

**Village of Walden  
Board of Trustees Meeting  
October 10, 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
		Richard Hurd
		Mary Jean Norman
		Jose DeJesus
		Edmund Leonard

Also Present:	James Politi, Village Manager
	Nancy Mitchell, Village Clerk
	Kevin Dowd, Village Attorney
	Dean Stickles, Building Inspector

The Board observed a moment of silence for the families of the children killed in schools this week.

**Presentation**

Mayor Pearson presented Walden Rotary with a plaque for their help and their donation to the Rail Trail Theatre.

**Hearing – 36 Sherman Avenue**

No property owners were present.

Mr. Stickles stated that the notices were sent out and he only received three receipts back. Two people live out of state. He did hear from Mrs. Schoonmaker, part owner who said do whatever you have to do to clean the property up.

Mr. Dowd indicated that barring that no one is here the Board can close the hearing and proceed to take action, finding it in violation and authorizing the manager and building inspector to see that it is cleaned up and all charges are assessed against the property. Or, they can close the hearing and give the owner additional time to clean it up at which point if it doesn't get cleaned up then the village can do it.

Mr. Stickles stated that this is the sixth time this property has been in front of this board.

Trustee DeJesus stated that this time it's more, we are asking for something different, not just cleaning.

Deputy Mayor Matise stated structural maintenance.

Manager Politi asked the Building Inspector about the building itself on the outside.

Mr. Stickles stated that the building needs a roof and it needs to be painted or sided. The majority is the clean up. He doesn't know how you proceed with fixing a persons house.

Mr. Dowd stated that there is a shed that is in disrepair.

Mr. Stickles stated that those things can be handled under property maintenance. He asked how you approach the outside appearance.

Mr. Dowd stated that you can board up the windows and paint it and then assess the cost onto the property, but you don't want to become the local fix up man.

Deputy Mayor Matise suggested they start with the yard clean up.

Mr. Dowd stated that he would keep it to the minimum. It takes a while to get reimbursed by the county. The problem is where do you want to draw the line as to what's appropriate for the Village to do and what's not appropriate, if there is a leaning shed you can take it down, if there is garbage all over the place we can clean it up and haul it away, but do you want to get into painting buildings or fixing roofs.

Mayor Pearson stated that the problem is the stuff that needs to be cleaned up.

Trustee DeJesus stated that there is that rear porch that is falling off. Also, the addition on the back of the house is a hazard. How do you deal with that?

Mr. Dowd stated that they've dealt with additions before where they've condemned them as unsafe buildings and then they've torn them down. They had a structural engineer say it was falling down.

Manager Politi asked if the building inspector could be there when the property is being cleaned up.

Mr. Dowd stated yes.

Mr. Stickles stated that he doesn't know if the house is structurally unsound where it will fall down. He asked how far can we push the code and how much the

Village wants to spend to have them go back in six to eight months to the same way it is now.

Mr. Dowd stated that if we want to get into the building and he won't let us we would have to get a court order and bring an engineer or maybe a police officer to get inside to see whether it's habitable and safe.

Mayor Pearson asked about the condition of the shed.

Mr. Stickles stated that it needs to be fixed up.

Trustee DeJesus asked if there was a safety issue.

Manager Politi stated that last time they had an officer on site.

Trustee Leonard moved to close the hearing for 32 Sherman Avenue. Seconded by Deputy Mayor Matisse. All ayes. Motion carried.

Trustee Wynkoop moved to order the building cleaned up, after noticing the property owners of the Board's action, and to authorize the Manager and Building Inspector to authorize the clean up and assess all costs onto the property. Seconded by Trustee DeJesus. All ayes. Motion carried.

### **Introductory Local Law I-6 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.

Mayor Pearson stated that the County has approved the local law.

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

Deputy Mayor Matisse moved to declare the Board of Trustees lead agency and to declare a negative declaration with regard to SEQRA. Seconded by Trustee Hurd. All ayes. Motion carried.

Deputy Mayor Matisse moved to adopt Introductory Local Law I-6 of 2006, “Zoning” as Local Law No. 7 of 2006. Seconded by Trustee Hurd. All ayes. Motion carried.

