

**VILLAGE OF WALDEN  
BOARD OF TRUSTEES MEETING  
MAY 9, 2006**

Mayor Becky Pearson 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	Becky Pearson
	Deputy Mayor	Mary Ellen Matisse
	Trustees	Roy Wynkoop
		Mary Jean Norman
		Richard Hurd
		Jose DeJesus
		Edmond Leonard

Also Present:	James C. Politi, Village Manager
	Nancy Mitchell, Village Clerk

**Public Hearing – Introductory Local Law No. 1-2 of 2006, “Zoning”**

Mayor Pearson presented the affidavit of publication, affidavit of posting notice and notice of hearing which was read by the Mayor.

There were no comments from the public.

Mr. Dowd indicated that this matter has been referred to the county planning department for their comment and we haven’t received anything back so we can’t take action tonight.

Trustee Hurd moved to close the public hearing. Seconded by Trustee DeJesus. All ayes. Motion carried.

**Public Hearing – Introductory Local Law No. 1-3 of 2006, “Vehicles and Traffic”**

Mayor Pearson presented the affidavit of publication, affidavit of posting notice and notice of hearing which was read by the Mayor.

There were no comments from the public.

Trustee Hurd asked if Judge Ozman was okay with this.

Mr. Dowd stated yes, it makes it easier to keep track of.

Deputy Mayor Matisse moved to close the public hearing. Seconded by Trustee Hurd. All ayes. Motion carried.

Deputy Mayor Matisse moved to declare the Board of Trustees lead agency and to declare an unlisted uncoordinated action under SEQRA. Seconded by Trustee Hurd. All ayes. Motion carried.

Deputy Mayor Matisse moved to adopt Introductory Local Law No. I-3 of 2006, "Vehicles and Traffic" as Local Law No. 3 of 2006. Seconded by Trustee Hurd. All ayes with the exception of Trustee DeJesus voting no. Local law adopted

### **Public Hearing – Introductory Local Law No. 1-4 of 2006, "Code of Ethics"**

Mayor Pearson presented the affidavit of publication, affidavit of posting notice and notice of hearing which was read by the Mayor.

There were no comments from the public.

Trustee Norman moved to close the public hearing. Seconded by Trustee Hurd. All ayes. Motion carried.

Trustee Leonard moved to declare the Board of Trustees lead agency and to declare an unlisted uncoordinated action under SEQRA. Seconded by Deputy Mayor Matisse. All ayes. Motion carried.

Trustee DeJesus moved to adopt Introductory Local Law No. I-4 of 2006, "Code of Ethics" as Local Law No. 4 of 2006. Seconded by Trustee Leonard. All ayes. Local law adopted

### **Approval of Minutes**

Trustee Wynkoop moved to adopt the minutes of April 25, 2006 with the following correction, Resolution No. 18-05-06, Adopting a Budget for the Fiscal Years Commencing June 1, 2006 and ending May 31, 2007, Page 2, IV. Change June 1, 2003 and ending May 31, 2004 to June 1, 2006 and ending May 31, 2007. Seconded by Trustee Hurd. All ayes. Minutes adopted.

### **Public Comment**

Adam Bosch asked when the Farmers' Market was opening.

Manager Politi advised him that it will be opening the week of July 4<sup>th</sup>.

### **Audited Bills**

Trustee Norman moved to pay the audited bills of May 9, 2006. Seconded by Trustee Leonard.

Mayor Pearson asked the manager to check the \$1600 retainer on the bill.

Deputy Mayor Matisse asked how the small cities project on Walker Street works.

Manager Politi explained that the village does the write up, we put it out to bid, the bids come in and generally we take the low bid. Once the work starts the contractor calls the building inspector for inspections and as things are completed that authorizes payment. He will check to see how the payment schedule is set up.

Deputy Mayor Matisse stated that the board has asked for Mr. Barnes to update the board on some of loans and they haven't received that yet.

All ayes. Motion carried.

### **B & D Taxi**

Trustee DeJesus asked who a resident would complain to regarding B & D Taxi.

Manager Politi stated that they would file a complaint with the village.

Trustee Hurd moved to approve B & D's taxi license contingent upon inspections and insurance. Seconded by Trustee Leonard. All ayes. Motion carried.

