wiring between the DPW building and the fueling devices, for a complete workable system. Cost is \$1,800.00.

10-Furnish and install six (6) inch concrete pad completed as detailed on plan. Cost is \$4,049.40.

The total of these items would bring it down to \$54,389.40. This is compared to the other bidder for the same items their total would be \$72,510.10 which is significantly more.

Attorney Donovan added that he spoke to Engineer Queenan today and confirmed that this is perfectly legal to do.

Manager Revella added that we can plan to do the rest of the work at a later date if at all.

Deputy Mayor Hoffman asked if we are getting something we can't use until it is fully finished.

Manager Revella replied no, it is usable now.

Deputy Mayor Hoffman made a motion to award the bid for the DPW fuel tank storage facility as recommended by the Engineer for items 4, 5, 6, 8, and 10 listed on the bid form submitted from American Petroleum Equipment and Construction Co, Inc. in the amount of \$54,389.40. Seconded by Trustee Adams. All ayes. Motion carried.

Trustee Ramos asked if there was any issue with us being in contract for the purchase of the 5 Cherry Street property with the bidder.

Attorney Donovan stated there is no issue because there is no connection between the two items.

### **Public Comment**

Wayne Connell lives on Wait Street and explained there has been an issue with speeding traffic coming down the hill. Wondering if we can do something about it perhaps a speed hump going down the hill down to N. Montgomery Street. There are a few bus stops there and there have been a few instances where the bus got passed by people. This is coming from Overlook down.

Manager Revella commented that the Attorney will need to make sure that speed humps are allowed, we have to look into it. He asked if the speeders were from the area.

Wayne replied yes a lot of them. A lot of complaints and a lot of walkers in the area and a lot of thru traffic there also.

Manager Revella stated he would speak to Chief Holmes.

Anita Vandermark thanked the Board for clarifying about Cherry Street, she was going to ask that as well. She can attest to what Mr. Connell said, she agrees. She delivers meals in that area and people go way beyond the speed limit. The dance from Harvest Fest was so well attended and everyone had a wonderful time. She thanked Becky McNally for her decorations. Mike Bliss truly did a great job and Tara as well. She asked about why Scofield Street was blocked today.

Manager Revella explained that on Ridge Avenue the catch basin was sinking and had to be repaired.

Anita asked if we could get a rug that can stick to the floor at Wooster Grove Gym for the entrance way so no one slips.

Becky Pearson asked about the shed by DPW, it used to be the ski lodge. Are we keeping it?

Manager Revella replied yes it is being used right now.

Becky added it could use some loving care and a coat of paint especially now that the beautiful parking lot and barn are there and she already mentioned the concession stand needs a little help too.

Mary Ellen Matise has a question about garbage cans, are they allowed to be left on the street at all hours of the day.

Manager Revella asked if she let the Code Enforcement Officer know.  
Mary Ellen replied no.

Manager Revella stated the cans just has to be curbside, not in the street.

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

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

### **Correspondence**

Everyone received the emails regarding fluoride.

Trustee Moore received an email from a disgruntled resident regarding code enforcement and she will be following through at the next meeting.

The Manager asked for a copy.

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

Trustee Sebring commented that Harvest Fest was a complete success there was a lot more people there than in the Square with a lot more activities and so it was a good move. He thanked the committee.

Trustee Ramos added that the dance had about 92 kids and 36-40 adults which was a blast. Nicely done by everyone again. Good evening to kick of Harvest Fest! The temperature was a bit low but it was wonderful. Kudos to the staff, he couldn't be more proud.

Deputy Mayor Hoffman agreed, it was a successful event, congratulations to everyone.

Trustee Adams added it was a fun event and she agreed with everyone's comments.

Trustee Moore agreed with everything said about Harvest Fest; thanks to all the work for that. The new website is great she thanked the Clerk for her role in that.

Trustee Thompson asked if any correspondence was sent to Mrs. Berrian.

Manager Revella replied yes and he spoke to her on the phone as well after she got his letter. There is an issue with the neighbors' roof which the Building Department is following up with.

Mayor Rumbold wished a Happy Birthday to Trustee Ramos who celebrated yesterday. The Harvest Fest dance was well attended and a lot of hard work went into making it great with lots of food and the music was great. There were a lot of entries in the baking contest

it was a hard decision. Thanks to the Walden Community Council and everyone who worked a year on getting the weekend together. Weather could have been better but as usual Walden rises to the occasion. She asked if the pillars outside Village Hall could be attended to they look unsightly.

Manager Revella replied as soon as we have a free minute to get down there.

**Village of Walden Board of Trustees  
Regular Meeting  
October 3, 2017  
Motions & Resolutions**

**Approval of September 19, 2017 Minutes**

Trustee Adams made a motion to approve the September 19, 2017 minutes. Seconded by Trustee Ramos. All ayes. Motion carried.

**Resolution 12-17-18: Parklands Reserve Fund Usage**

Trustee Ramos made the motion for Negative Declaration under SEQRA for Resolution 12-17-18: Parklands Reserve Fund Usage. Seconded by Trustee Sebring. All ayes. Motion carried.

Trustee Ramos made the motion to adopt Resolution 12-17-18: Parklands Reserve Fund Usage in the amount of \$9,636.31. Seconded by Deputy Mayor Hoffman. All ayes. Motion carried

**Resolution 13-17-18: Justice Department Grant**

Deputy Mayor Hoffman made the motion for Negative Declaration under SEQRA for Resolution 13-17-18: Justice Department Grant. Seconded by Trustee Ramos. All ayes. Motion carried.

Trustee Moore made the motion to adopt Resolution 13-17-18: Justice Department Grant in an amount not to exceed \$30,000. Seconded by Trustee Adams. All ayes. Motion carried

**Resolution 14-17-18: Setting the Standard Work Day for all employees**

Trustee Adams made the motion to adopt Resolution 14-17-18: Setting the Standard Work Day for all employees. Seconded by Trustee Sebring. All ayes. Motion carried.

**Fluoride Discussion (continued from 9.5.17 meeting)**

Trustee Ramos made a motion to authorize the Village Attorney to draft a resolution for the next board meeting to discontinue the fluoridation of the Village drinking water. Seconded by Trustee Thompson. 6 ayes, 1 nay (Deputy Mayor Hoffman). Motion carried.

**DPW Fuel tank storage facility award bid**

Deputy Mayor Hoffman made a motion to award the bid for the DPW fuel tank storage facility as recommended by the Engineer for items 4, 5, 6, 8, and 10 listed on the bid form submitted from American Petroleum Equipment and Construction Co, Inc. in the amount of \$54,389.40. Seconded by Trustee Adams. All ayes. Motion carried.

**Payment of the Audited Bills**

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