### **Approval of Minutes**

Trustee DeJesus moved to approve the minutes of September 26<sup>th</sup> with the following corrections:

Page 1, Seconded by Trustee DeJesus, Page 2, Sixth paragraph change water to watch, Page 5, Fourth paragraph change wise to wide, Page 8, First paragraph correct hierarchy, Page 11, Third paragraph add Mayor Pearson, and Page 12 add imply.

Seconded by Trustee Leonard. All ayes. Minutes adopted.

### **Public Comment**

Anita Vandermark, 76 Highland Avenue stated that the Historic Society of Walden is planning a special day of recognition of all veterans on November 12<sup>th</sup> on the Third Floor of the Municipal Building from 1-4 pm. There will be special exhibits and Sam Wright will be participating. There have been several meetings and she invited the Board to attend the upcoming meetings. They are also looking for artifacts to be exhibited. Their next meetings are October 15<sup>th</sup> at 2:00pm, October 28<sup>th</sup> at 10:00am, and November 5<sup>th</sup> at 2:00pm on the third floor of the Municipal Building.

Mayor Pearson asked if this would be video taped.

Ms. Vandermark stated that she hopes so.

Deputy Mayor Matise suggested someone contact Ted Sly's office to see if they have an intern to come and video tape the event.

Manager Politi indicated that he will contact the Village Historian to see if she can research that to have that done.

Eileen Brickner, 25 Bank Street stated that the requested street light on Capron Street was put in the wrong location.

### **Audited Bills**

Trustee Leonard moved to approve the payment of the audited bills of October 10, 2006.

Mayor Pearson questioned the engineer's bill for the ramp at the Scout Cabin.

Seconded by Trustee DeJesus. All ayes. Motion carried.

### **Resolution No. 07-06-07, Real Property Tax Exemption of the Village Owned Property Devoted to Water Supply Facilities**

Trustee Hurd moved to adopt Resolution No. 07-06-07, Real Property Tax Exemption of the Village Owned Property Devoted to Water Supply Facilities, (attached). Seconded by Deputy Mayor Matise. All ayes. Resolution adopted.

### **Introductory Local Law I-7 of 2006, “Vehicle & Traffic**

Deputy Mayor Matise indicated that on Page 2 it says we’re repealing the 20 minute school day parking which we don’t have now.

Mr. Dowd stated that should say add, not repeal.

Mayor Pearson asked if the handicapped parking at Bradley Park should be put in the code.

Trustee DeJesus stated that is a perfect place on that street for people to move their cars when it snows.

Mayor Pearson asked if the Board wanted one or two handicapped spaces there.

Deputy Mayor Matise suggested they ask the park director and Little League and proceed from there.

Manager Politi stated that there may be another handicapped parking space request, so they should wait.

Deputy Mayor Matise stated that the handicapped space sign on Walnut Street is still up and it’s not a designated spot.

It was the consensus of the Board to have set the hearing for Introductory Local Law I-7 and revisit the handicapped parking at a later date.

Deputy Mayor Matise introduced Introductory Local Law I-7 of 2006, “Vehicle and Traffic”, as written, with the correction of adding the 20 minute parking spot.

Deputy Mayor Matise moved to set a public hearing for Introductory Local Law I-7 of 2006, “Vehicle and Traffic” on October 24<sup>th</sup> at 6:30pm. Seconded by Trustee Leonard. All ayes. Motion carried.

### **Resolution No. 08-06-07, 2006 Tree Planting Cost-Sharing Grants**

Trustee DeJesus asked how they are going to pay for this.

Manager Politi stated that the lines within the budget. You’re well over \$15,000, so there is more than enough for the match.

Mayor Pearson asked Mr. Barnes where he is with this.

Mr. Barnes stated that he needs to know where they want the trees planted, species and acreage of canopy.

Trustee Hurd asked if there was a grouping of trees they select to be planted. Are there official trees that are acceptable?

Manager Politi stated that they use the urban forester from DEC who gives you hardy street trees for urban settings and that is what we use.

