

**Village of Walden
Board of Trustees Meeting
February 13, 2007**

Mayor Becky Pearson called the Village of Walden Board of Trustees meeting to order at 6:30pm.

On roll call the following were:

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

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

Approval of Minutes

Trustee Hurd moved to adopt the minutes of January 23, 2007 with the following corrections; page 1, first paragraph, change formerly to formally, page 8, change then to than, page 9, second line, add affordable, seventh paragraph, change then to than, page 12 last paragraph add, I am not ever going to be the builder of this, but who ever is selected is someone who will have to toe the mark to the way they will want it to look within the bounds the board sets as the law. They can't change what is in the law, but they are going to want aesthetics to look the way they want it to look. He intends on driving past that property twice a day as long as the good lord is going to let him and as sure as heck he doesn't want to drive by it and have it look like Northgate, with all the respect to everyone who lives in Northgate., page 14, tenth paragraph change first is to in, page 17, second paragraph, change manager to manage, seventh paragraph Trustee DeJesus stated that if its low income then it's affordable (someone was rustling their papers so I couldn't hear), twelfth paragraph change awarding to rewarding, page 18, first paragraph change with to what, page 20, first paragraph change will to could, fifth paragraph omit to. Seconded by Trustee Norman. All ayes. Minutes adopted.

Public Portion

There were no comments from the public.

Audited Bills

Trustee Hurd moved to pay the audited bills of February 13, 2007. Seconded by Trustee DeJesus.

Deputy Mayor Matisse asked about the engineer's bill for Decker Surveying, shouldn't that go to the Town for the rail trail. Why are we paying it?

Manager Politi stated that the Village had to clarify where our boundaries are. The Village will be paying quite a bit, the Village has agreed in concept to help fund the rest of this project. That is a minor fee to pay.

Deputy Mayor Matisse asked if that would come out of the amount the Village said they would go up to.

Manager Politi stated that the Village pledged up to \$100,000, but you won't get to that.

Mayor Pearson asked if the manager got her note about a car expense on the engineer's bill.

Manager Politi stated that he would have to see that bill.

Deputy Mayor Matisse asked about the bill from the National Association of Housing and Redevelopment Officials, it says that five of your associates may also be designated to receive free copies of their Journal of Housing and Community Development, who gets them.

Manager Politi stated that he gets one and the others may end up with the planning and zoning boards.

All ayes. Motion carried.

Utopian Place Road Dedication

Mr. Dowd stated that the letter of credit has been filed for the maintenance bond and all the fees have been paid and the engineer has signed off.

Trustee Hurd moved to accept of Utopian Place. Seconded by Trustee DeJesus. All ayes. Motion carried.

Emergency Response Plan

Manager Politi asked that the board meet with Chief Holmes if there are a lot of questions. They might also invite the fire chief and Mobile Life.

It was the consensus of the board to meet with Chief Holmes, David Kurtz and Mobile Life.

Manager Politi asked that the board get their questions to him so he can distribute them.

Mayor Pearson asked where everyone is with the training.

Manager Politi stated that there are some board members that have to do it. He will get a list of those who haven't completed their training. Ninety five percent of the employees have completed their training.

Townhouse Zone Discussion

Mayor Pearson stated that she put this back on the agenda because there was a lengthy discussion and she thought they could address the issues that were brought up and the concepts that were put before them.

Deputy Mayor Matise stated that in the townhouse concept you're saying there will be a front door and a back door, but talking about the back to back concept sharing a common wall, where is the second fire exit.

Mayor Pearson stated that one exit could be a window.

Deputy Mayor Matise stated that Mr. Jacobowitz never really addressed that in asking for the back to backs.

Trustee Leonard stated that in order to meet the State Uniform Fire Code it would have to have planning approval. This Board doesn't have to worry about that.

Mayor Pearson stated that Trustee Wynkoop has a different concept with what back to backs are than she does. She is not really for the back to back concept.

Deputy Mayor Matise asked Mr. Sorensen if he's seen the back to backs.

Mr. Sorensen stated that he saw some in Saugerties, but it was late at night, so he couldn't see them too well.

Deputy Mayor Matise stated that Mr. Jacobowitz mentioned that there is one in Chester.

