

**Village of Walden  
Board of Trustees Meeting  
July 11, 2006**

Mayor Becky Pearson called the 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
		Edmond Leonard

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

**Approval of Minutes**

Deputy Mayor Matisse moved to adopt the minutes of June 27, 2006. Seconded by Trustee Hurd. On roll call Deputy Mayor Matisse, Trustee Norman and Mayor Pearson voted yes. Trustees Wynkoop, Hurd and Leonard abstained. Motion defeated.

**Public Comment**

John Muehlin, 42 Alfred Place requested that the Village start requiring all contractors to be licensed. He contracted with someone to put a fence around his property which cost \$9,000. He told the contractor that he had to get a building permit. He never got a building permit; he said he didn't need one. He stopped the work on the third day. He went and got the police who informed Mr. Muehlin that it was his obligation to get the building permit. He received a letter from the fence company who said that they didn't need a building permit. Mr. Muehlin got a permit and finished the job himself.

Dave Bonne, Hudson Valley Agents, 99 W. Main Street wanted to discuss an issue of the placement of a parking enforcement sign, loading zone, which was put across from his office. It was done to benefit deliveries to a printing shop, Ciardullo's. He understands the parking, but its creating a problem for his office. The sign is set up so that it is past the printing shop and whenever trucks come they park in front of Ciardullo Printing and he doesn't blame them. They are not parking in the loading zone. Many of his customers have gotten tickets. It makes it difficult for people who are coming from

Newburgh heading west to park across the street. He presented the board with photos of trucks parking in front of Ciardullo's. He requested the loading zone be moved in front of the place that it is benefiting. He also presented the board with a petition requesting the loading zone be removed.

Mike Ciardullo stated that it's not simple; one thing that has been bothering him since that loading zone was put in was that people would think it's for Ciardullo Printing. That is wrong; it's for the Village of Walden. He doesn't need a loading zone he'll have his trucks double park there and back traffic up. It's not just his trucks, the UPS truck parks there too. It's for all the trucks so they do not double park on Main Street and back up the traffic. If there is available spots in front of the front door they are going to use them, it's not against the law. If you move the loading zone it will inconvenience the bakery and the business next door. The Village Manager and Police Chief decided that was the right spot for the loading zone. There are twenty two parking spots on the other side of the street for the Hudson Valley Agents customers to park. Going west there are eighteen parking spaces. There are only three spots set aside for the loading zone.

Manager Politi stated that the reasoning was to provide a loading zone. Police Chief Jeff Holmes felt that it would be beneficial because there are many times they have to double park. It has worked and worked successfully. If there is no one parking in that area they can park there? It's when you're loaded up with cars that they have the ability to get out of traffic.

Mayor Pearson stated that she can understand the parking on the other side of the street. What happens is when you move it back its conflicting with the buildings parking. The problem is you can't park a car in a loading zone because you can get a ticket, but you can park a truck in a parking space and not get a ticket.

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

### **Audited Bills**

Mayor Pearson asked if the bill for the new truck was included with the audited bills. She was under the understanding that there would be discussion about that purchase. The issue of a pick up truck is a little bit obscure because it was in the budget and we took it out of the budget.

Trustee Hurd moved to pay the audited bills of July 11, 2006. Seconded by Trustee Leonard.

Mayor Pearson stated that she doesn't believe the Village should be spending \$10,000 on a pick up truck. There is other ways to spend the surplus money.

Manager Politi stated that the Board questioned the purchase of a truck during the budget process. They discussed how they could cut that number in the budget and one way was to take that truck out. Now you do a surplusing of equipment and it worked out.

This was money found and now go back to a departmental request we are trying to fill that request with that. It wasn't part of the budget. It doesn't change the budget.

Deputy Mayor Matisse stated that the Board needs to go back over the capital improvement plan. They still haven't gotten the audit back which would tell the status of the equipment.

Mayor Pearson stated that she sees other necessities the Village could be using that money for. She asked for specifics as to what is wrong with the truck that we have and how many miles does it have.

