

**VILLAGE OF WALDEN  
BOARD OF TRUSTEES MEETING  
JULY 13, 2004**

Mayor Rocco Pellegrino 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	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 Norman moved to adopt the minutes of June 22, 2004. Seconded by Trustee DeJesus. All ayes. Minutes adopted.

**Public Comment**

Becky Pearson, 167 Walnut Street stated that the board went into executive session at the last meeting for property purchase, can the board tell her anything about it.

Mayor Pellegrino stated that it was for the well site.

Mrs. Pearson asked if there is anything new on the DPW. It was an urgency to get a building before; it's not an urgent issue now.

Trustee Hurd stated that it wasn't urgency, it was an opportunity.

Trustee DeJesus indicated that the minutes reflect the action taken after executive session on June 22, 2004.

Mrs. Pearson also asked about the sign she asked the manager about.

Manager Politi stated that he is trying to get something going.

Mrs. Malone, 19 South Montgomery Street stated that they are having a problem with two drug problems on either side of their houses. They went to the police because they've had a problem with noises and a lot of people hanging out on the street, a lot of cars passing on the street and making u turns. They called the cops and they told them to come here and ask the board what they can do.

Vicki Anderson stated that she lives at 119 South Montgomery Street and First Street is right in front of her house and these people that are copping drugs are doing u turns there because there is no u turn sign there and the officer said they could probably get one of those up and they could control the drug problem.

Manager Politi asked the residents to come in and see him.

Mrs. Malone asked to meet with the manager tonight.

The Mayor stated that they can talk after the meeting.

Trustee Raymondo asked who the officer was that told them to come to the meeting.

Vicki Anderson, 119 S. Montgomery Street stated that they went to the police department downstairs and they told them to come to the meeting. The sergeant was down there.

Mrs. Anderson further stated that their children were shot by BB guns.

Ms. Ilkew informed the board and people about the formation of a group who have already had their first meeting. They are called friends of the James T. Olley Park. They met there on Sunday at 6pm. It came to her attention that there was complete removal of a large area of wetlands at the park. They will explore that. Patricia Henneghan founded the group. They are like a watchdog group. They have the support to the Audubon society, wildlife watch and there are certain disturbing things going on in the park.

Trustee DeJesus asked her to explain the disturbing things.

Ms. Ilkew explained the wiping out of the wetlands, not on the beach side, but the other side as well. Someone said it was for a soccer field that did not materialize. That is a large amount of money to do that.

Trustee DeJesus asked how much money is she talking about.

Ms. Ilkew stated that she doesn't know it's just from what she has seen.

Trustee DeJesus asked if they were all village residents that met at the park.

Ms. Ilkew stated yes.

Trustee DeJesus asked if they met on Sunday.

Ms. Ilkew stated that they met on Sunday to discuss things with people who live next to James Olley Park. Also, the Town Supervisor was there. It will be covered in the newspaper. She has interesting pictures, before and after shots.

Deputy Mayor Wynkoop stated that the village checked with DEC and nothing was violated.

Trustee DeJesus asked what the requirements are for holding a meeting in the park. Is a permit required?

Mr. Dowd stated that the park is open to the public. If it becomes a function of that group then they should get a permit.

Trustee DeJesus stated that other groups have to show a certificate of insurance.

Mayor Pellegrino stated that it would be nice for the group to meet with this board instead of the Town of Montgomery Supervisor. He spoke to Patricia the other night.

Ms. Ilkew stated that there are also questions about a development going up.

Trustee DeJesus explained that there is a parcel of land on Penney Lane and Edmunds Lane that was approved way back when for development. Apartments are going to be built there. There was also a law suit that gave the developer the right to build in wetlands. They are before the planning board at this point.

Trustee DeJesus asked if that was cut back that low in the past.

Manager Politi stated yes. It was maintained grass at one point.

Trustee Raymondo stated that when his kids were using the lake it was grass.

Mayor Pellegrino stated that if Ms. Ilkew's group wants to meet, come in and meet with the Village Manager and himself.

Ms. Ilkew asked who authorized the cutting of the wetlands and how much did it cost.

Manager Politi stated that it's a recreation department function that they've done through the years.

Althea Mullarky stated that she has a couple requests from the Walden Harvest Fest Committee. They would like permission to have the wine tasting like they did last year.

