

**VILLAGE OF WALDEN  
BOARD OF TRUSTEES MEETING  
APRIL 25, 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	Roy Wynkoop
		Mary Jean Norman
		Richard Hurd
		Edmond Leonard

Absent:	Trustee	Jose DeJesus, later present
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Also Present:		James C. Politi, Village Manager
		Nancy Mitchell, Village Clerk
		Kevin Dowd, Village Attorney

**Approval of Minutes**

Trustee Hurd moved to adopt the minutes of April 3<sup>rd</sup>, 2006. Seconded by Trustee Leonard. All ayes. Minutes adopted.

Trustee Norman moved to adopt the minutes of April 11<sup>th</sup>, 2006. Seconded by Trustee Hurd. All ayes. Minutes adopted.

**Public Comment**

Diane Sandbothe, 90 Liberty Street asked if the village monitors what's going on during heavy rain storms on Liberty Street. Her husband had to go out and clear the storm drains.

Manager Politi stated that normally the village does monitor those areas and they will keep an eye on it. DPW keeps an eye on the grates to make sure they are clear especially when a heavy rain is coming.

Mayor Pearson asked if they are finding things washing into that storm drain.

Mrs. Sandbothe stated yes, right by her house. Her neighbors were completely covered over with brush.

Patricia Henighen, 22 East Main Street presented the board with a bag of garbage she collected from Olley Park that has been there since January 1<sup>st</sup>, 2006. This is Great River Sweep Week and they are sponsoring activities to clean up around the rivers. This is not an area they will be cleaning up. She doesn't feel this is something volunteers should have to clean up. She further stated that the Wallkill River Task Force has activities for the Great River Sweep from April 22 – April 30. They will be learning how to do water quality monitoring.

Ms. Henighen also stated that she came before the board last year asking the village to consider other alternatives to herbicide treatment of the water at Olley Park. She has met with the manager and John Howland. The village did put out the barley bales and they have also joined NYFOLA. They need to assess the area to see what the recommendation would be for the best kind of aeration to use. What is there now is not sufficient. There is still work to be done and she hopes this will continue. The other recommendation was to do phosphate testing.

Mayor Pearson asked about the aerator if it turns on and off.

Manager Politi stated he would have to talk to Mr. Howland.

Ms. Henighen stated that a recommendation that was made by soil and water was a model that cost \$900.00 and that would be good for just part of the park so it would require two to do the job.

Mayor Pearson asked if it would help to run ours all the time. She also stated that she would like the meetings between the manager and Ms. Henighen to continue.

Ms. Henighen stated that the manager doesn't return her phone calls.

Manager Politi asked Ms. Henighen to not say that. He does return phone calls.

Ms. Henighen stated that he hasn't returned calls recently.

Manager Politi stated that she hasn't called recently. Please do not say that. He doesn't take that from anyone in the audience. He returns phone calls. If her machine isn't on, he's called and there's been no machine and she doesn't know he's calling her back. The village has responded to her request and they will continue to.

Ms. Henighen stated that she called when the village was putting the barley bales out because she wanted to make sure they had talked to Kevin Sumner about the placement.

Manager Politi stated that the village did what was requested and what was suggested.

Ms. Henighen stated that the surface alga should have been removed. The bales would not have any affect on preexisting alga.

Manager Politi asked Supervisor Lamendola if there was any alga when they placed the bales.

Mr. Lamendola stated that he doesn't think there was.

Manager Politi stated that he talked to Mr. Howland after the bales were put in and the alga came on quick.

Mayor Pearson asked what it would take to do phosphate testing, is there a great expense.

Manager Politi stated that it's his understanding that it isn't a great expense and when he spoke to Kevin Sumner he requested from him what is to be done.

Mayor Pearson indicated she would like to keep the connections open.

Manager Politi stated that in the process he doesn't want to be attacked. He doesn't like that, it was unfair. He does return his calls.

Ms. Henighen stated that she doesn't feel that was an attack. She simply stated a fact.

Deputy Mayor Matisse asked Ms. Henighen how many people have signed up for the 30<sup>th</sup>.

Ms. Henighen stated that there are 8-9 people.

Deputy Mayor Matisse stated that this would full fill some of the educational requirements for our MS-4.

Ann Ilkew brought in pictures of the garbage at the park. She suggested the village hire kids to clean it up.