Mr. Edwards stated that there is over 140,000 miles.

Manager Politi stated that the present vehicle is not four wheel drive and he believes the supervisor should have four wheel drive.

Trustee Hurd stated that he feels it's a wise decision since we surplused over \$10,000 and the public works supervisor needs a reliable, safe vehicle to get around in and four wheel drive is an excellent idea.

Trustee Leonard agreed.

Mayor Pearson stated that sidewalks are necessary and our money in water and sewer is down to nothing.

Trustee Wynkoop stated that the supervisor is on call so he should have a reliable vehicle.

Trustee Norman stated that she looked at the present truck and the supervisor needs a new truck.

All ayes with the exception of Mayor Pearson voting no. Motion carried.

Trustee DeJesus moved to allow payment of a bill to purchase a 2001 Dodge 1500 for \$9999.00 with the surplus funding that is available. Seconded by Trustee Leonard. All ayes with the exception of Mayor Pearson voting no. Motion carried.

Trustee DeJesus moved to surplus the Tahoe upon receipt of the 2001 Dodge with a minimum bid. Seconded by Trustee Leonard. All ayes with the exception of Mayor Pearson voting no. Motion carried.

### **Approval of Minutes**

Trustee DeJesus moved to adopt the minutes of June 27, 2006 with the following correction: Page four, fifth paragraph, change incon to inkind. Seconded by Deputy Mayor Matisse. All ayes. Minutes adopted.

### **Skateboard Concrete Bid**

Manager Politi stated that there was a bid opening today for the skateboard park concrete slab. Three bids were received, Adams Concrete \$30,000, DiLemme and Sons, \$45,000 and Catalyst Construction \$43,732. The bid from Adams Concrete was complete, all necessary paperwork was there and he suggested the board accept the bid.

Deputy Mayor Matisse moved to award the bid for the skateboard park concrete slab to Adams Concrete for \$30,000. Seconded by Trustee Norman. All ayes. Motion carried.

### **Street Light Authorization**

Manager Politi stated that the street light authorization is for Utopian Place.

Trustee Leonard moved to authorize the street light agreement for Utopian Place. Seconded by Trustee DeJesus. All ayes. Motion carried.

### **106 Wait Street, Building Request**

Manager Politi stated that Mr. Chatelaine of 106 Wait Street is requesting permission to reside in his existing home until his new home is completed and ready to move into. The construction of the new home will take six (6) months, removal of existing home will start one (1) month after he receives his C.O. and it will take one (1) month to demolish the existing home.

Deputy Mayor Matisse stated that she hasn't had the chance to look at this.

Trustee Wynkoop asked how big the lot was.

Mr. Dowd stated that he's assuming the building inspector has looked at this and decided he could place the new modular on the lot and meet all the setbacks.

Trustee DeJesus stated that Mr. Stickles letter indicates that he has not finished his review of the plans. He doesn't know what that means.

Trustee Hurd asked why it takes six months for the modular. He doesn't feel there is a need for six months.

Deputy Mayor Matisse moved to table this until more information is received from the building inspector, the size of the lot and whether it's feasible for this to happen. Seconded by Trustee Hurd.

Manager Politi stated that the question is two homes on one lot in a single family zone.

Mr. Dowd asked how you are going to enforce taking the second home down, not renting it out. There would have to be a written agreement and bonds posted and assurances that if they don't take it down we take it down.

Trustee DeJesus stated that he would like to know if the house has been ordered yet.

Manager Politi asked what information the board is looking for.

Trustee DeJesus indicated, how long it will take to deliver the home, and who is doing the work.

Mr. Dowd stated that there also has to be an agreement.

Deputy Mayor Matise stated that she would like to look at the property.

All ayes. Motion carried.

### **Café Seating Review**

Trustee Wynkoop asked after putting tables on the sidewalk how much room will be left.

Manager Politi stated that in this particular case you have the space to do it. You have seven feet of clearance where the requirement is five feet. The law indicates that it has to be on your own property. The Mayor asked this be put on the agenda to discuss it to put it on village property, if the space is available. Physically you can do it.

