

**Village of Walden
Board of Trustees Regular Meeting
October 6, 2015**

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

On roll call the following were:

Present:

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

Absent:

Also Present:

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

Mayor Rumbold announced the resignation of Trustee Bernard Bowen and introduced John Ramos who she appointed to fulfill the remainder of his term. Welcome Trustee Ramos.

Hearing – 53 Wileman Avenue

Jay Buchalski, Code Enforcement Officer, stated that the condition of the property hasn't changed since the original violation letter. Things have been moved around but the debris is all still there including a refrigerator, buckets, a mattress, paint cans and other debris all over the property. There has been no contact from the owners either.

Mayor Rumbold stated for the record that the owner is not in attendance tonight.

Trustee Sebring made a motion to clean up the debris on the property of 53 Wileman Avenue and charge any fees associated with said clean-up to the property owner. Seconded by Trustee Ramos. All Ayes. Motion Carried.

Hearing – 62 North Montgomery Street

Jay Buchalski, Code Enforcement Officer, stated that the condition of the property hasn't changed since the original violation letter. There are 2 separate violations for this property. One is for the camper shell that someone appears to be or was living in. The pipe that was going into the ground has since been removed but the electric is still hooked up. It is considered a partially dismantled vehicle. The other violation is for the debris that is still all over the property. The owner asked for more time, until September 11th, to remove the debris. Since then, about 60% has been removed to date but there is still debris all over the property.

October 6, 2015

Steven Purdy, 62 North Montgomery Street, stated that he doesn't contest anything on the violations. This mess got there over the last few years. It is not his fault but that is no matter. He is partially disabled, and just had a broken leg therefore he is not fully capable of cleaning up everything on his own. He tried to do it on Wednesday but it rained all day and night. He is asking for a few more weeks to clean everything up.

Deputy Mayor Hoffman stated that he appreciates him coming out, there are a lot of other property owners who don't even bother to come, so thank you. Is there someone living in the camper?

Steven stated his brother lives in it from time to time. He has been trying to fix things up and has put the wheels back on and working on getting the registration done.

Mayor Rumbold asked if that is allowed in our code.

Attorney Donovan replied no, you can only have one dwelling on a property.

Manager Revella stated that there are 2 issues on this property. The question is if the Board wants to give more time. Our next meetings are October 20th or November 17th.

Deputy Mayor Hoffman suggested if the clean-up is not done by 'x' date the Village will take care of it.

Steven replied that he can do it by the 17th of November. He didn't know the transfer station was closed on Sundays.

Trustee Ramos asked about the power source to the camper. Is it a cord or how is it powered?

Steven replied he doesn't know, his brother put that there. He thinks it's just a cord connected to the breaker box inside.

Trustee Ramos asked if that is safe.

Manager Revella replied that we will address the camper in a minute. The first point of order would be whether the Board would like to give an extension until October 20th to have the yard cleaned up or the Village would go in and do it and charge the property.

Trustee Mishk made a motion to give the owner until Tuesday, October 20, 2015 to clean up the debris on the property of 62 North Montgomery Street otherwise the building department will go in and clean up the debris and charge any fees associated with said clean-up to the property owner. Seconded by Trustee Adams. All Ayes. Motion Carried.

Mayor Rumbold commented to Mr. Purdy, just to clarify; that means if you don't do it by the 20th we are going to come in there and clean it up for you and charge you to clean it.

Attorney Donovan explained to Mr. Purdy to address the camper, the simple answer is that you can't have it there. The code only allows for one dwelling on your lot so it is not permitted.

Trustee Adams asked if he can have an extension to have it removed.

Steven stated that he will tell his brother he can't go out there.

Manager Revella explained that means the electric, water, etc. has to be disconnected.

Mayor Rumbold stated that if we see wires or pipes going to it, we will assume someone is living there.

Give you until 10/20.

Trustee Adams clarified that this is considered a vehicle that should have wheels and an inspection.

Jay confirmed that it has to be a vehicle that could be registered but does not need to be registered.

Attorney Donovan clarified that the motion would be to bring it up to code which does not mean it has to be registered.

Manager Revella added that if it is not brought up to code it has to be removed.

Trustee Adams made a motion to give the owner until Tuesday, October 20, 2015 to have the camper located at 62 North Montgomery Street brought up to code otherwise the building department will go in and remove the vehicle and charge any fees associated with said removal to the property owner. Seconded by Trustee Leonard. All Ayes. Motion Carried.

