Village of Walden Board of Trustees Regular Meeting February 17, 2015

Mayor Maher 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 Deputy Mayor Trustees Brian Maher Sue Rumbold Bernard Bowen Sean Hoffman

Edmond Leonard Gerald Mishk

Absent: Willie Carley

Also Present: John Revella, Village Manager

Tara Bliss, Village Clerk

Dave Donovan, Village Attorney

Presentation – Vanacore, DeBenedictus, DiGiovanni, & Weddell – Auditors Report Mayor Maher explained that the auditors were not able to attend tonight's meeting but they have rescheduled for the next meeting to give their report.

Hearing – 54-56 Valley Avenue

Dean Stickles, Building Inspector, asked the Board for permission to secure this abandoned two family building. The windows are open on the left hand side which allows anyone to access it or reside there or even start a fire there. No owner of record other than what the County has listed which is Carmen Rivera. He had a realtor search done which reveals no owner and that it is not for sale at this time. He would like permission to secure the building by closing the windows.

Trustee Mishk feels we need to get inside to be sure there are not squatters in the building before we just secure the windows closed.

Attorney Donovan replied that unless the squatters pose some sort of public health or safety issue we unfortunately cannot do that. There is a need to secure the building because of the open windows that he reviewed with Dean and consulted the code which does authorize the Building Inspector to give a 5 day notice in order to take action to secure the building. Dean did do that and so tonight you would be authorizing him to close the windows by the least restrictive means possible, which excludes boarding up the windows. That would be sufficient for now however if he observes something else there he would then come back to the Board unless there is some sort of imminent threat.

Deputy Mayor Rumbold asked how long this has been vacant.

Dean replied approximately one year.

Trustee Hoffman added this property was brought to us for another enforcement issue recently.

Manager Revella stated they abandoned the property shortly after fixing a water issue we had there.

Mayor Maher asked if we knew which bank owned the property.

Manager Revella replied we would need to do a title search to find out. The property is on county re-levy now.

Attorney Donovan added that we need to be careful with a title search because of organization MERS. If we find the search says that ABC bank is the mortgage holder of record that doesn't necessarily mean that the mortgage hasn't been assigned to another bank. You could look to see who paid the taxes last, which would be a step towards knowing the answer but that could have been a service company making the payment as well.

Deputy Mayor Rumbold made a motion to authorize the Building Inspector to close the windows of the property 54-56 Valley Avenue by the least restrictive means possible and charge the property owner for any charges associated with securing the windows. Seconded by Trustee Bowen. All ayes. Motion carried.

Village Manager's Report -

- Answered various requests about garbage pick-up where people put their cans out late and they get missed, we have this throughout the year.
- Had some issues with Frontier who came and fixed the phone in the elevator that could call out to anywhere. Now it can only call the Dispatch office as it should.
- Had a meeting with the Clerk and some representatives of the Board of the Village of Montgomery working together on a Best Communities Grant.
- Had some conferences with our insurance carrier attorneys about some litigation cases going on. A few got dismissed.
- Got some quotes for the sander that was damaged in the January ice storm and submitted them to the insurance company.
- Had a conference with Superintendent Hooley regarding school bus stops and shared services. He had the wrong impression from our office so he clarified the issue and he promised to work better with the community on future bus stop issues.
- Received lots of calls about plowing snow. Everyone wants to make sure that the snow is not piled in front of their homes. Trying our best to put the snow in convenient locations but we are running out of room where it can fit.
- Had a PBA Arbitration regarding the arbitration issue. Jerry attended and we had some good discussions.
- Had a great Music in the Grove meeting for concerts coming up this summer. MIG
 is going well we have refreshments donated from Hannaford this year which is
 great. We worked on dates and discussed advertising coordination.
- Disposed for a current litigation going on. Testified regarding our knowledge of what happened and what the Village has done.

- Met with the working leader about Snow removal and budget. Trying to use as little salt as possible without endangering the roadways so we don't go over budget.
- Been doing lots of budget work with the Department heads to get it ready for the Board.

