

**Village of Walden  
Board of Trustees Meeting  
June 12, 2007**

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	Mary Jean Norman
		Roy Wynkoop
		Richard Hurd
		Jose DeJesus
		Edmond Leonard

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

**Flag Day Presentation**

Maybrook Auxiliary Post 2064 did a Flag Day presentation.

**Approval of Minutes**

Trustee Hurd moved to adopt the minutes of May 22, 2007 with the following corrections:

Page 7, 12<sup>th</sup> paragraph change monitory to monetary

Page 9, 6<sup>th</sup> paragraph, 4<sup>th</sup> sentence change to different businesses

Page 15, 8<sup>th</sup> paragraph, change to: Trustee Leonard stated that he disagrees with the 20% affordable, he did some research through the Pace handbook from last February's workforce housing and there were quite a number in there that were at 20%. The reasoning of the committee was because this is the last significant parcel in the village that we would try to go for 20%. Really, there is nothing much else of any significance left and this is our last shot at affordable. That was the rationale there.

Pages 19, 1st paragraph, change Trustee Dowd to Mr. Dowd.

Page 36, 12<sup>th</sup> paragraph, change, from Pat Graziano to, about Pat Graziano

Seconded by Trustee DeJesus. All ayes. Minutes adopted.

**Public Hearing – Introductory Local Law I-3 of 2007, “Waste Collection & Disposal”**

Mayor Pearson explained that this local law is for apartments and how many people are using this service or not using it.

Trustee DeJesus stated that Section 3, 85.9B, residences with four or five dwelling units may request the use of a suitable container larger than 30 gallons. The discussion the board had was if you have two houses adjacent to each other and one had three units and the other has two it would have to all be in one building.

Deputy Mayor Matisse stated right, it's defined in 85.8.

Mayor Pearson asked about the container, it says larger than 30 gallons that will serve the garbage disposal, but is there a maximum and do we want a maximum.

Manager Politi stated that it will depend on the units.

Mayor Pearson stated that this law was to be for regular 30 gallon containers.

Mr. Dowd stated that it can be a dumpster, if they ask for one and it's approved by the manager.

Trustee DeJesus stated that the issue is if you have a dumpster than you have other issues.

Mayor Pearson stated that she would like something added regarding dumpsters.

Manager Politi stated that if it's a dumpster than it automatically becomes part of the dumpster law.

Deputy Mayor Matisse asked about 85-9E about placing it prior to collection. Are we saying that trash is applying to the recycling also?

Mr. Dowd stated that garbage includes recyclables.

Mayor Pearson had a question on the definition of residence, a building or parcel of land having five (5) or less dwelling units. A dwelling unit is a two bedroom apartment or one bedroom apartment, is that what we are considering a dwelling unit.

Mr. Dowd stated that it's each separate living zone.

Mayor Pearson read the notice of hearing and presented the affidavit of publication and affidavit of posting notice. The mayor then opened the hearing up to the public and explained that the board is talking about garbage within multi family dwellings, what they can and can not use. The village had some issues with dumpsters within a few different buildings using one dumpster.

No comments from the public.

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

Deputy Mayor Matise moved to declare the board lead agency and to declare a negative declaration with regard to SEQRA. Seconded by Trustee DeJesus. All ayes. Motion carried.

Deputy Mayor Matise moved to adopt Local Law No. I-3 of 2007, "Waste Collection and Disposal" as Local Law No. 3 of 2007. Seconded by Trustee Wynkoop. All ayes. Local Law adopted.

### **Introductory Local Law I-4 of 2007, "Zoning"**

Mayor Pearson indicated that this is a change of zoning for a parcel of land off of Coldenham Road. She read the notice of hearing and presented the affidavit of publication and affidavit of posting notice. The village received from the Orange County Department of Planning, 239L, M or N Report with their approval. There is also a memo from the building inspector advising the board that the planning board recommends the passing of this local law.

Mayor Pearson stated that the board has been working on this local law for over a year. They have met as a committee first and they've looked at other properties that have townhouses. They also had a planner involved in the process.

Trustee Leonard gave the board a copy of the report prepared by the Orange County Rural Development Advisory Corp of the Ability of Median Income Residents to Purchase Homes by Affordability Ratio.

Trustee DeJesus stated that on Page 3, does this include the property of R.J. Smith.

Mayor Pearson stated no.

Trustee DeJesus asked what happened to the provision of whether this would be affordable for 25 years or perpetuity.

Trustee Hurd stated that it says all future sales or resales on Page 9, Deed Restrictions.

Trustee DeJesus stated that doesn't answer his question. The board had a discussion about whether it was going to be perpetuity and they were going to look into that. This one part says that the resale would have to be for someone who is determined eligible. It doesn't mean that it will be forever and a day.

Mr. Dowd stated that they decided at a prior work session that it was going to be in perpetuity and therefore the language all resales and sales is in perpetuity, if it was going to be limited, it would have said that, but if it said sales for the first thirty years, thirty five years, forty years would have said that specifically.

Deputy Mayor Matise stated that if you go down to F, the section right after that.

Mr. Dowd stated that it reinforces the idea that it is all future sales.

Mayor Pearson stated that is the whole tracking part of it.

Deputy Mayor Matise asked if this regulates rental of the units.

Mayor Pearson stated yes, it's in there.

Deputy Mayor Matise stated that if someone inherits it their really almost having to sell it if they are not income eligible.

Mr. Dowd stated that they can keep it during their life time, that is the right of inheritance, but when they sell it they have to sell to someone that is eligible.

Trustee DeJesus stated that on page 8 the language is redundant. You say Village of Walden resident for a minimum of two consecutive years, instead of residents who reside in the Village of Walden. He also asked if municipal employees with two years of consecutive employment would include police officers or are we going to target fire department people.

Mr. Dowd stated that they are under the residence requirement or both.

Deputy Mayor Matise stated that they didn't include people who serve on village boards.

Mr. Dowd stated that they are not employees per se, but they are residents of the village.

Trustee Leonard stated that we have spent a lot of time on this.

Trustee DeJesus stated that on Page 10, #3, something doesn't follow there.

Mr. Dowd stated that was a mistake, made payable to the Village of Walden has to come out.

Mayor Pearson stated that on Page 4, General Requirement, #2, site plan in accordance with Section 148-56 that also talks about building on slopes, what grade they can use, 15% or 10% or what grade in that zoning.

Mr. Dowd stated that everything in 148-56 would apply to townhouses.

Mayor Pearson stated that on Page 6, #3 talks about parking and the extra parking and how they said if the place isn't full the planning board doesn't have to require the whole parking place to be built first and if demand is needed in the future the developer must construct the reserve spaces, who makes that decision after half the development is done.

Mr. Dowd stated that it will be brought to the planning board's attention by owner observation, the building inspector manager or someone else.

Deputy Mayor Matise stated that on Page 6, private roads, if one of these roads is a public road what's the width on that.

Mr. Dowd stated that the right of way is fifty feet, this is thirty five feet. The paved portion is thirty feet.