Trustee Hurd stated that last week he received an invitation from Mr. Jacobowitz to meet and talk about some of the comments made at the board meeting. He thinks what triggered it was the boards suggesting what he had didn't give much of a visual idea of what he is talking about. He thinks he made the comment that he thought if he would give the board a preliminary sketch plan of his thinking on site and also if he could do any kind of renderings that would help the board grasp how the layout would go. He checked with the manager and attorney and when he got there Mr. Jacobowitz assured

him that he had also called the village attorney to make sure everything was ethical. Their conversations ranged over areas outside of just the townhouses. He showed him a preliminary site plan; however he made some suggestions because the site plan was to give the board an idea of how the roads would be situated. That part looked pretty good, but he will let everybody make their own conclusions. He also had sample floor plans of the back. Another interesting part was that he intends to be able to exceed the village's minimums. He listed the affordability at no less than 20. His initial plans show that they can make them 24 and the end units which are not suppose to be less than 24 could be as wide as 28.

Mayor Pearson asked how many more units would there be.

Trustee Hurd indicated that they didn't get to that point.

Mayor Pearson stated that it will be double if it's back to back.

Trustee Hurd stated that he was extremely careful not to speak for anybody on the board. One of the things he criticized was the person who put together the sketching they weren't careful and some of the buildings looked like they were almost touching. It wasn't to scale. He asked for three dimensional elevations.

Mr. Sorensen stated that he thinks both are useful. If after looking at elevations and potential layouts if you're inclined to allow some variation type of units and townhouses and back to backs then the village might want to set a cap on the percentage.

Trustee Hurd stated that Mr. Jacobowitz indicated that one of the reasons the back to backs are advantageous is because they can be built for less and sold for less. He told him that he's not going for a very substantial number of those units.

Trustee Leonard stated that the terrain will dictate how many he can do. There's very little level property that he can build back to backs on. We don't have to be concerned with that anyway.

Trustee Hurd stated that they have to be concerned.

Deputy Mayor Matise stated that it's not just for that property. This law is for any property in the village. Putting a percentage cap makes more sense than just letting the terrain dictate how many you put.

Mr. Dowd indicated that there's only one townhouse zone.

Deputy Mayor Matise sated that what if the village creates another zone.

Mr. Dowd stated that if you create another zone you would alter the townhouse law.

Deputy Mayor Matise stated that you might be called to task for that because then you're changing a law you've put in and then you're altering it specific to another site. She thinks the village would leave themselves open on that.

Mr. Dowd stated that you always leave yourself open to those kinds of allegations. He doesn't know if this board has ever considered townhouse zoning anywhere else.

Trustee Hurd asked if you have mixed styles should that be mixed within the development itself or one on one side of the road and put another style on the other side of the road. Architecturally that would be bad.

Mr. Sorensen stated there should be consistency in design so that you use similar types of materials and colors.

Deputy Mayor Matise stated that the place where there are back to backs is between Monroe and Chester, Windridge.

Trustee Hurd stated that if back to backs are less expensive to build, therefore they can be sold for less. One thing he doesn't know is if the difference in construction cost and selling price is dramatic such that it would warrant consideration.

Trustee Leonard stated that he would say it is because land cost is 1/3 of the property. You're cutting land probably in half of what you would on a full size townhouse, so that could be significant. Just the savings in land cost alone.

Trustee DeJesus stated that we would have to restrict the number of those back to backs. You don't want to go too far from what was proposed initially. There has to be a balance, so you don't end up with rows and rows and rows.

Trustee Hurd asked if they wanted to entertain them at all. He's not saying it's a good or bad idea. He asked if they would be considered if they are substantially less.

Trustee Leonard stated that he would think so and as far as their salability that is not an issue for the board to worry about.

Mayor Pearson stated at the committee meeting they said they didn't want back to backs.

Trustee Wynkoop stated that he agrees with Trustee DeJesus about a mix. He was very impressed with the back to backs.

Trustee Norman stated that she was too.

Mayor Pearson stated that the last comment Mr. Jacobowitz made was don't look at what he is proposing because he could sell that piece of property and not put in anything that he was showing the board.

Trustee DeJesus stated that is not what Mr. Jacobowitz said. He said he was not going to be the developer for that property; he was going to sell it. He said he wants to make sure that what is put in there is something that looks good.

Trustee Hurd stated that once he sells that there's no control.

Mayor Pearson stated that this law comes before the planning board approval.

Deputy Mayor Matise asked the attorney even if we don't insert the back to backs into this local law, couldn't he apply for a variance to build a certain number of them.