Mayor Rumbold clarified for Mr. Purdy that means it has to be able to be registered with wheels and other amenities and if not we will remove it and charge you back the cost.

Steven thanked her and the Board for their consideration.

Village Manager's Report –

- Had various meetings with rehab loan officer regarding loan guidelines and things like that. Had a few more applications that we are working on. Some may be popping up soon.
- Had correspondence with the Beautification Committee of Walden Community Council who wanted to help clean up the area on Route 52. Owner was thankful and open to the suggestion.
- Met with the NYS DOT regarding grants; Pedestrian bridge project and Ulster Ave sidewalk project which is supposed to be funded fully in this federal fiscal year. Which means it should be bid and awarded by July 2016.
- Had DEC meeting about sewer plant.
- We will not have Alpha Tech available on Mondays and Thursdays regularly now as our IT representatives for Police computer security and other departmental computer or tech needs.
- Library project is wrapping up they are starting to reload the books. Have a few punch list items to finalize and then the project should be done.

- Met with the Auditors who are reviewing fixed assets and should be getting back to us in the next few months.
- Had correspondence with Senator Larkins' office for the dedication of the pavilion at Bradley Park that was funded through his assistance.
- Attended the funeral for fallen Sergeant Meier from the Police Department in Town of Crawford. Very well attended and very sad.
- Had meetings about grievances and have the results to go over with the Board in executive session.
- Working leader was away for a few days. Completed Hepper Street drainage problem. There was some undermining of piping under the ground.
- Trustee Ramos got a tour of the Village and helped to acclimate him to the Board.
- Submitted the Walden Quarterly materials after meeting with the clerk about that and other county paperwork.
- Officer Jack Harb is back working part time for our police department. He was with us back in 2012 but had to take an extended leave of absence and has now returned.
- Had various meetings about Harvest Fest about postponing the festivities until October 17th.
- Attended the Association of Towns Villages and Cities meeting with Mayor Rumbold, Trustee Mishk, Trustee Leonard, and our Library Manager Ginny Neidermeir
- Met with the Clerk and Treasurer about the Affordable Care Act and various paperwork and filings they are requiring us to do. It is going to be very trying because of this Act. There are some compliance issues we need to address quickly.
- Discussed with Trustee Leonard the NYSEG substation on McKinley Ave. There was 6 full time staff there at one point and they are now down to 2 and we are concerned about response issues there due to the lack of staff. He is suggesting we write a letter addressing our concerns. One example was the fire at 1-5 Orange Ave, they had to come and shut off the power and it took quite some time and the Village Manager had to hold the ladder for the employee who went up to turn it off.

Mayor Rumbold asked if anyone had issues with that.

All replied no.

Trustee Adams asked about the water front project listed on page 3; which park is that.

Manager Revella replied it is the Maple Street Boat Launch.

Trustee Adams asked about the meeting listed on Page 11 with Jacobowitz about a grant; which one he is talking about. Is that through the Village?

Manager Revella replied that we are not sure yet, still have questions about it, only had one meeting about it.

Trustee Sebring asked about Hepper Street and if the soft dirt was going to be dug out.

Manager Revella replied that nothing has been paved yet. There is a white line from where they cut it down to the intersection that will be graded and paved.

Approval of the September 1, 2015 Minutes

Trustee Adams made a motion to approve the September 1, 2015 minutes. Seconded by Trustee Leonard. All ayes. Minutes approved.

Approval of the September 15, 2015 Minutes

Tabled as they were not available.

Mayor Rumbold announced that Trustee Ramos and Trustee Adams have switched their liaison duties. Trustee Adams will now be serving as the liaison to the Village Offices and Trustee Ramos will be the liaison to the Recreation & Parks Department as well as the School Board.

Trustee's Committee Reports

Town of Montgomery & Library Board liaison – Trustee Leonard

Trustee Leonard reported that after the last meeting he made contact with Michael Limperopolous at Congressman Maloney's office. Talked about passenger rail shuttle and brought copies of the feasibility study to them. Talked to Joe down there, he's the second in charge there, and we got some good contacts there now.

Village Offices Liaison – Trustee Adams

Trustee Adams reported that she is meeting with the treasurer on October 22nd. Audit field work is done and they are working on fixed asset values. In the process of the deferred comp transition which is basically done. Affordable Care Act has created quite a bit of work to do for that which will be time consuming or costly, and possibly both.