Trustee Raymondo moved to allow wine tasting at the Walden Harvest Fest. Seconded by Deputy Mayor Wynkoop. All ayes. Motion carried.

Mrs. Mullarky stated that the Walden Harvest Fest Committee is having a mock jail at the Harvest Fest and she hopes the trustees and mayor will participate. They would also like to have the dunking booth this year. She asked about the insurance for the dunking booth.

Mr. Dowd stated that it would be under the village's regular policy.

Mrs. Mullarky stated that she goes to Olley Park and she's never seen clear cutting like it is right now. She also asked about the wetlands.

Ken Vassilatos asked why the cutting was done at Olley Park.

Manager Politi stated that they clear that for walking and fishing. It has been done for years that way. They sometimes skip a year. There are no plans for building anything there.

Mr. Vassilatos asked if DEC was notified.

Manager Politi stated that DEC had a complaint filed and he called and found that there is no infraction from their point.

Trustee Hurd stated that DEC said it was a good idea because it will grow back stronger and newer and it will help clean out the dead stuff. It helps prevent the danger of fire hazard and keeps ticks down.

Trustee DeJesus stated that in the future if DEC says its fine the village should get something in writing to confirm that and in the future just trim it and not cut it to the bare bones. He walks there all the time and it was a shock.

### **Audited Bills**

Trustee Keator moved to pay the audited bills of July 13, 2004. Seconded by Trustee DeJesus. All ayes. Motion carried.

### **Introductory Local Law No. I-1 of 2004-Zone Line Change**

Mayor Pellegrino indicated that approvals have been received from the Village Planning Board and the County of Orange Planning Board.

Trustee Hurd moved to declare the Board of Trustees lead agency and to declare a negative declaration under SEQRA. Seconded by Trustee Norman. All ayes. Motion carried.

Trustee DeJesus moved to adopt Introductory Local Law No. I-1 of 2004, Zone Line Change as Local Law No. 1 of 2004. Seconded by Trustee Raymondo. All ayes. Local Law adopted.

### **Bridge Bid Acceptance**

Trustee DeJesus moved to authorize the manager to accept the bid for the Route 52 foot bridge from Continental Bridge for \$19,785.00. Seconded by Trustee Raymondo. All ayes. Motion carried.

### **Authorization to Solicit Bids for Route 52 Foot Bridge Installation**

Manager Politi explained that the foundations have to be moved back away from the abutment walls. They also have to rehang the waterline which means they have to change hydrants and push valves out.

Trustee Raymondo asked who was going to do vegetation control.

Manager Politi stated that the village will be removing the vegetation. You still need the chain link fence which will be green or black coated. The hydrants will be done internally. They will be adding a little sidewalk so you have a clean run from the bridge to the new crossing.

Trustee Hurd moved to authorize the manager go out to bid for the installation of the Route 52 foot bridge. Seconded by Trustee Keator. All ayes. Motion carried.

### **Finn Property**

Mr. Dowd explained that 51 Valley Avenue is in the estate of Joseph Finn and the village received a letter from the attorney representing the estate and they want to sell the property. They have a purchaser ready to buy and that purchaser had a mortgage commitment and in the course of title searching they found that there is an encroachment by the building on the village property. That held up the closing and the buyer had to extend the mortgage commitment at a cost and its coming due again and they don't know if they will be able to extend it again. The letter says that if you look at the survey of the property there is a .2 feet encroachment of the building. There is an agreement the village can enter into which would allow the building, as long as it stays there, to remain that 2 ½ inches in the village's right of way. If it ever has to come down to be replaced or remodeled that it would be pushed back. The new homeowner would be the beneficiary of that and there would be homeowners insurance that would name the village as additional insured so as long as the encroachment is in effect.

Trustee Raymondo moved to grant the estate of Joseph Finn an encroachment agreement for the .2 feet. Seconded by Trustee Norman. All ayes. Motion carried.

### **Informational & Village Manager's Report**

The manager explained that he sent the letter off to the planning board regarding the retention pond fencing.

Manager Politi stated that Trustee DeJesus asked that the manager distribute a counselor's corner from the NYCOM bulletin concerning parkland.

There is an update from the building inspector. The property on Alfred Place was cleaned up and they are moving forward on the Ronk property.