Deputy Mayor Matise stated that in connection with the issue of parking spaces, do the public roads leave enough room for parking on one side.

Mr. Dowd stated that if a developer comes before us and wants to propose a village street then one of the things the village would do is say okay the road has to be fifty feet wide, and thirty feet of that has to be paved and no parking on either side.

Deputy Mayor Matise stated that the reason why she asked was because Tinbrook has realized they don't have enough parking so they're issuing a letter to their tenants asking them to park on the boulevard. Is this a community that is being built to their specifications going to have a street where they can say tell your guest to park on the village road?

Mr. Dowd stated that as a private road they are not going to have enough space to park like that, that will be a condition of the site plan. If it's a public street the same conditions will be put on it. There will be a local law saying no parking on a through street. That is why there is a spill over and there wouldn't be any need to park on the streets.

Mayor Pearson stated that when we put the size of dwellings in we're talking about twenty feet for affordable and twenty four feet for all other units. It doesn't say anything about including or excluding the garage. When we're talking about the dwelling size we're talking about where they live, not necessarily talking about the garage and that. Is that right? It's exclusive of the garages and breeze ways or porches or is it including that.

Trustee Hurd stated that you have a single family home with zero lot line. So by trimming the minimum widths whether they put a garage in the front or on the side

you're just establishing that parameter. The square footage of living space will take care of the rest.

Mrs. Pluchino, Harrison Street expressed her concerns about the sewer system being able to handle the townhouses. They have a major problem on Harrison Street that hasn't been corrected.

Mayor Pearson asked if the line will be going down Edmunds Lane.

Manager Politi stated yes.

Mr. Pluchino asked what is being proposed for the use of this property.

Mayor Pearson stated townhouses. It was zoned multi family and we are rezoning it to townhouse zoning.

Mr. Pluchino asked how many units.

Mayor Pearson indicated 175-180, 3 to 6 units maximum. There will be a clubhouse, they will also have amenities.

Mr. Pluchino asked how many bedrooms.

Mayor Pearson stated that there is no set plan yet.

Mrs. Pluchino asked how are we going to handle all the additional sewer.

Trustee Hurd stated that our sewer plant has the capacity.

Mrs. Pluchino stated that she doesn't believe him. She saw what went on their street.

Mr. Jacobowitz stated that he's not going to talk long; this has a beard on it already. There will be no condominiums here. As far as ownership his family has had this property for over 40 years. The mayor raised a question regarding landscaping and he would like to point out that on Page 6, F, landscaping, landscaping plans are designed by a professional landscape architect with shall be submitted to the planning board. So a landscape plan will be submitted. Page 7, paragraph two says all landscaping within common areas shall be maintained. The parking areas that are for over flow parking they are common areas.

Mayor Pearson stated that she did read that and did understand it. She was just saying to be a little more specific in shielding that from buildings so car lights don't disturb people, she was thinking one step ahead.

Mr. Jacobowitz stated that they will make sure they address that as part of their landscaping plan that goes to the planning board. Affordable housing is something that is on the front burner all over the place. Today the Patterns for Progress held a one day symposium on affordable housing and there's been two or three other ones and there's two or three coming up.

Marie Halahan, Orange County Partnership stated that the partnership is afforded by the public and private sector and is really the economic development agency and what they do is try and attracts new business to come to Orange County. Their bottom line is to create new jobs for the young people, work force and all of us in Orange County. Most of their challenges have been because of their success. They don't have a whole lot of inventory left. There are a lot of buildings being filled up and a lot of property available on the market that are being developed that are growing with new jobs. What most every company asked them is where is my workforce going to live and to give them the price of the median house sales in Orange County. She did attend the symposium today and it's the buzz word, people are talking about it a lot. You people are doing something about it and she applauds the village for their vision. She gave the board a letter of support from the Orange County Partnership and the Citizens Foundation.

Mr. Pluchino asked what the criteria was.

Mayor Pearson stated that its median income for families in the community.

Trustee Hurd explained that 20% of the units will be deemed, on a sliding scale, affordable based on 101 to 120% of the median family income in the County of Orange. It will include principal, interest, taxes, homeowners' association dues which will determine the selling price of these affordable units. Eligibility for these units is based on a chart. We're trying to be fair to everyone.

Mr. Plachino asked if it was a purchase or rental.

Mayor Pearson indicated that it is a purchase.

Deputy Mayor Matise stated that it's based on total household income.

Trustee Hurd indicated that it is not low income housing.

Mayor Pearson stated that there won't be an affordable section and a townhouse section. They will be mixed in together.

Mrs. Pluchino asked if the village's water and sewer system can handle this expansion. Why does the board feel this is a good thing?

Manager Politi stated that our sewer plant is rated at 1.2 million gallons per day. Currently our average, on a peak day is 850,000 gallons. If you were to put in those 180

to 200 units you may peak at 35,000 gallons a day, you're getting close to 900,000. So there's still another 30%. Beazer has another 20 homes left.

Mrs. Pluchino stated that if the sewer is inundated with rain water which caused the flooding they had on Harrison Street, four families were disrupted and two months later nothing has been resolved. She hears \$750,000 will be brought in to fix the sewer system.

Manager Politi stated we've had a major sewer collector replaced behind the Thruway Market that was problematic. That entire line was \$700,000. There was a complete upgrade on the clarifier at the sewer plant. We are getting ready for the next phase of that project which is the replacement of the main sewer collector and that will be \$700,000. There is a lot to do out there but we are making progress.

Mrs. Pluchino stated that in the field across from them there is an open sewer pipe bubbling out sewer.

Manager Politi stated that he's never been made aware of that.

Mrs. Pluchino asked if they knew what the route of the sewer line would be from the townhouses to the plant.

Manager Politi stated that he would have to look at the layout of the project or the sewer map.

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

Mayor Pearson asked about the comments from the county.

Mr. Dowd stated that they are not conditions, they are just recommendations.

Trustee Hurd moved to adopt Resolution No. 22-07-08, "Declaring the Village of Walden Board of Trustees Lead Agency and Issuing a Negative Declaration Pursuant to the State Environmental Quality Review Act for Local Law I-4 of 2007 Townhouse Zoning Enactment." Seconded by Trustee DeJesus. All ayes. Resolution adopted.

Trustee Hurd moved to adopt Introductory Local Law I-4 of 2007, "Zoning" as Local Law No. 4 of 2007. Seconded by Trustee DeJesus. All ayes. Local law adopted.

## **Public Portion**

Mrs. Pluchino, 14 Harrison Street stated that her house was destroyed by sewer two months ago. She is disappointed there hasn't been a resolution they want to get on with their lives. There has been a lot of misinformation. They were planning on expanding their house. The plan was that they were never going to leave the property.

