

**Village of Walden
Board of Trustees Regular Meeting
December 15, 2015**

Deputy Mayor Hoffman called the regular meeting of the Village of Walden Board of Trustees to order at 6:30pm.

On roll call the following were:

Present:

Deputy Mayor	Sean Hoffman
Trustees	Brenda Adams
	Edmond Leonard
	Gerald Mishk, Jr.
	John Ramos
	Brian Sebring

Absent:

Mayor	Sue Rumbold
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Also Present:

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

Manager Revella introduced Larry Sager who has been hired as our new Auto Mechanic who has joined us and is busy getting us ready for winter.

Presentation – Update on Speed Zones Around Parks

Brian Maher, Director of Communications at Senator Larkin’s office, stated that a state law would be necessary in order to change the speed zones around parks to be 25mph. That is also the official interpretation of NYS DOT as well. There are several other municipalities who have contacted their office and stated the same thing with the same requests so we are working on legislation to help work on this for Walden and the other municipalities with the same issue. Hopefully we will get it done. This should be an easy bill to get passed but it won’t likely get finalized until the end of June as 80% of most bills get passed in the last few weeks of session. Any official correspondence would be helpful.

Public Hearing – Local Law 2 of 2015 – Fire Lanes

Trustee Leonard made a motion to open the public hearing for Local Law 2 of 2015 – Fire Lanes. Seconded by Trustee Sebring. All ayes. Motion carried.

Becky Person, 167 Walnut Street, had questions that she looked up in the code book. There are no definitions and she just took a class that stated how important definitions are. What is a duly authorized emergency vehicle for example? Also can you elaborate on what a private road is? Say I have a private road and just decide to make a fire lane if I wanted to.

Manger Revella replied that is not correct. They would be designated by the Planning Board process.

Becky asked if that should be explained in the law then or does everyone know that. She didn't know that for example. Maybe it pertains to the Thruway market as we did in the past. The way she read it made it seem like anyone could just put in a fire zone. Why would we do something on someone's private property? Tax payers shouldn't be doing that. Is that what is happening.

Deputy Mayor Hoffman stated he wanted to be clear that this local law is allowing enforcement of fire zones, it doesn't create fire zones.

Becky replied that she gets it but the enforcement requires tax payer dollars. Why would that be? She's guessing that it has to be for the Thruway because that's what it was years ago. What if she wants something in front of her house, can she do that?

Deputy Mayor Hoffman replied that is not the intent of the law.

Becky just wanted to show that the private roadway doesn't make it clear to her, same with the handicap law but she'll come up and talk about it then. Maybe you can explain that to her.

Manager Revella stated that in the case of the Thruway shopping center it already is in the books but we have not been able to enforce it like we should be and the Thruway is private property, that's why it's in there. There are several others as well.

Becky asked if we have to enforce that.

Manager Revella replied that we are supposed to, just like any other law.

Deputy Mayor Hoffman clarified that if someone currently parks in a fire lane the police department doesn't have the authority to ask them to move.

Attorney Donovan replied that the NYS Uniform fire prevention and building code establishes when we need to have fire lanes and the reference of private roadways was not meant to encompass a development with private streets. It was to include a shopping or strip mall or some corporate property with a private roadway that if there was a vehicle parked in a fire lane would inhibit them from getting them there so that they didn't prevent a fire from being put out and keeping it safe.

Manager Revella added that if we have to expend public funds for that purpose that is to save public lives.

Becky stated that she is getting that but she is talking more about the definitions and how important they are and that there are none in this law. What is a duly authorized vehicle? Is it chief's vehicle, is it any vehicle with a blue light on it, that's her point.

Attorney Donovan replied that there are certain protocol that when you come to an emergency response situation about who has jurisdiction so he didn't feel it was appropriate to micromanage who was there to respond. If the board wants to make a change he certainly can.

Becky stated that her point is that it doesn't state what a duly authorized emergency vehicle is.

Trustee Mishk stated it is described in the NYS vehicle and traffic law.

Becky replied sure, but it is not in our code, so should we state that in there, that is her question.

Trustee Mishk stated he doesn't feel it needs to be in our code based on the fact that the enforcement is going to be done by the police department and they have a good understanding of the vehicle and traffic laws. Both laws came up as a result of a hole left in the system. They were unenforceable under state code so we had to make our own laws to be able to enforce them.

Becky asked if they are unenforceable under state code then maybe we need to put the definition in the local code because that is what you are doing.