Manager Politi stated that DPW was scheduled to go in to clean and mow last week and it rained, they will be doing it tomorrow.

Trustee DeJesus asked Ms. Ilkew if she was driving a town car, is she on town business.

Ms. Ilkew stated that she was coming back from a dog call.

## **Executive Session**

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

Trustee DeJesus moved to reconvene the regular meeting. Seconded by Trustee Hurd All ayes. Motion carried.

### **Audited Bills**

Trustee Norman moved to pay the audited bills of April 25, 2006. Seconded by Trustee Hurd. All ayes. Motion carried.

### **Sewer Waiver – 30 Richardson Street**

Manager Politi explained that if a property is more than 100 feet from a sewer main they do not have to hook up to the sewer system

Mayor Pearson asked about the inspection.

Manager Politi stated that the board approves this contingent upon the inspection and the engineer going out and to make sure the system works.

Mayor Pearson asked if the homeowner pays the fee for the engineer.

Manager Politi stated no.

Mayor Pearson asked why they aren't responsible for the engineering fee. It's a service we are providing.

Mr. Dowd stated that it's not a service; it's basically our obligation to make sure the system is operating correctly.

Deputy Mayor Matise asked if our engineer is determining that their concrete tank and what ever leeching field they have is not going into the Tinbrook.

Mr. Dowd stated that it would be their violation. From a public health standpoint you want to make sure that it's not leaking into the Tinbrook.

Deputy Mayor Matise stated that as an MS-4 community we are responsible.

Manager Politi stated that MS-4 is for storm sewers not sanitary sewer.

Mayor Pearson asked what the procedure would be if the sewer system wasn't operating properly.

Mr. Dowd explained that they would either have to fix the system or hook up.

Trustee DeJesus asked what the cost of inspection is.

Manager Politi stated that he will find out what the cost is.

Trustee Hurd moved to approve the sewer waiver for 30 Richardson Street contingent upon the engineer's inspection. Seconded by Deputy Mayor Matisse. All ayes. Motion carried.

**Resolution No. 18-05-06 – Adopting a Budget for the Fiscal Year Commencing June 1, 2006 and Ending May 31, 2007, Making Appropriations for the Conduct of Village of Walden Government, Establishing Rates of Compensation for Officers and Employees for Such Period, Setting the Property Tax Rate, and Refuse Collection Charges, and Establishing Policies of the Administration of the Budget**

Trustee Leonard moved to adopt Resolution No. 18-05-06. Seconded by Trustee DeJesus.

Mayor Pearson stated that she is not comfortable, she is concerned with not many sidewalks being repaired, she's has concerns with other capital improvements that need to be done and what they are doing and not doing for it and what they are doing for compensation in salaries.

Deputy Mayor Matisse stated that maybe they can work towards establishing some other types of inter municipal agreements. Work with the town or other villages to reduce some of our costs.

All ayes with the exception of the Mayor voting no. Resolution adopted.

**Tree Local Law Introductory Local Law No. I -2 of 2006, "Zoning"**

Mr. Dowd explained the changes to Introductory Local Law I-2 of 2006 that were recommended by the village board and planning board.

Deputy Mayor Matisse moved to introduce Introductory Local Law No. I-2 of 2006, "Zoning". Seconded by Trustee DeJesus. All ayes. Motion carried.

Deputy Mayor Matisse moved to hold a public hearing on Introductory Local Law No. I-2 of 2006, "Zoning" on May 9<sup>th</sup>, 2006 at 6:30 pm. Seconded by Trustee Hurd. All ayes. Motion carried.

**Orange County Board of Elections**

Mayor Pearson read the letter received from the Orange County Board of Elections stating that the polling place, Girl Scout Cabin is not ADA compliant for entry

by the disabled community requesting that they use the Village Hall as the district 5 polling place.

After a brief discussion it was the consensus of the board to make the platform at the Girl Scout Cabin ADA compliant and continue to use it as district 5 polling place.

### **Introductory Local Law No. I-3 of 2006, Parking Fines**

Mr. Dowd stated that this local law is changing fines, 141-16 and dropping it from a \$25.00 to \$10.00 for the first offense and then it will gradually go up the scale. He spoke to the judge and he prefers the method of graduation for convictions within a year. It is easier for him to track in his computer system.