Trustee Hurd moved to adopt Resolution No. 08-06-07, 2006 Tree Planting Cost-Sharing Grants, (attached). Seconded by Trustee DeJesus. All ayes. Resolution adopted.

### **Small Cities Loan Subordination – 300 East Main Street**

Mr. Barnes stated that he's received an application from the owner of 300 East Main Street. It's a two family property and the owner does meet the limits in terms of loan to value ratio of 77.97%. He has recently become disabled, so according to the guidelines he would have been over income for refinancing, but his income is changing drastically so he will be eligible. He has checked with the assessor's office and he is assessed at \$320,727., so the value is there. He needs to refinance to pay off some short term debt.

Mr. Dowd asked for an executive session to ask a question that shouldn't be asked in public.

### **Executive Session**

Deputy Mayor Matisse moved to hold an Executive Session pursuant to 105-(f), Personal Credit History of an Individual, of the Public Officers Law. Seconded by Trustee DeJesus. All ayes. Motion carried.

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

Trustee Wynkoop moved to approve the subordination agreement for 300 East Main Street. Seconded by Leonard. On roll call Trustees Leonard, DeJesus, Hurd, Norman, Wynkoop and Deputy Mayor Matisse voted yes. Motion carried.

### **Bond Reduction Request – Walden Estates**

Mr. Dowd explained that back when this subdivision was approved one of the conditions was that they post a performance bond in order that they plant eight street trees. The developer planted the trees and the additional condition was that the Village get a nurserymen or landscapers bond or guarantee that if those trees die within a year they would be replaced at no cost. The owner of the property has sold the individual lots

to someone who is building the homes. All the other improvements and easements were done by the owner and now he wants the Village to release his cash bond for the trees. There was correspondence received from the engineer that isn't clear why he was asking to hold back the bond until easements were filed. The easements have already been filed. He still doesn't understand what the engineer's hesitancy is. He suggested the Board authorize the release of the performance bond subject to a verification that the Village has the landscapers guarantee. He spoke to the developer's attorney who stated that they gave that to the Village. He doesn't know if that was verified.

Trustee DeJesus moved to authorize the release of the performance bond contingent upon the landscapers guarantee that the trees will be replaced if they die within a year. Seconded by Trustee Leonard.

Mr. Dowd stated that if in fact the developer or the builder of a home kills the trees you don't give them the C.O. for the house until he replants the tree. You have more than one hold here to protect those eight trees.

Deputy Mayor Matisse asked if the trees were planted this year.

Mr. Dowd stated that they were planted in the spring.

On roll call Trustees Leonard, DeJesus, Hurd, Norman, Deputy Mayor Matisse voted yes. Mayor Pearson voted no because of the discrepancy in the engineer's letter. Motion carried.

### **Beazer Homes**

Mayor Pearson stated that there was a meeting last week with Trustee Leonard, Manager Politi, Village Engineer, Mr. Dowd, Beazer's engineer, representative from Beazer's and herself. There was discussion on fill for the rail trail, tree cutting for the rail trail, and a monetary amount.

Trustee Leonard asked what the dimensions were for the right of way.

Manager Politi stated fifty feet and what ever the depth of the properties are.

Mayor Pearson asked if they would be clearing the whole 50 feet.

Manager Politi stated yes, because you may need a switch back in the area.

Mayor Pearson stated that we don't know that. There are a lot of things we don't know about yet. That is her concern. She made the same comment about cutting trees before having a finalized plan.

Trustee Leonard stated that we have to put up extra funds and this value could be used toward the Village's matching funds.

Manager Politi stated that the Mayor said to him before the meeting began, what if the rail trail does not materialize.

Mayor Pearson stated that she doesn't want to say it's not going to happen but we are looking for funding from the Town of Montgomery, Town of Shawangunk and Village of Walden. We don't know the outcome of that money, so she can't say that is going to happen. If it doesn't we're cutting trees and doing that work and all kinds of things without knowing if it's going to happen.

Trustee Leonard stated that these municipalities have put a lot of effort in this and have committed money. We are five years in and we have to assume we're going to finish it.