Trustee Mishk replied that we can't enforce it under state code because it has a definitive number of patrons and spots and stores and made it unenforceable on private property whereas the state says that every building in a public place has to have a certain amount of spots and a fire zone. We are trying to fill the gap for enforcement, the state needs to go back and fill the gap in the law.

Becky replied that she was not arguing that. When she read the law she thought what does that mean to me if she is someone who reads the code and how does she interpret the law.

Trustee Mishk made a motion to close the public hearing for Local Law 2 of 2015 – Fire Lanes. Seconded by Trustee Adams. All ayes. Motion carried.

Attorney Donovan stated that the language proposed was something that the police department asked for about the duly authorized emergency vehicle. They suggested it. Board could strike it or make a reference to what the definition might be you are welcome to do that. The issue that does come to mind about the private roadways; you could read that as someone could do that on a whim but that is not the intent of the law of course. He would suggest adding the words in accordance with applicable law which would make it read better.

Deputy Mayor Hoffman asked about the private properties and if the Planning Board process ends with a fire zone required on that property, for example Dunkin Donuts, do we then need to take action to enforce it there.

Attorney Donovan stated that we wouldn't paint the lines but we can compel them to paint the lanes.

Deputy Mayor Hoffman clarified, does this Board need to take action in order for it to be covered by this law or once it's part of an approved site plan does that designate it.

Attorney Donovan replied that we could do that but we don't do that with each private entity which is who we are trying to corral in this situation.

Trustee Leonard asked if it was normal in the Engineering and site plan review to look at the fire zone requirements.

Deputy Mayor Hoffman replied yes and also the Building Inspector is involved as well under state codes.

Trustee Sebring thought that at one time we needed a letter from say the Thruway for people to go in there and cite people.

Attorney Donovan replied yes under state law but this is not the same when you are below a certain level which is what we are trying to capture here.

Trustee Leonard asked if there is a page of definitions where these could go.

Attorney Donovan replied that in 1993 there is definitions but nowhere else in there.

Deputy Mayor Hoffman asked if they are identified in the NYS vehicle and traffic law.

Trustee Mishk replied yes they are clearly identified. We could reference the definition in the local law.

Attorney Donovan stated that the idea was to capture the hole in the enforcement. The areas are all designated areas on private property and public property. Those that are done via the Planning Board or Village Board at one time. If it is not clear and you think it needs clarity or modifications, it should not be approved. This process is to get public input and input from the Board in order to improve the document.

Deputy Mayor Hoffman stated that we could go all night but what is proposed is good and he is personally ready to take action on this.

Attorney stated that if the modification are minor only such as adding as defined by law and in accordance with applicable law, those are minor clarification items so they don't require an additional public hearing. If it's unclear and we want to make bigger changes it is better in the end of the day if we identify it. Consider having a separate section in the code which calls them out by property. Use changes or if the building gets changed would that now have to come back to the appropriate Board of the Village. If it's that kind of change we may need another public hearing.

Clerk Bliss stated that since local laws must be filed in numerical order this introductory local law now becomes 1 of 2016.

Trustee Ramos made a motion to set a public hearing for Introductory Local Law 1 of 2016 – Fire Lanes for Tuesday, January 5, 2016 at 6:30pm or as soon thereafter as the matter could be heard. Seconded by Trustee Sebring. All ayes. Motion carried.

Public Hearing – Local Law 3 of 2015 – Handicap Parking

Trustee Sebring made a motion to open the public hearing for Local Law 3 of 2015 – Handicap Parking. Seconded by Trustee Adams. All ayes. Motion carried.

Becky Pearson, 167 Walnut Street, just wanted to bring up the definition thing again. What constitutes handicapped? She knows you said it's in the law but she worries that it's not in the local law.

Trustee Ramos made a motion to close the public hearing for Local Law 3 of 2015 – Handicap Parking. Seconded by Trustee Leonard. All ayes. Motion carried.

Clerk Bliss stated that since local laws must be filed in numerical order this introductory local law now becomes 2 of 2015.

Trustee Mishk made the motion for Negative Declaration under SEQRA for Local Law 2 of 2015 – Handicap Parking. Seconded by Trustee Ramos. All ayes. Motion carried.

Trustee Mishk made a motion to Adopt Local Law 2 of 2015 – Handicap Parking. Seconded by Trustee Leonard. All ayes. Motion carried.