Mr. Dowd stated yes, but the better answer is you're trying to propose a comprehensive zoning law from this board for townhouses, if you're going in with the idea that if he wants the relief he should go to the zoning board, he can always apply to the zoning board for variances and the variances he would need are significantly different from the average variance because they would be so substantial and not even having a typical townhouse, there would be zero lot lines on the rear yard. He doesn't know if the zoning board would be receptive to that. If you're going to allow them you should allow them not with the possibility of getting a variance as part of our comprehensive local law as to how they want to see this development built.

Deputy Mayor Matise stated that you put a percentage.

Mr. Dowd stated that would be the smartest thing to do so you don't get all back to backs. Even if you could to that topographically you probably can't do it. You look for a balance of 80/20 or 70/30 or 75/25, put that in the law. Don't leave it up to the fact that if you could squeeze in 40% back to backs, that is what you're going to get. Maybe you want to put in you're allowed to do them but you have to interchange them.

Deputy Mayor Matise stated that it was also affecting the distance between the buildings too.

Mr. Dowd stated that you can change styles between the traditional townhouse with front and rear yards, no common wall side yard to back to backs which means no side yard and no back yard for some of these units. That would signify what these are going to look like. Therefore, how they're arranged on the lot, separation distance which are they going to meet building and fire codes, but you can have further control. From a comprehensive point of view how do you want this to look and how do you want them intermixed on the site.

Trustee Hurd stated that the townhouse law doesn't permit back to backs.

Deputy Mayor Matise stated that these back to back units the configuration and the distance between buildings was altered considerably to what you have here in this draft law.

Mayor Pearson stated that Mr. Jacobowitz wanted it altered because it was too far away because he didn't want to lose density.

Deputy Mayor Matise stated that he was mentioning that they could be closer because you don't have rear yards.

Mr. Dowd stated that he thinks what he was saying was depending on how the buildings would fit into the topography the distance from the corner of the building to the main part of the other may not be the 60 feet we're talking about.

Trustee Hurd stated that the planner laid out the preliminary sketch his estimate was that he would be able to meet the clearance.

Trustees Leonard stated that he thinks Mr. Sorensen should look at the topography and figure out how much of the land he can build back to backs on and then the board will work with that percentage.

Trustee Hurd stated that could be substantial.

Deputy Mayor Matise stated that she thinks they should also write into this that not all of the affordable units could be in the back to backs.

Trustee DeJesus that that's the question he asked.

Mr. Dowd stated that we could adjust it so back to backs have the same provision that the affordable units have and must be intermixed throughout the development.

Deputy Mayor Matise stated that they would have to be intermixed within the style.

Trustee Hurd stated that Mr. Jacobowitz said they have been crunching numbers 101, 120 of median. He was saying it would be easier to try to get near that target of 100% or 101% with the back to backs.

Trustee Leonard stated that he also mentioned 121 to 140 median family income. He thinks they should set a limit on the high end, "affordable." We shouldn't leave that open.

Mr. Sorensen stated that's another thing you would want to put a cap on.

Deputy Mayor Matise stated that what about prioritizing some of the back to backs for seniors and giving them higher points.

Mayor Pearson stated that she would like to know what the advantage of back to backs are for the Village of Walden. What the board thinks the advantage is.

Trustee Hurd stated that he was saying it would make the market value of the units more affordable.

Trustee Wynkoop stated that he is in favor of a mix.

Mayor Pearson stated so to increase the density would be a benefit to the village and increases our taxation.

Trustee DeJesus asked how you are increasing the density.

Mayor Pearson stated by taking away property and putting more units in.

Mr. Dowd stated that the size of the units isn't changing and the acreage isn't changing.

Mr. Sorenson stated that its 4,500 per lot area per dwelling unit, so that doesn't change in terms of the density.

Deputy Mayor Matisse asked weren't we talking about the townhouse units being six units to a building.

Mayor Pearson asked are you saying if he puts in back to backs they will have the same amount of units as if they don't put in back to backs.

Mr. Sorensen stated that he's saying that regardless of whether there are back to back townhouse units each one of those units there has to be a minimum of 4,500 square feet of lot area per dwelling. The constraints of the site may enable him to get more units. Keep in mind if there are more units then there are also more affordable units.

Trustee DeJesus stated that at the last meeting he wanted to increase and no one on this board wanted to increase the density.

Mayor Pearson stated that you would be increasing the density. You just said yes.

