

**Village of Walden
Board of Trustees Meeting
March 23, 2004**

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

On roll call the following were:

Present:	Mayor	Rocco Pellegrino
	Deputy Mayor	Roy Wynkoop
	Trustees	Mary Jean Norman
		Richard Hurd
		Lauren Keator
		Jose DeJesus
		Greg Raymondo

Also Present:	James Politi, Village Manager
	Nancy Mitchell, Village Clerk
	Kevin Dowd, Village Attorney

Approval of Minutes

Trustee Keator moved to adopt the minutes of March 9, 2004 with the following corrections:

Page 2- Add, Trustee DeJesus asked if they are going to apply the appraisal of the property to our share.

Page 4, 11th paragraph, Change to: Trustee DeJesus stated that he was reading the planning board minutes and there was talk about the man who is redoing the building, where the shoe store is, he wants to increase the sign. He is actually new to the property, so he would fall in the new sign laws.

Page 5, 3rd paragraph, change to: Trustee DeJesus asked if the Planning Board vacancy is still open.

Page 5, 5th paragraph, change to: Trustee DeJesus stated that last night the Weeden property façade was brought up, this is the only property left needing work.

Seconded by Trustee Norman. All ayes. Minutes adopted.

Property Purchase Presentation

Trustee Hurd gave a presentation on the property purchase of 49 East Main Street, (presentation attached).

Irving Zuckerman, Verticon Ltd., explained the Wickes Law to the Board and the public, which is a requirement of the State of New York that calls for when public funds are used for a project there, are certain requirements. The bidding Wickes Law requires upon bidders a very formal bidding format, certain amount of fee that is paid to the various personnel that works on Wickes jobs. A none union laborer working on a job, they would get \$28.04 per hour, with health benefits, and on a prevailing scale Wickes job that number jumps up to \$43.24 per hour, which includes benefits.

Trustee Hurd continued his presentation.

Mayor Pellegrino read the attached letter from Walt Sweed.

Althea Mullarky, 3 Watkins Drive read the attached statement.

Becky Pearson, 167 Walnut Street stated that she went around and got a petition to not put DPW in the middle of the village. There were over one hundred and some signatures. Most of the people she spoke to do not feel it's the right place for a DPW building, noise, traffic, cost, fencing and the amount of money that has to be put in there. The village talks about putting offices in that building, you bought a house behind here for over \$80,000 that was to be torn down for a parking lot. It's not torn down, and she thinks it's not torn down because of asbestos. Now it's going to be a knife museum. It is an option for offices. She showed pictures of the present DPW, how it looks and how it got to look that way. Its years and years of misuse and not being kept up. There looks like there could be room down there to expand. She's not one to know building. She did not go on the premises because she was not allowed on the premises. There are used cars, vehicles and debris, she is concerned about upkeep. She also has pictures of upkeep of other buildings that the Village owns and we can't keep those buildings up. The house at Olley Park, there is holes in the buildings, and the pipes froze. The building at Wooster Grove the gutters are falling off. The park at Bradley Field the sidewalk is coming up. It needs a new fence. The fence on Route 52 the people can't walk through to get there. This is all Village property that we are talking about. She is concerned with putting that in the middle of the village and what's going to happen. A lot of the people she contacted live on Highland Avenue who were concerned with noise, and trucks backing up beeping in the middle of the night. You also talked about a break room, to buy a new building for a break room because there isn't one there, she doesn't think that this building has a break room and how many people work in this building during the day. She doesn't feel the village should be purchasing a building just for a break room. She showed more pictures of things that could be worked on. There is a parking lot that is full most of the time. The Oak Street parking lot is very functional. We can build that up. Right now it's a mess. There is debris and an unmarked car. The first time they heard about this building for real was last week and now she is afraid that what is going to happen is they are going to vote on it and it will be done and over with. She thanked the Board for entertaining comments tonight.

Jeff McCormick, 23 Railroad Avenue expressed his concerns with small children in the area. He works at night and his bedroom windows face that building. DeGroodt has trucks and he is there by 6:30am and gone by 7:30am. Mr. McCormick doesn't get home until 7:30am. His concern is that it is in the middle of the village. He went down to DPW today and that place looks like a garbage hole. Now you're going to put this in the middle of the village where there are kids on the streets. The building is not fit for what the village plans on using it for. It doesn't make sense and now they are talking about putting a train station in the village. The track is right across the street. He asked if the village was going to fence the building in and if that was part of the \$170,000 to fix this building over. He asked if the property went from Route 52 all the way over to Grant Street. He feels this is a bad choice and his property value is going to decrease.