Public Hearing – Waterfront Evaluation Plan (Greenway Grant)

Trustee Leonard made a motion to open the public hearing for the Waterfront Evaluation Plan (Greenway Grant). Seconded by Trustee Sebring. All ayes. Motion carried.

Manager Revella stated that we did send out the plan to the County and we have not gotten any comments back from them. We actually had a conference call with the Greenway committee and they wanted us to do more work to it. Plan itself will remain the same but they recommended and told us we cannot close the hearing until they receive it and review those.

Deputy Mayor Hoffman asked if the County gave us a date they would have the comments back to us.

Manager Revella replied no, but it should be within the 30 days as they did contact us again today.

Trustee Mishk made a motion to adjourn the public hearing for the Waterfront Evaluation Plan (Greenway Grant) until Tuesday, January 5, 2016 at 6:30pm or as soon thereafter as the matter could be heard. Seconded by Trustee Adams. All ayes. Motion carried.

Trustee Leonard asked if the plan was proposing a Boardwalk close to the damn, in the past he's seen a safety line doe we have that.

Manager Revella stated that the boat launch and park are already there and the safety line by buoy is there also.

Hearing – 9 Sadlier Lane

Manager Revella explained that we received a letter yesterday from the property owner stating that she was hiring a contractor to have the pool removed completed and will do so within 30 days. Table this item until our January meeting as it should be resolved.

Village Manager's Report –

- Police Officer Monique Shorette is retired as of December 10, 2015 and Laborer William Eckert is retired as of December 11, 2015.

- We were awarded a \$45,000 grant for engineering and planning to do some planning for our sewer improvements. That will be helpful.
- We were awarded a \$30,000 CDBG grant for Wait Street sidewalk project. It is not for the full amount of the project but it will put a dent in it.
- Correspondence with our insurance company about a few ongoing litigation cases. He will keep the Board updated as he gets information.
- Attended the DARE graduation was wonderful experience and had a great keynote speaker Deputy Mayor Hoffman. Chief received many accolades for his work as the NYS Juvenile Officer of the year.
- Met with Planner and Recreation Coordinator regarding street scaping and what we can do with the tree matter we will be discussing later on tonight.
- Attended an arbitration seminar in NYC and gave the Mayor a few updates but can discuss with anyone else who would like to be briefed.
- Went over the snow policies with the Chief, Recreation Coordinator and the Working leader.
- Sunshine society luncheon at the Walden house. We got a gift that will be hung in the room shortly. Picture of the Fowler Building and McKinley Monument area. Great Village attendance himself, the Clerk, the Chief, the Librarian, the Mayor and the Recreation Coordinator.
- Went over some union matters with CSEA and PBA and hopefully they are rectified soon.
- So everyone is aware on Tuesday the 8th there was an accident with an 18 wheeler and a Train on Grant Street. He has been in contact with the railroad organizations who run that rail line to get them to address safety along that rail line. They are working on it and promised they would follow up. Forwarding them the police reports as ammunition to get that moving.
- The mechanic began working and we set up a priority list as well as developed some forms to help things move smoothly with other departments.

Trustee Leonard asked what the extent of the damages were with the train wreck.

Manager Revella replied that the 18 wheeler was drivable during the day but had some minor repairs. The train sustained some minor damages of paint. No injuries.

Approval of the November 17, 2015 Minutes

Trustee Adams made a motion to approve the November 17, 2015 minutes. Seconded by Trustee Sebring. All ayes. Motion carried.

Approval of the December 1, 2015 Minutes

Tabled as the minutes were not available.

Trustee's Committee Reports

Town of Montgomery & Library Board liaison – Trustee Leonard

Trustee Leonard reported that he attended the Library Board meeting and they discussed their upcoming budget and they will be looking for a raise which will come out shortly for the election. Talked to Ginny about the lack of participation with the Town budget and she's going to work up some numbers about the Town residents they serve.

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

Trustee Ramos reported that he met with Mr. Bliss on the wonderful job on the Tree Lighting. Everyone had a great time with good weather. Attended school board meeting on the 7th and a few things that were brought up were they are looking to change the High School graduation times and if anyone has any discussion on that please let him know. There were 2 no votes on that and they were going to only give a moment's notice of the time change which he feels is not feasible for family traveling for graduation. Also attended the Library Board meeting which was interesting.

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

Deputy Mayor Hoffman reported that Dean has been out since the beginning of the month and we will review some things when he returns.

