

**VILLAGE OF WALDEN
BOARD OF TRUSTEES MEETING
JANUARY 24, 2006**

Mayor Becky Pearson 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	Becky Pearson
	Deputy Mayor	Mary Ellen Matisse
	Trustees	Mary Jean Norman
		Richard Hurd
		Roy Wynkoop
		Lauren Keator
Absent:	Trustee	Jose DeJesus, later present
Also Present:		James Politi, Village Manager
		Nancy Mitchell, Village Clerk
		Kevin Dowd, Village Attorney
		Alan Sorensen, Planner

Approval of Minutes

Trustee moved to adopt the minutes of January 5, 2006. Seconded by Trustee Wynkoop. All ayes. Minutes adopted.

Trustee Keator moved to adopt the minutes of January 10, 2006 with the following correction; Trustee Mary Jean Norman present. Seconded by Trustee Hurd. All ayes. Minutes adopted.

Public Hearing-Introductory Local Law I-1 of 2006, “Zoning”

Mayor Pearson presented the Affidavit of Posting Notice, Affidavit of Publication and Notice of Hearing which was read by the Mayor.

There were no public comments.

Mayor Pearson asked if there has been a response from the county.

Mr. Dowd stated no and suggested the board close the public hearing. The board can't take action until a response is received from the county.

Trustee Hurd moved to close the public hearing. Seconded by Trustee Keator. All ayes. Public hearing closed.

Deputy Mayor Matisse asked if they can still accept written comments.

Mr. Dowd stated yes, that would be up to the board. Usually you do not do that with local laws, you would do that with adoption of the master plan and certain SEQRA documents.

Public Comments

Chris Forman, 25 East Avenue presented the board with a piece of macadam from East Avenue and stated that there is a six inch pot hole at the bottom of his driveway.

Althea Mullarky read a letter to the board regarding comments from the last couple board meetings.

Mr. Baxter, 71 Maple Street thanked Deputy Mayor Matisse for her efforts going around to all the businesses and letting them know more about the open meetings and what is proposed in the area of Hepper Street.

John Muehlen, 42 Alfred Place addressed the board regarding the sign that is missing on Bank Street which stated local trucks only.

Mayor Pearson stated that there is a large pot hole by the red light by Bank Street.

Mr. Edward, DPW Superintendent stated that it has been fixed.

Audited Bills

Trustee Norman moved to pay the audited bills of January 24, 2006. Seconded by Trustee DeJesus. All ayes. Motion carried.

Authorization to Sign NYSEG Easement

Deputy Mayor Matisse moved to authorize the Village Manager sign the easement agreement with NYSEG. Seconded by Trustee Hurd. All ayes. Motion carried.

Joint Board Meeting

Trustee DeJesus moved to hold a joint board meeting on February 7th, 2006 at 7pm. Seconded by Deputy Mayor Matisse. All ayes. Motion carried.

Parking Enforcement Review

Mayor Pearson stated that this is on the agenda because the board said they were going to do a review a few months after the parking enforcement took place and review and see if any changes were necessary.

Mayor Pearson read the comments that were received from the businesses.

Manager Politi stated that there are drainage concerns at the Oak Street parking lot. He doesn't think anyone said that we would start after the construction of the Oak Street parking lot. The lighting has been upgraded.

Manager Politi stated that Joe Horan advised him that he is in favor of the parking regulations.

Trustee Hurd stated that one reason the village went to this was so that the Main Street corridor remains free for customers. In reading over the letter most are from business owners who they and their employees are playing a shuffle game of moving their cars up and down in the very spaces the village was trying to keep free for their customers.

Linda Glin, Planned Parenthood asked if Related Managements private parking lot was looked into.

Manager Politi stated that it's their property.

Ms. Glin asked why the village is discriminating against the people that are parking between 9am and 5pm. The sign in the parking lot says 6am-11pm. The parking enforcement officers are only between 9am and 5pm.

Mrs. Guneratne stated that they have never received a ticket after 5pm.

Ms. Glin stated that they are all still parking in the lot and moving their cars. The village has approved senior housing in the Walker Building, where are they going to park.