Trustee DeJesus stated that by doing this it's good because you see there are efforts underway.

Manager Politi stated that there is additional funding out there and we have to go up with in kind, in cash or a combination. Shawangunk is actively seeking in kind. Walden has said yes to monetary and Supervisor Cockburn brought it to her board on Thursday and they have some further discussion they want to do.

Mayor Pearson stated that she is not disagreeing that it's not going to happen. She is just saying it may not, she hopes it does.

Trustee Leonard stated that this won't have to be drawn up for bids by the engineer, sent out to bid and bids opened, which is a lot of time and money.

Mayor Pearson asked about the monetary amount, she heard \$10,000. She also heard that there wasn't going to be any tree removal.

Manager Politi stated that he asked Beazer to look at the area to see if it was doable and they said that would be a serious consideration to take the trees out.

Trustee DeJesus stated that he's uneasy taking a check from a developer.

Mayor Pearson asked if the Board minded having trees cut down for changing the size of that road.

Manager Politi stated that the Board asked for consideration and those are considerations.

Mr. Dowd stated that if the Board is going to agree to accept the road that does not meet the Villages specifications by one and a half feet on the one cul de sac road then you can say that is approved so they can continue to move forward and the consideration you're requesting from them is that they do this work.



Mr. Samuelsen stated that they are going to do the work.

Trustee Leonard moved to grant Beazer Homes the 33.5 foot road in return for them doing in kind services.

Mr. Samuelsen stated that they would like to get the trees removed sooner then later.

Manager Politi stated that the tree part is easy. With the fill he has to speak to the engineer of the project.

Deputy Mayor Matise asked if this also applies if they get the approval for the pedestrian bridge.

Manager Politi stated that they still need access there. One of the considerations would be to cut down the full ADA capability.

Deputy Mayor Matise stated that Mr. Sorensen is saying the Village is number three on the list in terms of getting the grant for the bridge.

Trustee Norman stated that she feels the rail trail will go through and she is not in favor of accepting money.

Mayor Pearson asked under what specs they do the grubbing.

Manager Politi stated that the Board will approve it and he will define it.

Seconded by Trustee Wynkoop.

Deputy Mayor Matise asked when the work was going to start on the rail trail.

Manager Politi stated that there is an approval that went back to the state. The design report has been approved. Now it's back to the State and the State signs off and then the projects begin.

Deputy Mayor Matise asked how the grant for the pedestrian bridge would change it.

Manager Politi stated that it doesn't change it; it adds to it, it's another access.

Trustee Leonard asked if the Village owns any property on the south side of Route 52 to put the bridge in.

Manager Politi stated no, but you don't own the property when you go down to the rail bed, that's Norfolk Southern. That's an agreement the town struck with Norfolk Southern to use it for twenty years with a twenty year extension.

Trustee DeJesus asked, how soon after they decide tonight to move ahead in this direction, what is the time frame.

Manager Politi stated immediately.

Trustee DeJesus stated that there are applications out there, so he wouldn't like to rush and cut trees down. We should wait for some of the responses.

Manager Politi stated that they have to talk to the engineers.

Trustee DeJesus stated that details have to be worked out.

Mr. Samuelsen stated that they would like to define the scope by the end of the week. The time frame would be between 30 to 60 days.

Manager Politi stated that he has to get Beazer together with the engineer.

Deputy Mayor Matisse stated that she feels they should get together with the Town, they are the lead agency.

Manager Politi stated that the engineer will define the scope of the work and when it can happen. We own that property. The project is going to move forward and you have to do it within the project scope and within the guidelines that DOT is going to set.

Mayor Pearson asked if DOT says we have to cut down fifty feet of trees.

Manager Politi stated that the design report removes that area so you can build a switchback.

Mayor Pearson stated that the switchback was for handicap so would we have the other bridge for handicap.

Manager Politi stated that you have two handicap accesses. The bridge is not being built exclusively for ADA accessibility, nor is the switchback. The bridge access will go to your redevelopment area as well as the rail trail.