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

Deputy Mayor Hoffman reported that he met with Dean and they reviewed Overlook at Kidd Farm which was recently discussed at the Planning Board Meeting about phasing the project. Reviewed and discussed DEC and Zoning Board as well as the Chapel Field Christian school who would like to use the property at 98 Gladstone Avenue as housing for students there.

DPW Liaison– Trustee Sebring

Trustee Sebring reported he spoke with Fred on Monday and they had a sewer line collapse on Capron Street and Oak Street. Found out it was crushed and had to replace about 30 feet of pipe. That was unknown until they got into it. Talked about plans for items they have to do prior to the upcoming winter. Those will be the priorities. Everything looking good down there just getting ready for winter.

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

Trustee Ramos reported that he met with Mike and got an in depth tour of the Village. Was impressed with the details and applauds the Village on keeping it going. Applauded Mike on the projects and programs they offer. He has 2 young kids himself who enjoy the programs offered. School Board meets on the 26th and he will be there. He thanked the Board for allowing him to be an asset to the Village.

Police Department Liaison – Trustee Mishk

Trustee Mishk reported that he met with Chief and everything seems to be on par. Frontier may have a grant for IT as far as the Police Department. Radio issue is up to date. Noticed in the blotter that the Police Department has been very busy.

The Mayor read the community events into the minutes.

Manager Revella stated that there will be no additional items to tonight's agenda.

Public Comment on Business of the Board

Charles Savasta, 16 Riverview Street, commented that he is here to talk about 14 Riverview Street. Not sure where to start with his concerns. He is not one to complain or call the cops. He tries to be a good neighbor and deal with issues man to man. Over the last 4 years there has been a tenant living in the home that is owned by his neighbor across the street who has taken the property into a state of disrepair and decreased the quality of life there. He's spoken to his neighbor about it and they have not done anything about it. It has gotten to the point where he can't talk to him about it anymore. He is sure his neighbors on Rifton and Walnut will agree with him. Asked them to pick up their garbage that is all over the place and they refuse to do that. Hear they are looking to do renovations inside the home without permits and feels that needs to be addressed quickly. He spoke to both the landlord and tenants and spoke to them about it and they said they would clean it before the snow. He doesn't feel that is acceptable. On a hot summer day you can smell the garbage. There is a female tenant that lives there that has a loud voice and uses profanity more than anyone he's ever heard yelling at the small children living there. He can't be in his own back yard because of them. It has turned into a mud pit due to the broken down vehicles and bicycles in the yard. He has photos to share as well. His property value is dropping due to this property. He grew up in this area and doesn't want to have to move because he doesn't like his neighbors. This needs to be addressed. Last few days have been beautiful and no one did a thing on the property. Something has to be done. He knows the law protects homeowners against delinquent landlords and he thinks this needs to be done. There are 6 adults, 3 kids and 3 dogs living in one 2 bedroom apartment and he doesn't even think that is legal. He is asking the Board for help with this.

Manager Revella explained that this property will be discussed by the Board later on tonight and you can follow up at that time if you would like to say any additional comments.

Don Gaudinier, 11 Rifton Street, stated that Chuck hit everything from a to z. His property abuts to the back of 14 Riverview Street. The Police are there all the time but they never take the people in, not sure why or what is going on. It's a neighborhood out of control. What he said it true. He has lived here for 15 years and this property has been a problem for the last 10 years. He is concerned with the value of his own property. If things don't change he will be forced to sell and move out of the Village and he doesn't want to do that. Overall responsibility is on the landlord who lives across the street from the property.

Mike Ciardullo, 83 Walnut Street, could not be present but he wrote a letter to the Board pertaining to 14 Riverview Street and the Mayor read it into the minutes on his behalf.

Action Items

Hearing Request – 19 Bank Street

Jay Buchalski, Code Enforcement Officer, explained that this property has 2 violations before you tonight. One for clean-up. They cleaned up some items but there is still other debris that needs to be cleaned up. Our guys cleaned up the overgrown weeds and more stuff was under that. The second violation is for the front porch roof which is collapsing.

Trustee Sebring made a motion to set a hearing for 19 Bank Street for October 20, 2015 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Ramos. All ayes. Motion carried.

Hearing Request – 47 Valley Avenue

Jay Buchalski, Code Enforcement Officer, explained that the owner left a message as of yesterday but the only thing asked in the message was when bulk pick up is. He did return the call and left a message giving the requested information. As of right now, nothing has been cleaned up. There are mattresses, cardboard, construction debris, tvs, etc.