Trustee Leonard asked about borrowed equipment from the Town.

Manager Revella replied that we borrowed a sander because ours was damaged in the accident in the ice storm. It is at least 3 weeks out so we borrowed theirs in the meantime.

Deputy Mayor Rumbold asked about the truck that was down and if it has been repaired.

Manager Revella replied yes all trucks are back up. Last 6" plus storm we were down to 1 fully operation truck and 1 half operational truck for the whole Village. He was close to calling a state of emergency during that storm but we were able to work through it and get the equipment back online.

Deputy Mayor Rumbold asked what the issue with the truck was.

Manager Revella explained that something let loose and tore out cables that we couldn't get fixed right away. Another was a warrantee issue with one of the sanders; the belt went on the system and the company had to come out to repair it. Another one was that the spinning mechanism went on a Spreader. All are back up and running now.

Deputy Mayor Rumbold asked if he has data on the number of hours spent on these storms.

Manager Revella replied that we do and he can have it ready for the next meeting. The longest was 31 hours on one storm.

Trustee Hoffman asked if he could perhaps follow Chief's format in his reports which breaks down to man power, equipment, and labor.

Mayor Maher thanked John for helping people with the many calls from the residents with their concerns. Some are fair and some are not fair and he does a great job handling them. He thanked DPW as well, they have been obviously been doing an amazing job.

Approval of the January 20, 2015 Minutes

Deputy Mayor Rumbold made a motion approve the minutes from January 20, 2015. Seconded by Trustee Mishk. All ayes. Minutes approved.

Approval of the February 3, 2015 Tri-Board Minutes

Trustee Hoffman made a motion approve the Tri-Board minutes from February 3, 2015. Seconded by Trustee Bowen. All ayes. Minutes approved.

Approval of the February 3, 2015 Minutes

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Trustee's Committee Reports

Town of Montgomery & Library Board liaison – Trustee Leonard

Trustee Leonard reported nothing new at this time.

Village Offices Liaison – Trustee Bowen

Trustee Bowen stated he had no report.

Police Department Liaison – Deputy Mayor Rumbold

Deputy Mayor Rumbold reported that the Police Department included a breakdown of snow emergencies for the 2014-2015 winter which is towards the back of his report. It shows the start time, end time, tickets, and tows. They are working on June as the target for the awards ceremony for the officers.

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

Trustee Hoffman reported that he met with Dean about the complaints on Valley Avenue as well as a lot of renters complaining about heat as expected this time of year. They also reviewed the Planning Board agenda for tomorrow.

Recreation & Parks Department, Emergency Services, and Valley Central School Board Liaison – Trustee Carley

Trustee Carley was absent.

Village Justice and DPW Liaison - Trustee Mishk

Trustee Mishk stated that he had nothing new to report.

The Mayor read the community events calendar into the minutes.

Public Comment on Business of the Board

Becky Pearson, 167 Walnut Street, had a question about the chaplain program. It's a nonpaid part of the Village but they would need to be covered by insurance when they ride along with the police to a scene. How does the village cover that?

Manager Revella replied they are covered only while they are doing something with the chaplain program.

Becky asked if that is in writing somewhere.

Manager Revella replied that is something that will be put in writing.

Action Items

Resolution 20-14-15 Newburgh Postal Office Potential Closing

Diana Cline, Coalition Coordinator of the APWU Mid-Hudson Area Local 3722, explained that the plant was originally scheduled to be closed in April but there is a moratorium until July 2015 but still looking for more support to prevent it from closing from all municipalities. Delayed mail will just get worse by closing this plant. They site a cost savings as their reason for closing the plant, but they are never going to make a savings. They have closed 342 plants since 2006 and wants to close another 82. Can't move mail without the facilities to move it. Their facility serves Orange, Ulster, and Dutchess counties. It is the largest plant in the country. It is right on Interstate 84 and 87 and near the airport. Albany February 17, 2015

will never have the dock space to take over the amount of service this plant covers. They said they would leave a dozen machines here with a small crew. Where is the cost savings in that? They claim they will have a \$600,000 in transportation loss but meanwhile because everything takes so long we have already added 2-3 trucks and we get our mail 2 times daily. That was never the original plan. You can only do this if will save money and increase service and they are not going to do that.