Mr. Dowd stated that based on the square feet of the unit there's a maximum number of units that you can't go over that are allowed for that acreage. His initial numbers were less than the actual maximum that he would be allowed. He had fewer units than what was permitted based upon the actual numbers of what he could fit on that site. You're not changing the size you limited the density of the property to a specific number and he can't go over it. There are only so many square feet on the lot.

Trustee Hurd stated that the townhouse were a series of four not six.

Mr. Dowd stated they will have a 30 foot front yard set back. They won't have a back yard. They will have to have a designated parking area.

Deputy Mayor Matisse stated that if we have a certain number of back to backs or other configurations are we going to designate a privacy separation.

Mr. Dowd stated that now you're getting into what the planning board would regulate as far as site plan. During the site plan review the planning board is going to express what they want, what they expect to be in the offering plan that goes to the attorney general.

Trustee Hurd stated that when you have back to backs you can't barbecue in your front yard.

Mr. Dowd stated that would be the homeowner's association decision.

Trustee Leonard asked how resale would be affected by foreclosure on an affordable unit.

Mr. Dowd indicated that whoever buys it will be confined to the sale income requirements.

Mr. Leonard stated that Mr. Jacobowitz wanted flexibility in putting the units on the side of the hill. There's a 35 foot limit because he's building these into the hill.

Mr. Dowd stated that based upon how they define our code right now, how you measure height, does it mean the average between the final grade between the front, back and side. He would suspect in the site plan review at the SEQRA process the planning board would be very concerned.

Trustee Leonard asked if Mr. Sorensen put in the \$1.00 second mortgage so the village would be notified if the units are being sold.

Mr. Sorensen stated that he hasn't yet.

Deputy Mayor Matisse stated that when you're talking about a homeowners association a lot of things are left to the discretion of the homeowners association. We just did for Main Street and the MX Zone architectural guidelines. Could we do architectural guidelines for the townhouses which would apply to this project and the homeowners association would have to buy into the guidelines?

Mayor Pearson stated that if you decide to go to back to backs and traditional you should separate it, so you have the same type of guidelines.

Manager Politi stated that the architectural style should match anyway.

Deputy Mayor Matisse stated that on the back to backs the facades didn't show any relief at all.

Trustee DeJesus stated that the back to backs you don't want each unit a different color.

Mr. Sorensen stated that if your going to allow two styles your going to want consistency in roof line and building material so the back to backs don't look out of place. The planning board has the opportunity to review the specific designs.

Trustee Leonard stated that we should tell the developer what we don't want.

Deputy Mayor Matise asked Mr. Sorensen what he would recommend as the percentage if they allow the back to backs or other townhouse styles.

Mr. Sorensen stated thirty percent.

Trustee DeJesus stated that it should be 25% tops.

Deputy Mayor Matise stated 20% and after talking to the building inspector with that acreage he could maybe do two buildings which would be the units.

Trustee Hurd stated that you could get a lot more than two or three.

Deputy Mayor Matise asked Mr. Sorensen how much would he recommend for the project not the on the site.

Mr. Sorensen stated 25%.

Trustee DeJesus stated that the finances of it is not his concern, that's his problem. We should set a limit of 25% and it could be less.

Mayor Pearson stated that the developer will get what they want on that piece of property to make the most amount of money. Our job is to make sure we do what's right for the Village of Walden. Where our water is coming from and our sewer.

Mr. Sorensen stated that if you capped at 25% that would be six buildings.

Deputy Mayor Matise indicated that is a lot.

Trustee Hurd asked what 20% would be.

Mr. Sorensen stated that would be five buildings.

Mayor Pearson stated that you would have four square buildings and the rest townhouses, aesthetics, visually what is that accomplishing.

Trustee Hurd stated lower market value cost. So you have a range of high end affordable units and lower end market value.

Mayor Pearson stated that she still has a feeling he can show all the plans the board wants to see and not one of those plans will be built. The board needs to figure out what they want to see for the Village of Walden.

Trustee Leonard stated that what the mayor is saying why don't we do site plan approval.

Mayor Pearson stated that she is not looking at site plan approval.

Trustee DeJesus stated that if we don't change it and leave it as is he has the right to build the other plans which would be higher density and it would be a whole different project.

Mayor Pearson stated that she is not saying don't adopt the townhouse law, she is questioning what type of units you want in the law.