These plans were started on 9/1/06. The plan was this year they would put an addition off the back that would include a sun room and living room. They would then put a shell upstairs. They had the beams put closer together so she would not have to move out of her house. They would then finish the upstairs move up there and demo some of the walls on the first floor. They were never planning on demolishing their house. She wants that to be at rest she's heard it from everywhere. The other night the mayor was visiting and the architect came to see how things were going and he explained it to the mayor. She would never have left her furniture and baby pictures and everything else in the sewer. They had taken the house down because of the mold. They are really disappointed that they haven't had any help. They have had help from some of the people in the community and their church. Financially they've had no help from FEMA. Now they are trying to make them take out a loan. They had money set aside for the addition. They are to the point where it is slowing down because they are running out of funds. She has checked insurance company's and talked to people about sewer. There is no way that you can protect yourself against a sewer backup by the village. They can't cover themselves. She was told to take out FEMA but FEMA can refuse to pay for sewer because it was not due to the storm. Tim Robinson from Selective Insurance said no it's not sewer its due to the storm. It was sewer, there was human feces on the rug.

Trustee Hurd stated that the Federal Flood Program does not cover sewer backup unless it's caused by flooding. In the case you have flooding, which the proximate cause of the sewer backing up is covered.

Mrs. Pluchino stated when she spoke to her insurance agent they said they can give her this but they can't guarantee that if it happens again.

Trustee Hurd stated that they are right because flood insurance won't cover sewer back up without flooding.

Mrs. Pluchino stated that they feel what happened on Harrison Street was a mistake at the end where the cap was left open and dirt got in so they wouldn't have been covered anyway.

Trustee Hurd stated that there was six inches of rain which would have been considered flooding and other people in the area who had flooding could receive damages from a flood policy.

Mrs. Pluchino stated that when hurricane Katrina hit in her back yard there was tons more of water and they never had a problem with the sewer backing up. They need help to restore their lives. Why hasn't anyone contacted them to let them know what's going on. No one will tell them. The check is in the mail, the check isn't in the mail, we can't help you. They don't even have furniture to put in the house.

Mr. Pluchino stated that he has one question which he directed to the village manager, when can they expect to receive a check for \$105,000 for the claim they submitted to the office.

Manager Politi stated that he can't tell them that.

Mrs. Pluchino stated that they were told that the village was going to help them. They haven't come to any subsequent meetings, they haven't made a fuss, they haven't gotten an attorney, and they haven't done anything like that because they thought they were going to get help.

Mr. Pluchino stated that there will be a point in time that we will all have to face the facts. You know what the facts are and he does too. When they do have that discussion he hopes they can have it earlier enough so they don't need to take legal action. Recognizing those facts and taking into consideration the fact that they have these financial losses has the board discussed what financial action can be taken?

Mr. Dowd advised the board not to answer that question.

Mr. Pluchino asked why the attorney gave the board that advice.

Mr. Dowd stated because they've filed a claim against the village.

Mrs. Pluchino stated that they did not.

Mr. Dowd stated that is what you just said.

Mr. Pluchino stated that they haven't filed a claim against the village.

Mr. Dowd stated that Mr. Pluchino asked when they were going to hear from the village about the \$105,000 claim.

Mrs. Pluchino stated that was their losses.

Mr. Pluchino stated that the manager asked them for a letter describing the financial losses. He submitted that letter to Jim and that letter is what he referred to as a claim of their losses. The letter indicates other things that weren't taken into consideration. He asked what the board has been able to discuss amongst themselves.

Mr. Dowd advised the board not to answer that question.

Mr. Pluchino asked why he was advising the board not to answer.

Mr. Dowd stated they are my clients and he's advising them not to answer that question.

Mr. Pluchino asked if there is any progress being made to determine whether or not they are going to be reimbursed.

Mr. Dowd stated, same advice.

Mrs. Pluchino stated that the problem is no one is talking to them.

Manager Politi stated that he has been in contact with Mr. Pluchino.

Mrs. Pluchino stated that she spoke to Mr. Larkin's office and they said they could work things out.

Manager Politi stated that Mr. Hinchey's office has been trying to help them. He told them that he would research what he could with the county.

Mrs. Pluchino asked that they tell them what they can do to get their lives back.

Mr. Pluchino asked why they haven't received any financial reimbursement. Can you answer that?

Mr. Dowd stated that the answer to that is no. The village's insurance carrier came in and investigated it and denied payment of the claim for the damages. He denied paying the claim that they made for their damages. There is no basis at this particular point that the village should be paying him. There is no basis for them to be paying anything.

Mr. Pluchino asked if it's his understanding that Selective Insurance Co. sent there adjuster Tim Robinson, to Harrison Street to inspect these four houses that were damaged by the sewage backup. His conclusion was sent to each of them in the form of a letter and that is what Mr. Dowd is referring to as the conclusion. The Selective Ins. Co. came to is that there is no liability on the part of the village because it was caused by an act of God.

Mrs. Pluchino asked why the village paid Mr. Osterhoud.

Mr. Pluchino stated that information in that letter is saying that we are not going to get reimbursed, the source of funds would be the Selective Insurance Co. You pay you're premiums to them for coverage and they won't come up with the money because they don't think...

Manager Politi interrupted and said that is what that letter states.

Mr. Pluchino stated that basically it's going to require further investigation in order to come to a different conclusion. Actually Mr. Robinson did them a favor when he wrote that letter, because he made some statements in that letter which cannot be substantiated and we will find that out at some time in the future. He hopes that time in the future isn't in a court room. He asked how we can open a dialogue with the board that would allow them to discuss what they know about this situation.

Mr. Dowd stated that he has had conversations with the village manager and the village manager has discussed them with him and he has discussed it with most of the board members.

Mr. Pluchino asked how they open up a dialogue. When there is a problem that needs to be discussed and we need to get the parties and be able to discuss it openly. We may be able to lay out things on the table that are going to enable them to go back to Selective Insurance and say there is a liability here.

Mr. Dowd indicated that Mr. Pluchino can give that information to the village manager and he can give it to Selective Insurance.

Mayor Pearson stated that they can also go into executive session and invite them in.

Mr. Dowd stated he strongly advises against that and it would be totally inappropriate.

Mr. Pluchino asked, what is wrong with setting aside a time and a place for them to sit down with the village board and discuss what they know and what the village knows. What is going to end up happening if we end up in court these facts are going to come to the surface.

Mr. Dowd indicated that Mr. Pluchino can give the facts to Mr. Politi and Mr. Politi would be very happy to share them with the board as well as with Selective Insurance and let that investigation go forward based upon whatever facts are brought to Mr. Politi.

Mrs. Pluchino asked why some people have gotten their checks on their street.

Manager Politi stated that anyone can come into this office and submit an application for the small cities program. If they fit the criteria you can apply for funding. If there is an emergency you can come to the village and apply, but you have to fit the financial criteria. If they fit the financial criteria that particular program can help them. He doesn't know about FEMA reimbursement.

Mrs. Pluchino stated that it was lack of evidence.

Manager Politi stated that according to the FEMA person that came to this officer automatically you get a denial letter and then you have to go back.

Mr. Pluchino stated that McCalls got an automatic deposit.

Mr. Pluchino asked why Osterhoud was reimbursed.

Manager Politi stated that Mr. Osterhoud was not reimbursed, he went through the small cities program and he qualified.

Mr. Pluchino stated that he doesn't qualify.