Mayor Maher stated it seems like there is a concentrated effort to privatize the mail industry. Seems like a systematic self-destruction process.

Diana added that they didn't count on the public pushing back as hard as it has. They really appreciate the support.

Mayor Maher hoped it helps.

Trustee Leonard made a motion to approve Resolution 20-14-15 Newburgh Postal office Potential Closing. Seconded by Trustee Bowen. All ayes. Motion carried.

Chaplain Program - Police Department

Manager Revella stated that we have had a Chaplain with the Village for a number of years, Rev Jim Van Houten, but this is more formalizing the program already in place.

Chief Holmes explained that Rev Jim Van Houten has been the Chaplain for the Walden Fire Department for a number of years and he has borrowed him for many years for many activities that we've done. He sat down with Rev Jim and Trustee Carley who is a member of a religious organization and talked about formalizing a program for it. The Military has an extensive chaplain program so he knows what we can do and what we can't do. The National Organization of Police Chaplains has a document of rules and regulations and had a lot of information and resources we took from them to start it up. He spoke with our Insurance Company and our volunteers are covered just like our other Board members who are volunteers such as Planning Board and ZBA members. They have a draft that has been through the attorney, our insurance company, and the Village Manager. Chaplains would be approved at the reorganization meetings every year. discussed it with the PBA who are fully on board and in support of this. He feels it is important to understand that a Chaplain will serve not preach. It's a ministry of presence for what is happening at the time. They are on the scene of 99% of all the fires to assist the victims especially those who are displaced. Not for preaching purposes, just for helping at the moment. A good example would be like the Sandy Hook tragedy that occurred. Connecticut Police and Fire service had chaplains there to talk to the parents that lost a child in that tragedy. One of the best things that came out of it was a list of best practices for first responders and the public. It is comforting to the Police Officers who are doing the notification to have a Chaplain with them as well as comforting to the people who are affected by the issue. A Chaplain would also be used for our own officers with their own life changes such as marriages or births, and things like that. Most of our local pastors have a number of resources that they can get to help people in many different types of crisis that happen. Our Insurance Umbrella coverage would cover them on a ride along just like when we have Trustees who are covered as well as periodically students. There are many things you can and cannot do on a ride along. In conclusion, the draft program is out and is a working document to be added on at all times.

Trustee Bowen asked how many chaplains they will have.

Chief replied they would like to start small and expand from there as it gets bigger and better. He's seen 8-10 but he would like to start off small. We have a meeting every Thursday with the clergy of the Village and he spoke to them and they are interested so he'd like to go from there.

Deputy Mayor Rumbold made a motion to approve the formalization of the Village of Walden Police Department Chaplain Program. Seconded by Trustee Bowen. All ayes. Motion carried.

Deputy Mayor Rumbold asked to clarify if a Chaplain would see a resident in crisis such as suicide attempts or grief counseling.

Attorney Donovan replied that mental help is not a part of this. In the moment they would be there to provide service and assistance, but they would not create a therapist/patient relationship.

Transfer of \$14,156.89 - HODAG Funds

Manager Revella explained that this goes in conjunction with Walden View Apartments. Funds were set aside for a payment to be made to a company that did work on the job. The State made us hold the funds in abeyance pending the final approval of the project. Apparently the Department of Labor never came to give us approval to release those funds. They were intended for the property owner to use so now we can release those funds back to the HODAG fund especially since we have final payment finalize the loan.

Trustee Leonard made a motion to transfer \$14,156.89 from the reserve account to the HODAG Fund. Seconded by Trustee Mishk. All ayes. Motion carried.