Trustee Hurd stated that if the board says okay we would accept a certain percentage of back to backs and the reason we would accept them is because it would give us another affordability level, not affordable housing, but the market values would cost less for this style than the traditional style. Then would it not be incumbent upon us to then change the law. We have to change this law to accommodate the back to back. Are we doing site plan work or are we saying because of the nature of what we are looking for we are going to limit back to backs to a certain percentage of the total units.

Trustee DeJesus stated that you can say that you want three buildings maximum, that's it and then the planning board would say where they want them located so they wouldn't interfere with the character of the rest of the project.

Trustee Leonard stated that he has three issues for the work session; the height of the buildings, how they will determine where that will be measured from, the back to back unit's percentage on property and the limit of affordable tiers. He will get a print out of what the actual number would be.

Mayor Pearson indicated that we've already addressed the height issue because we're going by the code. You measure from the average grade, which is in the definition.

Trustee Leonard stated that Mr. Jacobowitz was looking for some relief on that. Seventy three thousand is the Orange County median family income.

Mayor Pearson stated that she feels the board should get together and decide what they want before inviting Mr. Jacobowitz in.

Trustee Wynkoop stated that the board needs to see drawings.

Trustee DeJesus stated that the board should say what they want to see, we want to see no more than three of those back to backs, and we want the discretion of the planning board to be spread out in a way that they are not going to be all clustered by Route 208 or whatever. We should be aiming to accomplish the guidelines for the planning board to follow.

Trustees Wynkoop and Norman stated that they would like to know how it's going to be laid out. It would give them an idea what the site will look like.

Mayor Pearson stated that he can show them anything he wants, but that doesn't mean it will be laid out that way. She indicated that maybe Mr. Jacobowitz could send a drawing over for the work session.

It was the consensus of the board to have a work session on the townhouse law and invite Mr. Jacobowitz.

Mrs. Murray stated that this board has been discussing this for an hour and fifteen minutes discussing this and they still have the same questions. They haven't accomplished anything. She further stated that if you get people using their front yards as their back yards that looks tacky.

Café Seating Law

Mayor Pearson stated that she wanted this on the agenda because there is someone that wanted café seating last year and it got too late, so she thought they should start earlier this year.

Manager Politi stated that he gave the board a copy of the Ossining law regarding café seating and he thinks this format is functional and doable. It covers the set backs clearly and the insurances clearly. He would like to work with the attorney and rewrite this for the Village of Walden. Our insurance carrier has reviewed it and is comfortable with it. He will have it for the work session.

Kennel Law

Deputy Mayor Matise stated that the town is going to be revising their animal control law and they will be defining kennel as four or more breeding dogs. She doesn't know if the village wants to put breeding. She has asked the attorney to make the law four or more to match the town's law and then there will be compatibility if they are responding to calls in the village.

Trustee DeJesus stated that Althea Mullarkey was suppose to bring the board something from the town.

Deputy Mayor Matise stated that the town is also working on animal cruelty regulations.

Trustee Leonard stated that he would like to see what the town comes up with.

Deputy Mayor Matise stated that we still need a definition of kennel because we still have a law that we can't enforce. The village also has to enforce the state law. The state law also states that if someone sells 25 or more dogs a year then they are considered a breeding kennel and they need a license from the state.

Trustee Leonard stated that he is in favor of four.

Trustee Hurd and DeJesus also was in favor of four or more.

Trustee Norman asked how you can tell someone how many animals they can have. It's their home and it's their yard.

Trustee DeJesus stated that he has a problem with the kennel part of it, the issue that you can't define a kennel without limiting how many dogs you can have.

Deputy Mayor Matise stated that a kennel is selling dogs or boarding other people's dogs.

Trustee Norman stated that it doesn't say that.

Mr. Dowd stated that look at this from the point of view of the zoning law. How many dogs can be on a premise before it constitutes a kennel and if it constitutes a kennel it requires certain approvals in certain areas and yard separations from neighbors? You don't want 5,000 square foot lots where they are boarding fifteen dogs which are barking all hours of the day and night.

Deputy Mayor Matise stated that by state regulations they can't do that anyway.

Mr. Dowd stated that at what point would you consider someone who has a certain number of dogs, does it become a kennel which would require approval from the planning board where it's not allowed in certain residential zones.

Mayor Pearson stated that it states four or more dogs is a kennel and she is not comfortable with that.

Deputy Mayor Matise suggested Chapter 148 of the Village Code be taken out because you can't enforce it.

Mr. Dowd stated that you have to have some set of rules to enforce this. There are two special zones in the village that you can have a breeding kennel.