Deputy Mayor Wynkoop stated no, just as far as Mr. McCormick's house.

Mr. McCormick also indicated that everything across the street on Railroad Avenue is residential.

Trustee DeJesus asked the Village Attorney to explain what uses are allowed in that particular area.

Mr. Dowd explained that building was zoned and permitted to be built because it's in an industrial zone. It's an I-2 zone so therefore that kind of building and that kind of use was totally reviewed by the Planning Board before that building was built. They went through the environmental process before that building was built and it was built for what it was intended for which is for heavy truck traffic. It is what is allowed in an I-2 zone.

Trustee DeJesus asked if there was a plan to sell that building for a specific purpose recently, is that correct?

Trustee Raymondo stated that there was someone interested in doing cars there. He further stated that you can't stop anyone from purchasing the building. You have to consider that heavy industry could move right across the street.

Mr. Dowd stated that there is about 20 or 25 uses that are allowed in that zone.

Trustee DeJesus asked Mr. Dowd to cite a few.

Mr. Dowd stated, automobile laundry, dry cleaning plant, fuel oil storage, non nuisance industry, machine repair, monument works, publishing and printing, storage yard for building materials, truck station or railroad yard, warehouse, liquid petroleum gas storage, to name a few.

Mayor Pellegrino stated that all those buildings would need truck traffic to get to.

Lisa Phillip stated that she lives right next to Mr. McCormick at 19 Railroad Avenue and that building is across from where she lives. The kids are out there and if it's going to look like the back with all the trees she doesn't want that across from her.

Trustee Hurd asked Ms. Phillip's if she was confusing that with the Bradley Lane site. She got confused with the pictures of Bradley Lane.

Ms. Phillips stated that she means where the DPW garage is now.

Trustee Hurd stated that stays there.

Ms. Phillips stated that will be picking up stuff.

Deputy Mayor Wynkoop stated that they won't be dumping there.

Ms. Phillips asked what do we need that building for, across from her road where it's nice and quiet.

Deputy Mayor Wynkoop stated that there are bigger trucks than we have going in and out of there every day.

Ms. Phillips stated that they leave early in the morning and then they are not back until we are all at work. Now, they will be coming in and out and in the winter time they will be starting the trucks up in the middle of the night. Her bedroom window is right there. She doesn't think its fair for them to have to put up with that.

Manager Politi stated that a ventilation system will be put in and it's a heated building. They won't have to sit there and warm up.

Marc Sperry 11 Westwood Drive stated that it was an excellent presentation. He further stated that we will be taking a tax ratable off the tax board. He is in favor of expanding the existing DPW and the reason being that any good person that knows real estate, location, location, location and this is not the location for that particular structure. A comment was made that there is a lot of housing coming into the village and it will bring us a lot of taxes, absolutely correct. Also, we are going to have the need for services where are money is going out. You have to balance the two. We have to take care of current village facilities. The village has done an excellent job on the entrances to the village. Look across from the custard stand you see that big piece of plywood. That is unsightly. These are the things that need to be taken care of. If we are going to grow these are the things that we should be thinking about. We must expand the DPW, but he feels it should be expanded at its present location.

Michael Lynch, 4 Albany Avenue stated that he thinks this is a bad move because he currently looks around and sees the state the village is in now, your properties are disgusting. He stood before the Board and asked about a lawn mower that was dumped down the hill in Bradley Park, two years ago, and it's still there. The dead tree in left field

is still there. The current DPW crew can't handle the work they have now and you're going to buy them a new building and put all this equipment in it. He can understand wanting to get the equipment out of the other one, but he thinks they are putting the cart before the horse.

Robert Lynn, 36 Donna Chrystie Lane asked if the reason for the building was DPW expansion. Right now there are hydrants that need to be repaired. You can't get DPW to do anything. There is a storm drain on Oak Street that is open. They want to spend more money and they can't work with what they got.

George Ronk, 30 Pleasant Avenue stated that he is not disagreeing that you don't need a new building, but there is property as you come down Bradley Lane right to the left, it's not the hill they showed. They could build it right there. You're going to have to bring tools up to the new building to fix trucks. You need a new building, but he can't see putting it in the middle of the village and taking it off the tax roll.