Mayor Pearson stated that at the meetings it was stated that the switchback was possibly going to be taken out because of the expense and that is why they were going to the bridge.

Trustee DeJesus stated that he is having a problem with the return.

Mr. Dowd stated that it's not unusual for a municipality to do this. They have the machinery on their site that will facilitate the Village getting something done to the benefit of the public, which is the clearing and filling and maybe helping with the cost of this project become a reality. It's a park that everyone will enjoy as well as people who live in that development.

Deputy Mayor Matise stated that maybe there is another part of the project they can work on that we know is more definite.

Manager Politi stated no, the project is built and started as a complete project; there are no partial pieces to it.

Deputy Mayor Matise asked how they can do this work before the whole thing is approved.

Trustee DeJesus asked if the Mayor and Deputy Mayor know something the rest of the Board doesn't about the rail trail whether it's going to go ahead or not.

Mayor Pearson and Deputy Mayor Matise stated no.

Mayor Pearson stated that she is just questioning if it doesn't because they haven't heard back from either towns.

Trustee Hurd stated that he definitely doesn't want cash and personally he doesn't want consideration. He appreciates the fact that they want to do something in kind and he thinks as long as the attorney is saying that is legal and ethical he will go with it. He wishes the Village wasn't in that position and he knows they wish they weren't in that position, but he will accept that with thanks.

Trustee Leonard stated that there are areas along the trail that need to have fill and they have fill and they are willing to give the Village the fill, this is an expensive item.

Trustee DeJesus stated that this will also help with the decision process with the other two towns.

On roll call Trustees Leonard, DeJesus, Hurd, Wynkoop and Norman voted yes.

Deputy Mayor Matise stated that she is concerned with the timing of the work being done on the rail trail in that location.

Mr. Dowd asked the Deputy Mayor if she wanted to vote no.

Deputy Mayor Matise stated not necessarily.

Mr. Dowd stated that she must vote yes or no.

Deputy Mayor Matisse stated that she will abstain.

Mr. Dowd explained that she has not grounds for abstaining. She has all the information; there is no conflict in the vote. She can't just decide you don't want to vote and abstain

Deputy Mayor Matisse stated that her conflict is that the information she has been given is that we are just going to willy nilly go ahead with our property that is connected to the rail trail and it might not be necessary to do that work.

Manager Politi stated that they have been working on this project for how many years and getting as close as we are and we have approval to go.

Deputy Mayor Matisse didn't vote and Mayor Pearson voted no. Motion carried.

### **Meuhlin Properties**

Trustee Leonard suggested this be tabled.

### **Vehicle Use Policy**

Mr. Dowd indicated that labor council did approve the policy.

Manager Politi stated that labor council took a couple items rearranged them to make them work.

Mr. Dowd stated that it wasn't just the unionized, but even the non-unionized. He was looking at not just what the labor agreement says, but also what the other non-unionized workers would have to comply with and what the consequence would be if they violated the policy.

Manager Politi stated that if there is another format the Board would prefer to let him know.

Trustee DeJesus stated that what the Board has is not a policy, it's a statement.

Mayor Pearson stated that it doesn't get into rules of operation.

Trustee DeJesus moved to table the discussion on the Vehicle Use Policy so the Board can review the information. Seconded by Deputy Mayor Matisse. All ayes. Motion carried.

### **Skateboard Park**

Manager Politi advised the Board that the skate park will open tomorrow at 2pm. During the week it will be open from 2pm until dusk. There will be a staff member there

to enforce helmet and other rules that are stated on the sign. They will be given a radio or phone to have contact in case of a problem. There is an incident report, daily sheet of activity and they will enforce the helmet and equipment laws. Eileen Brickner will be the staff member. They will have two or three staff members. They hope to get through the month of November with the funding they have. It will reopen in the spring. The fence was fixed. The sign in sheet is currently being reviewed by the insurance company.

Deputy Mayor Matise stated that she would like to see a parental waiver. A child can't sign a waiver.

Mr. Dowd stated that a child can do it but it wouldn't be binding. A parent can do it, but that won't be binding on the child either. The more people sign off on it the better it is, but it doesn't mean it's going to be a guarantee.