Manager Politi stated that is right.

Mr. Pluchino stated that it would behoove them to set a date to get together and have a discussion as to what each of them knows.

Manager Politi stated that might be a good idea.

Mr. Pluchino stated that they may come out of this meeting and say it's time to go to the next step. He doesn't think they should waste their time and effort even thinking about taking legal action on this particular matter because it's unnecessary. It isn't necessary for intelligent people to have to go to court and discuss it through lawyers.

Mrs. Pluchino stated that either way, if Selective isn't going to cover it and they have to go through legal process you're still going to have to come up with the money.

Mr. Dowd stated that's not true.

Mr. Pluchino asked what's not true.

Mr. Dowd indicated, what your wife just said.

Mr. Pluchino asked, what portion of what she said isn't correct. He's not sure if he understands what he means.

Mr. Dowd stated that the statement she just made is not correct.

Mr. Pluchino stated, if we go to court and we win you still don't have to pay us.

Mr. Dowd stated, no, that's not what she said.

Mr. Pluchino asked his wife what she said.

Mrs. Pluchino stated that she said they would have to come up with money somewhere to pay them if they won in court, if the insurance has already turned them down.

Mr. Pluchino asked what the procedure was they had to go through to arrange a meeting.

Manager Politi advised Mr. Pluchino to contact him and he will ask the board.

Mr. Pluchino stated that he would like to have a meeting with everyone on the board. He doesn't want to just have a meeting with the manager. We all need to sit down at the same meeting and discuss this thing so there are no communication problems whatsoever.

Mr. Dowd asked Mr. Pluchino why he says there are communication problems between the manager and the board.

Mr. Pluchino stated that he didn't say that. So there are no communication problems.

Mr. Dowd stated that he implied it. He's the chief administrative officer of this village and his job is to meet with Mr. Pluchino and bring back things to this board.

Mrs. Pluchino stated that she believes he's the one that is telling everyone that they were taking our house down and that is not a correct statement.

Manager Politi stated that they came to a meeting and you corrected the statement. He knew that they were going to work on the entire house and put a second floor on. If he was incorrect or somehow it was played telephone in the public saying that the building was to be taken down anyway he can't help that. John spoke to him at length about it, about putting a second floor on, about putting an addition on. The addition he knew about, everything is going along very well with Dean.

Mr. Pluchino stated that the design of the building was based on building on top of the existing structure.

Manager Politi stated that when they were speaking on site it was said that it was easier to take it down then to build on top. Forget about the sewage, it's easier to take it down and build stick from the foundation up. If that turned into something else, again he'll say it, that it turned into telephone, that's maybe where it's coming from.

Mr. Pluchino stated that if you have an automobile accident and your car is damaged and you get reimbursed from an insurance company. You can go and buy a new car, you don't have to get the dent fixed. The point is the house was there, it did get really damaged by sewage and what they are asking for is they want to be paid for what they lost. He's not asking the village to build a new house on that property; they want to get paid for what they lost. They hired a third party company to come in and take a look at it to figure out what that number is, which comes to \$105,000. What is the procedure they have to go through to arrange a meeting with the board?

Manager Politi stated assuming the board would want to meet he would contact him and he'd arrange a date, assuming the board would want to meet.

Trustee Hurd stated that there is no mechanism.

Mr. Pluchino stated that he would like to have that meeting as soon as possible. Does he need to send a letter to request it.

Mr. Dowd stated that he will repeat again that he does not advise that the board to meet with the Pluchino's as a board. If one or two want to be a committee with Mr. Politi that's fine, he doesn't recommend that either because Mr. Politi is more than capable of hearing the facts that Mr. Pluchino sends before him and relate them to the board. He does not advise as the policy making board and decision maker in this village that they participate in that kind of a sit down under the circumstances of all the things that have gone on.

Mr. Pluchino asked if there was a risk here on the part of the village.

Mr. Dowd stated that he's not going to answer that.

Mr. Pluchino asked the village manager what does he have to do to set up a meeting.

Manager Politi stated that he could meet with him tomorrow.

Jodi Lynn, Walden Day Care Center stated that they came to the board meeting last month during the public hearing of the 2008 Community Development Block Grant Program application and they are here today to give the board an update of where they stand. They have contacted the realtor and made an offer on 2 S. Montgomery Street. They are in the process of getting back into contract. They have contacted one local bank for funding and she doesn't think they will have a problem coming up with the financing for the purchase of the building. They find themselves in the same position they were in one year ago. They have funding for the purchase but not for the closing costs. She asked if there were any bridge loan, grants, low interest loans that the village may be able to assist them with getting over the hump of not having enough money to close.

Mayor Pearson asked what the amount of the closing cost was.

Ms. Lynn stated approximately \$20,000. That would depend on the time of closing. They are looking at September 1<sup>st</sup> and school taxes are due that month and if they were to close then that tax bill would be their responsibility and that tax bill is over \$6,000. There are other adjustments that have to be made at closing.

Manager Politi asked if IDA funding was a possibility.

Mr. Barnes stated that they are looking for funding to purchase and renovate the office building and closing costs. The renovations will be \$10,000 to \$15,000 and under the commercial loan program you can loan the day care up to \$15,000. That would take care of the renovations to the bathrooms. What is left is the closing cost. The owner will not waive the building for six months. He wants to sell right a way. The CBDG money won't be ready until April. It won't work because the acquisition of the building is

already complete and they don't give you a grant for something that has already been done. The problem is they need to buy it now and the county grant doesn't come out until next April. The county grant will only be useful for the renovations of the second building, which they can rent to the occupants for six months. We're looking at a \$15,000 to \$18,000 loan from the UDAG fund to pay the closing costs. That loan would be available if they can't find the monies from any other source.

Trustee Hurd asked \$33,000 altogether.

Mr. Barnes stated \$25,000 to \$30,000 maybe \$33,000.

Ms. Lynn stated that is closing costs and renovations.

Manager Politi stated that it would be a combination of the two funds.

Mr. Barnes stated that the IDA would review the loan application for the renovations of the building. The IDA doesn't control that fund, the village board controls the fund.

Trustee Hurd stated that the IDA can give them \$15,000 and we can use the UDAG up to \$18,000, so that gets them to where they want to be.

Mr. Barnes stated that right now they don't have a contract with the seller and they have to renew their bank financing.

Ms. Lynn stated that they have made an offer to the realtor and the down payment was kept the same. We have the same purchase price as we did last year.

Trustee DeJesus asked, you would move into the building in the back and your license would be okay.

Ms. Lynn stated that the state has already inspected the building and given them a check list and approval. The check list is minimal, but it does have the handicapped bathroom.

Deputy Mayor Matise asked if they still have planning board approval.

Ms. Lynn stated that they do still have planning board approval.

Trustee Hurd asked how fast can the IDA work on this.

Mr. Barnes stated they can schedule a meeting when the application is submitted.

Mayor Pearson asked if these monies are coming out of other funds as opposed to the CDBG grant, so we're still talking about doing CDBG funding for them for next year

for the other part of the building. Funding for closing costs and for renovations and then apply for the grant loan for next year.