Deputy Mayor Matise moved to introduce Introductory Local Law No. I-3 of 2006. Seconded by Trustee Hurd. All ayes with the exception of Trustee DeJesus voting no. Motion carried.

Trustee DeJesus stated that he doesn't feel there's any incentive.

Deputy Mayor Matise moved to hold a public hearing on Introductory Local Law No. I-3 of 2006 on May 9, 2006 at 6:30pm. Seconded by Trustee Leonard. All ayes. Motion carried.

### **15 Minute Parking – Orchard Street**

Manager Politi stated that there are two handicapped parking spaces on Orchard Street and there was a concern from the school that if someone has to go in and drop something off for a child or pick up a child there is no space for them to park for a quick run in. Deputy Mayor Matise asked to have one of the handicapped spaces a 15 or 20 minute space.

Mayor Pearson stated that with the seniors not being at the church the handicapped parking space might not be used.

Trustee DeJesus asked what the cost was every time we change a law.

Mr. Dowd stated that there are publication notices and code publishers.

Trustee DeJesus stated that you have to look at the long term benefit and the cost.

Deputy Mayor Matise asked if there were any other changes the village was going to do so they can put them all together.

It was the consensus of the board to have a 15 minute parking space on Orchard Street eliminating a handicapped parking space and to table this until the streets and parking changes are discussed so they can be combined.

## **Introductory Local Law No. I-4 of 2006, “Code of Ethics”**

Mr. Dowd stated that this is an attempt to address issues that have come up over the years about political activity and endorsing candidates, running for office and who can do what and where. It also, in section three of the law is trying to keep the code of ethics in everyone’s mind on a yearly basis, so not only will you get a copy of the code of ethics and general municipal law when you get elected to office or when you take office, but also every year there after the village clerk will give you another copy and you will sign for it saying you received it and read it.

Trustee DeJesus moved to introduce Introductory Local Law No. I-4 of 2006, “Code of Ethics”. Seconded by Trustee Wynkoop. All ayes. Motion carried.

Trustee Leonard moved to hold a public hearing on Introductory Local Law No. 1-4 of 2006, “Code of Ethics” on May 9<sup>th</sup>, 2006 at 6:30pm. Seconded by Trustee DeJesus. All ayes. Motion carried.

Deputy Mayor Matisse asked if there were guidelines for the ethics board.

Mr. Dowd indicated that there are no published procedures that they follow. As they met through the years they’ve developed there own sort of way of doing business.

## **Orange County Water Authority Municipality Digital Data Release License Agreement**

Trustee Hurd moved to authorize the Village Manager sign the Orange County Water Authority Municipality Digital Data Release License Agreement. Seconded by Trustee Leonard. All ayes. Motion carried.

## **Inter-Municipal Agreement and Fund Agreement**

Mr. Dowd explained that these two agreements involve the application for the grant for the new well. The county has sent these agreements and are asking the village to authorize these be signed and executed by the manager or mayor binding the village to the fact that we were given money for the purchase of the well and in return they want certain concessions. One they want to be able to enforce the grant, that we use it for water purposes or for open space. They want to be held harmless in case there is something wrong with the supply of the well and they want the village to acknowledge that we will put in each deed of conveyance a restrictive conveyance that it will only be used for municipal water purposes and/or open space and give the county the right and obligation to enforce that against us if we violate it. This is required before the county will give the village the money.

Mayor Pearson asked if the village will own the property.

Mr. Dowd stated yes.

Trustee DeJesus asked if the attorney read the fine print to make sure there is no situation where they want to create a water loop using our well.

Mr. Dowd stated that there is nothing that suggests that.

Trustee Leonard moved to authorize the manager to sign the Inter-Municipal Agreement and the Fund Agreement with the County of Orange. Seconded by Deputy Mayor Matisse. All ayes. Motion carried.

Mayor Pearson asked if the well was up and working and where does the village stand with the well.

Manager Politi stated that the well is not up and working and he has asked Ron Gainer, Village Engineer to do is give him a complete outline of exactly where we are in the process. DEC and DOH both have to sign off on the project and that is what we are waiting for.

### **Skate Board Park**

Manager Politi stated that we were waiting for the specs to come out for the sake park because we have to bid it out due of the cost. We have to set the bid date.

Trustee DeJesus stated that we have to start thinking about regulations for the use of this facility.