Larry Sager, 78 Orchard Street stated that the presentation was based upon the growth of the village and that may never happen. It's also based upon the tax base going up which increases our taxes. It's nice to show an increase in expenses, but do it based on what we have now. He went to DPW himself. This is the first time he's been in the building in the 30 years he's been in the village and it's a shame. Its really bad inside. It's because of the guys at DPW don't have the time to maintain that building inside. He spoke to Walt Sweed and he advised Mr. Sager that the building on East Main Street is offices and storage. He asked how they were going to maintain the trucks and he was told they would have to come back down to the garage. He asked how were they going to gas up and Mr. Sweed advised him that they would have to come back down to the garage. You have the land. You were told you can't touch parkland; there is Home Rule in Albany. You did it at Olley Park, which is really Wanderling Park. They did a great deal of good deeds for this village and it should be Wanderling Park, it should never have been changed. The Board knew about this in November, why not have a public opinion then. Or you could have said we have the idea of expanding DPW, you didn't have to say where. That's open government.

Keith Millspaugh, Millspaugh Furniture congratulated Trustee Hurd on a nice presentation and thanked him for including them because they are a growing business in the community and they are concerned about the community. He gave a little history so everyone knows why he's involved. He thanked the Planning Board for approving the building they are planning to construct. He knows everyone worked together to get him his approvals. When he was dealing with some questions he sat in on some meetings and he felt based on his experience as a Trustee 15 years ago, he was a trustee when Marc Sperry was Mayor, so you're hearing from a past mayor and past trustee. He came and he wasn't thrilled at what appeared to be a closed session. Decisions seemed to be made, there must have been discussion somewhere else because he didn't hear the discussion around the table like you were suppose to. Althea talked tonight about the open meetings law and he read a letter and submitted it to the minutes back in February regarding the open meetings law because he felt it wasn't happening the way it should. Then they hear

the rumors about the property that is going to be potentially purchased here. Three executive sessions were mentioned in the agendas for those. Only two of those were voted on properly to enter into executive session for those meetings. There was a third that said something other than purchase of property. So, he knows it was on the agenda, but the minutes don't reflect that was what you went in for. So, if you had three meetings that third meeting shouldn't have happened. When we chose to spend taxpayers money, and from what he understands, you have to come out of executive session and make a motion in an open meeting. He asked if he was right on that.

Mr. Dowd stated that they haven't done that yet.

Mr. Millspaugh asked, when they come out of executive session, did they close the executive session. Who made the decision to spend money on an appraisal?

Mr. Dowd stated the board.

Mr. Millspaugh indicated that he doesn't see that in the minutes. Shouldn't that be in the minutes? He asked who chose to spend money on a consultant.

Mr. Dowd stated the board.

Mr. Millspaugh asked, shouldn't that be in the minutes?

Mr. Dowd stated that it should be.

Mr. Millspaugh stated, but it's not in the minutes. There should have been some indication that some of these things were happening and yet they weren't happening. The village talks about things so people know what is going on. The Board chose to go into executive session when the only reason they could go into executive session for was the purchase of property and it was going to substantially affect the purchase price. He thinks that most of the people here tonight feel that it's not a smart thing to do which would only make the purchase price substantially go down if this group was making the decision. Maybe they think it might be a good decision if it wasn't going to be a dangerous setting as we've already heard people say that tonight. That a dangerous setting in a residential area, even though it is zoned I-2 opens up another question. We've contracted with Alan Sorensen, who is a planner, for a comprehensive plan and a downtown revitalization plan. He doesn't believe in any of the paper work that he saw that part of that plan was to have a DPW in the center of town. It doesn't make sense to build up the beauty of the community and maybe that was a site that was overlooked in our rezoning the downtown area, but he believes in the downtown area we now are stretching it down Route 52 east with the DeGroot Laundromat and the shops at Star Glass and some of the other buildings. It looks like we're trying to expand the business district. He asked if there was a plan that shows DPW as a potential use for downtown Walden in that plan.

Manager Politi stated that he thinks you have to go back to Trustee Hurd's presentation where an opportunity presented itself and he thinks from that standpoint is where you have to go.

Mr. Millspaugh stated that Trustee Hurd chose some interesting words, kicking around ideas it came up that maybe we need a new place for a DPW. Trustee Hurd presented his charts, his 15 steps when he bought his house. Which step is expending DPW on that 1-15, obviously it was a plan step, it was a step that was kicked around and suddenly, because an opportunity presents itself it becomes an urgent need. Obviously it's not an urgent need if the building wasn't going to be available to us six weeks or ten weeks ago whenever that was. Now it's urgent. He asked if he could ask for a roll call of who has their mind made up.

Mayor Pellegrino stated no. If anyone is going to ask for a roll call it's going to be me.