Deputy Mayor stated that they need a definition in the law. It should state four or more breeding dogs.

Mr. Dowd asked how are they going to prove that.

Deputy Mayor Matise stated that their license will tell you and it will tell you if the dog is spade or not spade.

Trustee Hurd stated that he feels that is too complex of an enforcement issue. Why not just make it a number.

Mr. Dowd stated that what if someone just wants to board dogs, not for breeding purposes.

Mayor Pearson suggested the law state that any premise with five dogs or more, for kennel purposes, without breeding and the four month old are more breeding terms.

Trustee Wynkoop stated what if you have three dogs that have puppies and they get rid of them at six weeks who would know the difference.

Deputy Mayor Matise stated that would be fine, but if you sell 25 or more a years State Agricultural and Markets will be on your doorstep.

Trustee DeJesus stated that the way he sees this work is a kennel as a place of business and boarding whether for sale or just boarding dogs. That is the definition he is looking for. Not to restrict a homeowner from having six dogs.

Mr. Dowd stated that what if he has six dogs in his house how are you going to prove that three of them were his and three were being boarded. You're going to have to go by strict liability that when you get to a certain number you're a kennel.

Mayor Pearson asked Deputy Mayor Matise to contact the town and see what they come up with and bring it back to the board.

Garbage Dumpsters

Manager Politi stated that if the board would like to entertain dumpster for residential only it can be done and it would be on a case by case basis. This would not be for commercial. They would have to be enclosed. It would also be for three or more units.

Trustee DeJesus stated that they would have to define the number of units and accessibility.

Trustee Leonard stated that the planning board had a problem with accessibility.

Trustee Wynkoop stated that the garbage company would have to make that determination.

Trustee Leonard stated that they could make the pricing for a dumpster not financially viable for a homeowner to eliminate that problem.

Mayor Pearson asked what if someone wants a dumpster and then their neighbors throw their garbage in there.

Manager Politi stated that everyone gets a bill so there would be no advantage of doing that. You can't opt out of the program. It's for multiple units by one owner. The garbage company would give the village the cost for a dumpster.

Trustee DeJesus stated that you would have to define this so it meets standards. It has to be three units, the truck would have to be able to get into the property without blocking the street or going through the neighbors property.

Mayor Pearson stated that she remembers a complaint on the west side where the garbage truck was going through a tiny little road and they were backing over people's bushes and yards. The truck was going to a multi family home.

Manager Politi stated that they never knocked bushes down. The garbage company came in got the garbage and left. There was a problem up front on the street with the garbage falling out of the dumpster enclosure. That's why they went to the back of the building. It was a common drive.

Trustee DeJesus stated that there has to be something in writing as to how the manager sees this working. It has to be very specific. If there is someone that wants to have a dumpster and he doesn't have a driveway to the back yard, that person would be eliminated.

Manager Politi stated that it would be done case by case. He will put something in writing for the board to review.

County Property

Manager Politi stated that the price of the property started at \$8,000 and ended up at \$5,000 for both parcels.

Deputy Mayor Matisse moved to approve the purchase of the county property, 304-7-13.21 and 304-7-7.21 for \$5,000. Seconded by Trustee Leonard.

Mayor Pearson asked who is going to maintain this property and is the village going to do anything with it.

Manager Politi stated that it will be as it is now, natural.

All ayes. Motion carried.

Well No. 8

Manager Politi stated that for a number of reasons the bond for Well No. 8 has to be raised. The project cost now is \$850,000. We are getting \$230,000 in grants which leaves a balance of \$620,000 and we've already bonded \$275,000

Trustee Hurd asked about the old generator.

Manager Politi stated that will go to Pond Road pump station. The new generator will power both wells.

Mayor Pearson asked about the gravel access road. We have to have a road.

Manager Politi stated that you need a road to get to the wells to maintain them.

Mayor Pearson asked what the dirt road repair was.

Manager Politi stated that it's the other access road where the other well is.

Trustee DeJesus asked what the big items were that caused the increase.

Manager Politi stated they needed to increase the piping, \$35,000 was an inflation cost over the two years, finding the water was about \$70,000 in the original cost. You have two separate and distinct well sites now which individually can get you through a crisis. You can let wells rest now. Once this is done we have to get to the east Walden site and start to clean out the older wells.

Deputy Mayor Matisse asked what percentage of our supply will be hooked on.

Manager Politi indicated that it can go as high as 55% to 60%.