Mr. Barnes stated yes.

Mayor Pearson asked if the interest percentage was set by the board.

Mr. Barnes stated yes.

Trustee DeJesus asked if this can be part grant and part loan.

Mr. Barnes stated that it could be, but he doesn't recommend that unless it is absolutely necessary.

Trustee DeJesus stated that this is not for profit. We should know that would be a possibility, part grant, part loan.

Deputy Mayor Matise asked if the county money was a grant.

Mr. Barnes stated that it is a grant, but you can't use it for the acquisition or closing costs.

Deputy Mayor Matise stated that she meant next year that would be a grant.

Mr. Barnes stated yes.

Trustee Hurd asked when they will be going into contract.

Ms. Lynn stated that they can go into contract at any time.

Trustee Hurd asked if they could move ahead with the IDA application.

Mr. Barnes stated that he will get them the application tomorrow.

Trustee DeJesus stated that before you go to the IDA you have to have a contract.

Ms. Lynn stated that the owner has no other offer and she has been told that he is willing to, as long as they are proceeding and they can show him something, he will work with them. He wants to be out by the fall.

Mr. Barnes stated that the closing costs are far more critical.

Trustee Hurd stated that we can act very quickly on our part of it.

Mayor Pearson stated that they can't go in and start their programs until they have the renovations.

Mayor Pearson stated that knowing an IDA meeting is scheduled and signing your contract knowing that is being supported here she feels that is something they can take with them.

It was the consensus of the board that they are in support of the funding for Walden Day Care.

Mayor Pearson asked how much does the IDA have in it.

Mr. Barnes stated \$60,000.

Mayor Pearson asked how much the UDAG has.

Mr. Barnes stated that he didn't have the figure, but there is enough for this.

Mayor Pearson asked for that number before they make the decision.

Mike Pearson, 167 Walnut Street asked the attorney what the commercial seat belt law was for village employees. Do they have to wear a seat belt? He understands the cops don't have to. He's talking about DPW.

Mr. Dowd stated that he believes they are subject to the seat belt law.

Mr. Pearson asked why they aren't getting tickets.

Mr. Dowd stated that he's not aware that they aren't.

Mr. Pearson asked the manager if Corky's new truck has a seat belt, because he's not wearing it.

Manager Politi stated that he hears it, but he hasn't seen it.

Mr. Pearson asked if anyone else has seen Corky not wearing his seat belt.

Trustee Norman stated she has.

Mr. Pearson stated that he and the mayor went out to dinner one night and they came to the intersection of Route 52 and Rock Cut Road right behind a village cop. He made a left onto Rock Cut Road and takes off at a high rate of speed. When they came to the intersection of Rock Cut Road and Route 300 they catch up to him. He makes a right onto Route 300 and he takes off. Why is it okay? As a skateboarder you have to have helmets, knee pads and elbow pads because it's a liability. Where is the liability when a cop is breaking the law? In order to catch him Mr. Pearson had to go 75 to 80 mph.

Manager Politi stated that Mr. Pearson was breaking the law.

Mr. Pearson agreed, but he is a representative of the Village of Walden, why is it okay?

Mr. Pearson stated that the stone wall at the Little League Field, what happens when the Little League season is over and there are kids down there and there are no pads on the wall and someone hits a ball and cracks their head open, who is liable?

Mr. Dowd stated that he will not answer that question.

Mr. Pearson stated that he's observed a game being played and there are no pads on the wall, why is this okay.

Mayor Pearson stated that it's not okay with her. She didn't realize they were taking down the fence that was in front of the wall.

Manager Politi stated that he will look into this.

Mr. Pearson stated that two lights have been out on the bridge for five months, why is that okay. You can't get that fixed?

Manager Politi stated that you replace the bulb and it blows out. DOT has to come back and fix them.

### **Audited Bills**

Trustee Hurd moved to pay the audited bills of June 12, 2007. Seconded by Trustee Leonard. All ayes with the exception of Mayor Pearson and Trustee Wynkoop abstaining because they haven't seen them.

### **Bank Street Reconstruction Bid Acceptance**

Manager Politi explained to the board that he gave the board an overview of the bids. Whispering Pine Development is the low bidder. Their references have been checked and they are confident with the numbers. He would like to move ahead with that developer. He stated that the Bank Street Project was broken down into three components. One is the basic bid which is the reconstruction of the sidewalks along Bank Street and also sidewalks and curbs. Period lighting will also be installed. Two trees will also be planted. They will extend to just before the Walden Savings Bank parking lot. Because of all the commercial traffic the sidewalks and aprons are beat up. They will top the pavement. There is no need to remove the concrete.

Mayor Pearson asked if the curbing is granite.

Manager Politi stated that it will be granite that will continue around the corner.

Mayor Pearson asked that the curbing be cut differently so there aren't any problems with cutting of tires.

Manager Politi stated that it would be up to the board. It will cost more money. They can bevel it like by Joe Horans. He will find out if it's a big deal.

Deputy Mayor Matisse asked if they will be resurfacing all the way down to Bergen Street.

Manager Politi stated yes.

Mayor Pearson stated that the base bid is \$131,230.00 is only curbing on one side of the street.

Manager Politi stated that there is curbing and some sidewalk on the other side as well because you're doing some repairs to the entrances to the Walden Savings Bank side. The sidewalks beyond that are in good shape. They split up the rest of the bid because they didn't know how it would come in. You have to remember we're doing Ulster Avenue as well. That is a large project. Even though you have a quarter of a million as a grant it still will cost us money to do those. You will be resetting slate and removing retaining walls. Alternate A is replacement of Orchard Street Parking Lot lights with period style lighting. C.A. Phillips bid of \$23,895 and Whispering Pines was \$41,520.

Trustee Wynkoop stated that you say it's a commercial lot, but there is really no commercial there. Do we need period lighting, he doesn't think so.

Mayor Pearson asked if they can split the bids for different companies.

Manager Politi stated no.

Mayor Pearson asked if they can take that out and rebid that separately.

Manager Politi stated yes.

Trustee Hurd stated that the manager is saying take the base bid only.

Manager Politi stated that Alternate B was to do the sidewalks from the dance studio to the Talk of the Town and period lighting. It is an upgrade, but it's an expensive upgrade. He's not sure they want to do that because the sidewalks are in good shape. He suggested they do that base bid and then concentrate our efforts on Ulster Avenue.

Mayor Pearson asked if they could put new light poles on Main Street.

Manager Politi stated that you will have to do cuts.

Deputy Mayor Matise pointed out that the sidewalks by the Hess Station and the Mobil Station are in bad shape.

Manager Politi stated that they are not even on that side of the road.

Deputy Mayor Matise suggested they go out to bid on Alternate "A" and then go out to bid for the other side of the street. That is so broken up and so bad.

Trustee Wynkoop suggested going with the base bid and doing away with the other two.

Manager Politi suggested they contact the state because it is a state road.