Mr. Millspaugh stated that he's just asking for an opinion. Nobody here knows what anybody's opinion is that sits on this board. We have the impression that this deal is like a 99% done deal. He asked if he was wrong.

Mayor Pellegrino stated that he doesn't even know what is going to happen tonight when they take the vote.

Mr. Millspaugh asked what the vote tonight was for.

Trustee Hurd stated that he is going to make the motion for the board to adopt a bond to purchase the property at 49 East Main Street. Mr. Millspaugh can ask the board anything he wants. He wishes more of them would talk to the Board all the time. He further stated that they have to vote in public and they will. He's said this a thousand times at meetings, you elected us to be Village Trustees and the Mayor. We have a representational republic that is the United States of America. That is how we do things. There are 6,124 who live in this village that they answer to. They do the best they can, but it is their responsibility to make the decision. That's what they pay him for.

Mr. Millspaugh stated that Trustee Hurd had that speech two weeks ago and he said yes, but don't you have an obligation to hear what the community has to say and don't they have the right to hear the dialogue that goes along with the board.

Trustee Hurd stated that they are trustees 24/7/365 once they get elected. He doesn't walk in here at 6:30pm twice a month and say I have an idea, I want to talk to you and everybody listen. We talk to each other as individual trustees to kick around ideas all the time. We get excited about this village. Rocky will call him and say I have a great idea for this. Roy will talk to him and say have you heard about this before. We do this all day long. We try to be creative. We will be as open and honest with you forever. He's really proud of these people.

Trustee DeJesus stated that actually there is a reference in Kevin's letter that if there is a need for a public referendum, the public has the right to petition. He feels that should be made very clear to the people here tonight.

Mr. Dowd stated that is only if the board passes the bond resolution.

Trustee DeJesus stated right.

Trustee Hurd stated that we are funding are eighth program. We've done this every year. It costs money to maintain this village and money to improve this village. He would venture to say that the reason we are getting all the growth they are getting was because everybody, and he doesn't mean just the board or just the planning board, we have a lot of community volunteer groups and boards go back way before he got elected, who have put their heart and soul into this village. Everybody who he talks to say they can't believe how much progress they are making and how much more progress they are going to make. Developers don't come into a village and put up \$375.00 houses because they think the village looks like crap. They see an up and coming village and ladies and gentlemen we are up and coming. All the work we do and all the work DPW does improve all the quality of our life. He would like to ask Mr. Millspaugh a question, he realizes they are spending tax money, he realizes some of it is demand and it creates price rises, think about the value of your properties and how much they've risen in the last couple years and how much more they will rise in the future. That is a consideration to look at as well.

Mr. Millspaugh stated, getting back to the point whether DPW should be in the center of town or not, not just a budget issue.

Trustee Hurd stated that he's always considered this building the center of town, but that building there is located on a railroad track, the building behind it is a feed store, building next to it is a printing company, the building at the other end is a Laundromat, car wash, Package Lighting, NELCO, and body shop. That building isn't exactly water front property.

Mr. Millspaugh stated that the address is E. Main Street which tells you this is Main Street.

Trustee Hurd stated that the building is there. He feels the building is a very attractive building. There is a three wheel tandem parked there and all our trucks are smaller than that. We are going to fence in the area behind it. During the summer months they will be in a fenced in area and they can also be inside. This building is not just similar to the use of our building it's exactly the use of our building. Don't ignore the fact that we will be 2,200 sq. ft of office space and it's the first time we will ever be able to combined three departments in one location. Dean won't have to wait and talk to Walt, they don't have to wait to talk to the code enforcement officer and the public will be able to drive into the parking lot and go right in and get their questions answered at one location. Reasonable people can disagree. For some people the glass is half empty

and for some the glass is half full. We can look at facts and come to different conclusions. No one suggested for a moment this is not an emergency. We are using the facility we have right now. We are going to use the facility we have tomorrow and we're going to use the facility next month and forever. We're only going to modify the use a little bit. This is an opportunity to act now. We're never going to get this type of facility again for this cost.

Trustee DeJesus stated that Mr. Millspaugh's letter in the paper he mentioned that we have closed government and he mentioned that with the letter of February 10th as well. He asked Mr. Millspaugh if he considered executive session to be closed government.

Mr. Millspaugh stated no, that's proper government. Then you make a motion to spend money. You can't do that in executive session.

Trustee DeJesus stated that when he did his research on minutes going back to 1998 for example, August 23 and August 25, 1998, October 11 and 25, 1998 Mr. Millspaugh made motions to enter into executive sessions. He asked if Mr. Millspaugh considered they were having closed government then.