Mayor Pearson stated that the village allows this on Main Street.

Mr. Dowd stated that the law has to be changed and then anyone who qualifies can do it.

Trustee Hurd stated that he has property he can put this on.

Deputy Mayor Matise stated that they count that area as their employee parking space. They are asking for a variance for an apartment and two offices upstairs.

Mayor Pearson stated that she feels two seats on the sidewalk, as long as people can get by, she doesn't have a problem with that.

Deputy Mayor Matise suggested developing a fee structure.

Trustee DeJesus stated that there has to be a fence and that is not going to look good. They also need the Department of Health's approval to serve food. There is also

the issue as to where the garbage cans are going to be located and will that need more space.

Deputy Mayor Matise stated that if you are going to change the law, have an annual charge for the permit, because someone will have to inspect it.

The consensus of the board was:

Mayor Pearson, change the law.

Trustee Norman, change the law.

Trustee DeJesus, change law, have a higher fee and higher insurance.

Trustee Wynkoop; change the law, just cafés.

Trustee Leonard, has a problem changing the law, but he should be made aware of the time frame.

Trustee Hurd stated that the upside is no where as good as the downside. He would be opposed to changing the law.

Deputy Mayor Matise asked about the insurance they would have to have.

Mr. Dowd stated that they would also have to sign an indemnification provision.

Trustee Hurd stated that he won't be able to get a hold harmless agreement.

Deputy Mayor Matise asked about serving alcoholic beverages and the open container law.

Mayor Pearson stated that she would like the manager or attorney to look into other sample laws.

Trustee DeJesus stated that you need room for people to walk by freely without running into the tables and chairs. The music school has a lot of people walking by there.

Trustee Hurd stated that he's not opposed to the outside dining, he always thought Lillo's should buy the lot next door. They should stay on their own property.

It was the consensus of the board to see sample legislation on cafés.

### **Request for Two (2) Handicapped Parking Spaces**

Trustee DeJesus stated that the issue was not denying the two parking spaces, but the two hour limit.

Mayor Pearson stated that they were also changing the parking space from Dominick's to the Good Samaritan.

Trustee DeJesus stated that in regard to the request of a 20 minute parking space in front of the school, they should designate one of their own spaces for that.

Trustee Leonard stated that he doesn't want two handicapped spaces all day. There should be a reasonable time limit.

Trustee Norman stated that she's not in favor of two spaces.

Mayor Pearson stated that she would like to switch the space from Dominick's to the area of Good Samaritan and have the space by Dominick's a loading zone.

Trustee DeJesus stated that you can't have people parking there all the time.

Mayor Pearson stated that there isn't enough parking in the Village now and you're taking away another space.

Deputy Mayor Matise suggested they restrict the parking space by the Eagle Hotel so that the traffic can shift over to two full lanes and you can make a thirty foot space for a truck by Dominick's.

Trustee Leonard asked that this be tabled so he can look around out there.

It was the consensus of the board to have one handicapped two hour parking space on the corner of Orchard Street and Scofield Street and leave the space by Dominick's alone.

Manager Politi asked about the twenty minute space in front of the school.

Trustee DeJesus suggested a letter go to the school indicating that the village has received concerns from parents about having the ability to deliver medicine and emergencies and since they have two parking lots they should make the provision available.

The consensus of the board to change a handicapped parking space on Orchard Street to a twenty minute space:

Deputy Mayor Matise, yes

Trustee Norman, no, they should use the school's parking lot

Trustee Wynkoop, yes

Trustee DeJesus, no

Trustee Leonard, yes

Mayor Pearson, yes

Trustee Hurd, yes

Deputy Mayor Matise stated that when the day care center moves they might need a drop off spot.

Manager Politi stated that will jam up traffic. They could drop them off on North Street.

## **Tasers**

Trustee DeJesus stated that he contacted Middletown and Newburgh and they laughed at him when he said the Village was considering Tasers. They do have policies. He still wants to see a policy as to how this will be implemented.