Flag Day Ceremony Request 6/14/2015 at 1pm

Deputy Mayor Rumbold made a motion to approve the Flag Day Ceremony to be held at Veterans Memorial Park for Sunday, June 14, 2015 at 1pm. Seconded by Trustee Hoffman. All ayes. Motion carried.

Special Event Sign Request

Deputy Mayor Rumbold made a motion to approve the Temporary Sign request from the Enterprise Steamer Co#2 of the Walden Fire Department for their March 14, 2015 Corned Beef Dinner. Seconded by Trustee Mishk. All ayes. Motion carried.

Discussion Items ECHO-Cottages

Trustee Mishk explained that we've had a few discussions on this and he researched different variables in supporting their use in the Village. There was a question if they were better suited for the Town or in the country. Yes, they will not fit all the lots in the Village but the opportunity is necessary due to the high costs of nursing homes etc. Getting back to the Towns, one of the benefits is that in the Village they would tap into the Village water and sewer system whereas they might not fit in the Town's septic or well systems. Another thing to consider is that ECHO cottages keep people at home. Nursing homes run \$110,504 annual for a semi private room, not a private room, whereas the ECHO cottage is a private space and is only a one time investment of closer to \$50,000 or renting \$1,400 February 17, 2015

per month. Medicare does not cover nursing homes, it only covers if the patient had a medical stay in the hospital and up to 60 days at a time for occupational therapy. Many times, according to NY State there may not be availability in nursing homes and they get shipped off to places far away where their family may have difficulty visiting them. ECHO Cottages keeps the person right next to you, they can keep their pets, and maintain their lifestyle with privacy. Look at cost of nursing home many times you are forced to utilize all their assets to get them there and then possibly they may qualify for Medicaid to pay for the nursing home. Cannot have more \$2,000 in case, IRA, or Bonds in order to qualify which is not feasible in many cases. There are numerous types of this kind of housing and are referred to as Granny pods, Granny homes, or accessory homes. Same type of situation they are only temporary. There were concerns with the length of time they can stay there. We've discussed that once the person can no longer use the unit it must be removed. He has forwarded examples of laws that address this to our attorney and can be right in the law that the unit has to be removed once the person expires. He's a big fan of the renting option personally as that way there may be an availability of funds for part time home health care and assistance there. Accessory apartment law that was previously proposed by the Zoning Board the main issue was how to police it. With this type of unit, we can write into the law that it cannot be sold or transferred unless inspected by the Building Inspector and has to go back to a one family home.

Mayor Maher thanked Trustee Mishk for his great research on this. He's open to the idea himself and is open to further discussion.

Deputy Mayor Rumbold asked how the unit would be assessed in tax.

Mayor Maher replied he doesn't think we know that answer at this time. We would likely have to approach the Town Assessor to find out.

Manager Revella thinks they would be taxes as an improvement on the property.

Mayor Maher added that we can formally request that information from the Town Assessor's office.

Trustee Mishk stated that in order to apply for permit you have to write the cost of the improvements right on the permit and the Assessor usually increases your tax assessment by that amount.

Attorney Donovan added that ultimately it would be up to the Assessor however if they are going to generate revenue that rental value would be distributed in the form of a percent on the taxes.

Manager Revella stated that the taxes they might be paying would likely still be less than if they were paying for a senior center.

Attorney Donovan stated that if you invest a lot of money to upgrade your home you know you would pay more taxes also.

Deputy Mayor Rumbold asked when they taps into existing water/sewer there is one meter for all.

Manager Revella confirmed.

Deputy Mayor Rumbold asked if when they were done it would be capped off.

Manager Revella assumes yes, but that is up to the homeowner.

Trustee Mishk suggested we ask Dave to look at the sample laws he has sent him and recommend what will be best for us to use.

Attorney Donovan replied that if the Board is in favor of doing this he will happily invest the time to do it, but if not in favor he won't waste his time.

Trustee Leonard asked if the units are built like modular homes.

Trustee Mishk replied yes, they are built on a chassis and transported in.