Manager Politi stated that if you were to do multi modal maybe you could wrap both in. He suggested they go back to what they originally wanted to do and that is to reconstruct Bank Street.

Trustee Hurd asked, you want to do the base bid and then finish Ulster Avenue which should bring us in under the half million.

Manager Politi stated yes.

Mayor Pearson stated that she would like to see Orchard Street done. She suggested they go back out to bid for that to see if anything comes in cheaper.

Trustee Hurd asked if they were going to do Ulster Avenue for \$350,000.

Manager Politi stated that if you have \$250,000 that will go into that project.

Trustee Hurd stated that if you do the base bid for \$131,230 now that leaves us with \$370,000 of the \$500,000 we set aside.

Trustee Leonard asked what the engineers estimate was.

Manager Politi stated that he doesn't recall.

Trustee Leonard asked when is Ulster Avenue going out to bid.

Manager Politi stated that we have to get the okay on the walls.

Trustee Leonard suggested they wait until the Ulster Avenue bid comes in and then decide if they want to put out the bid for the lighting.

Mayor Pearson stated that the bid can still go out. You don't have to accept it and you will be ready to go when Ulster Avenue bid comes in.

Mr. Dowd indicated that the board has 45 days to accept the bid.

Manager Politi stated that we don't have to act on this for 39 days.

Mayor Pearson stated that its \$5940 for the light and the base, Orchard Street Parking Lot, which she is assuming they are the same light pole and base and they are charging \$4500 as opposed to \$5900.

Manager Politi stated that in the parking lot the base is there. You wouldn't be creating the sonic tube and all the wiring.

Mayor Pearson stated that if you bid that out you might have a much lower price just on the lighting. She asked if it costs anything to go out to bid.

Mr. Dowd stated you have to pay for the advertisement.

Mayor Pearson stated that they should time the bid closer to when they think Ulster Avenue is going to be ready and put it out to bid and have those two numbers at the same time when they think Ulster Avenue is going to be ready. Then you can do the work at the same time.

Trustee Hurd asked, if they accept the low bid for "A" and they were high on the first alternate, if we award the bid to Whispering Pines Development and then tell them we're going out to bid on the other because you were too high.

Mr. Dowd stated that you can award the base bid for Bank Street and nothing else.

Trustee Hurd asked if the village can ask them to lower their bid.

Mr. Dowd stated that you can negotiate, but he doesn't think they will negotiate \$18,000. You can ask.

Manager Politi stated the C.A. Phillips was the only one on site for the pre bid meeting.

Mr. Dowd stated that you can ask the engineer to contact Whispering Pines to see if they will move on Alternate "A" to see if they will get closer to C.A. Phillips.

Mayor Pearson asked who has seen work by them.

Manager Politi stated that Mr. Fitzsimmons did research.

Mayor Pearson asked if they say in the bid documents what grade of granite they will be using and what grade of blacktop.

Mr. Dowd stated that the low bidder meets the requirements.

Mayor Pearson asked if you could do the same with C.A. Phillips. See if they will come down on their base bid.

Trustee Hurd stated that it wouldn't be fair to Whispering Pines.

Trustee DeJesus stated that we should keep in mind that C.A. Phillips have done work here and we were satisfied. You don't have to take the lowest bidder.

Trustee Wynkoop stated that you can put the whole thing back out to bid.

It was the consensus of the board to table the bid award for the base bid and have the engineer try and negotiate Alternate "A".

### **Resolution No. 20-07-08, Submission of the 2008 Community Development Block Grant Program Application**

Mayor Pearson stated that we need to know by the end of the month if we're going to do sidewalks and the Olley Park House. We haven't come up with a number.

Mr. Dowd stated that tonight you have to decide what projects you're going for.

Trustee DeJesus moved to adopt Resolution No. 20-07-08, Submission of the 2008 Community Development Block Grant Program Application. Seconded by Deputy Mayor Matisse. All ayes. Resolution adopted.

### **Resolution No. 21-07-08, Submission of the "Solution Teen Violence Grant" Application**

Trustee DeJesus asked what's been the problem in the past with reimbursement. There is a letter from Ms. Chichester indicating that there's been an issue in the past with us getting money.

Manager Politi stated that what he's aware of is then they did the skate park and because it took so long to build there was a closing date and with the winter weather they couldn't do the work. They were trying to come up with a way to use the money and they couldn't.

Deputy Mayor Matisse stated that the county's budget ends on December 31<sup>st</sup>.

Manager Politi stated that so if you don't use it in time you lose it and that was because the project extended itself.

Deputy Mayor Matisse moved to adopt Resolution No. 21-07-08, Submission of the "Solution Teen Violence Grant" Application. Seconded by Trustee Leonard. All ayes. Resolution adopted.

## **Graffiti Law**

Mayor Pearson stated that we do have a little of this in our code book but it's under parental responsibility and she knows there was a question about that whole section at one point. She asked if there was still a question about that whole section. So, we really shouldn't put it here if we're creating something new.

Mr. Dowd stated that he read the model laws that were submitted. He's not sure what we're looking to do. They are enacting a law to control the sale of spray paint.

Mayor Pearson stated those are samples and you can tailor it anyway you want.

Mr. Dowd stated that it's already a crime.

Mayor Pearson indicated that it's state law.

Trustee Hurd asked what we are doing with this.

Deputy Mayor Matise stated that the request was that we consider putting something in the property maintenance code that if peoples building or property is defaced that they be requested that with a certain amount of time to correct, to paint it over, to take it off.

Mr. Dowd stated that here's the question, if you do that and lets say a crime has been committed.....

Trustee Hurd interrupted stating that you're asking for the victims be forced to do something.

Mr. Dowd continued, and they're arrested and they face criminal charges and one of the things that could come is restitution to help them pay and order them to pay to fix it or community service.

Deputy Mayor Matise stated that we don't have community service in this village.

Mr. Dowd stated that restitution is part of the law. You can enact a law that says you have 30, 40 or 45 days to fix your house because it's been spray painted and if you don't what is the penalty. In essence you'd be penalizing someone who has been vandalized. They may not have the money to cover it up and they might be waiting for restitution from the courts in which to paint there house with.

Deputy Mayor Matise stated that she doesn't think that was the thinking behind the request. The thinking was if you leave it, it breeds more graffiti.

Mr. Dowd stated that the building inspector feels that he can order people to correct it under the painting section of the property maintenance code.

Deputy Mayor Matise stated that it will then it's going to destroy this frame of evidence you're talking about.

Mr. Dowd stated that if a person is vandalized he's the victim of the crime and by putting something in the law you're almost making him a victim of circumstances again that he didn't cause.

Mayor Pearson stated that you can leave it up to the court and they can fine the person and give the money back to the homeowner. If you don't catch him then that graffiti stays on those walls forever.

Mr. Dowd stated that the building inspector doesn't see a problem.

Mayor Pearson stated that we just covered up graffiti on the pump station. The Nelco building, the bridge.

Mr. Dowd stated that the Nelco building was taken care of.

Deputy Mayor Matise stated that the Package Lighting building too.

Mr. Dowd indicated that has also been taken care of. He asked what the intent of the law is.