Trustee Leonard stated that he is in favor of having Tasers providing there is a restriction on the number of times you can use it on a person.

Trustee DeJesus stated that there were federal agencies that decided not to use them because they are questionable. He also has a problem with a private citizen donating \$5,000 to the police department for Tasers. If he wants to donate the money to be used at the discretion of the manager and the board or the youth officer that would be fine.

Deputy Mayor Matise stated that she has been asking citizens and some people aren't phased at all and others say no way they don't feel the police department should have it. Also, one concern she has is its less than lethal force and it leaves the Village open to a lot of other issues, whereas deadly force is well defined under the state parameters that the police are controlled by. She also has concerns for people who have medical conditions. She also stated that she spoke to a corrections officer and their take on it was that if the force is equipped with the Tasers they may lose the verbal skills, especially the younger officers.

Trustee Norman stated that she also spoke to a correctional officer and at this point she is not for the Tasers.

Manager Politi stated that he spoke to an officer in New Windsor and he finds it effective as an alternative. They've used it a couple times.

Trustee DeJesus stated that eventually everyone that is determined able to carry one of these will and there will be an additional expense.

Trustee DeJesus moved not to accept the donation for Tasers. Seconded by Deputy Mayor Matise. On roll call Trustee Norman, DeJesus, Deputy Mayor Matise and Mayor Pearson voted yes. Trustee Leonard, Hurd and Wynkoop voted no. Motion carried.

## **Accessory Unit Law**

Trustee Leonard stated that a year and a half ago Margaret Williams did a survey for the affordable housing committee on the availability of rental unit housing in the town. She spent two weeks which covered all the realtor listings and the ads in the paper. What



came back was Waterwheel had a waiting list and Tinbrook Apartments had a waiting list. The rental apartments were very tight. The only thing that was available was \$600/\$700 units in the Village of Walden. There is definitely a need for apartments in the town.

Deputy Mayor Matise stated that we have a 40% rental ratio in the village.

Mayor Pearson stated that there is no control over how much someone can charge for rent.

Trustee Leonard stated that he's talking about efficiency apartments, one bedroom.

Mayor Pearson stated that's different than accessory housing that is something that is not necessarily connected to the home already.

Trustee Hurd stated that we have zoning for a reason. People who purchased in a single family neighborhood have the expectation that they will continue to live in a single family neighborhood.

Trustee Leonard stated that we have streets that have large older homes on it.

Trustee Hurd stated that it creates density where density is not desired. He doesn't feel it's necessary.

Mayor Pearson stated that when she read this it pertained to larger areas.

Trustee Hurd stated that you are going to have people living on fifty foot lots with five cars. This belongs in the town where they have two acre zoning and where parking and density isn't an issue.

Trustee Leonard asked the Mayor to poll the board to see how they feel about accessory housing in the Village and what areas would you want them in. He would like to see them in the older houses.

Deputy Mayor Matise stated that you can't spot zone certain houses within a zone.

Mr. Dowd stated that it would depend on how you draw the law and how a property qualifies to have an accessory apartment. That would be the key to control.

Deputy Mayor Matise stated that the other part of this would be inspection and making sure the people using these units still qualify.

Trustee Leonard stated inspections are covered in the town law.

Trustee DeJesus stated when the town law is mentioned this board doesn't see that law as applicable to this village and the perception he is getting from the discussion is that we are not here to meet the housing needs of the town, but rather the village and

there is housing stock that exists now that may not be the most up to date and if we were to enforce codes differently then we would get a better quality of apartments.

Mr. Dowd stated that the town law is there as an example.

Trustee Leonard stated that the law is designed for senior citizens and young adults.

Trustee Hurd stated that when the town went through its recently rezoning part of the discussion and part of the objection was that they zoned everything into two acre lots and that they did not allow for any densities for affordable units to be built and indeed their plan was that the villages within the town would take care of all the affordable housing and many people from the Village objected to that.

Deputy Mayor Matise indicated that we are already doing that.

Trustee Hurd stated that many people proposed keeping open space and allowing the different density so that they could build more affordable units and the Town Board rejected that.