DPW Liaison– Trustee Sebring

Trustee Sebring reported that he met with Fred Perna today and talked about the new trucks that came in for DPW including his SUV and the vehicle for Mike Bliss. They are out being undercoated and lights being put on. They talked about the water break on West Main Street where the tree roots are growing right through the water shut off valves so we'll be talking about that shortly. The mechanic went over the truck and made sure things were working correctly.

Village Offices Liaison – Trustee Adams

Trustee Adams reported that she met with Peter today and went over a lot of items including the cash report from the end of November. Some follow up work we need to do and speaking to the Manager but think we made a lot of progress today.

Police Department Liaison – Trustee Mishk

Trustee Mishk reported that he met with Chief and discussed issues such as the new car they just got in and the bids for the lighting packages for the new car which should be online as soon as the equipment comes in. Spoke about the body cams for the officers. Going through some beta test and have found some things they need to address in the polices. Chief is shooting for Christmas week as the week they get things online with those. Talked about the parking ticket which we came up with a quick fix until we get the new tickets. He spoke with the Judge and he said he is fine with whatever the Board comes up with regard to them.

The Deputy Mayor read the community events into the minutes.

Public Comment on Business of the Board

Becky Pearson, 167 Walnut Street, asked about the Skateboard law. Have we had problems with the confiscation of the skateboards? What is the liability is it really that big? Their parents should be responsible. This law seems like the dog law where an officer needs to see the action. She sees no need to change it in any way. In the last 10 years how many times have we even done this?

Manager Revella stated we don't like to take the chance with someone's private property. The concern is about a reasonable fine and penalty from the judge.

Becky asked if that is the reason they don't enforce it.

Manager Revella stated it could be skewed data.

Becky stated that as a board member she would like to see that. The definitions comment on the other laws maybe we should make reference to the state law maybe just do that. Trees on Main Street, trees will seek out water so if you have a lot of water lines there she gets why it is a problem. Is it the lighting or just the water lines that you're worried about? She would suggest using the same color lights throughout the lamp posts. Not going to use the lights anyway is it really a concern, what else do you use the electric for.

Manager Revella added we are worried about the electric to the poles also, the conduit that runs from pole to pole will be affected.

Deputy Mayor Hoffman added there is another issue with the trees not sure if she's seen it, but the tree well grates are coming up and the sidewalks are coming up too.

Becky commented that she gets it but she walks in Montgomery on the big beautiful slate sidewalks that are coming up and people still manage to get where they want to go. Understands the liability issues but it's going to look ugly. She feels there are bigger issues. No different than the skate board park.

Action Items

Hearing Request – 3 Utopian Place

Tabled as this property maintenance issue has been complied with.

Discussion Items

Introductory Local Law 4 of 2015 – Skateboarding Penalties

Manager Revella stated that we have had issues with enforcement in the judiciary as we have had officers enforcing the law and when getting to the court there was no remedy for the judge past the confiscation. It became complicated at court as to how long we keep it, are their storage fees and it just didn't seem practical. They have been held in evidence which we don't have a lot of room for.

Deputy Mayor Hoffman confirmed that this would not eliminate the confiscation, it just adds another enforcement level in addition to community service and perhaps a fine.

Trustee Mishk feels we need to put something in place there as there isn't a day that goes by that someone isn't riding down the middle of Wait Street causing cars to veer out of the way and/or stop short. One case this summer a car went on the sidewalk to avoid skateboarder.

Trustee Leonard added that on South Montgomery Street until recently they had one person every day as a regular occurrence and was worried about a potential catastrophe.

Trustee Adams stated that her concern is the same as it was before; \$250 is a lot of money for some of these kids' families. You also had mentioned community service but she doesn't see it here.

Manager Revella clarified that the fine is up to \$250.

Trustee Adams asked if we can add community service.

Attorney Donovan replied that the court has the ability to do that on their own. He added that it is often difficult finding places to do that.

Trustee Adams stated it's not about the money it's about teaching children.

Manager Revella agrees but stated that finding an organization that will allow them to come in due to liability issues and the cost of the supervision of said community service is difficult. It's a good learning tool but hard to find organizations that will accept this. If there was a list he would randomly rotate through them or give them the list.

Trustee Adams asked if they could volunteer with the Village like raking leaves at Olley Park.

Manager Revella stated we would still have the same issue; still have to pay workers compensation and would have liability issues.

Attorney Donovan added that it's like having a teenager do a job on behalf of your organization but he or she doesn't do a good job what happens then. Better in concept than in practice.