Mr. Dowd indicated that he will contact bond council and have a resolution for the board at the next meeting.

Street Repaving

Manager Politi stated that Capron, Bergen, Elberton, Albany are beat up. The original intent was to put in granite curbing, can we top them to stabilize the road. Right now we have asphalt curbs. There are two major projects to start in the spring, Bank and Main Streets and Ulster Avenue and it will be following what's been done with granite curbing and sidewalks.

Mayor Pearson asked if Maple Street was going to get done, that is a disaster. The parking issue has to also be looked at.

Deputy Mayor Matise stated that John Street also needs to be done.

It was the consensus of the Board to use asphalt curbing.

Mayor Pearson stated that the curbing on Liberty Street needs to be straightened out.

Deputy Mayor Matise stated that when a cut for a walk is done it's not done to the width of a walker or wheel chair.

Trustee DeJesus stated that on Liberty Street the water is puddling where the curbs were put. Also on Sunset there is a problem with the curbs and water.

Deputy Mayor Matise stated that curbs have to be backfilled.

Trustee DeJesus stated that Sunset and Wait Streets the new paving has been cut up. When these streets are resurfaced are they planning this out? Is it the weight of the trucks?

Manager Politi stated that in the long term that is what your new water meter system is for, you're trying to get your revenues back up. When the next ten year cycle comes about we will get into the roads and replace the water lines. You will see roads being done that we've already done and that will be the time to plan for bigger money.

Public Comment on Discussion Items

John Murray, 25 Linden Drive indicated that he had a problem with his sewer line and they were told they were responsible for it.

Manager Politi stated that in terms of the sewer the village owns and maintains the main. The homeowner owns from their home to the connection in the saddle that comes into the sewer.

Mrs. Murray stated that the contractor that fixed the sewer line told them that the water line was compacted incorrectly which caused the problem with the sewer line. The contractor is going to send pictures and a letter. She asked why they pay taxes.

Manager Politi stated that the village maintains the collection system, man holes and sewer plant operation which is a huge expense. He further explained that sewer lines should be lower than water so the water line wouldn't have an impact. He would have to see the pictures.

Mr. Murray asked about who is responsible for the sidewalks.

Mayor Pearson stated that the village owns the sidewalk but the homeowner has to keep it clear.

Mr. Murray stated that the water runs down the hill and gathers in front of their driveway and there are cracks in their sidewalks.

Mr. Millspaugh stated that he feels the village has a certain responsibility when a person is buying a development house they presume that there has been inspections.

Luke Muehlin, 36 Oak Street asked about the dumpsters, it should be two or more. Mr. Schufa should be billed back to when the garbage law went into effect. He tried to get out of the garbage pick up and go to a dumpster and he was told no. All he wants is one dumpster for his two houses. He has plenty of access.

Manager Politi advised Mr. Muehlin that he might have to switch to garbage cans.

Mr. Muehlin asked how long this will take.

Manager Politi stated as soon as he puts it together.

Mayor Pearson asked the manager if he's allowed to waive this.

Manager Politi stated that he can waive enclosures not dumpster use.

Mr. Muehlin stated that while he is waiting for this he's being billed, why isn't Mr. Schufa being billed.

Manager Politi stated that he's been sited to stop. The change might just be a line in the contract. It may not be a long process.

Mr. Muehlin stated that he keeps getting late charges on his bill. He's taking care of his own garbage.

Manager Politi stated that it may be a decision of the board.

Correspondence

Mayor Pearson stated that the Chamber of Commerce Cabin Fever Mix is February 21st at Sweeney's.

Mayor Pearson stated that a letter was received from Mr. Jacobowitz.

Mayor Pearson asked the manager if the village was doing anything with the open space grant.

Manager Politi stated yes he will try again.

Mayor Pearson suggested they get open space money for the property they want to buy.

Village Manager's Report & Informational Items

Manager Politi stated that Chief Holmes has been appointed to the Orange County Police Advisory Board.

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

Mayor Pearson asked about the building inspector doing final water readings, is that just when someone leaves a building?

Manager Politi stated that when there is a closing on a house sometimes the building inspector does it and most of the times the water meter reader will go.

Deputy Mayor Matise stated that the building inspector's report really doesn't tell her anything. Obviously we have a program because the code enforcement officer is using it and it gives lots of information. Meanwhile we get a report from the building inspector saying three certificates of occupancy, where? Two final water readings, where? She would like more information.