Trustee DeJesus stated that the planning board can waive parking.

Mayor Pearson stated that they should not be allowing housing there if we don't have the parking spaces for it.

Trustee Hurd stated then there is no economic use for that building.

Mr. Leonard stated that there is the municipal parking district which all of those property owners paid into years ago to develop the municipal parking lot and therefore those properties have the right to use that lot and the planning board is allowed to waive parking if they don't have parking on their property. They also have been after the board to develop more parking.

Ms. Glin suggested the village get rid of overnight parking and extend the hours five to six hours so the merchants can use it.

Kerri Guneratne, 37 Main Street stated that they bring 40 to 50 people into the village per day. Not only is it inconvenient for their cliental, but it has created a lot of animosity amongst the businesses itself. They receive threatening hateful letters from renters and surrounding businesses. Her recommendation would be for the people to pay a monthly retainer or permit. Her employees can't go out and move their cars. She does not allow her office staff to park out front on Main Street.

Trustee Hurd asked Mrs. Guneratne if she objects to parking at the Oak Street parking lot.

Mrs. Guneratne stated yes. They all work different shifts and they have to cover each other in such a way they can't be walking to another parking lot. They also have equipment they have to bring in.

Deputy Mayor Matise asked how much parking is available on the portion of that lot that is their property.

Mrs. Guneratne stated that has become a problem. Dr. Guneratne has parked there for over 30 years without any problem and since the parking enforcement has come its caused problems. That is not his property it's an open way. There are fire code violations back there; people are parking their cars on top of each other. God forbid if there was a fire you would never be able to get in there. They have pushed all the dumpsters into parking spots.

Trustee Hurd stated that the whole idea was not to have permit parking in order to gain revenue. The whole idea was to open up those parking lots for customers and patients who come into the village during normal business hours.

Deputy Mayor Matise stated that the village solved one problem and now we have to solve the problem with the employees.

Mrs. Guneratne suggested the village go to the business owners and ask them how to correct the problem.

Manager Politi asked if the permit would be just for the parking lot, not Main Street.

Mrs. Guneratne stated yes.

Trustee Wynkoop asked how many spaces would they need if the village went to permits.

Mrs. Guneratne suggested the village poll the businesses to see how many permits they would need.

Trustee Hurd stated that just makes this an employee parking lot.

Mrs. Guneratne stated that she doesn't know why the village would entertain the Oak Street parking lot when there are plenty of parking spots in the Orchard Street parking lot.

Trustee Wynkoop stated that the village received a lot of complaints from the businesses that their customers could not find parking and would drive away.

Mrs. Guneratne suggested the village reassess the parking, call the businesses and ask if they are willing to pay a monthly fee or yearly fee.

Mike Ciardullo, 83 Walnut Street stated that he did attend all the meetings when they talked about parking and the businesses did request Main Street be open for their customers. Speaking from Oak Street down to the bridge this has been the biggest success he's ever seen. All the people who used to park for days at a time that lived in the apartments and had parking lots behind their buildings are now off the street and parking where they belong. The parking for the bakery is working fine and his loading zone is working out fine. He further stated that the parking enforcement officers are very professional and courteous.

Pat Walters, Hair Works, Main Street stated that the new parking regulations has been a tremendous success. She also indicated that the parking enforcement officers are doing a great job.

Vince Decaro, 12 Scofield Street stated that 2:00/3:00 in the morning there are two or three cars in the lot. He suggested the lot be made half business owners with a permit and enforce the other half. It would be impossible for him to park at the Oak Street parking lot because he has to transport computers. There are a lot of buildings that could be torn down to make parking. He also suggested the village build a parking garage.

Deputy Mayor Matisse asked if the school was using the lot on Maple Street.

Manager Politi stated that they are still waiting on a few things.

Marcus Millspaugh, Jessup Street stated that he thinks if the village does some research they will find out that the Orchard Street parking lot was built in two stages. The first stage was purchased by the merchants of Walden and they were assessed for that purchased price. Later on the village acquired several more properties and extended the parking lot. He suggested the village take half the parking lot and make that a permit for the people who paid for it. He further stated that at the public hearing for the related housing senior citizens on Main Street they relied on the public parking for some of the required parking. He asked the question if their parking would be free when it was vacant and he was told yes.