Trustee Adams asked what happens if they can't come up with the money.

Trustee Mishk stated that it's the same as with traffic tickets, they can set up payment plans.

Clerk Bliss stated that since local laws must be filed in numerical order this introductory local law now becomes 2 of 2016.

Trustee Ramos made a motion to set a public hearing for Introductory Local Law 2 of 2016 – Skateboarding Penalties for Tuesday, January 5, 2016 at 6:30pm or as soon thereafter as the matter could be heard. Seconded by Trustee Mishk. All ayes. Motion carried.

Trees on Main Street

Manager Revella explained that last fall we were concerned with issues with heaving sidewalks as we received numerous complaints from residents as well as electric concerns with the ornamental lights on Main Street and in the Square. We had said we would look at this as the trees are getting bigger and intruding more and more every year. Arborist explained we couldn't put another tree in the same hole as the root system would compete with the old root system there. At that time we looked into planters and pruning every year. We did do the pruning but as we discussed the trunk and root system every year continues to impede our utilities and continues heaving the sidewalks. Our utilities are in line with the way the roots are planted but it is impeding extremely poorly on the electric system that goes to the outlets and the lighting electric system for the ornamental lights.

Deputy Mayor Hoffman asked if the wrong species of trees were installed that caused this issue.

Manager Revella replied that's what the arborist says but at the time they were told they were a different species.

Deputy Mayor Hoffman asked if we were having any issues taking service off the fixtures that are there now or is there not a problem with them yet.

Manager Revella replied that we have but fortunately the electrician has been able to fix them by pulling new wire. Problem is now that the conduit for the trees and the lights are very close and will eventually be the same problem and will not be able to feed wire if we let it continue.

Deputy Mayor Hoffman stated that this would obviously need to be worked into the budget. We talked about costs in the past which was substantial. That's likely why we are where we are today with this.

Manager Revella stated that the Planner is looking into options. Obviously the beautification of Downtown is important to us as well as the businesses and keeping great curb appeal. Over 15,000 people drive through our downtown every day and we want to make a good first impression. We really need to think hard about our design goals to keep curb appeal but consider that it may be too much of an impediment to keep the trees there. Perhaps we down play a little bit and put in small planters with trees or shrubs. Maybe design work in the footprint where the trees used to be. Not sure just yet, we need to look at the options. Second issue is the ornamental light poles with the painting issue there. We are looking into getting a newer design that we don't have to worry about repainting them. As we move through this process we may find other issues we need to address.

Deputy Mayor Hoffman asked to get something in place where we would be able to see what it would look like to get a better idea. It would be helpful to visualize. Removing the trees will be substantially different look to the street so the visual will really help.

Manager Revella suggested that the Board in their travels take a look at the planters in the Village of Goshen to check those out. They seem feasible and looks good. The Recreation Coordinator and Working Leader in DPW will work with the Planner and hopefully the Beautification Committee of the Community Council to help us too. This is a big problem but not something we can put off, we will need to address this sooner than later.

Deputy Mayor Hoffman had been to White Plains and had removed grates and put in short fencing. Might be an option around the triangle but not Main Street due to the heaving of the sidewalks that White Plains doesn't have.

Trustee Adams asked if the containers would have to be taken in during the winter.

Manager Revella replied that hopefully we pick one that can be left in the winter months as that would likely be the best option for us. Removal seasonally would be an issue.

Trustee Adams also noticed that in 2014 the minutes said there were 4 trees with issues and another 6 that had electrical concerns. Has that number increased since then?

Manager Revella replied yes, it's more than 10 now.

Trustee Adams asked about NYSEG coming in to take 10 feet of the tree during their trimming, have they threatened to do that again.

Manager Revella stated they work with us as much as possible to keep the trees and the curb appeal looking good. They do sometimes hire outside agencies to do their work and they are the ones that do the hack jobs.

Trustee Sebring asked if there were any trees that have the water shut off valves close to the trees.

Manager Revella replied yes there are. We had to fix 2 in the last few years and the one the other day.

Trustee Sebring asked if we were looking at taking them out so there isn't a problem.

Manager Revella replied yes we would have to relocate those at the same time as we did this.

Deputy Mayor Hoffman stated this is one of those projects that as we continue to do work we will likely find other things that need to be repaired as well including gas lines and other utility lines. He asked Manager Revella to work with Mike Bliss as well as the Planner and Engineer to come up with some cost figures and get us a visual example which would be helpful.

