

**VILLAGE OF WALDEN
BOARD OF TRUSTEES MEETING
January 11, 2005**

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
		Greg Raymondo

Absent:	Trustee	Jose DeJesus
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Also Present:	James Politi, Village Manager
	Kevin Dowd, Village Attorney
	Nancy Mitchell, Village Clerk
	Jeff Holmes, Police Chief
	Dean Stickles, Building Inspector

APPROVAL OF MINUTES

Trustee Norman moved to adopt the minutes of December 14, 2004. Seconded by Trustee Hurd. All ayes. Minutes adopted.

PUBLIC COMMENTS

Brian Sebring asked about the new style fire hydrants for the new subdivisions or replacement, he believes the village needs a resolution to change that.

Manager Politi stated that they will need a new specification. The Building Inspector has sent out letters to the developers.

Althea Mullarky, 3 Watkins Drive stated that she heard that Walt Sweed's contract was up in December, is there someone else that is being hired or looked at right now for assistant village manager/dpw superintendent.

Manager Politi stated that ads have gone out and we've taken in resumes and are looking at them right now. Until then Mr. Sweed will be here.

Ms. Mullarky asked how anyone can find these ads because she has friends that have moved here and they are looking for a job.

Manager Politi stated that the position was advertised in NYCOM, ICMA and the Times Herald Record.

AUDITED BILLS

Deputy Mayor Wynkoop moved to pay the audited bills of January 11, 2005. Seconded by Trustee Hurd. All ayes. Motion carried.

RESOLUTION NO. 07-04-05, DESIGNATING PLACE AND TIME OF ANNUAL ELECTION

Trustee Raymondo moved to adopt Resolution No. 07-04-05, Designating Place and Time of Annual Election, (attached). Seconded by Trustee Norman. All ayes. Resolution adopted.

SUBORDINATION AGREEMENT-14 CLINTON STREET

Mr. Dowd indicated that they meet all the guidelines.

Trustee Hurd asked if there has been any delinquency or late payments that the manager knows of.

Manager Politi stated, not that he is aware of.

Trustee Keator asked if the village would remain second on the mortgage.

Manager Politi indicated yes.

Trustee Hurd moved to approve the subordination agreement for 14 Clinton Street. Seconded by Deputy Mayor Wynkoop. All ayes. Motion carried.

RIVERVIEW LANDING STREET DEDICATION

Mayor Pellegrino stated that this is for street dedication. The village has had a couple of people phone in and one person at a meeting complaining about the snow removal.

Mr. Dowd advised the board that all the legal documentation is in proper order, however there were some outstanding issues, some were resolved today and some remain outstanding.

Manager Politi indicated that there were fees that were outstanding, as-builts that needed to be completed and the inspection of the sewer lift station. The fees have been paid and the pump station is okay. The as-built drawings and there is a conflict with our easement so the village can get to the lift station. It's a conflict as to where that easement

lies if it's on a driveway or not. They were trying to get this cleared up before tonight. The engineer recommended the village wait until they figure out where that easement is. If that can get cleared he may ask the board to get together before the next meeting. Everything else is in place.

Deputy Mayor Wynkoop asked if they can approve it contingent on the easement getting cleared up.

Mr. Dowd indicated that you don't want to send the wrong message to the developer. He may believe that a conditional approval is an approval and then he may not plow. He told the developers attorney to make sure the developer plows.

Manager Politi stated that the attorney is asking the developer to mark out exactly where that easement is, so we know if we can get passed that with a truck without impacting her driveway.

Yanir Reba, Developer stated that they didn't make any changes to the easement. They followed the code. The driveway had to be where it was to be between the hydrant and the transfer station. There is a pin in the driveway showing line of easement towards the location of the pump station.

Manager Politi asked that Mr. Reba mark it so the village can see it. There are some other items to be added to the as-built.

Mr. Reba stated that his attorney told him that the only question was the pin and bushes.

Manager Politi stated that would be the homeowner whether she has shrubbery in the easement or not.

WATER METER BIDS

Manager Politi stated that the water meter system went out to bid and it came in quite high. There was an estimate of \$550,000 and the bids came in over \$600,000 and \$700,000. He asked the board to reject the bids and then authorize rebidding the meters separately from installation and the read system itself. There will be two bids.

Trustee Raymondo stated now you're going to split it and it won't be a package.

Manager Politi stated that there is only one meter supplier in the area.

Deputy Mayor Wynkoop moved to reject all bids for the water meter system. Seconded by Trustee Raymondo. All ayes. Motion carried.

Trustee Hurd moved to rebid the water meter system separately, one for just meters and one for installation and reading system. Seconded by Trustee Norman.

Trustee Raymondo asked what happens if they separate the bids and it comes in at more than \$700,000.

Mr. Dowd indicated that they could reject it again.

