

**Village of Walden
Board of Trustees Meeting
November 9, 2004**

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

On roll call the following were:

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

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 October 12, 2004. Seconded by Trustee DeJesus. All ayes. Minutes adopted.

Public Comment

Maria VanLeuvan asked about the building across the street from 82 West Main Street. It looks bad and everyone is trying to improve that area.

Mr. Stickles stated that the owner has been noticed and the village will be boarding the building up and painting the boarded areas.

Mrs. VanLewen asked if the village will be getting some decent garbage receptacles in the village.

Manager Politi stated that once the sidewalks are all done they will get new ones.

Mrs. VanLewen also asked for benches in the village for the senior citizens.

Trustee Keator indicated that would be something the board could talk about after the winter.

Trustee DeJesus stated that there are cons and pros to benches becoming a hang out.

Manager Politi stated that there are a couple of ways the village could go about that.

Trustee DeJesus stated that he has an email from Mary Ellen Matisse regarding the Cranesville operation and the fact that there was a letter from the engineer to the Town Planning Board and her question was which way we are going, what is happening, did we get an answer back and is this board willing to look into it.

Deputy Mayor Wynkoop indicated that the engineer sent a letter to the town and the town hasn't done anything about it.

Trustee DeJesus stated that her concern is there was a letter from the engineer, now what from this board.

Manager Politi stated that Ms. Matisse called him today and asked if there was a letter the board could send to back up the engineer.

Trustee Keator stated that it was her understanding that the board received a letter from our engineer the day of the meeting. We don't know for a fact that they've even seen that letter.

Manager Politi stated that the public hearing is still open until January 16th.

Trustee Keator asked if they can pen a letter from the board and as an attachment send the letter from the engineer again. She'd rather have them get it twice rather than not at all.

Mayor Pellegrino stated that the board will get one together and send it out.

Trustee DeJesus stated that what he needs to understand is if there is an impact to our water system, because we don't want to get in the middle of a situation that is not necessarily affecting us. He wants to understand if this really does have an impact on our water system.

Audited Bills

Trustee Keator moved to pay the audited bills of November 9, 2004. Seconded by Trustee Norman. All ayes. Motion carried.

NYSE&G Street Light Authorizations

Trustee Keator moved to authorize the manager to sign the New York State Gas and Electric agreement for Gracewood Court. Seconded by Trustee Hurd. All ayes. Motion carried.

Trustee Keator moved to authorize the manager to sign the New York State Gas and Electrics agreement for Village Square, Bank Street and W. Main Street. Seconded by Trustee Norman. All ayes. Motion carried.

Friends of Olley Park

Trustee DeJesus moved to refer the information given to the Board by the Friends of Olley Park to the Parks and Recreation Committee. Seconded by Trustee Hurd. All ayes. Motion carried.

Ronk Property Maintenance

Dean Stickles, Building Inspector stated that this matter was brought in front of the board about five months ago and they were trying to figure out who owned the property. None of them want to sign any rights away and none of them want to do any of this. The property is still in the estate of Lillian Ronk. The person who lives in the house has been given, from the rest of the siblings, the right to live there. He believes the board should have a hearing, bring it back in and give Mr. Ronk a certain amount of time. Someone owns this house.

Deputy Mayor Wynkoop stated that it should be impressed on Mr. Ronk that the village will rip it down if nothing else happens. They totally ignore the village.

Mr. Stickles suggested they notice all the members of the family.

Trustee DeJesus asked how safe the addition is.

Mr. Stickles stated that the house itself is not structurally unsound.

Trustee DeJesus stated that there is a makeshift addition to the house. How safe is it in terms of a fire hazard. To him that presents a fire hazard.

Mr. Stickles stated that there is a big property maintenance issue, and then you have a health issue with the house itself. He feels they should deal with the property maintenance issue first and then deal with the health issue.

Trustee DeJesus asked if the Orange County Department of Health would have to come in.

Mr. Stickles stated that the county department of health is not allowed in the house anymore. They would have to get a subpoena.

Mr. Dowd stated that he did a last owner search and the title company came back and said the last owner is Mrs. Ronk. There is nothing in surrogate's court about any estate papers being filed. There are no other deeds of record and there are no mortgages or liens. All the taxes have been paid at the time of the search. All the children would

inherit a share of the house. If you're going to go after the reputed owners of the house you would have to notify all the siblings.

Mr. Stickles stated that they are all aware of the condition of the home. They've given the home to this one brother, but they don't want to sign away their rights to have something done to this house as far as rehab.

Trustee DeJesus stated that they would all be legally liable if something was to happen and they should be aware of that. We do have to notify the other people and explain to them what the alternatives are.