Ann Ilkew asked about the 15 minute parking spot for Lillo's, there is no sign that says that.

Mayor Pearson stated that it is the first space on the street.

Ms. Ilkew asked why Lillo's has a 15 minute parking space.

Trustee Wynkoop stated that the bakery has 30 minute parking space.

Manager Politi explained that there is a loading zone that was requested by Mr. Ciardullo, Cohen's Bakery requested two 30 minute spaces and Lillo requested 15 minute parking space. There is also a handicapped parking space by Dr. Guneratne's

Mrs. Guneratne stated that there is no handicapped parking space sign there.

Mayor Pearson stated that it is on the books and she will make sure it gets done. She is also trying to get the state signs down.

Ms. Ilkew stated that in front of the music shop it says two hour parking, 9am-6pm, what does that mean after 6pm is it three hours parking.

Mayor Pearson stated that you can park there as long as you want all night unless there is a snow emergency.

Ms. Ilkew also asked about the snow emergency parking in the Orchard Street lot and if someone has the flu and comes in at 5:30pm and at 6pm they start putting up the orange signs and you weren't there to see it.

Trustee Wynkoop stated that the orange signs are up 24 hrs. previous to the time they close the lots.

Mayor Pearson stated that the 24 hrs is not true because she has gotten comments from people getting tickets there.

Trustee Wynkoop stated that those signs were up at 7am today saying that tomorrow from 7am to 2pm the village will be cleaning the lot.

Ms. Glin stated that the last storm when they were clearing the Orchard Street parking lot the Oak Street parking lot was closed too, so there was no place to go.

Manager Politi stated that DPW completed their snow clearing within one day. That is the fastest they have ever done it.

Manager Politi stated that DPW gets the lot cleaned quickly and then it's open.

Trustee DeJesus stated that they need to identify the number of parking spots, how many are used by whom; issues with the fire zone and dumpsters before the next meeting. There were two ideas brought up, one from Mr. Millspaugh and the other from Mrs. Guneratne regarding permit parking. He doesn't have a problem with permit parking. The other gentleman talked about half the lot being for permits and half for non permits. He would like to look at those things.

Mrs. Guneratne advised the board that Dr. Guneratne is thinking about finding a different location for their office because of the problem with parking.

Mayor Pearson stated that the village did not start this to create angry people. We really needed to figure out a way that everyone could work together and the lots would work and everyone would be happy.

Manager Politi stated that he will hand deliver a survey as to how many spaces are needed. This would be only for the parking lot.

Chief Holmes asked if his department should suspend doing anything in the municipal parking lots.

Ms. Glin asked that the police department let them know to move their car before they get a ticket.

Chief Holmes indicated that you can't do that by law.

Deputy Mayor Matise asked if the board would have to change the law to use permits.

Mr. Dowd indicated that they would have to do something with the law they have in place.

Trustee Hurd stated that there is a lot of information that's needed.

Trustee Keator stated that they should which business put in towards the parking lot.

It was the consensus of the board to continue to enforce the parking regulations.

John Muehlen stated that he has the building at 1 Walnut Street, will he be able to have a permit.

Mayor Pearson stated that the board will be addressing this at the next meeting.

Manager Politi indicated that there are also residences to survey.

Trustee DeJesus stated that the board was to discuss permit parking at some point that was part of the review. The other thing people have to understand is businesses might get two parking spaces close to this parking lot. Anything over that there is going to be overflow that would have to go down the street. They will have to prioritize who should in there business have a parking space close by.

Mayor Pearson thanked everyone for coming and advised them that the survey from the businesses will be in.