Manager Politi stated that on critical components he could see it, but if someone closes on a house they're doing a final reading. If the board wants more information he will get it.

Deputy Mayor Matise asked which building permits.

Trustee Wynkoop stated that he doesn't see why he needs to know what building permits and when there is a house closing.

Trustee Hurd indicated that he agrees with Trustee Wynkoop.

Trustee DeJesus stated that he's not breaking any laws giving out permits, so he doesn't need to know.

Trustee Leonard agreed.

Manager Politi stated that if you think of property maintenance that is something the board needs to know all that is happening.

Mayor Pearson stated that the one she would want more information on is response to calls and complaints.

Manager Politi stated that the good news is that Ampak is expanding, a 25,000 square foot building add on to an industry.

Mayor Pearson stated that on John Howland's report the outdoor movie she felt that is great. She hopes they can do more than one this year. She would like that kept in the budget. On the DPW's report it states started fire hydrant program, what is that all about.

Manager Politi stated that he will find out, it might be the hydrant flags.

Mayor Pearson stated that the parking of the hall looks great. She also asked about the rail trail.

Manager Politi stated that right now they are hauling fill for the area that was mined. He asked the board if they saw the letter regarding Locust Street.

Board Comments

Trustee Norman advised the board that parks and recreation is having their yard sale in April. Bonnie Clyde is working with Mr. Howland to put a village at Olley Park for the kids.

Trustee DeJesus asked if that was the lady who did the movie last year.

Trustee Norman stated yes and that Ms. Clyde will be at the next meeting to explain the project. They will be doing a fund raiser for that. They are also going to do some things at Wooster Grove.

Mayor Pearson asked if that was the Friends of the Youth.

Trustee Norman stated yes, they work very well together and they meet at each ones home. The next meeting is February 26th at Clare Chiardullo's.

Trustee Wynkoop stated that he understands that there are only 300 more meters to be installed to complete the project. He has been told so many times how courteous the workers are and happy they are with the work.

Deputy Mayor Matise gave the board copies of the memo from Jennifer Downs, Mr. Larkin's Assistant regarding the ditch on Route 52. She recommends the village write to Senator Larkin and describe the condition of the ditch that the state has done nothing to maintain and that the village write to Bob Dennison at Region 8 and ask him to put it on a maintenance schedule. To also asked Senator Larkin to recommend it for multi mogul funding.

Manager Politi stated that if you culvert it will expand the road and once you put that drainage in it's the village's. Right now it's the states. It's not just throwing a pipe in the ground.

Deputy Mayor Matise stated that there is a lot of erosion and sediment going on. There's a lot of erosion coming from Grandview Terrace, which is the villages and that is all sediment coming down into that ditch.

Deputy Mayor Matise further stated that the village has made loans to businesses and some of the businesses are closed, are we going to get that money back and whose responsibility is that to see the loans are paid back.

Manager Politi stated that it's internally, it's his responsibility.

Deputy Mayor Matise stated that the village received the bill for the audit, did we get the audit.

Manager Politi stated yes.

Deputy Mayor Matise asked when will they have a meeting.

Manager Politi stated that first the treasurer has asked for a meeting to go over the audit.

Mayor Pearson asked for the meeting on the audit before the budget process.

Manager Politi stated yes.

Deputy Mayor Matise asked if the village ever followed up on the building inspector's recommendation for the fourteen lot subdivision on North Montgomery Street.

Trustee Leonard stated that was related to the planning board chairman and he brought it up to the applicant.

Mr. Dowd stated that the applicant never came back.

Deputy Mayor Matise stated that she sent the manager a list of school bus signs. She suggested the one on Route 52 be replaced with the new bright color.

Trustee Hurd stated that the condition of the sidewalk on E. Main Street is deteriorating. That is a feed into the rail trail.

Manager Politi stated that there will be a line in the budget for concrete.

Trustee DeJesus stated that last year the Mayor had concerns about the cancellation of the movie night and the cost.

Manager Politi stated that is what is negated in here; you will be able to cancel without paying.

Mayor Pearson stated that she spoke to DOT regarding the property where the Cliff House was and they said the approvals through their department Regional 8 has been pretty much taken care of, he just has to find the agreement. The next step it goes to the state department to see and then they can sign off on that. He said there are other agreements if you don't have the approvals by summer they will get an agreement for the village to use it. If we don't get the property we might get an agreement to use the property.

Adjournment

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

Respectfully submitted,

Nancy Mitchell
Village Clerk