Trustee Leonard asked that the information be put on the web site, rules and hours.

Deputy Mayor Matise stated that where the chain is it should say no parking, because it's blocking the emergency access.

Trustee DeJesus asked how the Village was going to pay for the employee.

Manager Politi stated that it's through a grant from Orange County.

Trustee DeJesus asked if that was a one year grant.

Manager Politi stated yes, and then you can reapply.

Trustee DeJesus stated that usually they don't like to that, so that is something that has to be considered when the Board discusses the budget.

Mayor Pearson asked if the Board as told that there wouldn't be an increase in the insurance premium.

Manager Politi stated that the only increase was for equipment.

Mayor Pearson asked if there would be increase for liability or an extra rider.

Manager Politi stated that he hasn't gotten a number on that.

Deputy Mayor Matise stated that in addition to changing some wording on the sign in sheet were there any other requirements from Selective.

Manager Politi stated yes and gave the Board a list.

Mayor Pearson asked why this wasn't done before the park opened.

Manager Politi stated that they thought they could do it with their own staff and they found out they couldn't.

Deputy Mayor Matise asked if the bathrooms will be opened and if the porta potti would be moved.

Manager Politi stated the bathrooms will be open and the porta potti will stay where it is. What we are looking at right now is the waiver form and if the participants need elbow and knee pads. More signage will also be added.

Mayor Pearson stated that we will be starting with one part time person and will we add more in the spring.

Manager Politi stated yes so we have a pool.

Deputy Mayor Matise asked if the park will close if it starts to rain.

Manager Politi stated that signage will be added stating that it will be closed if it starts to rain. It can be done verbally.

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

Brenda Adams asked what the outcome was on Beazer Homes.

Mayor Pearson explained the outcome.

Marcus Millspaugh stated that he walked up to the skate park and noticed ponding in the back of the concrete slab. He doesn't know what kind of foundation drains there are under the slab. Frost heave comes from the sub base being able to obtain water.

Manager Politi stated that there is a foot of stone underneath the six to eight inch slab. There is also piping throughout, underneath to drain it off and bring it down to the other swale. The back swale you see water collecting is almost constant off that hill which has impacted the tennis courts because they did not have under drain.

Mr. Millspaugh stated that about 30 years ago he volunteered to layout a drainage line across Bradley Field.

### **Manager's Report**

Manager Politi gave the Board the letter on the rail trail.

Manager Politi stated that there was a response on the grant that was submitted for to stabilize and rehabilitate the former farm house at Olley Park which was turned down. There were 327 applications requesting over fifty seven million dollars with only fourteen million dollars to go around.

## **Board Comments**

Deputy Mayor Matise asked if they were going to have the business breakfast.

Manager Politi stated that they are on October 25<sup>th</sup> and he will be drawing up the agenda.

Deputy Mayor Matise asked about the shelter agreements.

Manager Politi stated that they will do them as soon as they develop the emergency plan.

Deputy Mayor Matise stated that they never received their certificates from Rick Penney for the 700 course. She also asked about the driver safety course.

Deputy Mayor Matise asked about the speed zone at Most Precious Blood school.

Manager Politi stated that the state is doing it.

Trustee Norman stated that she has been at the skate board park and she doesn't feel that the fights that are occurring are coming from the skate board park. She also stated that the roads and sidewalks look nice. It was also nice to see Mr. Lamendola, DPW Supervisor out there digging the other day.

Trustee Hurd stated that the cars are still speeding entering the Village on Route 52 from Newburgh. The Chief should pay special attention to that area.

Trustee DeJesus stated that they've been talking about this for two years and nothing has happened. Maybe it will get done now.

Trustee DeJesus stated that he is still waiting for the flashing light advising people that there is a school crossing.

Trustee DeJesus stated that the swings in Wooster Grove handicapped park are missing.

Manager Politi stated that there were two fabric style swings that allowed the children to semi recline and recline depending on their disability. From what he can tell it turned into a trampoline for somebody and they ripped them. It's hard to understand why someone would do this. Now we have to do replacement pieces.