Kerron Barnes Presentation

Kerron Barnes stated that he redid the guidelines which have been given to the board. He took out target areas because they no longer exist. He did a one page summary of proposed levels of assistance. The report they did in November was essentially a blue print for using the various housing and development funds and establishing some priorities. The major document sets the overall goals, priorities and desires, how you would address those seven or eight areas that were identified. He took a page out of the book from the last meeting, when they discussed the guidelines and tried to make changes that will keep the program that has been working. Change it in such a way that it produces a little more income and has a little more in terms of payments and fees from the applicant, particularly the applicants who own multiple dwellings or mixed use buildings. In the current guidelines people under 50% median income make no payments at all. They changed that to say people under 30% of median income would make no payments and those between 30% and 80% would make monthly payments, still at 0 interest. Normally in the HUD world people who have housing cost greater than 30% of their income would make no payments. He changed that to read 35%.

Trustee DeJesus stated that the HUD guidelines read 35%.

Mr. Barnes stated that they've asked people to pay some fees for the mortgage recording. They tried to follow the spirit of the HUD regulations and the housing statute from 1974. They also talked a little about the bidding process. They would like to give priorities to serious code violations in single family houses and to be environmentally sensitive.

Trustee DeJesus asked if on page 2 the second paragraph from the bottom was he referring to 30%.

Mr. Barnes stated that he was and he should change that to say to owner occupants in this category. He also stated that they are keeping the current policy that the nominal amount, the amount they try to average per home is \$10,000, but the Village Manager has authority to approve a loan up to \$20,000 and if it's over that he brings the case to the village board.

Trustee DeJesus stated that on page one, right after application process upon receipt of a completed application the materials will be forwarded to the Village's staff for process, is that done now.

Mr. Barnes stated it could read consultant.

Trustee DeJesus asked that it read consultant.

Trustee DeJesus stated that if you have a rental property, who would qualify for the loan. If you have a tenant that would qualify for the income guidelines, but its not owner occupied, how does that work.

Mr. Barnes stated that the way HUD looks at this, if someone has a two family or even a single family that is rented, he doesn't care what the owner's income is at all, it doesn't matter, HUD doesn't care, if the tenant is low income and there is water dripping in his bedroom and kitchen he would be the beneficiary of the improvement to fix the leak in the roof, therefore it would be his income that determines whether the building is eligible or not.

Trustee DeJesus stated that the owner would have to agree to enter into a loan.

Mr. Barnes stated that the owner would have to apply and it is the tenant that makes him eligible.

Trustee DeJesus stated that shouldn't be happening because then we should be doing code enforcement. We have to keep in mind that there has to be some degree of affordability for people that cannot afford \$1,000.

Mr. Barnes stated that the agreement with the landlord says that if he has an existing tenant he has to offer that tenant a lease for at least one year and the rent cannot be raised to greater then 30% of the tenant's income, minus a deduction for an tenant paid utility. The landlord can raise it a little bit, but he can't raise it so much that he will displace the guy. In the program if it creates displacement we have the responsibility to pay the increase in that tenants rent for four years, so we don't displace people. He also explained the owner occupied multiple dwellings. That would be someone who goes to Florida and they keep their house and rent it out to a family member. Some of them are low income owners. What we are saying if you are low income you get a good deal and if your income is over 120% of area median, then you're going to pay 3% interest. For non owner occupied properties its \$7500 per housing unit and the manager has the authority to go up to \$15,000 per unit and anything over that goes to the village board. It would be at 3% and they would structure the loan, it could be 7 years, 10 years or 18 years. They would structure it in a way that there is at least a positive cash flow from that building. The last category would be mixed commercial residential which is on Main Street. Now you can use some of the HUD funds, HODAG, UDAG, small cities and the commercial loan program and make two loans, one for the apartment and one for the store front.

Trustee DeJesus asked about the assistance levels, the case may be referred to the Village Manager for assistance up to \$20,000. Didn't we increase that.

Mr. Barnes indicated that recently he brought a case to the board and the board approved up to \$25,000 for that particular case.

Trustee DeJesus stated that the board felt at that time that it might be too low.

Mr. Barnes stated that it all depends on how comfortable the board is with having the staff approve it.

Trustee DeJesus stated that anything over \$25,000 would come to the board.

Deputy Mayor Matise asked if these guidelines would be in a brochure.

Mr. Barnes stated that they would be summarized in a brochure.