Mr. Millspaugh stated no. There are eight reasons to go into executive session. He can pull them out and read them to him

Trustee DeJesus stated that he is just saying the Mr. Millspaugh was on the board and he understood the need for executive sessions and he has documentation and if anyone wants to see it its right here indicating that Mr. Millspaugh in fact made motions to go into executive sessions, so how is it different from what we're doing. He's just comparing.

Mr. Millspaugh stated that in all do respect though you cannot, in executive session, make a motion to spend taxpayer's money. It has to be in a public meeting.

Trustee Hurd stated that we are going to do that in front of you right now.

Mr. Millspaugh stated that it happened at a meeting when you said we're going to go out, you authorized the manager, I guess, because we don't know what it says, to go out and get a consultant, also and get an appraisal. That was expending tax payer's money. That should have been in a motion after you reopened the meeting and its not.

Trustee Hurd stated that he thinks he said this is a small village.

Mayor Pellegrino stated that he takes full responsibility for that. He asked if Mr. Millspaugh had anything else to say.

Mr. Millspaugh stated that Trustee Hurd said that an abutment building was a pole barn.

Trustee Hurd stated that it's better than a pole barn.

Deputy Mayor Wynkoop stated that it's a steel building.

Mr. Millspaugh stated that he's not a budget expert, however, last year the village was able to raise the general fund spending by \$738,000, appropriation, not necessarily to spend it. Three quarters the way through the year you're ahead of pace to spend more than what the budget is. He asked if he was correct.

Manager Politi stated no.

Trustee Hurd stated that he saw Mr. Millspaugh's numbers and they are incorrect. Your conclusions are because you don't have the information.

Manager Politi stated that we get a monthly report each month and we are right on track. We are close on a couple lines.

Mr. Millspaugh stated that you're over on some lines, significantly.

Trustee Hurd stated that they do reconciliation's every month to balance that out.

Mr. Millspaugh asked about the increase in the retirement funds.

Manager Politi stated that has been for the last two years.

Mr. Millspaugh stated that this is all significant because it goes back to the tax report. He asked when the increase in retirement went into effect.

Manager Politi stated that it went in this year and it will be next year.

Mr. Millspaugh asked why it looks as though the retirement; the amount that was appropriated is about twice what it needs to be in some instances.

Manager Politi invited Mr. Millspaugh to come to his office and go over this. He will show the budget is moving along fine.

Mr. Millspaugh stated that he will be at the budget work sessions if they allow him to participate.

Mr. Millspaugh further asked if the revenues were going to be lower because of interfund transfers from the water and sewer. It looks like they are down about \$25,000.

Manager Politi stated that he doesn't have his budget or report in front of him so Mr. Millspaugh is welcome to come to his office and go through this.

Mayor Pellegrino asked Mr. Millspaugh if he would like to come in and go over that with the Manager and himself.

Mr. Millspaugh stated yes.

Trustee DeJesus stated that Mr. Millspaugh's points are very well taken and he is on this budget issue. It's not what they are discussing now, but when that point comes he would be happy to listen to what Mr. Millspaugh has to say about that. You're really addressing the issue of the building. He understands Mr. Millspaugh has legitimate questions, but he would appreciate it if he would stick to the issue of the building.

Mr. Millspaugh stated that he will close up with one last point. Mr. Hurds presentation he showed all the new developments and he realizes the board is not allowed to talk about Jacobs Ridge because of the possible legal suit, however, here is a perfect example of a significant problem that comes from these developments and who has to pay to fix all the things that go wrong. Those are all taxpayers' expenses unless you have a bond and you can hold the developer responsible. He also knows they get reduce, maybe they should and maybe they shouldn't. However, there are many expenses and many problems that come with these things. He knows in another development, he doesn't have the name; there was a direct connection of a sewer line into the storm sewer. That was corrected at taxpayer's money. Who connects these things and how is it going to be prevented. It all costs more money. We take our final cost benefit analysis and say is the cost of spending the money in this one instance, is it giving us enough benefit for the dollars that we are spending rather than spending it in another way that would be much more suitable for the village. He doesn't argue there might be a need for increasing the size of DPW. The question is where and when.