Village Vehicle and Traffic Fines

Trustee Mishk stated that we are trying to revise our parking tickets to include a mailer envelope. The judge says that there are sections of our law that have varied fines and would put a lot of determination of the fine on the person who violated the law which wouldn't be clear and would likely cause much confusion. They came to the conclusion to have one fine for each type of violation.

Trustee Leonard commented that we currently have a progressive fine for certain violations.

Trustee Mishk added that the judge has discretion so he tends to go a little easier. That option will always be there that they can choose to not mail it in just bring it in to court.

Manager Revella stated that we are low on parking tickets at this moment. Chief wants us to resolve the matter quickly and wants to be sure to satisfy the concerns from the court and to make it easier for the public as well. May find it easier to see the fines and just pay them instead of going to court. We were thinking of putting the 10-15 most common violations with the fine listed and a box for other on them and get this finalized so we can get moving on it as it has been taking way too long. We just need the Board to determine the fine amounts.

Trustee Ramos made a motion to authorize the Village Attorney to draft Introductory Local Law 3 of 2016 - Vehicle and Traffic Fines for review by the Board. Seconded by Trustee Mishk. All ayes. Motion carried.

Public Comment

Anita Vandermark, 76 Highland Avenue, commented that she saw 2 men patching sidewalks by the Mobil and the other gas station. Did the Village hire him?

Manager Revella replied no.

Anita asked if they were supposed to be piecing the sidewalk together like that.

Manager Revella replied that it is the same owner of each gas station. It's a state right away so they would need their authority, not ours. Maybe they were just filling cracks in the sidewalk.

Anita asked who authorized them.

Manager Revella replied not us.

Anita continued by asking about 55 Main Street with the scaffolding. How long will that be up there? There is never anyone working there.

Manager Revella replied they were working there today and their permit is good for 1 year.

Deputy Mayor Hoffman stated that Dean has been out and that is one of the things he wanted to talk to him about with John.

Anita thanked the Village and the Recreation and Parks Department for a very nice trip to Westchester Dinner Theatre; Pat and Sandy did a great job chaperoning us. She also mentioned the 100th anniversary of the Library which was a wonderful event and a great concert. She asked why there is a graduation time of day change for Valley Central High School.

Trustee Ramos replied that they were talking about at the Board meeting. Evidently weather is a factor and it was too late in the evening and sometimes the weather would come later in the afternoon. He is eager to hear their mentality there but he was scratching his head when they brought that up, so there will be more to follow.

Anita asked about Community Center and that there is no funding.

Manager Revella replied that we did not get awarded funding but haven't gotten an official denial letter.

Anita stated that we are the largest Village in the area and we are the only one that doesn't have a community center. The New Year's Eve Fireworks for Midge is nice to honor her but she would likely really appreciate a community center. Think about things you can cut and that is one item. She thinks Midge would agree with her.

Rebecca McNally, 52 Oakland Ave, stated that she completely agrees with the \$5,000 for the fireworks and that money could go a long way for some of our youth programs down at Wooster Grove. Speaking of Wooster Grove, there used to be lights at the sign at Wooster Grove but not sure if they don't work and that entry way is dark for kids that are attending activities.

Manager Revella replied that the electric there doesn't work, it needs to be rewired.

Becky continued that some sort of lighting should be considered there. It's a danger. With regard to the trees on Main Street, the beautification committee would love to meet with the planner and are available to meet. She asked why the Recreation Center is closed over Christmas vacation and the reason behind that.

Manager Revella replied that it is normally closed that time of year. So people could be with their families.

Becky stated she was just worried about the kids that don't have anything.

Becky Pearson, 167 Walnut Street, commented that the Board had discussed HR 218 a few years ago and wanted some clarification. Do you have to have the permit from where you retired from?

Trustee Mishk replied no, the Sheriff's Department and private organizations are doing training there as well.

Becky stated she wasn't sure if it had to be done where you retired from. It says that the officer needs to meet at his own expense the same qualification as an active officer within the state he resides. Doesn't sound like the Village has to pay for the officer to be trained. It says you do not need. What was the Biomass from the last meeting about?

Deputy Mayor Hoffman replied it was tabled as it was a provision to the agreement that was previously adopted by the Board and it had come from his creditors that they would take over operation of his facility in the event he couldn't.