Mayor Pearson stated that at the last meeting the board discussed the elderly.

Mr. Barnes stated that he did write a paragraph dealing with priorities.

Trustee Hurd stated that Mr. Barnes indicated that he was going to start the initial identification of these properties.

Mr. Barnes stated yes.

Trustee DeJesus stated that there is the seniors and emergency situations. Also, they wanted to target certain areas, such as the entrances to the village.

Mr. Barnes indicated that you're not going to identify priorities in your guidelines because they are going to change every day.

Trustee DeJesus stated that is not true, you would identify priorities that would be an emergency situation. That is a priority over something else.

Mr. Barnes stated that he will sit with the building inspector and code enforcement officer and make a list. He also suggested a one page referral form so that as you are driving around the village you see places that are a problem, you can write it down. He will identify some specific buildings and some generic priorities and he will have that to the board in a couple days.

Mayor Pearson indicated that she invited the Code Enforcement Officer/Building Inspector from Beacon to the work session at the end of February. She could ask him to come to the joint board meeting.

It was the consensus of the board to ask the code enforcement officer/building inspector from Beacon to come to the joint work session, along with Alan Sorensen.

Deputy Mayor Matise stated that at the last meeting Mr. Barnes stated that he has the names of some people who were asking about county funds. Has he been in touch with them.

Mr. Barnes indicated that he is starting to create a list to see who he can refer to the county.

Deputy Mayor Matise asked if any of those people have filled out applications.

Mr. Barnes stated that without the guidelines there is no point.

Deputy Mayor Matise stated that this is county money. Does that require our guidelines.

Trustee DeJesus stated that the guidelines have nothing to do with this. We had this discussion the last time and Mr. Barnes said he had a wait list and he was asked by this board to identify those people and reach out to them. We cannot sit on all this money.

Mr. Barnes stated that within a week or so he will have the list sorted out so he knows who he thinks fits with the county and who fits with the village.

Water Meter Replacement Project Status

Trustee Wynkoop stated that the village received a low bid for the water meter replacement and the bid was withdrawn. When he checked into it there was a board member that actually made phone calls checking up on the contractor. He doesn't know if it had anything to do with the contractor withdrawing, but it was done with just one person doing it, not at the direction of the board. Our manager, attorney and engineers had checked on this contractor before and said he was good and the municipalities said he was good. This board has no right to do that.

Manager Politi stated that when the village initially did the bid it was \$540,000 plus the meters would be \$660,000 total. The contractor pulls away from the bid and we lose that low bid. We go back out to bid and the installation bid alone was \$847,000, plus the meters for a total of \$967,000. We will now have to sub it out to get the cost down. He will have plumbers from the union do installation. The meter bid is still holding, but they may ask for an adjustment because time has passed. In doing that we can get the cost down to the \$600,000 range. There is a bond out there for \$660,000.

It was the consensus of the board to go forward with the water meters.

Setting Dates for Budget Hearings

Manager Politi stated that the library will be going out for a public vote on their budget and he will be building the budget to operate aside from that.

The following dates were set for budget hearings: March 22, 23 and 24 at 7:00pm.

Snow Policy Review

Mayor Pearson stated that she brought this up again because she would like a clarification to the policy. She read the policy regarding the municipal lot, because people are getting towed when they are allowed to park their during a snow emergency up to a certain amount of time.

Manager Politi stated that when the snow emergency is declared over they can sit there for 24 hours, by policy.

Mayor Pearson stated that people have been getting tickets and towed before the 24 hours.

Manager Politi stated that on this particular storm the snow emergency was called off at 4:30 and they went out and posted for 7am the next morning.

Mayor Pearson stated that one thing you're saying 24 hours and then you're not allowing the 24 hours before plowing. Some people may do different shifts.

A gentleman spoke in regard to his car being towed from South Way after the plowing was done. He spoke to the police department about where they take the measurement of snow.

Manager Politi stated that due to a court case that is where the police department has to take the measurement with the calibrated ruler.

Mayor Pearson stated that she would like to see more of an effort of notifying people as opposed to just putting up an orange signs if there are only three cars left.