Joe Roebuck, 1 Sadlier Place stated that as far as purchasing the building, whether it's a good idea or not is up to you people. You're the ones that they put there faith into when they ran for election. We all had a chance to step up and run for election and nobody wanted to. As far as complaining about trucks that are going to be in and out of this facility he thinks it's ridiculous at this point. If you want to complain about what was built there you should have done it when he applied for the building permit, not when he wants to sell it. He thinks this is ridiculous. He thanks the board for their time, the decision is theirs, and we voted for you and put you in there to do what is the best for us. The village is growing and DPW has to grown, everything grows. If you don't buy this land here where are you going to go in the village and get another 4 or 5 acres to put up another DPW?

Audited Bills

Trustee Keator moved to pay the audited bills of March 23, 2004. Seconded by Trustee Norman. All ayes. Motion carried.

Bond Resolution to Authorize the Purchase and Financing of 49 E. Main Street

Trustee Hurd moved to declare the Board of Trustees lead agency and declare a negative declaration under SEQRA. Seconded by Trustee Wynkoop.

Trustee Hurd moved to adopt a resolution authorizing the issuance of \$530,000 serial bonds of the Village of Walden, Orange County, New York, to pay the cost of the purchase of a building located at 49 East Main Street, Walden, New York, for highway garage and office use by the Village of Walden and the partial reconstruction thereof in and for said Village. Seconded by Trustee Keator.

Mr. Dowd stated that since this is a bond resolution it requires five votes to carry. Since it is for more than five years it will be subject to permissive referendum.

Trustee DeJesus asked the attorney to explain permissive referendum.

Mr. Dowd explained that permissive referendum basically is if there is a petition filed by the residents of the village numbering more than, he believes it is 5% of the number of votes cast in the gubernatorial election they can force this to a ballot proposition to see whether or not to borrow the money. They need the petition filed in accordance with the law. The time will begin to run upon publication of the notice of adoption.

Trustee DeJesus stated that this has been bouncing back and forth in his head and there are some legitimate concerns such as the location of the building and the fact that it is in the middle of the village and Trustee Hurd brought the issue that this is the center of the village. There was a concern by Mr. McCormick about the trucks and a concern by Ms. Phillips concerning the fact that the trucks will be in operation during the winter are they going to be started and running and what hours would that be.

Manager Politi explained that the mechanic bay will be down below, keep the salt shed down below, keep the plowing down below; because it's seasonal you don't need it up here. The trucks that would be uptown would be in a heated building. You're starting them and leaving. There is no need to let them run.

Trustee DeJesus stated that Mr. Sperry indicated that while in favor of expanding the building, Keith also said this, that he was not sure about the location, whether it was a good location. Becky's pictures were very telling in essence because of the concern and he would have the same concern and if we do vote on this tonight and approve this that we cannot have the kind of mess that Becky just showed us at this site. He's never been over there and it doesn't look good. He walks a lot around the village and he walked into the park the other day and the house in the community park is falling apart. That has to be addressed. Larry mentioned the Home Rule situation going to Albany and ask permission to expand on the current site. There are concerns because there used to be a land fill at DPW. He asked if that was right.

Manager Politi stated not a landfill.

Deputy Mayor Wynkoop stated that there was a lot of stuff dumped there, branches and other stuff.

Trustee DeJesus asked if it was determined what the tax assessment is for the building and what the impact would be on the building.

Manager Politi stated that it's being developed right now.

Trustee Hurd stated about \$4,000.

Manager Politi stated that the true assessment number is being developed.

Trustee DeJesus stated that they talked about the bond and it's not going to have an impact on this year's budget. It's no secret that he's been saying at board meetings that he would not support a tax increase in this year's budget. Everything has an impact on the taxes. Contrary to belief that \$38,000 that the library was approved to expend this year by the voters, notion was that it does not impact the village budget and it absolutely does. There was talk to take it from pile A and put it in pile B, but how are you going to fund what you're taking from here. His concern is when they voted to support the County Executive to increase sales tax. We are talking about increases in the water and sewer fees. This is a very difficult decision for him.

Trustee Hurd stated that Trustee DeJesus always takes the time to the effort to be very amicable and that is good. The easiest thing for the board to do and the most popular thing for them to do is to do nothing. Come here vote and go home. Over ten years ago there was a three year period where the board took about \$70,000 a year for three years from water and sewer surplus to balance the budget at zero. They were heroes. They could say not 1% tax increase. That was extremely irresponsible, because guess what happened. As soon as that surplus ran out and they ran into problems they got substantial rate increase. Their job is to look at for the welfare of all of them. Like a ship they have to look out ahead, there could be icebergs ahead. Not doing it and taking the money, we could say we could take this money and lower our budget a little bit. Maybe a tax rebate. It would be the equivalent of throwing a cocktail party on the deck of the Titanic. He knows investing in our infrastructure costs a lot of money, but it's an investment and he thinks it worth it.