Becky commented about the fireworks that she too agrees. If it was tied to an event it would be ok but it's not so she agrees they should go and happy not the only one saying that now. Maybe tying it to an event or making adjustments to where that money is spent. Skateboards in the middle of the street, she gets that, but she also gets people who walk in the middle of the road instead of using the sidewalks, so where is the law for pedestrians in the middle of the street every day at all times of the day. Someone made a comment about being critical of the laws that you are putting together and she took offense to that as she didn't think that a public hearing was being critical she felt it was a place to say something that maybe was brought up or a prospective they hadn't thought about. Maybe that's why people don't attend meetings because they feel like no one gives a crap about what they have to say. If someone has a comment about what you are working on and you may not believe what I'm saying or want to hear it but it doesn't mean you have to agree with me but it still should be heard. The community service issue with the skateboards, what about groups like the masons or the knights that are right here. Maybe we can approach them with that.

Manager Revella replied that the court has inquired and they have had difficulty and little response.

Becky commented on the fines they are going to be setting on the tickets. If you set it and they come to court can the judge go higher than what is on the ticket?

Attorney Donovan replied that he can do less but not more.

Becky continued that she feels that's why it was put in that way as he is restricted with just one fine and the other way he isn't as restricted on how much he can fine someone. The Main Street trees, she has a big planter at her house and if that is something that the Board would consider that would be great. There might be other opportunities not just little barrels that other places have on their streets. Lights at Wooster Grove; can we get the solar lights fixed. Maybe the batteries just need to be replaced?

Michael Stanco, 45 High Street, has an issue about the unequal enforcement of Village codes. He has had some issues with overgrown weeds and things left in his yard. Every month or so he gets a letter from the Code Enforcement Officer, but across the street from him is an abandoned building that has broken glass and is not boarded up. Another neighbor is doing a new roof without a visible building permit. And there are others in his neighborhood. He does not appreciate someone telling him that they are going to come take things off his property. It's more a form of harassment than anything else. Would like to know why these other people haven't been written up but if they have perhaps he is wrong.

Manager Revella replied that if he is referring to 34 Capron Street, that has been written up. The other properties you are referring to are on Bank Street and they have been before the Board as there are issues there.

Michael asked if the Village codes apply to the Village as well such as weeds that are overgrown inhibiting the fire hydrants don't apply to the Village.

Manager Revella replied that he would have to see which one he is talking about but we don't maintain the streets that is the property owner's responsibility.

Michael stated that his responsibility ends at the end of the sidewalk.

Manager Revella stated he would need to see.

Michael stated all he knows is that the hydrant near the corner has weeds over 3 feet tall there and it has been that way for 3 years and covers the fire hydrant in the street.

Deputy Mayor Hoffman stated that generally code enforcement is a complaint driven business. They respond to complaints. The issue with the fire hydrant he is sure the Village Manager will take care of it, but if it doesn't, let us know and we will take care of it. The other properties he would say if your neighbors are not compliant, let us know and they will dispatch the code enforcement officer and Building Inspector to them. Not sure if there were complaints or if he noticed it himself. Generally he's an equal opportunity enforcement officer. He knows it may feel like he is being singled out but even tonight you might have noticed we had property maintenance issues on the agenda. If you get one and you need more time to comply just write him a letter or call him and he will give you the time you need.

Michael stated that it just seems like every week or every other month he's getting something. Only thing he has left is his planters there on his tiny lot 50 x 50 lot. It's a
December 15, 2015

small property and not a place to put it where you can't see it from the street which is an issue there because he can't put a fence up there. So it's a difficulty for him. Talked to the code enforcement officer when he sees him and then complies with the request and then something else is wrong. It's now been 6-7 different complaints he's had to address and take care of. That's why he feels it's unequal because when he talks to his neighbors they have issues that haven't been addressed. The other thing he wanted to bring up is the fire hydrant and snow removal. For some reason it gets piled up over the hydrant and he has talked to the driver and asked if they can just go straight past and not do that and it gets even worse on that corner hydrant. If he digs and he buries it again and he can't handle it anymore. It gets up to 7 feet high.

Deputy Mayor Hoffman replied that he too has a fire hydrant by his home and the same thing happens to him, so he can empathize with him.

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

Trustee Mishk commented that the DARE graduation was impressive and well attended. It was a very nice thing.

Trustee Adams commented that the Toys for Tots train was very nice glad it made it through without an accident. She asked where we stand with the rehab loan guidelines and maybe having them ready for the January meeting.

Manager Revella replied he is working on them.

Trustee Sebring asked what the status is of 1-5 Orange Ave. They have a dumpster that's been sitting there full for a week and a half at this point.