### **Resolution No. 19-05-06, Levying Taxes**

Trustee DeJesus moved to adopt Resolution No. 19-05-06, Levying Taxes, (attached). Seconded by Trustee Wynkoop. All ayes. Resolution adopted.

### **Street Name @ Ponds @ Riverside**

After a brief discussion Trustee Norman moved to name the street at Ponds at Riverside, Galloway Lane. Seconded by Trustee Leonard. All ayes. Motion carried.

### **Resolution No. 20-05-06, Authorizing the Village of Walden Recreation Department to Apply for \$10,050 for the "Solutions to Teen Violence Program**

Mayor Pearson moved to adopt Resolution No. 20-05-06, Authorizing the Village of Walden Recreation Department to Apply for \$10,050 for the "Solutions to Teen Violence Program, (attached). Seconded by Trustee Hurd. All ayes. Resolution adopted.

### **Resolution No. 21-05-06, Authorizing the Village of Walden Police Department to Apply for \$5,274 for the "Solutions to Teen Violence" Program**

Deputy Mayor Matisse moved to adopt Resolution No. 21-05-06, Authorizing the Village of Walden Police Department to Apply for \$5,274 for the “Solutions to Teen Violence” Program, (attached). Seconded by Trustee Norman. All ayes. Resolution adopted.

### **Request For Review-Sidewalk Snow Removal Cost**

A letter was received from David Lovitch requesting the board reconsider the \$250. charge for removing snow.

Trustee DeJesus moved to deny Mr. Lovitch’s request to waive the \$250. fine for snow removal. Seconded by Trustee Wynkoop. All ayes. Motion carried.

### **Policy on Mileage**

Trustee DeJesus stated that in other communities they have a different reimbursement rate if there is a car available and the employee chooses to use his own car.

Mayor Pearson stated that in the audited bills there is a bill for gas for an officer going to Buffalo, do they take a police car and how do we know. We paid for gas instead of mileage.

Manager Politi stated that we don’t have credit cards so the officer would have to pay for the gas.

Mayor Pearson asked how would we know if they took the police car or their own car.

Manager Politi stated that the chief knows what’s been dispatched.

Mayor Pearson asked if they could put on the bills whether they took their own car or a police car.

Manager Politi stated that if they took their own car it would state the mileage and how much per mile.

Trustee DeJesus asked why the village doesn’t have at least one credit card.

Manager Politi stated that we got away from that.

Mayor Pearson stated that she would rather see receipts.

This was tabled until board can review the various vehicle use policies given to them by Trustee DeJesus.

**Resolution No. 22-05-06 – Resolution to Authorize the Village Manager to Participate in a Transportation Enhancements Program grant Application as a Project Sponsor/Applicant for a Pedestrian Bridge for the Rail-To-Trail Known as the Walden Trails Connection**

Deputy Mayor Matise moved to adopt Resolution No. 22-05-06, Resolution to Authorize the Village Manager to Participate in a Transportation Enhancements Program Grant Application as a Project Sponsor/Applicant for a Pedestrian Bridge for the Rail-To-Trail Known as the Walden Trails Congestion, (attached). Seconded by Trustee Hurd. All ayes. Resolution adopted.

**Streets – Albany Avenue**

Trustee Norman stated that her main concern is Albany Avenue and she spoke to the Police Chief who said to do one way he felt it would not be wise. He does feel there should be no parking on either side.

Mayor Pearson stated that she is also not in favor of one way.

Trustee Hurd asked what's stopping us from widening that road.

Manager Politi stated that you have two utility poles and trees.

Trustee Hurd stated that on the right side you could at least move the cars that do park there, move them two feet over and create a parking space that would help alleviate the congestion.

Manager Politi stated that you need thirty feet, two ten foot lanes minimum and a ten foot parking lane. He will have that measured to see what the width of the lane is and then up to the sidewalk line.

Deputy Mayor Matise suggested creating some parking zones and some no parking zones so a car can pull over and another car can pass.

Manager Politi stated that an asphalt curb is eighteen inches, if we went to granite, which that area is slated to go granite when we do the roads, you actually gain a foot out of each of your asphalt curbs, so you gain two feet there plus what you gain backing it up to the sidewalk.

Trustee Hurd stated that if you have areas like that there is no reason to take the trees down.

Mayor Pearson stated that the sidewalk gets really high at the Ulster Avenue end. That is where Mr. Millspaugh was talking about.