Trustee Leonard stated that they are built stronger than a regular house because they have to be transported. Construction would be high quality due to that.

Mayor Maher asked if the Board wanted Dave to look into this and give recommendations as well as John requesting information from the Assessor so that we can make a decision on this.

Trustee Hoffman stated that he objected to that. He appreciates the work that Trustee Mishk has done on this but in terms of the process before we give our Attorney a directive on this we need to address the threshold issue if we think it is necessary, does it fit in with our Zoning etc. Before we start talking about construction styles and things like that we need to take a broader view and determine if this is something we are interested in. His opinion has not changed since we considered proposals to change our Zoning. He thinks we already have a fair number of senior apartments in the Village. He does understand the benefits but he thinks in terms of the ratio apartments to single family dwellings he feels we are a little bit saturated with rental units.

Mayor Maher asked if he felt this was unique strictly for this need.

Trustee Hoffman replied that this was discussed in terms of accessory apartments and that this answered the same question in a different way.

Mayor Maher disagreed and feels this is a completely different thing based on what his concerns were to police it. It seems like a good fit, very unique, and he is for looking at it in a broader sense.

Trustee Hoffman stated that the enforcement issue still would be there. If someone needed this type of unit and then the person no longer needed it they may be tempted to open it up to rental possibilities and would be difficult to determine who is using it, if they are related to the homeowner, or a senior, he just doesn't see how you enforce that. It's an apartment and is attractive and could be on the rental market.

Trustee Mishk replied that the unit is patient relative and is set up for one patient and when they pass then the unit is removed, bottom line. To keep someone there and save a few February 17, 2015

dollars so they can get better care would be beneficial all around. Unfortunately his father was in a short term nursing home for rehabilitation and it was terrible. He walked in and was wheeled out. His father in law was in there after major surgery for 2 days and he had to go back to the hospital again because they overworked him. The staff in a nursing home is overseen by one person based on the research he has done. Nursing home care can suck and you can be wheeled into a room to look out a window for 8 hours and then back to your bed for the other 16 hours. It's not the same to see them every day and make sure they are taken care of every day. His father is law is not interested in this any longer because he spent money to upgrade his home. He was able to do that, but an old Victorian or colonial houses like his own home, he can't fix his house to make it accessible on one floor and feels a lot of homes are like that and that's where the cottages fit.

Mayor Maher asked if sitting down with Dean and John to find out if this is in line with our Zoning.

Trustee Hoffman relied yes. We would do a physical evaluation and come to a practical resolution whether this would work here.

Mayor Maher suggested we have a meeting to discuss these issues before we move on with the attorney and the assessor.

Deputy Mayor Maher stated she likes the concept. Due to our aging population with people living longer, families now take care of parents and the elderly. Good point was asked about how many lots this would fit in is it feasible.

Mayor Maher stated we would set up a meeting with Dave, Sean, John, and Dean to see how many lots this would affect and then John will write a letter to Assessor Ketcham about this.

Trustee Hoffman asked if Chief could weigh in about any issues this would affect and perhaps reach out to the Fire district about emergency response.

Deputy Mayor Rumbold added that she'd also like to know about NYS requirements on codes.

Public Comment

Becky Pearson, 167 Walnut Street, had a question about the Chaplain program; how does the person get notified? Do they get called? Do they have a pager like the fire department? Are they part of the Police Department?

Manager Revella replied that dispatch would notify them.

Becky asked who determines when they come or not.

Manager Revella replied that the Police Officer would call for a Chaplain then dispatch would call them to come to the scene.

Becky asked if RFP's were being sent out yet.

Clerk Bliss replied that they will be noticed in tomorrow's paper. They have to be returned on Monday March 23, 2015 and will be opened the next day.

Becky asked about ECHO Cottages and if they would be restricted by age but when you are talking about it what about handicapped people who are young and need a place to stay; will you look at that? Age restriction or non-age restriction,not sure how that will work for you guys. You should also think about perhaps a paraplegic, or folks with downs syndrome.