Deputy Mayor Matise stated that the intent of the law is to just stay ahead of it.

Mr. Dowd stated that the building inspector feels that under the property maintenance law he can cite them.

Deputy Mayor Matise stated, fine, and then we don't need anything else.

Mayor Pearson stated that we can have the police department, when they feel it needs to be taken care of talk to the building inspector.

Mr. Dowd stated yes, if its there for any length of time that's beyond court proceeding and restitution. (Many interruptions)

Deputy Mayor Matise asked the manager to have the building inspector cite the sections and send that in a memo to Chief Holmes.

Mayor Pearson stated that the removal of it within 24 to 48 hours is the key to successful graffiti prevention, because it discourages. The time frame is important.

Mr. Dowd stated that most business owners would get out there and clean it up because it's the presentation of their business, but if they can't get to it right away or the kids are caught.

Deputy Mayor Matise interrupted stating that their insurance company and PD could photograph it.

Mr. Dowd stated that takes time. If you say in 48 hours we will hit them with a notice of violation.

Deputy Mayor Matise interrupted saying that she doesn't know in 48 hours is what they were talking about.

Mr. Dowd continued stating that you're going to end up penalizing someone.

Deputy Mayor Matise asked the manager to communicate that to the police chief to be communicated to his officers.

Mr. Dowd stated that if that doesn't work then we will revisit it.

#### **MS4 Report/Storm Water Management Law**

Mayor Pearson stated that she read this and she doesn't really see it as a law.

Manager Politi stated that they don't have the law in front of them. He then passed out the law. There are two laws they need to pass, one is the particular list of discharges in the storm sewer system. That is the interconnections that you may have between sewage and storm. It's the ability to get someone who is pouring oil into storm drains. The other one is the storm water erosion. This is the storm water that would apply to construction activities. He will make copies of the laws and get them to the board tomorrow. The law for storm water erosion and sediment control that has been updated and has a lot of information in it.

Deputy Mayor Matise stated that once they have these in the code then it's similar to the property maintenance code. Then we will have an enforceable law.

#### **Public Comment – Work Session Items Only**

There were no comments.

#### **Correspondence**

Mayor Pearson stated that she received a letter regarding the rail trail grant program. It's another grant for greenway and we should be looking at that. This is due in September.

## **Informational Items – Manager’s Report**

Manager Politi indicated that he has the department reports.

Deputy Mayor Matisse asked about Chief Holmes’s report about the firemen’s fair. The board gives the go ahead and gives them permission to use the parks on certain dates. Does the manager want to discuss the issue about the overtime and holiday pay?

Manager Politi stated that they want to do two nights of fireworks so that now impacts us because they do them late. The chief wants the board to be aware of the impact. The request just switched the dates.

Deputy Mayor Matisse stated that the police are there in the crowd. The fire department does not hire their own security.

Manager Politi stated that through the years they have programmed it.

Trustee DeJesus suggested the police department and fire department should get together before hand. This will be very costly and we are down two full timers.

Deputy Mayor Matisse stated that it also says that former board’s used to say that the fire department should reimburse for some of the security. They receive tax money.

Trustee DeJesus stated that it’s a different tax base.

Deputy Mayor Matisse stated that we should take his comments into consideration next year.

Mayor Pearson stated that its even more this year because of the two fireworks nights.

Deputy Mayor Matisse asked what would happen if they decided to do it at the firehouse.

Manager Politi stated that Mr. Pangia asked if the village would supplement the fireworks on the 4<sup>th</sup>. He advised him that the village is programmed for fireworks on New Years Eve.

Mayor Pearson stated that they could do one set of fireworks, they don’t need to do two.

Trustee DeJesus stated that they can sponsor the New Year’s Eve fireworks.

Deputy Mayor Matisse stated that on Officer Montanaro’s report where he states that he met with Diana from Orange County Probation in reference to better organizing our local sex offenders. What was that about?

Manager Politi stated that he would have to ask.

Deputy Mayor Matise asked if probation was checking on them as to where they are living.

Manager Politi stated that he can't answer that.

Trustee DeJesus stated that probation has a car that goes around reading license plates making sure that they are not near a school.

Trustee DeJesus questioned the dates for the concerts in the park.

Deputy Mayor Matise asked about the gasoline report.

Manager Politi explained the codes to her.

### **Board Comments**

Trustee Leonard asked the manager to get a plaque for Edan Holmes for the many years she served on the planning board.

Mayor Pearson asked if Trustee Leonard got a plaque and if not the manager should get one for him.

Trustee Leonard stated that he got an invitation to the General Montgomery Parade and he advised Mayor Bresscia that he will be putting in a float and he will provide the trailer. He wants to know who wants to be on the float. He will keep the board posted.

Mayor Pearson asked if he needed help decorating the float.

Trustee Leonard stated yes. The parade is September 8<sup>th</sup> and you meet at the Orange County Airport.

Deputy Mayor Matise asked if the float will be in the Harvest Fest.

Trustee Leonard stated that he's already been contacted.

Deputy Mayor Matise stated that there will be a booth at the Harvest Fest and she needs helpers.

Trustee DeJesus asked about the house on Edmunds Lane that has the three dogs tied in front of the house. Not far from there is the school bus stop. He asked if he's allowed to have them tied there all day long.

Trustee Norman stated that he's been advised to put the dogs in the back of the house.

Deputy Mayor Matisse asked about the directory sign for Oak and Main Streets.

Manager Politi stated that we just got the contract.

Deputy Mayor Matisse asked if the manager has contacted Interstate Waste.

Manager Politi stated that he's been concentrating on the law.

Deputy Mayor Matisse stated that he can now talk to them about other options and different size containers. Number one priority is to get the cost down. She also asked when the village will get the money for the sidewalk on Lafayette Street.

Manager Politi stated that he is waiting for an answer from the county.

Mayor Pearson stated that if we know its going to be a couple months away we can start the bid process.

Manager Politi stated that it's all their process. The money does not come to the village.

Deputy Mayor Matisse stated that the sign is beautiful on Pine Street, but there are no garbage cans. There should be two. She asked about General Code.

Nancy Mitchell, Village Clerk stated that she has contacted them and they are working on it.

Deputy Mayor Matisse asked about the web site.

Manager Politi stated that he has the three proposals to work with.

Deputy Mayor Matisse stated that during the budget work session they had asked for a total on the electric bills and the never got it.

Manager Politi stated that he gave that to the board.

Deputy Mayor Matisse stated that she never got it. She also asked about the status of the water meter project.

Manager Politi stated that there is a hundred and some left and we are now looking to the legal way to get responses.

Mayor Pearson asked if the workers are still getting paid whether they are doing them or not.

Manager Politi stated that they are doing installments and going back and retagging.

Mayor Pearson asked how soon the legal letter can go out.

Manager Politi stated that he was just asked.

Mayor Pearson asked if it can go out within a week.

Manager Politi stated yes.