Trustee Wynkoop stated that when you get down by the houses there is no grassy strip.

Deputy Mayor Matise asked why that street was slated for granite curb. That would make the problem worse because everyone would park further into the street.

Manager Politi stated that the village began the process of granite curb in this area, you did the Valley Avenue, Richardson area and now you're going out to Ulster Avenue to do granite and then it was to start moving to the old section of the village. Plus, you're asking your subdivisions to do this.

Trustee Leonard moved to have the village engineer do a study so we can do a cost analysis. Seconded by Trustee DeJesus.

Mayor Pearson stated that she would like our people involved in this so it's more cost effective.

All ayes. Motion carried.

### **Inspection Fees**

Mayor Pearson stated that she was questioning the septic system hook up. Other fees have been discussed.

Manager Politi stated that currently inspection fees for subdivisions is 5% of the project and the building inspector would like to raise that to 10%.

The manager stated that he went over the other fees. The certificate of occupancy fees were changed from \$25.00 to \$50.00, street opening permits are \$100.00, there is no need to raise that, water and sewer connection fees, you have a \$500 connection fee for sewer and \$1,000 for water.

Mayor Pearson asked if the building inspector was comfortable with the planning and zoning fees.

Mr. Dowd stated that is something you might want to look at.

Mayor Pearson asked about library fees.

Trustee DeJesus stated that there is a report that the library sends to the state and the board doesn't get it. We need to know what percent of the users is from the town verses village residents.

Deputy Mayor Matise stated that they have about 6,000 card holders and over 2,000 are town residents, not village residents. The village is paying out \$260,000 this year, plus the space, heat and electric and the town is giving them \$60,000.

Mayor Pearson asked if that would be something this board would be looking into or that's the library board.

Mr. Dowd stated that it's the library's obligation but this board can still question them and push to help them get more money from the town.

The manager indicated that he will ask Ms. Meyers for the report.

Trustee DeJesus suggested the board discuss park fees.

It was the consensus of the board to have fees on the agenda for the work session.

### **Multi Family to Single Family**

Mr. Dowd stated that the board had talked about changing the RM to R-6 and the greatest fear was if the railroad comes in and the property value takes off and you get these knock down and rebuild type things and consolidation of lots and build multi family homes and you don't want to see that in that neighborhood. The building inspector suggested R-6. The attorney spoke to Trustees Hurd, Leonard, Mr. Sorensen and the manager about the possibility of instead of going to an R-6 going to a single family residential zone and combining that with setting up some sort of accessory apartment law to then say okay now what happens is no one has the right to build a one or two family house, they have the right to build a one family house and if they qualify they can get an accessory apartment as part of that project.

Trustee Leonard stated that they should ask the building inspector if they should include freestanding garage and allow an apartment.

Mr. Dowd stated that would be the best way to lower your density possibilities.

Trustee Hurd asked what would be wrong with saying just single family zone.

Mr. Dowd stated that you will have a few that would be non conforming no matter what you do with the zone. The question is what do you want to accomplish. If the main concern is to get rid of the multi family and the next question is whether you want to go to a one or two family or one family with accessory or just a one family.

Trustee Leonard asked the attorney to get a copy of the towns' law and cross out the parts that don't apply and give it to all the board members so we can have a discussion.

Deputy Mayor Matise stated that if you go back to what Tim Dexter said which was to make the whole village single family, then you can take your pockets and if you want to add accessory units in one section or this or that you can do that and you can deal with the whole village all at once.

Mr. Dowd stated that he doesn't think you want to make the whole village single family. You'd be giving the wrong message to the courts that you are trying to exclude affordability.

Trustee Leonard stated that the board needs more background to have a good discussion.

Manager Politi stated that he will get some information together for the board.

### **Public Comment-Discussion Items**

There were no comments from the public.

### **Correspondence**

Manager Politi stated that a letter came in from Mr. and Mrs. Pellegrino regarding the condition of the Alfred Place Park. The manager reported that today they fixed the broken swings, the garbage was emptied, the grass was cut and he will have the police make more of a presence up there.

Mayor Pearson asked why the grass isn't done on a regular basis.

Manager Politi stated that there were a couple of empty positions in the parks department that had to be filled. We now have a full staff and they will be getting caught up.

Trustee DeJesus asked if they could prune the trees in the boulevard.

