

**Village of Walden
Board of Trustees Meeting
July 10, 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
	Victoria Kurtz, Deputy Village Clerk
	Kevin Dowd, Village Attorney

Absent:	Nancy Mitchell, Village Clerk
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Approval of Minutes

Trustee Hurd moved to adopt the minutes of June 26, 2007 with the following corrections:

Page 1- May 23rd corrections, Page 9, change Altanta to Atlanta
Page 3- eleventh paragraph, change boast to boost.

Deputy Mayor Matisse asked if this is going to be how the minutes are going to be done and if so she would like a duplicate tape from each meeting.

Trustee DeJesus stated that back in May they said they were going to do the motions, (someone was playing with the microphone, so I could not hear what Trustee DeJesus said). He feels forty five pages of minutes are quite lengthy. He asked how long they are required to keep the tape for.

Mr. Dowd stated four months.

Deputy Mayor Matisse stated that if someone foils the tape they can request a copy.

Mr. Dowd stated that as long as it's still in our files.

Deputy Mayor Matisse stated that she would like to request a copy.

Mr. Dowd stated that if she wants to pay for the copy.

Deputy Mayor Matise stated that she shouldn't have to.

Mr. Dowd stated that would be up to the board. It's a request that is unusual to be made. You want that copy and it's not something that's generally made available to all the board members.

Deputy Mayor Matise stated that the minutes are too sketchy and she doesn't know how decisions were made.

Mr. Dowd stated that the decision is made by the clerk. The issue is whether taxpayers should pay for Mary Ellen's copy of the tape.

Mayor Pearson suggested Mary Ellen supply the tapes.

Trustee DeJesus asked if she can come and listen and record.

Mr. Dowd stated that she can do that.

Trustee Hurd stated that the clerk shouldn't have to do any extra work.

Mr. Dowd stated that if it was a foil the clerk would have to do it. The person would either have to pay for the copy of the tape or supply a blank tape.

Trustee Hurd stated that because we are being careful to record the actual actions of the board we have decided that it's not necessary to record every i during just the basic discussions, because they are lengthy. It seems that what we're getting is what the board wanted.

Mayor Pearson stated that the clerk is having a hard time hearing the tapes and she listened to one the other day and it's all the over talking that is making it difficult. To wait your turn to say something would be nice to do. Two years ago the board had decided that they were going to have the minutes the way they are right now. In the past two years the clerk has put more in the minutes on her own. She feels a little more can be put into the minutes.

Deputy Mayor Matise stated that when you read the older minutes you get a sense of what happened at the meeting.

Mayor Pearson stated that it sounds like if you supply tapes to the clerk you can have the tape.

Trustee DeJesus stated that it should be a summary of the discussions with the outcome and the vote. When you look at page 2 of the June 26th minutes there was a lengthy discussion that the minutes should be verbatim, so what happened.

Mr. Dowd stated that the board agreed that the minutes did not have to be verbatim. There was no vote. They were going back to the 2005 motion. The next sentence should be that the board agreed to continue with the decision of 2005. That would be the outcome.

Deputy Mayor Matise stated, but did we. She doesn't know if they really did.

Mayor Pearson stated yes we did. She said they didn't need to be as lengthy as they were, but not as shy as they are now, somewhere in the middle.

Trustee Leonard was in agreeance.

Trustee Leonard stated that they also discussed how the minutes relate to a law which the minutes should be verbatim in case the law is challenged.

All ayes. Minutes adopted.

Trustee Hurd moved to adopt the minutes of July 3, 2007. Seconded by Trustee Wynkoop. All ayes with the exception of Mayor Pearson abstaining. Minutes adopted.

Public Portion

Marcus Millspaugh, 10 Jessup Street stated that the board should be aware that the river should be considered a great asset to the village. He was pleased with the improvements to the river access, but he felt it wasn't completed the way it should have been. The dirt hadn't been graded back. Recently access has been blocked and he doesn't understand why. There is also a pile of stone blocking the walkway. The path never was user friendly. Things need to be fixed up down there. The weeds also should be kept cut down. The south side of the street needs to be taken care of too.