Attorney Donovan replied that's a big part of it.

Deputy Mayor Rumbold added that another part of it is the word Temporary; what does that mean? 30 years, 3 years?

Becky stated that she just wanted them to think about a demographic you are leaving out as well. Glad you are looking to see how many lots this will affect, but you should be careful as there are different sizes of units.

Manager Revella replied that there is only one size unit.

Becky asked about executive session from the last Board meeting. In the minutes it says the motion after executive session says move to get appraisal of certain real property. When she asked that night she thought it was to get the pricing or approval of the solicitation of quotes. It doesn't say that on the minutes to her. She thinks the minutes should be changed.

Trustee Hoffman replied that was said after executive session, for the record, and the approval was to solicit bids to get the appraisal done.

Becky asked about a \$300 reimbursement to Tara Bliss in the audited bills report. What is that for?

Manager Revella replied it was for her duties as Registrar of Vital Statistics. The Village does not keep that money collected, she bills for that quarterly usually.

Jessica Metzger, 4 Gracewood Court, commented that she loves the concept of ECHO Cottage but just doesn't think you will find an assessment because it is temporary and mobile. Not usually assessed unless permanently placed.

Manager Revella stated that the problem will be that the water/sewer is being hooked up to it.

Jessica continued that she feels it would be very similar to if she took her 5th wheel camper and plugged it into her home's hook ups for water/sewer, and electric. Curious to find an assessment in the country unless it is strapped to something for wind. If you have to put something permanent like footings that would have to be poured.

Trustee Leonard stated it is likely the same as a mobile home, just the property and the slab.

Jessica feels you will have trouble finding something accessed without a slab. Maybe none but the concept is lovely if the property is right for it and the situation is right. If the person doesn't own you can't be taxed on it. May need to open up a whole other new fee for having this type of structure attached to services. They may own footings and foundation it is strapped to but not the structure.

Deputy Mayor Rumbold stated that you can buy it or rent it. She sees what she means but people might not buy if they know they would be taxed on it.

Jessica stated that it's such an individual case by case basis so it would be tough. Setback could be a factor too. This is a big thing to take a look at, so she hopes it's not going to be one of those rush rush jobs.

Payment of the Audited Bills

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

Correspondence

None.

Miscellaneous Comments from the Board of Trustees

Trustee Hoffman stated that they had to cancel the water sewer rate meeting last week but they will meet this week. The Engineer and Treasurer got some figures and the Engineer is investigating other rates as well. Hopefully will have something to report after tomorrow.

Deputy Mayor Rumbold wanted to give big Kudos to our DPW. She can't even imagine what it's been like to deal with the winter we've had. She is proud of the job they are doing and knows they have been working under extreme circumstances. She wouldn't want their job so thanks to them for that. She asked where the snow goes that we remove from the streets.

Manager Revella stated that we have an area at DPW that is a future parking area in our master plan so no contamination and is not close to the river. No issues with seepage of the salt.

Deputy Mayor Rumbold asked about the salt budget.

Manager Revella removed that he had to order more salt and before that order we were already over budget for salt this year. Removal we are right on budget but salt we are over budget on. Overtime is likely right at the mark.

Deputy Mayor Rumbold asked if we increased the budget from the year before.

Manager Revella replied we did increase the overtime line but not removal.

Trustee Leonard wanted to reiterate what Sue said about DPW. They put in some long hours, we had equipment breakdown, items replaced every 2-3 days and they are doing a bang up job. He asked where we were with the money that came in from the Oak Street apartments and whether we can hire a part time person to administer that.

Manager Revella replied that we are allowed to do that, have been allowed to do that.

Adjournment

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

Village of Walden Board of Trustees Regular Meeting February 17, 2015 Motions & Resolutions

Hearing – 54-56 Valley Avenue

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Resolution 20-14-15 Newburgh Postal Office Potential Closing

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Chaplain Program – Police Department

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Adjournment

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