Trustee Norman stated that the basketball court on Walnut Street still hasn't been removed. There are at least ten more on the streets that are causing problems, especially Albany Avenue. Last night when she came up Valley Avenue there were 15 skateboarders. She stopped her car and said someone is going to get hurt and that is why we have the skate park and she can't repeat the answer she got. If the police would start taking some of the skateboards away maybe some of the problems will be solved. She's received calls from residents on First Street about a ramp. When someone called the police department about the ramp they were told it's court night and they didn't have anyone to send and someone almost got hit by a car. Something needs to be done.

Mayor Pearson indicated that there is another ramp on DeGroot's property on Seeley Street.

Trustee Wynkoop stated that DeGroot's two houses are disgusting.

Mayor Pearson stated that she received a phone call again from a person on Lafayette Street and they have been complaining about the same issues, long grass and garbage cans between Madison, Seely and Lafayette. They've come before the board he's talked to the board and it's still the same mess. He doesn't understand why he can't get a phone call back from people, from Dean and the manager.

Manager Politi stated that you do that every meeting. He knows who she's talking about and he has talked to him. When they cite these people and come to this board he has no way of doing anything about this court. DeGroot has been to court, please talk to the judge. Our staff is citing him.

Mayor Pearson stated that the code enforcement officer has nv on his report for the DeGroot property, what does that mean.

Manager Politi stated that they received a violation notice.

Mayor Pearson asked, the only thing we can do is bring these people before the board or court. What is the next step.

Manager Politi stated that he is going to go out and have every single basketball court removed tomorrow morning. DeGroot's and Ronk's are recurrent. They clean up and then they come back to that life style. He asked the board to let him know when they go back to the same life style. He apologized for over reacting.

Deputy Mayor Matise stated that some of these people should be issued every six months.

Manager Politi stated that we do and then it comes back.

Mayor Pearson asked if there was anything else they can do for the people that are reoccurring, after the second penalty we will automatically clean it.

Mr. Dowd stated that you can't do that.

Trustee DeJesus suggested the increase the fines.

Mr. Dowd stated that some of the fines are higher, but the judge is giving them \$50.00, not throwing the book at them. What you can do with Mr. DeGroot is every single day hit him with a ticket.

Mayor Pearson asked where is the code that says Mr. DeGroot doesn't have to have grass in his front yard, its all weeds. He should be fined for that. We have to be more diligent in getting there. The same people are calling and they are calling all the time.

Manager Politi stated that he will have them go there every day.

Trustee Norman asked about the flowers for the west side.

Mayor Pearson stated that they are on order, they are planted, and the hooks are on order, hopefully by the end of June. Next year they will all be ordered at the same time. She wanted to wait until we got the okay from the telephone company.

Trustee Norman stated that she agrees with the manager that some of these people in the village it's their lifestyle. She got a call from someone on High Street about a property maintenance concern.

Manager Politi stated that the building inspections on Main Street are continuing. Two buildings that keep coming up do not respond to our request for entry, so we have to go to a legal level to get in.

Mayor Pearson asked about the property maintenance part of the outside of that building.

Manager Politi stated that is what it's all about. We are doing that.

Deputy Mayor Matisse mentioned the property across the street where the porch is deteriorated.

Mayor Pearson stated what is up with that, it's been a year. What is our next step?

Manager Politi stated that he is a reoccurring one. We cite him over and over again.

Deputy Mayor Matisse asked about the flags on the fire hydrants.

Manager Politi stated that they are in the process of removing them.

Mayor Pearson asked if Mr. Dowd got to review the proposal for the energy audit, Compu Tel Consultants.

Mr. Dowd stated that he did review it. The 50% rule doesn't only cover refunds but also on credits.

Mayor Pearson asked if the board wanted to take action on this.

Trustee Hurd stated that this is supposed to be miscellaneous comments by board members, not action items.

Mayor Pearson stated that they've been waiting a long time to do this.

Trustee Hurd stated that he would like to have everything ahead of time.

Mr. Dowd stated that he will get the information to the board.

Mayor Pearson stated that it will be on the next agenda.

Mayor Pearson asked the manager for an update on Sunset Drive.

Manager Politi stated that the information he has is he's going to talk to the owners first to see if they will go with the concept. He, the engineer and building inspector were on site. He has an idea.

Mayor Pearson stated that maybe the board would like to hear the idea to see if they wanted to go in that direction.

Trustee DeJesus stated that it's true what Trustee Hurd just said. That wasn't on the agenda for discussion so its time to discuss now under miscellaneous.

Mayor Pearson stated that she had asked to have it on the agenda and it was missing from the agenda.

Manager Politi stated that he has to go in order of things that have to get done. There is a lot of back log and we want information and a lot of items that we have to go to. He went out with the building inspector and engineer and they came up with a concept. He now has the plans in his hands to show what they are going to do. He has to get it to the property owners as a concept before he brings it to the board.

Deputy Mayor Matisse asked what he is trying to correct.

Manager Politi stated that he's not trying to correct anything.

Trustee DeJesus stated that he is going to talk to the owners and then come back to the board.

Manager Politi asked the deputy mayor what he is trying to correct. Please say it here.

Deputy Mayor Matisse stated, no, no, what is the problem.

Manager Politi stated that you already know they have water in their yard and he's going to show them how this might help them. He's not correcting anyone's work.

Deputy Mayor Matisse stated that she didn't say that, she just wanted to know what the problem was.

Manager Politi stated that she already knew what the problem was, she's talked to everybody.

Mayor Pearson asked about Olley Park.

Manager Politi stated that they've come to him too and he's already acted.

Mayor Pearson stated that the beach is going to be opening on the 16<sup>th</sup> and the sand is not out, there's weeds, there's painting and a lot of maintenance. Her opinion is that there was \$50,000 extra in the parks budget line that we spent somewhere else where if we were going to put it in parks she would like to spend it in parks because some of our parks can use a little more attention.

Manager Politi stated that there are priorities, which was the police department, so maybe next year it will be the time to put some money back into the parks.

Mayor Pearson stated that there are two dead trees and one almost dead tree and a limb that is down by the house. The bushes need to be trimmed too.

Manager Politi stated that if the board doesn't mind he would like to remove all the bushes from around the house, so you can see structurally what is happening.

Mayor Pearson stated that there are some boards that need to be patched.

Manager Politi stated that he is going to remove the boards.

Mayor Pearson stated that she doesn't think the bushes need to be removed, they can be trimmed.

Mayor Pearson stated that the flowers on Main Street and in the square need to be watered more.

Mayor Pearson asked for a well update.

Manager Politi stated that he is waiting for the papers.

Mayor Pearson asked about the skate board park.

Trustee Norman stated that she is trying to get in touch with Mrs. Savage.

### **Executive Session**

Trustee DeJesus moved to hold an executive session pursuant to 105-(d), Litigation, of the Public Officers Law. Seconded by Trustee Leonard. All ayes. Motion carried.

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

### **Adjournment**

Trustee Hurd moved to adjourn. Seconded by Deputy Mayor Matisse. All ayes. Meeting adjourned.

Respectfully submitted,

Nancy Mitchell  
Village Clerk