Manager Politi stated that the pile of stone is to repair the walkway from the small parking lot. If you go back to the original concept there was to be no trailering of boats. The area next to the pump station where the chain is now was an over flow runoff area that was originally stone but cars were starting to back in there with trailers. It was always to be a car top boat launch. That was discussed here and agreed upon here. The Japanese weed we knocked that down a couple times and it grew back up. In talking to our arborist Jim Pursutti who holds the appropriate spraying license we have tried to use chemicals to knock it down. When we went through knocking it down we ended up knocking down some of the plantings that we need in the retention pond. We will have a service come in there and work with Kevin Sumner, because it is a little more complex then just mowing. He has talked to DPW about the gutter erosion repair.

Oscar Alleyne, 12 Edmunds Lane expressed his concerns with the traffic going into Olley Park late at night and early morning. The Police Department has been extremely responsive. He asked that the board make the parking uniform next to all the parks.

Audited Bills

Trustee Leonard moved to pay the audited bills of July 10th, 2007. Seconded by Trustee DeJesus. All ayes. Motion carried.

Computel Consultants Agreement

Mr. Dowd stated that he has no objections to the contract.

Trustee Hurd asked if the attorney was comfortable with the village not paying them until they get the money in hand.

Mr. Dowd indicated that when the village gets the credit that is when they get 50%.

Trustee DeJesus asked if there was any history of them recouping any money.

Manager Politi stated that at the NYCOM conference there were two mayors from upstate who took advantage of it and received \$5,000 to \$7,000 each.

Deputy Mayor Matisse moved to accept the proposal and contract with Computel . Seconded by Trustee DeJesus. All ayes. Motion carried.

Bank Street Project

Manager Politi stated that they went back to the contractor concerning Alternate "A" which the original bid was \$41,520. After talking to them and reviewing the contract they knocked it down to \$27,400. He would like the board to award the bid to Whispering Pines Development Corp. Total bid is \$158,630. The board approved bonds for \$175,000.

Mayor Pearson stated that the board talked about the amendment for finishing the road.

Manager Politi indicated that would be a blacktop overlay which would be fairly inexpensive and they can do that as a change order.

Trustee Hurd moved to award the bid for the Bank and East Main Street Improvements and Orchard St. Parking lot lighting replacement to Whispering Pines Development Corp. for the base bid plus the bid negotiated Alternate "A" for a total of \$158,630. Seconded by Trustee Leonard. All ayes. Motion carried.

Walden Day Care

Manager Politi advised the board that Walden Day Care will not be here tonight.

Nugent and Haeussler, P.C., CPA

Manager Politi stated that he received a proposal for the audit from Nugent and Haeussler, P.C. not to exceed \$21,000.

Mayor Pearson stated that the proposal does not provide a due date by. She would like that in there.

Manager Politi stated that he will contact the auditor and ask them to provide the due date and the cost.

Deputy Mayor Maise asked if they were going to factor in GASB 45 into the audit.

Manager Politi stated that he will ask them

Mayor Pearson indicated that she would like to see what other communities are paying.

Manager Politi stated that he will get that information.

Trustee DeJesus asked about the 3rd paragraph on Page 5 where it states that, the audit documentation for this engagement is the property of Nugent & Haeussler, P.C. and constitutes confidential information. Does that mean our documents become their documents and are confidential at that point?

Mr. Dowd stated that he believes that is their methodology and their computation.

Trustee DeJesus stated that on page 3, last paragraph stated that this is designed to provide reasonable, but not absolute assurance. They are not doing a detail examination of all transactions. Besides the obvious question of fraud and when is a complete audit required.

Mr. Dowd stated that they go through each major account, do bank reconciliation's, check the book keeping accounts, purchase orders and do a regional inspection of documents, but they don't necessarily look at every single transaction. The state usually comes down every three years, but even they don't look at every single thing. They do spot checks.

The mayor requested this be on the agenda for the next meeting.