Trustee Keator thanked Becky for the pictures, they were great. She has seen a few of those sites, but she opened up her eyes to a couple other things. We don't have any other place that we can build this, because there is an issue with the parkland right now and we don't know if we are going to get over it. There is no place to go. We are growing. There are 300 homes to be built in the next half a dozen years. She doesn't think this is the best location. Do we have the chose; a lot of you seem to think so. She did for a while. It is the center of town. When she looks at that building she likes the way it looks. She would like something written someplace saying maintenance on this building is done routinely every six months. What ever it takes to keep it that way. She understands the issues with the street and the children. She grew up on Orange Avenue

and there is a lot more traffic now then there was then and she knew where she could play and where she couldn't. She agrees with Trustee Hurd, when she sees that \$818,000 and realize that doesn't include property if we had to purchase it. The reason they went back and forth with Mr. DeGroot with this was because he wanted more money than we were willing to spend. \$430,000 was the most they were going to do. He walked away from it once and then came back to us. Two weeks ago Trustee Hurd brought the notification to you and that is why we are here tonight. Nothing was done in private; nothing was done in close doors. We did what we were supposed to do. The numbers that were omitted she apologizes for that. She doesn't know how that happened, but they were omitted. It's not the prime location, but right now she can't think of any property in the village that they could purchase to put a DPW garage.

On roll call Trustees Raymondo voted yes.

Trustee DeJesus stated that the only reason he's going to vote this way is because the board doesn't have the last say. Remember the permissive referendum. Basically he wrote down all the concerns that were expressed and they are real concerns and they are things the board has to stay on top of. In voting for this motion he's doing it with the understanding, he's been agonizing over this to this very minute, with the understanding that he knows the public has the ability to have a referendum. Becky indicated that she collected so many signatures, perhaps she can if that's the way to go. This is the only reason he is voting yes on the motion.

Trustee Hurd stated that obviously he's voting yes. If this goes to a public referendum that is our system of government, that is how we do things, out in the open. He says if that is what you truly want in this village he wants this building; remember we are making a vote here in front of all of you, my friends and neighbors. If you wish to gather signatures to put this on a ballot for the bond resolution and you don't want this building, he can live with that. When you get to the part where you have to start defending your point of view, you'll have to do your engineering studies and probably you'll have to come up with your solutions which they will listen.

Trustees Keator, Norman and Wynkoop voted yes.

Deputy Mayor Wynkoop further stated that he's lived in this village a long time, almost his whole life. He pays taxes just like everybody else pays taxes and he pays on two pieces. We are in need of expansion of DPW. If we wait this opportunity is not going to present itself again. He voted yes too.

Mayor Pellegrino voted yes. All ayes. Resolution adopted.

Request for Use of Firing Range-Orange County Sheriff's Office

Mayor Pellegrino indicated that the Orange County Sheriff's Department is requesting use of our firing range from March 29th – April 2, 2004 from 7am-3pm.

Trustee Raymondo stated that this came up before and he asked how many rounds and what kind of ammunition was expended on that range. This is the Village of Walden Police Department's firing range and they should be looking for revenues from Orange County and other municipalities that use that range. There was also a request from the New York Air National Guard. He has no problem with that. The Air National Guard wouldn't be able to pay us. They don't use that range on a regular basis. At one time Orange County was using the Westchester range and they stopped them and he's not sure if they were paying them or not. He brought up the same concern as before about he would like to have a log of how many people are using the firing range, what type of ammunition they are using and how many rounds. He wants the board to really think about charging them for it.

Trustee DeJesus asked Chief Holmes what kind of impact does this have. It's not just the village using it.

Chief Holmes stated that the Town uses it twice a year, we use it twice a year and in the new contract we might use it three times a year. The Air National Guard used it four years ago and they allow us to use their computer weapons and we get to use their instructors.

Trustee DeJesus asked if other municipalities have financial arrangements.

Chief Holmes stated not to his knowledge.

Trustee DeJesus asked what kind of impact.

Chief Holmes stated that they've limited the number of people that fire to twenty or less. His conversations with the Sheriff is within the next year or two years the sheriff's department and the county are trying to build a range that would be county wide.

Mayor Pellegrino asked Trustee Raymondo if he would feel more comfortable with more information on the type of ammo and the shots fired.

Trustee Raymondo stated that he thinks that will be a requirement with DEC at all ranges.

Chief Holmes stated that they are following EPA guidelines.