Trustee Leonard made a motion to set a hearing for 47 Valley Avenue for October 20, 2015 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Ramos. All ayes. Motion carried.

Resolution 24-15-16 – Grant Application Approval – Justice Department

Manager Revella explained that the Judge would like to apply for this grant that would include permanent chairs for the Dias up here as well as other court related items.

Trustee Adams made a motion to approve Resolution 24-15-16 – Grant Application Approval – Justice Department. Seconded by Trustee Deputy Mayor Hoffman. All ayes. Motion carried.

No Shave November – PBA Request

Manager Revella explained that we did this fundraiser last year for the month of November. It allows the officers to not shave but maintain in a clean and neat manner. They raised \$1,500 last year that benefited Operation Dalmatian.

Trustee Ramos made a motion to approve the No Shave November – PBA Request. Seconded by Trustee Sebring. All ayes. Motion carried.

Discussion Items

Resolution 19-15-16 Rehab Loan Guidelines

Trustee Adams stated we talked about it last time about putting a cap of \$100,000 on the multi-unit properties.

Mayor Rumbold asked if the Manager had any issues with that.

Manager Revella replied no, that he would come to the board anyway if he had issues. There are some requests to come shortly, so we are looking for the guidelines prior to that.

Mayor Rumbold stated that she thought we had formed a committee with Trustee Sebring, Trustee Adams, John, and Attorney Donovan.

Manager Revella suggested we meet first and give update at the next meeting.

Trustee Mishk asked if we are still accepting applications.

Deputy Mayor Hoffman stated that we do have guidelines to follow but we are looking to get a more written policy, which was his understanding, is that correct.

Manager Revella replied yes that is correct.

14 Riverview Street

Manager Revella explained that in the packet you can see the violation notices sent to them. There were over 17 violations over there. Dean can give more details.

Dean Stickles, Building Inspector, gave an update about the landlord registry. He reported that 45 letters have been sent out and 35 have been inspected including 217 units. Those that have not complied he is working with the court to prosecute. 14 Riverview's date runs out on October 10th to comply to the landlord registry inspection then it will be before the judge. Separate one on the 10th for the violations that will be placed with our attorney and scheduled for a court appearance. These are violations bigger than what the Board should deal with. He hopes the judge will deal with this and give out fines or jail time. Property is a mess and the only time when he could get good photos was when the garage on a property on Walnut Street was taken down so that he could see everything.

Mayor Rumbold stated that everything listed on the violation is outside. When was the last time you were inside the building?

Dean replied that he couldn't answer that right now, would have to look.

Mayor Rumbold asked if he was ever in it.

Dean replied yes at one time. The property didn't make the first cycle of letters he sent out. To the best of his knowledge 15 Riverview has 2 apartments and 14 Riverview is a 2 family according to our records and has reports of converting 2 apartments in the basement that he can't confirm because he hasn't been in the property.

Mayor Rumbold commented that the notice in front of them is dated 9/30/15.

Dean replied that is wrong, it should be 10/10/15 as that is when they have to comply voluntarily.

Mayor Rumbold clarified meaning getting inside, landlord registry law compliance, and cleaning up the property.

Dean replied yes. There is an information sheet and all kinds of things that have to be done and they have to be served. Unfortunately going through the court it will take a little bit of time.

Manager Revella stated he wasn't sure if this is something the Village can do on its own but if the Board agrees he would make a suggestion to set a hearing for 10/20 to have it before the Board.

Mayor Rumbold agreed. She feels that the Board could possibly take care of the garbage and whatnot to get it cleaned up.

Dean replied that there are all kinds of things on this property, bikes, vehicles, garbage, a pool that should be torn down.

Manager Revella stated possibly we can get in there to clean up what we can clean up to show that we mean business and aren't going to stand for it. Can't do the registry compliance and the permits. The actual debris that is in the yard we can handle.

Deputy Mayor Hoffman asked if it was ok to take two parallel paths with the court and the Board.

Attorney Donovan stated that he can't discuss that right now.

Mayor Rumbold commented that it may behoove us to follow two paths to gain access at least to the outside of the property to further observe the possible violations.

Trustee Mishk commented that the landlord registry we will likely have to deal with the Judge on and the property maintenance issues we can likely take care of at our level.