Albany Avenue Parking Concerns

Manager Politi indicated that a resident of Albany Avenue contacted him regarding traffic flow and speed on Albany Avenue. The resident requested a no through traffic sign at the head of the street or going into the Thruway property. We have nothing in the code that allows the village to place a no through traffic sign. The no through traffic sign was the Thruway's that they put up. We can't mark it as a no through street because it is a major through street based on the code. It is up to the Thruway property owners to say they don't want no through traffic. The as built's do not reference anything about a no through traffic sign. Maybe the request should be from the residents to the Thruway Market.

Trustee DeJesus suggested the private road be made one way down to the Thruway and not be used to come up to Ulster Avenue. That would reduce traffic. He also indicated that there should be a petition.

Manager Politi agreed with the petition.

Trustee Leonard stated that last week he came up the street and there were four cars parked in front of the scout cabin which made it difficult to get through. People don't park in their driveways.

Trustee Hurd stated that if you make this street one way to reduce traffic everyone is going to want their street one way to reduce traffic.

Manager Politi indicated that one person is speaking for the whole neighborhood.

Deputy Mayor Matise moved to table this discussion.

Trustee Norman stated that its time the board addressed these issues. She's seen people practically have head on collisions on Albany Avenue. She agrees that Gladstone Avenue is a nightmare.

Mayor Pearson stated that there are many streets.

Trustee Norman stated that what she would like is a separate meeting with the Police Chief and someone in traffic that can tell the board which direction to go.

Mayor Pearson stated that she would like to see how many residents are in favor of this. She further stated that taking away the problem with parking on the street may cause another problem of speeding.

Deputy Mayor Matise suggested the village look at changing the access to Bradley Park from Bradley Lane.

Bradley Assembly Room Tables & Microphones

Trustee Leonard stated that the first problem is the acoustics therefore he would like to make a motion that the manager go out and get bids on updating the microphone system. He also suggested the village look into some tables and make a decision on a platform.

Deputy Mayor Matisse suggested a wireless system

Manager Politi stated that two meetings prior to the budget night, up until that point the board was ready to bring their meetings downstairs and put a minimal platform for the judge, permanently. The following meetings and the budget meeting it all came back up to the third floor, because we had a crowd. He doesn't want to spend all that system money because he doesn't know where the board wants to be.

Mayor Pearson stated that something was going to be done for the planning and zoning board.

Trustee DeJesus stated that they also made a decision on the judge's platform.

Mayor Pearson stated that if that is what the decision was and the platform is going to be there, set up tables in the front of that.

Manager Politi asked the board if they wanted a platform for the judge and his assistant and tables here that you can take down.

Mayor Pearson suggested to do the platform, do the tables for downstairs, see how it is and then the board can decide on tables for the third floor and to do the microphone system.

Manager Politi stated that he will work with the judge.

Trustee Leonard moved to have the manager consult with the judge.

Trustee Norman moved to authorize the manager to get a new sound system. Seconded by Trustee Wynkoop. All ayes. Motion carried.

Trustee Leonard asked if the board was in agreement to have a platform for the judge, the sound system and does the board want to buy tables.

It was the consensus to the board to have a platform for the judge, the sound system and not buy tables right now.

Trustee DeJesus suggested the chairs for the public be moved closer.

Manager Politi asked where the projector and screen he bought was to go.

It was the consensus of the board to have the projector on the wall behind the board.

Demolition Law

Trustee Norman moved to introduce Introductory Local Law I-5 of 2007, "Demolition of Buildings and Structures" . Seconded by Deputy Mayor. Matisse. All ayes. Motion carried.

Trustee Norman moved to hold a public hearing on Introductory Local Law I-5 of 2007, "Demolition of Buildings and Structures" on July 24, 2007 at 6:30PM. Seconded by Deputy Mayor Matisse. All ayes. Motion carried.

Public Comment-Discussion Items

Suzanne Iseksen, 10 Windrift Lane asked about the discussions on Nugent and Haeussler and the Bradley Assembly room tables and microphones. She asked if there was a threshold where the village would have to put things out to bid and do you have to get so many bids. There was a comment made for the manager to go out and buy a sound system without reviewing costs.