Trustee DeJesus stated that he knows the sidewalks on Bank Street are due to be replaced, but there is a problem by Mr. Lustig's building. The whole sidewalk is cracked. That needs to be patched in the meantime.

Mayor Pearson stated that the Deputy Mayor put together a certificate for the Community Councils recognition of their 10 years of being in Walden. Its tomorrow night at Timeless Shoes.

Mayor Pearson also stated that the cigarette sign is still on the fence at the Hess Station. It can't be legal and she has talked to the building inspector about it.

Mayor Pearson asked about the well.

Manager Politi stated that he went to the county to let them know we are still waiting on approvals from DOH. DEC is much closer than DOH. We can't do anything without the approvals. The County is going to do its leveraging with DOH and DEC. There is \$230,000 on the line in grant funding for that project and that could be threatened.

Trustee DeJesus suggested they talk to Senator Larkin.

Manager Politi indicated that he is working on getting into Senator Larkin's office.

Mayor Pearson stated that one of the bills for the engineer was going over a warrantee issue with meter replacement.

Manager Politi stated that when they were putting in the meters inside the meter reader there is a wire and you have to take it out to fit it on the wall and when the back came off they weren't sure if it voided the warrantee, so they called.

Mayor Pearson thanked DPW for keeping the flowers alive all summer.

Mayor Pearson stated that she went to Nugent and Haeussler's office to see where they were with the audit because it's behind schedule and still not done. She has a problem with that because it's eight months over due. We are spending a lot of money on this audit that really hasn't served us this year. She spoke to our representative who indicated that he is going to try and have it done, but he didn't have much to say. She's not sure if the Board should look at getting another firm. She would like the audit before the budget process so they can look at the recommendations.

Trustee Leonard suggested the Board's concerns be put in a letter.

Deputy Mayor Matisse stated that part of the concern is Gasb 34, it is suppose to give the Village a way to use an assessment of our assets to budget for next year, to know what the condition of our assets are and now all of that information is so old its not useful.

Mayor Pearson stated that Mr. Trainor indicated that he has a letter on his desk to come to the Village of Walden because they are supposed to be starting the audit process and he said he didn't send it out and she said because you haven't finished the first one from last year. Are we responsible for that, do we need it, and do we pay for it.



Mr. Dowd stated that he spoke to the Manager about calling the auditor to see if we either get some consideration for the lateness of the document. The audit itself will show that our books are in order, so there is still a value to it. However, the delay affects other things.

Mayor Pearson stated that she knows for bonding you like to have those numbers to help us keep our rating.

Mr. Dowd suggested the Village Manager go up the line and speak to them. This firm has been doing the books for many, many years and we've never had this experience before. There aren't many firms out there. Maybe we should go above and see what is going on.

Trustee DeJesus stated that when he was looking through the bills there was an engineering bill for services on a report for Ulster Avenue that said the Mayor requested.

Mayor Pearson stated that it was the sidewalk report and the curbing and people on Ulster Avenue have been asking when it was going to happen and whether the slate would be put down. She asked for the report and the report came to her.

Trustee DeJesus stated that her concern is that he didn't know that Board members could ask for reports from the engineers because it costly.

Mayor Pearson stated that she doesn't disagree. Her thought is the Village should have those reports and all she would need to do is look at it. We did not have that report.

Trustee DeJesus asked why they didn't respond to the manager for those reports.

Manager Politi stated that when the Mayor got that report the report had been finished. She kept asking for it and it wasn't finished.

Mayor Pearson stated that the Village never got a copy. That should be the Village's copy and we shouldn't be charged for that.

Deputy Mayor Matise stated that this project is on the TIP list that's on the County Planning Department web site. So it's a previous project and this is just a revision of that project.

Manager Politi stated that its approvals, you always need approvals. That is what held up Bank Street, it's a State road. The question was the retaining walls if they fell within the right of way and they didn't know where the right of way were. It's a final design report.

## **Adjournment**

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

Respectfully submitted,

Nancy Mitchell  
Village Clerk