Manager Politi stated that John Howland and he attended a recreation committee meeting in Orange County and one of the best sites they found for control and how they did their rules was Port Jervis. That's where the grant for monitoring will come in. He further stated that the two components to the bid are the concrete and supply and delivery of the pieces that will go in. The village will be doing the site work.

Trustee Norman moved to set the bid opening date for the skate board park for June 7<sup>th</sup>, 2006 at 10:00am. Seconded by Deputy Mayor Matisse. All ayes. Motion carried.

### **Public Comment**

Marcus Millspaugh stated that the ramp at the Girl Scout Cabin was an Eagle Scout project, volunteer labor with donated material. He was involved and they used fill material to raise up a whole area so they wouldn't have to have big ramps. The village should really think about the scheme you should have around the Girl Scout Cabin to make it more accessible for the senior citizens. He also suggested that the village make the area in front of the cabin wider for parking.

## **Correspondence**

Mayor Pearson stated that there is a steering committee meeting on Orange County Water and Soil Conservation on May 8<sup>th</sup>, at Municipal Hall at 1:30pm. Also, Walden Rotary will be honoring Dr. Robert and Doris Kimball on May 5<sup>th</sup>, 6:30pm at Spruce Lodge.

The Mayor also stated that the town supervisor wrote her a letter regarding the animal control officer doing an inter-municipal agreement.

Manager Politi stated that he would speak to the supervisor to see if she would like to share costs.

It was the consensus of the board that it was a good thing to pursue.

Mayor Pearson stated that she received a letter from the Historical Society thanking the village for their thoughtful consideration of a request of not naming a street Jacob T. Walden Way.

Manager Politi stated that he gave the information to the building inspector and we have to go through the process. We do have to pick a name for that street.

Mayor Pearson stated that there is a water quality biomonitoring workshop on April 30<sup>th</sup>, 9am to 3:30pm at Wooster's Grove Park and the Benedict Farm is also part of the great river sweep.

## **Informational Items-Village Manager's Report**

Manager Politi stated that DEC did the inspection of our wastewater treatment plant and there are two marginal areas one being the I & I and we are getting ready to do that project and the chlorine contact which has been completed. They are also requesting a response to putting in an assistant or trainee treatment plant operator. He will respond to that.

The manager stated that the open space grant was put in. The Soap Box Derby entries are in which may be 26.

Deputy Mayor Matisse asked about how they score the racing.

Manager Politi explained that it's a double elimination process. He further stated that the department head reports are in the packets and the list of current board members are also in the packets.

## **Board Comments**

Trustee Norman stated that the new hairdresser on the west side has their own parking signs up. Also, karaoke night will be Friday, April 28<sup>th</sup> at Wooster's Grove. Another yard sale is also coming up.

Deputy Mayor Matise asked if the attorney could write up a shelter agreement.

Mr. Dowd stated that he will see what he can find and what he can put together.

Deputy Mayor Matise stated that the web site needs to be updated.

Trustee DeJesus stated that on Albany Avenue there is a sign that says no thru traffic and it's located by the scout cabin. He asked why it's located there.

Manager Politi indicated that he will look into that.

Trustee DeJesus stated that there were 15 trees planted on Watkins Drive, who is responsible for watering. Also, it doesn't look like there is enough space for the trees and driveways.

Trustee DeJesus asked if someone could look into certificates that have the village seal on them.

Trustee DeJesus asked that a letter go to Mrs. Garcia expressing the board's condolences.

Trustee Leonard stated that in looking over the police departments report there were three criminal mischief which were solved within a matter of days. He complimented the police department.

Mayor Pearson asked where the village stands with the emergency response plan.

Village Manager stated that the board should have the draft for the next meeting

Mayor Pearson stated that Simon Gruber called and he is interested in coming to a joint board meeting to talk about water shed protection and MS4.

Manager Politi stated that he has tags for the catch basins which say don't pollute.

Mayor Pearson stated that Arbor Day is April 28<sup>th</sup> and there will be a ceremony at Bradley Park at 2:30pm. The Orange County Parks Commissioner will be in attendance.

Mayor Pearson also stated that there is a townhouse meeting on Thursday at 9am.

Trustee Leonard stated that he met with David Church and both of the village's applications, rail trail and rail shuttle are moving forward.

## **Adjournment**

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

Respectfully submitted,

Nancy Mitchell  
Village Clerk