Trustee Leonard stated that the Town has responded with an accessory unit law and very shortly there is going to be zoning for affordable housing.

Trustee Wynkoop stated that he is against it because it will become abusive.

Deputy Mayor Matise stated that she doesn't see that this is something that we need to get involved with. Just trying to stay on top of inspecting it and making sure that its being used by the people who say they are using it from year to year is going to be a night mare.

Mayor Pearson stated that people can go for a variance and get that now.

Trustee Leonard stated that a use variance is very hard to get.

Mayor Pearson stated that she is not for it.

Trustee Leonard withdrew his proposal.

## **Vehicle Use Policy**

Mayor Pearson stated that she reread the policy and there are issues that she wasn't happy with. One being employees who operate a municipal vehicle must have a valid motor vehicle license issued by the State of their current residence and may be required to provide proof of valid motor vehicle license once every six months, that should be mandatory, so change must to will be required. Also, municipal vehicles must

have the village seal affixed to the drivers/passenger side door and may only be used for legitimate municipality business; she feels that all vehicles should have it.

Deputy Mayor Matise stated that it should also have the web site on the seal.

Trustee DeJesus indicated that the web site needs to be updated.

Mayor Pearson stated that in regard to 8C, conviction of such an offense may be, that should be will be grounds for loss of municipal vehicle privileges and other further disciplinary action.

Trustee DeJesus stated that he thought Mr. Dowd was going to review this for legalities.

Manager Politi stated that it has to go to the labor attorney.

Trustee DeJesus stated that the Police Department has a policy on vehicle use and all that has to be put together.

Trustee Hurd stated that you want the policy to be adhered to but you don't want to create traps for the employees.

Deputy Mayor Matise stated that the residents comment on excessive behavior a lot.

Manager Politi stated that the residents have to write it down and tell him where they saw it so he can respond to it. He doesn't hear these things.

Mayor Pearson stated that she still gets reports on seatbelts.

Trustee Wynkoop stated that if an employee stops for a soda someone could say that is personal business.

Trustee Hurd suggested the board allow the Village Manager to come up with the language of the law to have some discretion on what is what.

Trustee Norman stated that she had been at Stewarts and people have commented. Someone timed a DPW employee and he was at Stewarts for 45 minutes talking to another man.

Mr. Edwards stated that no one has ever reported that to his office, he would have taken care of it. He never got a report on seatbelts either or he would have taken care of it.

Manager Politi stated that he talked to the parks department about seatbelts.

Mr. Dowd stated that labor council will take a look at the policy because of civil service.

Trustee DeJesus stated that we don't have an agreement with civil service as it pertains to car use. That is a policy issue of the manager and the board, so its not a negotiating point for CSEA.

Manager Politi stated that you are talking about one person because we don't have an on call status in CSEA. The supervisor is a union employee.

Trustee Hurd stated that he doesn't think elected officials should use the Village vehicle for trips. If they have to go to a meeting or training they should be reimbursed for their expenses. He would rather the vehicle be available for Village employees.

Deputy Mayor Matise stated that there was a cost savings when she and the mayor used the Village car to go to Saratoga.

Trustee Leonard stated that he disagrees because they are depreciating the Village vehicle, using the Village's gas, upkeep and insurance cost.

Trustee DeJesus stated that he doesn't have a problem with the board using the car after 3:30pm.

Deputy Mayor Matise stated that when the board voted on purchasing that car it was to be used by board members too. That is how it was presented and that is how they approved it.

Mayor Pearson stated that the other comment in the minutes was mileage and taxes.

Mr. Dowd stated that would be the manager's obligation. It would be a personal tax liability.

Trustee Wynkoop asked about the on call status.

Manager Politi asked that before the board goes any further to have the labor attorney look at the policy. He also stated that there is no on call status with the CSEA.

Mayor Pearson stated that there was also an issue with the Police Chief.

Trustee DeJesus stated that the chief explained that at the last meeting and it was a gentlemen's' agreement.