Mayor Pearson asked why the staff uses a pick up stick and not their hands. One person holds the bag and one holds the gripper.

Deputy Mayor Matise stated that on Alfred Place where the woods are did all that brush, that people throw there, ever get picked up.

Manager Politi stated that is private property. We clean along the edge, but we're not taking it all out.

Mayor Pearson stated that there is a property maintenance code, send them a letter.

Manager Politi stated that they will put up a fence.

Mayor Pearson asked if the Olley Park got cleaned up.

Manager Politi stated yes.

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

Manager Politi stated that he put in the board's packet the unified plan of work program. He called MTA who has been in touch with Senator Larkin's office for the other piece of that grant.

The manager stated that there is another banner program, which banners are going on the bridge lamp posts. He was approached by Mrs. Vandermark regarding the Veterans Memorial Bridge which has ten poles and could we do an honor style banner for those who served. It went to the veterans groups who thought that was a good idea. You only have ten poles, so what they are going to do is you have twenty people interested, ten came forward right away with payment, so you will rotate the banners out every four months.

Mayor Pearson suggested putting two banners on one pole.

Deputy Mayor Matise asked what would be the objection to putting the banners on Main Street,

Manager Politi explained that the mayor is researching putting flowers on the flag poles. They want to time taking the existing banners down and as they are taking them down they will put the flowers up then the banner program moves to something specific which is on the bridge. Everyone is okay with this.

Mayor Pearson asked if there was a time frame.

Manager Politi stated that it's for four months.

Manager Politi advised the board that there is a report from Interstate Waste. The Board has Planit Main Streets quarterly report and the department head reports. He further explained the street program, East Avenue is a rebuild, Bank Street is a rebuild with sidewalk, curbs and overlay, the boulevard will be an overlay and have the same curbing.

Trustee DeJesus asked why the village blocked off the area by the foot bridge.

Manager Politi stated that its muddy and everyone is parking there and the village has a siphon there and a connection for water. You want to keep the weight off of it. He further explained that Elm Street will be finished off, Hepper Street will be done, Sunset Drive will be paved. He would like to also do Harrison Street.

Mayor Pearson asked what's going on with Pine and Maple Streets.

Manager Politi stated that they are waiting for the excavator to do the next part of the park and we have to wait for them to get out of there.

Trustee DeJesus asked how Marion Pangia was doing.

Manager Politi advised him that she is doing fine.

Mayor Pearson stated that she would like to get an answer from Supervisor Cockburn regarding the dog warden.

Deputy Mayor Matisse asked what the discussions were that Mr. Sorensen had with Seyfarth and Shaw.

Manager Politi stated that the village was under the impression that they were representing a developer and they came in to be hired as an engineer, not a representative. The other discussion was with a developer.

Deputy Mayor Matisse asked if Mr. Sorensen has spoken to any of the realtors.

Manager Politi stated no, our role is to bring in potential buyers.

Mayor Pearson asked how the economic development meeting was.

Manager Politi indicated that it was a great meeting and every step the village is taking is right on the mark. He will try to set up another tour and breakfast meeting.

Mayor Pearson stated that the groundbreaking is at 2:30pm on Friday.

### **Board Comments**

Trustee Leonard asked the manager if he had a date set for the business breakfast.

Manager Politi stated that he's trying to set dates.

Trustee Leonard stated that the catch basins on the county road are depressed and there are also some on Route 208.

Manager Politi stated that the county will do the ones on the county road, but the state will turn it back to the village.

Mayor Pearson stated that there is a manhole by the Methodist Church that needs to be raised.

Trustee Leonard indicated that he will get the manager the location of the catch basins.

Trustee DeJesus stated that he keeps talking about the situation on Route 52, East Avenue and Walden Estates Road regarding the children and the bus stop. This morning he came out of the development and there were children waiting to cross the street, there

was a car doing 55 mph straight from the ice cream stand. The other Friday he was off and he was walking and there were all these cars speeding and there were three police cars sitting by the ice cream stand. You have three police cars sitting there and you have all these cars speeding in both directions and no one is reacting. That is a problem. He has asked for a flashing light past the ice cream stand and one on the other side to warn people.

Trustee DeJesus also asked about the clearing of land on Route 52 by the Slater's property, did they go into our park.

Manager Politi stated that he will check and see where the line is.