Trustee DeJesus stated that every time he goes by the Ronk property there is more stuff in the yard.

Mayor Pellegrino stated that the village is doing everything to help this man, but he has to know in the end if we have to shut the house down, we will shut it down.

### **Board Comments**

Trustee Keator stated that she had a discussion with a business owner on Main Street today concerning parking spots after DOT gets done. One business owner suggested marking parking spaces like in the municipal square. Someone else mentioned a loading zone.

Trustee Keator stated that between Flowers by Anita and Roosa Jewelery there are one or two parking signs missing and people are all over.

Trustee Raymondo stated that there a problem with parking by the light, between the restaurant on the corner of Scofield Street and Main Street. It's almost impossible to get through there between 3:30 and 6pm.

Trustee Raymondo also indicated that more and more you see unregistered vehicles around the village with fenders missing. There are unregistered cars on Scofield Street and Montgomery Street. He also indicated that at 17 Oak Street the dumpster is almost out in the parking lot. We have to work on dumpster enclosures. The chain link fence is dangerous at the mini mall. There is also a barricade that says Walden Police Department in that area which should be removed. He would like dumpster enclosures on the next work session agenda.

Trustee Raymondo stated that the board always come to the village manager to tell him where all the problems are. Maybe they can ask the code enforcement officer to come in once a week and take a tour through the village.

Trustee Raymondo also proposed that any individual appointed to the village board have a minimum of two years residency in the village and has voted in the last village election.

Trustee DeJesus asked about the village manager's vehicle is there an insurance requirement. In order to drive a county car you have to have your own insurance.

Mr. Dowd stated that it's probably because the county is self insured.

Trustee DeJesus asked how the village made out with 31 Overlook Terrace.

Manager Politi stated that he spoke with Mr. Gould at length. The mayor also talked to him and explained the right of way is owned by the developer and when they fix it, it has to be at the villages liking. He showed Mr. Gould the letter from the engineer.

Mayor Pellegrino stated that he spoke to Mike Gutterman. Mr. Gould is under the impression that the village can fine the builder to get him to get the work done faster.

Trustee DeJesus stated that when the article came out regarding the James Olley Park there was mention of a soccer field.

Manager Politi stated that it's a play field/soccer field for the little guys.

Trustee DeJesus stated that the house on Ulster Avenue, brown house, is boarded up, is it abandoned?

Manager Politi stated that he will check into that.

Trustee DeJesus asked about the Mobil Station, they are open 24 hours a day, did the Planning Board approve that.

Mr. Dowd stated that the original proposal was that it would not be open 24 hours a day, but there is a prohibition in the law that says the village can't get into how people operate their businesses. We cannot regulate hours of operation.

Trustee DeJesus stated that the bus stop on East Main Street and Walden Estates Road there are a lot of children that wait there.

Manager Polity stated that he wonders if it's easier to make them go in and turn around at Watkins Drive.

Trustee DeJesus stated that coming up Route 52 from Newburgh there is nothing that says bus stop and people go fast and there have been accidents. He is concerned because they are getting more children there waiting for buses.

Deputy Mayor Wynkoop stated that if the bus goes into Walden Estates they would have to change some way they could get back out, because there is no way they could swing a bus.

Trustee DeJesus stated that somehow we have to get a flashing caution light and a sign that says school bus stop.

Manager Politi stated that it has to go through the school system and the state.

Trustee DeJesus stated that when the bus stops there are children running across the street from East Avenue.

Manager Politi stated that he will call the bus company.

Trustee DeJesus stated that he'd like to thank Carl Aiello of the Wallkill Valley Times for allowing the column from the Mayor.

### **Executive Session**

Trustee Keator moved to hold an executive session pursuant to 105-(h), property purchase for well site, of the Public Officers Law. Seconded by Trustee Raymondo. All ayes. Motion carried.

Trustee Raymondo moved to reconvene the regular meeting. Seconded by Trustee Keator. All ayes. Meeting reconvened.

Trustee Keator moved to authorize the manager to sign an option and purchase contract with Mr. Delong. Seconded by Trustee Hurd. All ayes. Motion carried.

### **Adjournment**

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

Respectfully submitted,

Nancy Mitchell  
Village Clerk