Manager Politi indicated that he would not do anything without doing a cost comparison. He also made a comment about Nugent and Haeussler that was inaudible.

Ms. Isaksen stated that there are other CPA's out there and she would be more comfortable if they were investigated.

Mr. Dowd stated that there are plenty of CPA's but there aren't many that do municipal finance.

Correspondence

Mayor Pearson stated that she gave the manager the Orange County Planning Grant and there is another grant from the environmental facilities. Also, she received a call from Assemblywoman Nancy Calhoun and she has grant money to grant the village. It's around \$2500 and we have to get back to her on what we would use it for.

Trustee DeJesus suggested microphones and the mayor stated that she suggests seating for the park.

Trustee Norman moved to have benches for Wooster Grove. Seconded by Trustee DeJesus.

Trustee Wynkoop stated that you have to get prices.

All ayes. Motion carried.

Informational Items-Village Manager's Report

Manager Politi advised the board that the village has made payment for the strip of land along the streambed at Streamside. It will be left the way it is.

Deputy Mayor Matise asked the manager if he's notified the abutting property owners of that.

Manager Politi stated that he gave the board the code enforcement officers' report and Mr. Edwards was out last week and Mr. Lamendola gave an overview.

The board expressed their approval of Mr. Lamendola's report.

Manager Politi stated that Joe Nolan who is the new chief wastewater treatment plant operator is enjoying the job, working well with the staff and he has a lot of background.

Methodist Church

Mayor Pearson stated that she would like to talk about the Methodist Church. In executive session they talked about funding. They are looking for a letter from the board describing what kind of funding is available through the Village of Walden. It would be UDAG money. The church would like the letter by Thursday because they will be having a meeting.

Trustee Norman stated that she is a member of that congregation and she will not vote for them to get this money if they are going to tear that church down. We need to know before we give them the money that this is guaranteed. Thursday night's meeting is very important.

Deputy Mayor Matise stated that the money is for improvements.

Trustee DeJesus stated that his concern is are we going to give a letter to one faction saying we have a guarantee that there will be money available. It's an internal issue that once they make a decision after this meeting, we should say, if you decide to stay we can loan you some money based on your eligibility. For us to get into a situation that they are having is not good. He feels the village needs to wait for them to make a decision.

Mayor Pearson stated that part of that fixing up may allow them to stay here.

Trustee Norman stated no.

Manager Politi explained that is a limited pool of money and if you're talking one hundred plus thousand dollars, that is a lot of money. That is almost all that we have in

that fund. It's a 1.2 million dollar estimate for the upgrades for the building to stay in it. He suggested the village wait until their decision.

Mayor Pearson stated that she is in favor of this for the façade of the building, new gutters or new roof.

Deputy Mayor Matise asked if the Methodist Church was precluded from taking down the church because they had Federal funds for the roof repairs.

Mr. Dowd stated he doesn't think that would keep them from demolishing the building.

Trustee Leonard suggested the village write a letter to the church stating that the village needs a firm decision.

Trustee Norman stated that a vote was taken and the church wants to relocate. They also wanted to sell the building to the village to make a museum. Her group wants the letter from the village so they can show the congregation that there is money to fix the church up.

Board Comments

Trustee Norman stated that the entrance signs display of flowers is poor, no flowers at the entrance to Wooster Grove, the park entrance to Bradley Field needs to be taken care of and the flowers that were chosen for out front by the monument weren't the proper flowers either. She also stated that they had a recreation meeting and they have enough money to do the village at Olley Park for the children. The buildings they chose to do are the Walden House, Municipal Building, Post Office and a New England Church. They are not going to have the dance. Their next meeting is the first Monday in August. She also met with Mrs. Savage about the memorial for her son. She will report back to the board when she has more information.

Trustee Leonard stated that he attended the planning board meeting and Central Hudson was before the board with their final plan, which is slightly changed from what they showed this board. They are also asking for a hundred foot right of way. They want to clear cut the hundred foot right of way. The planning board has a problem with the clear cutting. The tree law needs to be tweaked and he will have Mr. Steinberg to come in a talk about it. He suggested the board look at the plans. He suggested a letter go to the clerk stating exactly what the board wants in the minutes. It's still not clear what they are asking for.