Attorney Donovan stated that there are legal issues here. At times if you choose one path you are bound by that path. You could schedule a hearing and then if you don't need it, we can always cancel it.

Trustee Sebring made a motion to set a hearing for 14 Riverview Street for Tuesday, October 20, 2015 at 6:30pm or as soon thereafter as the matter could be heard. Seconded by Trustee Mishk. All ayes. Motion carried.

Dean also reported on Friday he did receive drawings for the roof reconstruction for 1-5 Orange Avenue, however they have to do asbestos research before they can start the construction. There were about 3-4 people bidding on this and hoping to have the work done by the end of October.

Mayor Rumbold asked if this was giving them an extension.

Dean replied that the October 30th deadline was to get a set of plans and get something going. They have done 50% of that and have gone to bid and owners have to accept that. If they don't do anything by Oct 30th he will likely be here again. He has spoken with Dave on this and have not come up to a conclusion.

Mayor Rumbold asked if they were working with the insurance company.

Dean replied that as far as he knows he believes they have been paid but he is not privy to that. The important part is to get a roof back on that building before Mother Nature does more destruction to the building.

Mayor Rumbold stated that the original timeframe was given in July to be done by the end of October. How long will the roof take?

Dean replied about 4-6 weeks.

Mayor Rumbold stated that is cutting it close.

Trustee Leonard added that it is not an easy building to work on as its 4 stories.

Mayor Rumbold added that she would think the insurance company would be looking to get this repaired.

Trustee Sebring asked if he was working with the owner and the mortgage holder.

Dean replied he was working with just the owner. One of the owners doesn't speak English and the other one does a little bit making it hard to communicate with them.

Trustee Leonard commented that we got a good response from them about cleaning up the property as they did comply with that request pretty quickly.

Public Comment

Anita Vandermark, 76 Highland Avenue, asked what happened with the pedestrian bridge grant.

Manager Revella stated that was what he had refereed to earlier in his report. They have a meeting tomorrow.

Anita asked how long it is good for.

Manager Revella replied that was a good question, we will look at tomorrow.

Anita thanked the Friends of Walden Youth for the family dance for decorating and Sandy Magill and Jenny McFadden. She thanked the Mayor, Trustee Ramos, Manager Revella, and Clerk Bliss for stopping down that night. Thanked the Walden Community Council for the job they did to clean up that property on Route 52. It cost a good bit and they did a great job. Thanked the new business called the Walden Kitchen as it now is open.

Payment of the Audited Bills

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

Correspondence

Mayor Rumbold reported on the letter from Mr. Ciardullo that was read earlier and an invite to the Eagle Scout celebration on the 25th. Deputy Mayor Hoffman is attending on behalf of the Village to present certificates from the Board.

Miscellaneous Comments from the Board of Trustees

Trustee Adams asked if we sent congratulatory notices to Donna Hall and Keith Hunter yet.

Clerk Bliss replied that she had no information on the awards but would happily do that as soon as she gets the information.

Mayor Rumbold commented that Harvest Fest was postponed to be held October 17th which was a difficult decision but it was a good decision, hopes to see everyone there. The dance was a blast as usual and she had a great time. Thanks to everyone who worked on it and helped. We talked about doing the Police recognition and talked about doing the other departments, where are we with that.

Manager Revella stated that we have started talking about it and will likely talk about it again at the next department head meeting.

Mayor Rumbold commented that was good to hear about the awards, she would like to see that happen. Winter is coming and she feels it would be a nice idea to concentrate on your neighbors. There are lot of folks that need help to get their sidewalks and driveways cleaned. Maybe a project for the boy scouts or something to help give them some aide. Now that she's old she understands what it's like. She would like to see neighbors give a hand.

Executive Session

Trustee Leonard moved to go into executive session to discuss personnel history of a particular person and threatened litigation. Seconded by Trustee Adams. All Ayes. Motion carried.

Reconvene

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

Motions Made After Executive Session

Trustee Mishk made a motion to authorize the Village Manager to sign the CSEA stipulation about the grievance settlement. Seconded by Trustee Adams. All ayes. Motion carried.

Trustee Sebring made a motion to authorize Howard Protter, Special Counsel, and John Revella, Village Manager, to settle the CSEA discipline matter along the lines of the draft stipulation. Seconded by Trustee Leonard. All ayes. Motion carried.

Adjournment

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

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Motions & Resolutions**

Hearing – 53 Wileman Avenue

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