Deputy Mayor Hoffman replied that they received a demo permit and starting work tomorrow. Dumpster is through a private company not the demo company.

Trustee Leonard commented that the grand reopening of the Library and 100th anniversary was very nice and well attended. He wasn't able to make the concert but the rest of the event was great. Come visit the library it's gorgeous since the renovations and they did it with all volunteer funds.

Deputy Mayor Hoffman also attended the DARE graduation as his son graduated. It was great and he thanked Trustee Ramos and Trustee Mishk who attended as well as the Village Manager who also had a graduate in the program. The tree lighting was great too, we had good weather, and it was well attended. Hopefully we could have more participation from the school next year as that was missing this year.

Executive Session

Trustee Ramos moved to go into executive session to discuss Attorney Client Privilege pertaining to 92 Hill Street and the personnel history of a particular person. Seconded by Trustee Leonard. All Ayes. Motion carried.

Reconvene

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

Adjournment

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

**Village of Walden Board of Trustees
Regular Meeting
December 15, 2015
Motions & Resolutions**

Public Hearing – Local Law 2 of 2015 – Fire Lanes

Trustee Leonard made a motion to open the public hearing for Local Law 2 of 2015 – Fire Lanes. Seconded by Trustee Sebring. All ayes. Motion carried.

Trustee Mishk made a motion to close the public hearing for Local Law 2 of 2015 – Fire Lanes. Seconded by Trustee Adams. All ayes. Motion carried.

Clerk Bliss stated that since local laws must be filed in numerical order this introductory local law now becomes 1 of 2016.

Trustee Ramos made a motion to set a public hearing for Introductory Local Law 1 of 2016 – Fire Lanes for Tuesday, January 5, 2016 at 6:30pm or as soon thereafter as the matter could be heard. Seconded by Trustee Sebring. All ayes. Motion carried.

Public Hearing – Local Law 3 of 2015 – Handicap Parking

Trustee Sebring made a motion to open the public hearing for Local Law 3 of 2015 – Handicap Parking. Seconded by Trustee Adams. All ayes. Motion carried.

Trustee Ramos made a motion to close the public hearing for Local Law 3 of 2015 – Handicap Parking. Seconded by Trustee Leonard. All ayes. Motion carried.

Clerk Bliss stated that since local laws must be filed in numerical order this introductory local law now becomes 2 of 2015.

Trustee Mishk made the motion for Negative Declaration under SEQRA for Local Law 2 of 2015 – Handicap Parking. Seconded by Trustee Ramos. All ayes. Motion carried.

Trustee Mishk made a motion to Adopt Local Law 3 of 2015 – Handicap Parking. Seconded by Trustee Leonard. All ayes. Motion carried.

Public Hearing – Waterfront Evaluation Plan (Greenway Grant)

Trustee Leonard made a motion to open the public hearing for the Waterfront Evaluation Plan (Greenway Grant). Seconded by Trustee Sebring. All ayes. Motion carried.

Trustee Mishk made a motion to adjourn the public hearing for the Waterfront Evaluation Plan (Greenway Grant) until Tuesday, January 5, 2016 at 6:30pm or as soon thereafter as the matter could be heard. Seconded by Trustee Adams. All ayes. Motion carried.

Approval of the November 17, 2015 Minutes

Trustee Adams made a motion to approve the November 17, 2015 minutes. Seconded by Trustee Sebring. All ayes. Motion carried.

Introductory Local Law 4 of 2015 – Skateboarding Penalties

Clerk Bliss stated that since local laws must be filed in numerical order this introductory local law now becomes 2 of 2016.

Trustee Ramos made a motion to set a public hearing for Introductory Local Law 2 of 2016 – Skateboarding Penalties for Tuesday, January 5, 2016 at 6:30pm or as soon thereafter as the matter could be heard. Seconded by Trustee Mishk. All ayes. Motion carried.

Village Vehicle and Traffic Fines

Trustee Ramos made a motion to authorize the Village Attorney to draft Introductory Local Law 3 of 2016 - Vehicle and Traffic Fines for review by the Board. Seconded by Trustee Mishk. All ayes. Motion carried.

Payment of the Audited Bills

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

Executive Session

Trustee Ramos moved to go into executive session to discuss Attorney Client Privilege pertaining to 92 Hill Street and the personnel history of a particular person. Seconded by Trustee Leonard. All Ayes. Motion carried.

Reconvene

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

Adjournment

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