Manager Politi stated that they have tried to notify people numerous times.

After a discussion it was the consensus of the board to leave the snow policy as is.

Public Comment-Discussion Items

Dick Baxter asked about the zone changes.

Manager Politi stated that t a copy of the comprehensive plan is on file at the library and in the village clerk's office.

Village Manager's Report

Manager Politi indicated that the department head reports are in the board's packets.

Mayor Pearson asked about the cost of the aerobics.

Manager Politi advised the mayor that the charge is \$2.00 per session.

Manager Politi passed out the grant for the rail trail for the board's review.

Board Comments

Trustee Norman stated that the after school program they will be increasing the age to 16 and also the dance was a success. They would like to have a karaoke night. There is a youth meeting on February 1st at 7pm. They are also planning a fund raising event.

Deputy Mayor Matisse stated that she went to the teen dance and the youth committee had a lot of chaperones. She asked about snow cancellation policy for the aerobics class.

Manager Politi stated that they the school schedule.

Mayor Pearson stated that she would like it open when school is out.

Deputy Mayor Matisse asked about the ice rink.

Manager Politi stated that there is a hole in the liner. They are trying to repair it.

Deputy Mayor Matisse suggested the soap box derby be listed as the villages' event in the Explore New York pamphlet.

Deputy Mayor Matisse also requested more information on the building inspectors report, such as addresses of the properties.

Trustee Norman stated that she and Trustee Keator spent many weekends going around the village looking at houses and properties. There are quite a bit of sidewalks that haven't been cleared of ice and snow.

Deputy Mayor Matisse stated that she contacted Interstate Waste complaint number regarding her recycling. She asked if they have a record of complaints and was advised they do and the village can request a copy. She also asked about the status of the emergency management plan.

Manager Politi stated that they are trying to get a date for training.

Deputy Mayor Matisse asked about the police department's plan.

Manager Politi stated that is being compiled.

Deputy Mayor Matisse also stated that she was in contact with Red Cross who said that each municipality has to make their own contracts for emergency shelter. Do we have a contract with anyone?

Manager Politi stated that the village has an emergency plan with the school. That is being set up through the emergency plan development.

Trustee DeJesus asked about the water report that Mr. Millspaugh asked more information on.

Manager Politi stated that information has been given to Mr. Millspaugh.

Trustee DeJesus stated that there is a large pot hole on East Avenue.

Trustee DeJesus stated that Indian Point was talking about extending its radius. We should look into that.

Trustee Keator stated that the youth officer would like to get something established on Valley Avenue before the warm weather starts. She also stated in regards to parking Mr. DeCaro's idea of a parking garage and knocking down buildings for parking lots, you can't just do that. Also, Mike Ciardullo was curious about the snow policy. She will call him.

Mayor Pearson asked about the youth center, is the oil spill cleaned up.

Manager Politi stated that the painting has been completed, the carpets have been pulled up and the furniture will be removed. Millspaugh's is donated used furniture. They have a radon system and blower in.

Mayor Pearson asked about the monies for that weekend storm.

Manager Politi stated that it was turned down initially by FEMA and then they will reapply.

Mayor Pearson asked about the survey on the location of water and sewer lines.

Manager Politi stated that the village has a current map on that. He indicated that the village was going to hire students to exercise valves.

Mayor Pearson asked if the village should continue that.

Manager Politi indicated yes.

Mayor Pearson asked that the village stay ahead of the problems on Valley Avenue with the kids.

Executive Session

Trustee Norman moved to hold an executive session pursuant to 105-(f) of the Public Officers Law. Seconded by Trustee DeJesus. All ayes. Motion carried.

Deputy Mayor Matisse moved to reconvene the regular meeting. Seconded by Trustee DeJesus. All ayes. Meeting reconvened.

Trustee Keator moved to authorize the Village Manager to seek small cities funding for the Iko property sewer problem. Seconded by Trustee Norman. All ayes. Motion carried.

Adjournment

Deputy Mayor Matisse moved to adjourn. Seconded by Trustee Keator. All ayes. Meeting adjourned.

Respectfully submitted,

Nancy Mitchell
Village Clerk