Trustee DeJesus moved to approve the use of the firing range by the Orange County Sheriff's Department March 29th – April 2, 2004 from 7am-3pm. Seconded by Trustee Norman.

Trustee Hurd asked Trustee Raymondo if he's saying he wants the village to investigate this for the future, but you're okay with it now.

Trustee Raymondo indicated that he is okay with it now, but you have to think about one thing and he's said it before, eventually you're going to have to alleviate that range and you have to know what you are firing out there.

All ayes. Motion carried.

Request for Use of Firing Range – New York Air National Guard

Trustee Raymondo moved to permit the New York Air National Guard to use the firing range May 3rd – May 14th, 2004. Seconded by Trustee Hurd. All ayes. Motion carried.

Review Sign Regulations

Trustee Raymondo moved to table the review of signs regulations until next work session. Seconded by Trustee Hurd. All ayes. Motion carried.

Mekeel Rezone Request

Mayor Pellegrino stated that there was a request to rezone the property, Section 313, Block 1, Lot 1 of the tax map which is presently zoned I-1. There is a potential sale. They are requesting to rezone it residential.

Mr. Dowd stated that the village has a master plan committee that has just begun to work and it would seem to him that to rezone five acres from industrial to residential, so they can put more houses on it, may not be what the recommendations of the master plan committee would be. He suggests the village write the people a letter and say you are in a master plan process and you are referring it to the master plan committee and it will take some time for review plan and what they want to recommend to this board as to whether this should be rezoned or not.

Mayor Pellegrino suggested that board members get together and walk the property so they are familiar with it.

Informational/Manager's Report

Manager Politi stated that he delivered the 2004-2005 proposed budget to the Village Clerk on March 19, 2004. He would like to set dates for review.

It was the consensus of the board to hold budget work sessions March 29th, March 30th and April 2nd, 2004 at 7:30pm.

Board Comments

Mayor Pellegrino congratulated Brian Sebring, he was appointed to the Planning Board. He's done a great job, he's a great guy and he keeps the village in his heart.

Trustee DeJesus passed a resume to the manager of someone who would like to fill the vacancy on the zoning board.

Deputy Mayor Wynkoop asked when is the village going to get to some of these streets.

Manager Politi stated that the plants haven't opened yet. We have been doing cold patch.

Trustee Norman stated that Bob Lynn spoke to her and Deputy Mayor Wynkoop about fire hydrants. She feels the village should take a look at them.

Manager Politi stated that he has the list.

Trustee DeJesus stated that he doesn't understand the comment about the fire hydrants.

Trustee Raymondo asked, how do you pull them out?

Manager Politi stated that there were two on the corner of Oak Street and North Montgomery Street. One broke over, so they removed the old one. There is still a hydrant there.

Mr. Lynn stated that if there is a MVA and a hydrant is broken a report should be generated and given to the manager immediately and the insurance company should be billed that week. Taxpayers shouldn't have to pay for that.

Trustee DeJesus stated that he looked at the village's website the other day. He asked who the web master was.

Manager Politi stated RDP Video.

Trustee DeJesus asked if the website can be updated, Connie Flickenschild is still listed as a trustee.

Trustee DeJesus asked if we know how many hits we get.

Manager Politi stated that he can generate that.

Trustee DeJesus stated that he would like to know if anyone visits our website and how we can make it more useful. Minutes should be on that, agendas should be on that.

Trustee DeJesus stated that there was an issue about DPW that he mentioned to the manager with Walt coming on board. He thought it would be a good idea. There was a change in the administration there and he thinks it would be a good idea to get a sense

of what DPW looks like, what has he found, where does he see this thing moving even though he's not going to be there, just as a consultant. When we hire someone else it would be nice for him to report to that person. It would be up to the board to do this. He wants a good picture of what is going on at DPW.

Trustee Hurd stated that with the expansion of DPW he knows they will get called on the get a ton more and actually we are going to need more manpower. He thinks the site will be really good because there will be tasks to do more which will help a lot.

Trustee Raymondo stated that at one time we had at least one guy out in the field. This is what the village residents don't understand, they think there is this massive DPW force that they can do all this stuff. At any one time we have three guys. How much can you get done with three guys. They do a good work and they put a lot of hours in. DPW is a good as the head of the department. The reason why Becky sees all those pictures was because for the longest time we didn't have the proper guidance and we are paying for that.

Adjournment

Trustee Keator moved to adjourn. Seconded by Trustee Hurd. All ayes. Meeting adjourned.

Respectfully submitted,

Nancy Mitchell
Village Clerk