Mayor Pearson asked for clarification from the attorney, there was a letter written to the Girl Scouts about the Village no longer having gentlemen's agreements. Is that just for the Girl Scout use of the cabin.

Mr. Dowd stated that he is not sure how this is connected.

Mayor Pearson asked, if it's a gentlemen's agreement in one issue would it be a gentlemen's agreement in another issue or are there no gentlemen's agreements within the Village of Walden.

Mr. Dowd stated that if the Mayor is talking about the Girl Scout Cabin the Village was in the midst of a Federal law suit and our policy was not necessarily in performance of what the Federal law says so we had to change our long standing policy.

Trustee Leonard stated that when you are promised things when you are hired that is a condition of employment. That was given to you as a benefit.

Deputy Mayor Matise stated that it should be in writing.

Trustee Hurd stated that the board should give way to honoring commitments that they've made to their employees.

Trustee DeJesus stated, except for what is good for one is good for another.

Mr. Dowd stated that it was a much different situation with the Federal law suit as far as the practices they had with the Girl Scouts and the cabin. This is something that becomes a condition of his employment. If the board is not going to honor that then the chief would have an issue with the board as to whether that was a condition of his employment which you are not renegeing on.

Trustee DeJesus stated that it was more of picking up his children. He asked what does that do to the Village if there is an accident and the child.

Mr. Dowd stated that it would be covered under the insurance. By putting people in the cars that are not authorized we're just expanding the scope of liability, but that may have been the understanding and he doesn't remember at the time if the board agreed with that understanding.

Trustee Leonard stated that if he's out and about picking up his kids that would be a benefit to the Village.

Deputy Mayor Matise stated that its ethics and liability.

Mayor Pearson stated that when they look into this she would like to hear about the liability.

Deputy Mayor Matise stated that now the chief has a new baby and a child has to be in a special seat and it has to be positioned a certain way and secured in the vehicle in

a certain way, what if that fails, who is responsible. Is the Village responsible for his child seat not working properly?

Mr. Dowd stated that when you put additional people in your vehicles you're increasing the amount of potential liability if there is an accident.

Deputy Mayor Matisse asked what if it's not a Village car seat.

Mr. Dowd stated that would be the question as to whether it has to be the Village's car seat.

Trustee Leonard stated that the policy needs some kind of paragraph to give the manager or somebody the ability to interpret these rules.

Deputy Mayor Matisse stated that it's up to the Board to adopt the policy. There are two major issues, the liability to a pedestrian on the street and how public money is being used.

Mayor Pearson indicated that the Board will wait to hear back from the manager after he hears from the labor attorney.

### **Hudson River Estuary Grant Support**

Deputy Mayor Matisse stated that the committee couldn't be here tonight

Mayor Pearson stated that they were coming back with answers.

Trustee Hurd stated that some of the questions that need to be asked is the advisory council an appointed council by the Town of Montgomery Supervisor and they say they are going to do a generic impact study and then form policies which they will bring to the Village to form an intermunicipal agreement. The question we should ask them is what we are agreeing to. He has reservations about this group because even though they are lawfully appointed by the Supervisor of the Town of Montgomery he believes they will have an agenda and that agenda will include land use issues and issues such as land use overlays and water use overlays and aquifer overlays and other overlays that will have a dramatic impact on the personal property rights of private landowners. We should be very careful about beginning an endorsement process of a project and intermunicipal agreement that we know nothing about. Secondly, if the Town wants to come to the Village right now with a program they need us to work on jointly, there is nothing stopping them from doing that and third, New York State is the most highly regulated state in terms of use of land, development of land and environmental protections that are there now, so he really questions why this committee really needs to be.

Mayor Pearson stated that she had an important question for them tonight so she can't make a decision on this which pertains to property.

Trustee DeJesus stated that the grant already went out with the Village of Walden's name on it.

Trustee Wynkoop asked who authorized them to include the Village of Walden.

Mr. Dowd indicated that they were up against a time deadline.

Trustee Hurd stated that time deadline is not authorization on our part. He feels the Village should send a letter to who ever the grant went to informing them that this Village Board did not sign onto that.