Trustee Raymondo suggested they postpone it and do some more research. His feeling is if they separate it they will get one price for one thing and one for the other thing and when you put them together it will be more than the original price.

All ayes. Motion carried.

36 SHERMAN AVENUE

Mayor Pellegrino indicated that there have been some on going problems with the exterior and interior at 36 Sherman Avenue. The village has tried to work with Mr. Ronk directing him in ways where there is help; either through our grant writer or through county agencies and nothing is being done. It is time to move on this.

Dean Stickle, Building Inspector explained that he invited as many family members to the meeting tonight to explain the situation and get an idea as to how the village can help this family. Mr. Barnes had a problem getting everyone together.

Mr. Dowd explained that the village has noticed this building as an unsafe property and they put off making a decision where they would actually take into its own hands with there own crews, own contractors to try and fix the property up and then roll it onto the tax of the property. They were trying to work with Mr. Ronk and the family as far to see what more the village can do and a way to get financial aide to get the building fixed up. That is not happening for a number of reasons. The board has had this property before them for the last several years and most recently last spring and the board has waited all this time and nothing has happened. The village can take action against the property, make repairs and charge it back to the taxes. Then if they can't pay the taxes they actually lose the property. The village is trying to work with the owners to see what they can do. Then the board can decide what they can do, or has to do to get this property cleaned up.

Grace Schoonmaker stated for three years her mother tried to sign the house over to their brother. She and her older brother feel they should sell the property. They have someone interested in buying it as is.

Mr. Dowd asked how many family members are here tonight.

Ms. Schoonmaker stated four.

Mary Wood stated that there are four here tonight, but there are actually five family members. There are two in the decision that wants to sell, they want money. Her

brother has lived in that house. Yes, that house needs to be fixed; it needed to be fixed when her mother was alive. She did talk to Mr. Barnes and they came to a decision that maybe they could help her brother. Her mother wanted her brother to live there, but she passed away before she could get anything done. She spoke to social security and they said being he can prove he's lived there all his life as his home to live in, as long as the family is in agreement to leave him there that is fine. Mr. Barnes spoke about the village helping him to restore to house to make it livable. He said the only way they could do that is if all the family members agreed on it and he said the only way they could do that is if all of them got together to agree on it. She knows that her older brother and older sister will not agree on it. She doesn't care if she gets anything out of the property. This is what her mother would have wanted. She would have wanted her brother to live there as long as he could. Mr. Barnes said that maybe he could get them a lawyer where the lawyer could put it in writing that if they sign the house over to the brother and there would be a stipulation that if he ever sold the house everybody would get their cut. Meanwhile he would be responsible for the bill to have the house restored. Her other sister said she didn't mind signing something as long as she isn't responsible for this loan.

Mr. Dowd asked who was paying the taxes.

Ms. Wood stated that her brother is. She would hate to see her brother on the street. She would like to talk in private as a group if they could.

Ms. Schoonmaker stated that when her husband was alive he was willing to help her mother fill the papers out. Her mother told her husband that she didn't dare fill the papers out because he was fixing the house up from day one.

Ms. Wood stated that the village has approached her mother with this program and she was afraid to sign for the loan.

Deputy Mayor Wynkoop asked if everybody has part ownership in that.

Mr. Dowd stated that since there is no will each of the five children would have 1/5 interest in it.

Trustee Hurd asked if that was what was preventing the borrowing of money from the fund.

Mr. Dowd stated that in order for the village to give them a loan all owners would have to sign.

Trustee Hurd stated that all owners aren't willing to sign.

Mr. Ronk asked if they could make it that he is solely responsible for the loan. He is willing to do that.

Trustee Hurd asked if there were other sources of non loan type monies.

Deputy Mayor Wynkoop indicated that all five siblings would have to agree to it and they are not.

Trustee Raymondo stated that he thinks there is a program in the county that they can get money from.

Trustee Hurd stated, lets say that they are not able to come to a resolution among themselves and the village is forced to make the repairs and the cost are added to their taxes and the taxes come due that means they could have their home sold at tax sale and the proceeds come out of that and they would get whatever is left.

Mr. Dowd stated that the county would pay the village and the county would have the lien on the property and the county would sell it. Once the county takes title they don't have anything.

Mr. Stickles asked if the siblings could all agree to sit down with Mr. Barnes and have Mr. Barnes explain all the factors that go into it so that maybe Jim could have the house and get the loan.

Mr. Ronk stated that he has met with Mr. Barnes who has tried to help him.

Ms. Wood stated that she would like to get together with Mr. Barnes.

Mayor Pellegrino asked if as a group they would be willing to meet with Mr. Barnes.

They indicated that they would.

Trustee Hurd asked if there was a mortgage on their property right now.

Ms. Wood stated no.

Trustee Hurd asked if the house was mortgagable and could they all sell Mr. Ronk their interest.