Mr. Dowd explained that the village could proceed under property maintenance issue to try to make the outside appearance better. If the other siblings understand that and if the village goes in and does it it's going to become a lien on the property and ultimately become a lien on the tax rolls and they will be paying higher amounts than if they do it themselves and maybe someone will watch over this. Then we have to think about what to do with the interior under the health code and unsafe building type issues based on what was last seen. That was months and months ago so you don't what the inside of the house is and you may not know, except by getting some sort of a search warrant. Lets see if we can attack the problem with the siblings on the outside of the house and try to bring them all in here and inconvenience all of them to make them see that we mean business and they might not want to go through the rehab issue.

Deputy Mayor Wynkoop stated that they are burning wood through a single flue chimney and he doesn't think there is a furnace hooked up anymore.

Trustee Norman stated that no one knows, because you can't get in.

Trustee Hurd stated that you really have to be very careful because if you apply these standards to Mr. Ronk that there are other properties in this village like this.

Mr. Stickles stated, not to this extreme.

Trustee Hurd stated if you need to talk to these people about cleaning up the exterior, because that's what we can legally observe, that's one thing, but to go further without having proof.

Mr. Dowd stated that they have enough evidence based upon the officer that was in there.

Mr. Stickles indicated that he has pictures.

Trustee Hurd stated that was two years ago.

Mayor Pellegrino asked the board members if they were alright that the village notify the whole family, we'll get a reply and then set a hearing.

The board was in agreement.

Mr. Dowd explained that they should serve everyone with the notice of violation. Then if they don't clean it up within ten days then we proceed with the hearing.

Mr. Stickles stated that the village has tried to help this man, to guide him to funds that are available through the county, and village. He doesn't want to help himself.

Mayor Pellegrino stated that he went to the fire department, where he is a member, and he asked them to get a work detail together and help. We've tried everything. The hard way seems like the only way.

Trustee DeJesus asked if the hearing would have to be open to the public. There are issues that are sensitive.

Mr. Dowd stated yes if the conversation sticks to the outside of the building. If they want to talk about the interior and other issues, then they can go into executive session.

Wastewater Treatment Plan Repairs

Manager Politi explained to the board that as part of the EPA grant that we received we're going to move toward putting out the upgrade the village needs for the plant. The old clarifier is in great need to be repaired. It will cost approximately \$200,000/\$250,000, but you get half of that back from the EPA grant.

Manager Politi also indicated that the village is moving on the meter system. In the future the meters will generate what we are suppose to from the system to pay for the things we need to do.

Trustee Hurd asked about the I and I study.

Manager Politi stated that will be the next piece. That's all part of the EPA grant, so you have a matching fund throughout the process.

Information & Village Manager's Report

Manager Politi informed the board about the following:

- Confirmation was received from Senator William Larkin outlining the \$25,000 legislation imitative grant for the handicapped playground equipment at Wooster Grove.
- The replacement of the Tinnbrook footbridge went smoothly on November 4th. There is more work to be done.

- The manager has requested prices from three contractors for the replacement of the sidewalks in front of 158 West Main Street.
- The department head reports are in the board's packets.

Board Comments

Trustee Norman thanked the recreation department who helped out with the Halloween parade. It was a success and a lot of fun. The best comment she heard was that everyone went home with something.

Trustee Hurd stated that he was contacted by the engineer to contact the property owners on Wileman Avenue along the rail trail. He started setting up appointments and they will spend thirty minutes with each homeowner to walk their property and get their input with fencing and screening. He hopes to be done by the end of next week.

Mayor Pellegrino stated that in regard to the Cranesville Block he knows the board asked the engineer to send a letter and also to find out what the impact is to the village. He personally is not against growth; he's not against development as long as it's done in a smart way. If he wants to go to a public hearing and speak as himself he will. He will never use his elected position to speak against another business or to use it in any way to stop development or growth.

Manager Politi stated that he has heard that the board was unaware of the Walden Rotary's intention to help fund a new stage or pavilion at Wooster Grove. He asked if they were aware of their offer and they agreed that Manager Politi had informed them of the Rotary's intention on several occasions.

Manager Politi informed the board that the Rotary is offering funding to help build a pavilion in Wooster Grove. The manager is going back and forth to come to a conclusion. He feels a pavilion will be oversized and we need to combine the two ideas, pavilion and stage.

Trustee Hurd stated that he spoke to with the president of the Rotary and he indicated they were very much in favor of the stage.

Executive Session

Trustee Raymondo moved to hold an executive session pursuant to 105-(d), litigation. Seconded by Trustee Keator. All ayes. Motion carried.

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

There was no action by the Board.

Adjournment

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

Respectfully submitted,

Nancy Mitchell
Village Clerk