Deputy Mayor Matisse stated that she wouldn't do that.

Mayor Pearson stated that you don't have to be a part of it after that.

Deputy Mayor Matisse suggested board members attend Town meetings to get a head up on things.

Trustee Hurd stated that you are a lawfully elected official of the Village of Walden and only you and the Board make decisions for the Village of Walden. Otherwise the Town of Montgomery board is making decisions for the residents of the our village.

Deputy Mayor Matisse suggested the letter go to the supervisor.

Trustee Hurd stated that she can be copied.

Deputy Mayor Matisse stated that she wouldn't send a letter to the granting agency because we also apply to that granting agency and it won't make us look great in their eyes.

Trustee Wynkoop stated that our name has been included without authorization.

Trustee DeJesus stated that the Board has made their objections clear to Ms. Cockburn at the last meeting.

Mayor Pearson indicated that the Board needs to move forward.

Trustee Hurd stated that he doesn't think the Board should let this one go. A letter should go to the grant authority.

Trustee Hurd moved to send a letter to the Hudson River Estuary Grant Administrator at DEC stating that the Board did not lawfully authorize the Village of Walden to be included in the grant application with a copy to the Town Supervisor. Seconded by Trustee Wynkoop. On roll call Trustee Wynkoop, Hurd and Norman voted

yes, Trustees DeJesus, Leonard, Deputy Mayor Matise and Mayor Pearson voted no. Motion defeated.

Trustee DeJesus moved to send a letter to Supervisor Cockburn indicating that any future applications that are submitted by the Town without the Village of Walden's consent or knowledge that we will let the granting agency know it. Seconded by Trustee Leonard. On roll call Trustees Wynkoop, DeJesus and Leonard voted yes. Trustees Norman, Hurd, Deputy Mayor Matise and Mayor Pearson voted no. Motion defeated.

Manager Politi stated that if the Town is submitting the application the State is now looking at an intermunicipally agreed upon application and it isn't. If you get the grant and that surfaces and you lose the grant the black eye is on the Town. The Village did not agree on that.

Trustee Hurd stated that the Board is now on record as saying the Town of Montgomery makes policies for the Village of Walden.

Trustee DeJesus stated that the Board did not say that.

Trustee DeJesus moved to send a letter to the Hudson River Estuary Grant Administrator at DEC because this was sent under false premises that there was an agreement and there isn't any, with a copy to the Supervisor.

Trustee Hurd stated that it was just his opinion that the grant or the estuary committee is worthwhile or not. He doesn't feel there should be any real disagreement about a duly elected board conducting business for the Village and not the Town. They have made a serious error by acting on the assumption that they had the Villages approval when they did not. He can't imagine that we on this board would ever make the reverse.

Seconded by Trustee Hurd. On roll call Trustees Wynkoop, Norman, Hurd, DeJesus and Leonard voted yes. Deputy Mayor Matise voted no. Motion carried.

### **Code Book Update Proposal**

Mayor Pearson stated that she would like General Code Publishers to come to a meeting and explain the proposal. This would be updating our code book and putting it on line if we chose to do that.

It was the consensus of the Board to have General Code Publishers come to a Board meeting.

### **Public Comment – Discussion Items**

Howard Edwards, 72 Orchard Street stated that he lives across the street from the school and the Village should go back to the school board and tell them to start using their two parking lots.



Pat Glass stated Saturday night she attended the concert at Wooster Grove and she had people smoking all around her and she feels smoking should not be allowed.

Mr. Dowd stated that the Village might be able to regulate no smoking.

Mrs. Glass asked when the skateboard park was going to be finished.

Manager Politi stated that the concrete bid is done and the equipment bid was awarded, hopefully it will be done by the end of the summer.

Mrs. Glass suggested department heads attend one board meeting a month so questions can be answered.

Trustee Hurd stated that he's not sure if employees should be subjected to that pressure. The public is here to talk to the board.

Mr. Dowd stated that he doesn't think the Board wants the public confronting the department heads.