Ms. Wood stated that she doesn't know if he could.

Mayor Pellegrino stated that the best thing they could do is to get one spokes person and get together with Mr. Barnes as a group and work with him. They have to work quickly.

It was the consensus of the board to give the Ronk family 30 days to get together and report back on February 8th.

BAND STAGE REPLACEMENT DESIGN

Manager Politi stated that the board received a letter from the Walden Rotary regarding the band stage replacement design. They are proposing a pole barn style building.

Trustee Hurd indicated that this will be the first thing you see when you're entering the park. This is something that should be in the back of the park and a pavilion, not a performing arts building.

Mayor Pellegrino asked if this would be a performing arts building used eight times a year or something where the rail trail will be and people will come in as a family and get out of the rain.

Manager Politi explained the concept.

Mayor Pellegrino suggested the board take a look at the pavilion in Montgomery.

Manager Politi stated that the stage will cost \$36,000 to \$47,000. There is a grant for \$20,000 and the Rotary is willing to give the other \$20,000. The Rotary is trying to do something for their 100th anniversary and this is what they would like to see.

It was the consensus of the board to go look at the pavilion in Montgomery.

Mr. Millspaugh stated that they were trying to find a dual purpose.

Trustee Hurd stated that the other design was a wrap design that wrapped around with the stage and it fit the site better.

Manager Politi stated that they feel the storage pieces will create a cost that is more than we want to do.

Trustee Raymondo asked what if the village comes up with their own design.

Manager Politi stated that they want a multi use structure. There is a time frame.

Mr. Millspaugh stated that they want to start by March or April.

Manager Politi stated that every time he goes to another design it comes back a pavilion.

Trustee Hurd stated that when they discussed it he said if they wanted to do a picnic pavilion and they were thinking that would be more appropriate in a picnic area and not right in the front. The area behind the basketball courts would be more conducive to a picnic pavilion than the front site.

Manager Politi stated that the site behind the basketball courts at times gets water.

Trustee Keator stated that the concept is a good idea. The roof line is bothering her.

Trustee Hurd stated that maybe one of the local architects would have some suggestions.

VILLAGE MANAGER'S REPORT

Manager Politi reported the following:

- The Comprehensive Plan public hearing was noticed in the Times Herald Record on January 7th and there will be a display ad in the Wallkill Valley Times tomorrow.
- Town of Montgomery Chamber of Commerce was able to get a calendar of the village events for the sesquicentennial.
- A formal letter was received from the Orange County Land Trust, \$20,000 grant. It is a matching grant. Mr. Sumner is trying to get an additional grant of \$15,000 which will be part of the match.
- There is memo from the Building Inspector regarding the Key Bank
- Bids for tree removals are attached showing that we do use more than one tree removal service.
- The Building Inspectors year end report is ready and anyone can see a copy.

BOARD COMMENTS

Trustee Norman asked the Chief of Police, if the police department still uses the bull horn for snow emergencies?

Chief Holmes stated that they don't.

Trustee Norman stated that she was told that they used it on East Avenue.

Trustee Norman further asked if it would be possible to use the fire horn to notify the people in the village of a snow emergency.

Trustee Hurd stated that some communities sound the horn a certain way if there is a snow emergency.

Chief Holmes stated that what happened before is people would complain that they put their cars in their driveways so why do they have to get woken up. There could also be an issue in court if the horn, for some reason, doesn't go off.

Trustee Raymondo stated that the sign by Dr. Guneratne's office should not be there, it's hazardous to the pedestrians. It should be on the pole. The sign that was put in front of the senior building blocks the entrance and an ambulance couldn't get in.

Deputy Mayor Wynkoop stated that DPW did a great job on Main Street.

Trustee Norman thanked the ladies who did the New Year's Eve celebration. That was terrific and she hopes it becomes a tradition.

Mayor Pellegrino stated that he received correspondence from the Town of Montgomery Supervisor regarding the senior liaison position. They are looking for seniors from the other villages to work with them. He will post the guidelines on the bulletin board.

EXECUTIVE SESSION

Trustee Keator moved to hold an executive session pursuant to 105-(f), Library Personnel and financial history of Walden View, of the Public Officers Law. Seconded by Deputy Mayor Wynkoop. All ayes. Motion carried.

Trustee Keator moved to reconvene the regular meeting. Seconded by Trustee Norman. All ayes. Motion carried.

Trustee Keator moved to authorize the Village Manager to sign the subordination agreement with Walden View to second place. Seconded by Trustee Norman. All ayes. Motion carried.

Trustee Keator moved to authorize the Village Manager to sign amended subordination agreement. Seconded by Trustee Norman. All ayes. Motion carried.

ADJOURNMENT

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

Respectfully submitted,

Nancy Mitchell
Village Clerk