Trustee DeJesus stated that when they built the Tinbrook apartments they have the play area and now they have asked the planning board to allow them to do away with the play area and put parking there. He remembers there was an issue about the fire trucks being able to make a turn going in there. There wasn't to be any parking on the boulevard impacting the right turn. They were to be turning one way only.

Manager Politi stated that the state didn't want a new opening on the boulevard and they wanted one closed.

Mayor Pearson suggested they make the boulevard one way.

Trustee DeJesus asked if the letter to Mrs. Garcia went out.

Mayor Pearson stated that it will be done.

Trustee DeJesus stated that the no thru traffic sign by the cabin should be further down.

Deputy Mayor Matise asked the manager if he has spoken to Mr. Barnes.

Trustee Wynkoop stated that he's not doing any grants.

Trustee DeJesus asked how is it decided how Mr. Barnes runs this program.

Mr. Dowd suggested this be further discussed in executive session.

Deputy Mayor Matise stated that she spoke to Mr. Dowd about the shelter agreement and he will try to come up with something. Also, the training session is 6:30-8:30pm on May 17, 2006.

Deputy Mayor Matise asked if the design guidelines in the mixed use zone given to all the property owners.

Manager Politi stated no, he did all the Main Street businesses.

Deputy Mayor Matisse stated that she attended the zoning board meeting and some of the discussion centered around a certain person not wanting to change his building and he was talking about what he could do with his windows and she was wondering if he got the design guidelines.

Manager Politi stated that he has gotten them.

Deputy Mayor Matisse stated that the NYCOM meeting will be June 11 – 14, 2006 and the mayor is thinking of changing the board meeting.

Mayor Pearson requested that the June 13<sup>th</sup>, 2006 meeting be changed do to the NYCOM conference that she would like to attend.

Trustee Wynkoop moved to change the June 13<sup>th</sup>, 2006 Board of Trustees meeting to June 14<sup>th</sup>, 2006. Seconded by Trustee Matisse. All ayes. Motion carried.

Deputy Mayor Matisse stated that the Hudson Valley Convention is going to be on May 17<sup>th</sup> at DIA Beacon which is a follow up of the Patterns for Progress meeting from last month.

Deputy Mayor Matisse asked what the status of the parking situation.

Manager Politi stated that there have been no calls or complaints about tickets.

Deputy Mayor Matisse asked that the property maintenance code be put on the web site.

Mayor Pearson asked if Trustee Hurd had talked about putting that on line.

Trustee Hurd stated that he was talking about an active server page web site.

Trustee DeJesus suggested we put it on our list for Senator Larkin.

Deputy Mayor Matisse asked about the water tanks.

Manager Politi stated that the village will be spraying them

Trustee Norman stated that Mrs. Badalucco on South Street indicated to her that there are a lot of children on South Street and the man that bought property uses the lane between her and another property owner. She would like a children at play sign put up.

Manager Politi stated that there is no right of way, it's a no mans land, nobody owns it. It is an access lane. He could put the sign on the street.

Trustee Norman stated that on Valley Avenue, we have lawyers that are taking care of a building and they are throwing things into the brook and there was no building permit posted.

Trustee Wynkoop stated that you don't have to post building permits anymore.

Manager Politi stated that the owner has been cited.

Mayor Pearson asked the manager what the well levels are.

Manager Politi indicated that there haven't been any panic levels. He will get the actual numbers.

Mayor Pearson asked if the crosswalks were going to be painted.

Manager Politi stated that we will be doing our own and we will be doing the one on Route 52.

Mayor Pearson asked if there is a plan to water the plants.

Manager Politi stated that he has spoken to the superintendent.

Mayor Pearson stated that we have become a tree city. Arbor Day, Truffa Seed, Rotary and the playground, it was a really nice couple weeks. She also stated that Simon Gruber would like to be at the work session to go over water shed protection and maybe invite the planning and zoning boards.

It was the consensus of the board to have the joint board meeting.

Mayor Pearson asked if the village would be putting in the fire hydrants they purchased and is there a priority list.

Manager Politi stated that we have a list and they will be doing that.

### **Executive Session**

Deputy Mayor Matise moved to hold an executive session pursuant to 105-(f), personnel and 105-(h), purchase of property, of the Public Officers Law. Seconded by Trustee DeJesus. All ayes. Motion carried.

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

### **Adjournment**

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

Respectfully submitted,

Nancy Mitchell  
Village Clerk