Deputy Mayor Matisse asked Mr. Edwards if he sees a value at being at the meetings.

Mr. Edwards stated yes, as a taxpayer and also as the superintendent.

Trustee DeJesus stated that it could be beneficial to the manager.

Manager Politi stated that the proper place would be at a work session.

Trustee Leonard stated that when there is an issue the department head is always present. He wouldn't want to have them sit through the whole meeting.

Deputy Mayor Matisse stated that residents can go through the manager to the department heads.

Mrs. Glass asked if the Village runs periodic motor vehicle reports on anyone who has access to Village vehicles.

Manager Politi stated yes.

## **Correspondence**

Mayor Pearson stated that correspondence was received from the Governor's office regarding small cities funding.

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

Manager Politi stated that the Community Development Application/Guidelines has been completed. Also, he gave the Board a copy of the web site hit report.

Manager Politi also informed the Board that the kennels will be ready for use, but he wants to stipulate that the dogs have to be moved out within 24 hours.

Mayor Pearson asked about the Town of Newburgh is looking to bring their playground program to Walden on some days this summer.

Manager Politi indicated that they have been doing that. They use to go to the pool and they were looking for another place to bring the children to swim. They have provided a certificate of insurance. There is no formal agreement.

Mayor Pearson asked the manager to let the Board know what they are being charged.

Mayor Pearson asked when the aerobics class was meeting.

Manager Politi stated that they were working around the playground.

Trustee DeJesus asked who was paying for the lifeguards when the Town of Newburgh comes to the beach.

Manager Politi indicated that we are and he has to find out what they are being charged.

Trustee DeJesus stated that he wants to make sure they are paying a fee or paying for the lifeguards.

Mayor Pearson asked if they were just there for the beach.

Manager Politi stated yes, just for the beach.

Deputy Mayor Matise asked what the difference was between the playground program and the recreation program.

Manager Politi stated that they are two different age groups.

### **Board Comments**

Trustee Leonard indicated that there has been a lot of speeding on South Montgomery Street and the Village police haven't been out there that much. A New York State Trooper came in and cleaned up.

Trustee DeJesus stated that should be our job.

Trustee Hurd stated that our police do a very good job all the time.

Trustee Norman stated that she attended the concerts at Wooster Grove and Saturday night she asked Mr. Howland about mowing the grass. Monday night Pine Bush came in to do a concert and they remarked on the beautiful building we had, the grass hadn't been mowed and the garbage was overflowing in the dumpster and garbage can. The band had to go get their own chairs. She doesn't understand why, when Mr. Howland knew there was going to be a concert and those chairs weren't on the bandstand and also for the seniors. There were also broken chairs. We should have pride in what we have. Also, people didn't know where to park. The table that was destroyed has never been replaced.

Deputy Mayor Matisse stated that the concerts were very nice and publicity is getting out for Saturday nights. She has noticed a lot of litter all around the Village. The dumpster at Olley Park needs to be replaced. She asked about the Police Report, calls for service, could there be a comparison from January to June.

Mayor Pearson stated that the flowers are dying.

Mr. Edwards stated that Charlie Thompson waters them every day.

Mayor Pearson stated that we need new ones.

Mayor Pearson also commented on the grass in the park and the accountability in that department. The Route 52 entrance sign light bulb needs replacement. She also asked about the new gas pump.

Mr. Edwards stated that it should be done in two weeks.

Mayor Pearson reminded the Board about the July breakfast. She reminded the Board to read the emergency management plan and get their comments back to the Manager.

### **Special Meeting**

Mayor Pearson moved to hold a special meeting on July 13, 2006 at 7PM, Executive Session, 105-c, Negotiations. Seconded by Deputy Mayor Matisse. All ayes. Motion carried.

Mayor Pearson stated that she was disappointed at how many Board members didn't show for the last special meeting.

Mayor Pearson asked about the next townhouse meeting. She would like to meet the end of this week or the beginning of next week.

## **Adjournment**

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

Respectfully submitted,

Nancy Mitchell  
Village Clerk