Trustee DeJesus stated that the 2005 motion indicates how they want the minutes except for local laws then you have to be more specific.

Trustee Hurd stated something that was totally unauditible.

Trustee DeJesus asked if the meeting with the Department of Labor is causing the issue of prevailing wages. He asked what the impact was.

Manager Politi stated that the village sent out 35 to 40 letters to individual contractors. Two contractors showed up. The Department of Labor went through the concept and the two contractors understood it. The village is holding back payment to contractors until they give the village certified payrolls. The contractors are also required to sign off that they have been given a packet.

Trustee DeJesus asked about the traffic in the parks after hours. We may have to explore locking the entrances. He would like that on a work session. He also stated that the village is paying \$800.00 to have the village entrance signs refurbished.

Manager Politi stated that he went to someone that had a sign painter there, so they did the sign in one piece. The Bruderhof has offered there services for the structure of the signs. The sign maker was there to make sure the lettering was done nicely.

Trustee DeJesus asked how much those signs were. He also stated that the color is not very appealing. He emailed the manager about the cost and can the village have businesses sponsor a sign. He would like to explore other colors. He also stated that the trees on Oakland Avenue need to be pruned.

Mayor Pearson indicated that there is a dead tree on Walnut Street.

Deputy Mayor Maise also indicated that there are two dead trees on Gladstone Avenue.

Trustee DeJesus asked if the village is subsidizing the town bus.

Mayor Pearson stated no. She spoke to the bus driver and no one has taken advantage of the bus yet. She asked for a bus stop sign. She was going to go back to the town to take about splitting the difference, but there hasn't been any rider ship. She will still go back to the town and tell them the village will split it with them.

Deputy Mayor Maise stated that she received an email from the town supervisor that was a reply to Trustee Leonard about a question about annexation. She asked for an explanation.

Trustee Leonard stated that the townhouse property off of Coldenham Road requires two acres to be annexed. Mr. Jacobowitz asked Trustee Leonard to come in and talk to him and he wanted Trustee Leonard to talk to the town supervisor about the annexation. He will be coming to the board too. It requires both boards to be petitioned and it requires both boards to have a joint meeting.

Deputy Mayor Maise asked Mr. Dowd who they petition first.

Mr. Dowd indicated that they do it simultaneously. Both must say yes. There is a joint public hearing and each board separately decides annexation. If the annexation is denied they go to court and it starts in the appellate division.

A discussion ensued.

Deputy Mayor Matise stated that she is still waiting for the housekeeping items from the manager.

Mayor Pearson stated that in regard to the flowers a maintenance place was discussed at budget time for the parks. Is that going to happen?

Manager Politi stated yes, but there are issues that will impact the price.

The Mayor advised the board about a lady she met in Bar Harbor who went out to bid to plant and take care of the flowers. It was beautiful. You don't need huge firms.

Trustee Wynkoop stated that the village did that and the businesses were supposed to take care of the barrels and nobody took care of them.

Mayor Pearson stated that she would like to move forward with the emergency management plan.

Mayor Pearson asked the attorney if he found out anything regarding the liability of the town buses. She also indicated the lights on the bridge are still out.

Manager Politi stated that the state is handling it.

Mayor Pearson asked if anyone was appointed to the vacancy on the planning board.

Manager Politi stated that he hasn't done that yet.

Mayor Pearson asked about the well.

Manager Politi stated that it's going out to bid.

Mayor Pearson asked about the Little League board meeting.

Manager Politi stated that they are trying to gather some dates.

Trustee DeJesus asked how many participated in the 4th of July road race.

Deputy Mayor Matise indicated 29 children and 17 adults.

Trustee DeJesus stated that we have two or three different ones and we need to start looking at the activities we have. They are so spread out then you get so few people participating. Maybe it would be good to have a listing of all those events.

Adjournment

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

Respectfully submitted,

Nancy Mitchell
Village Clerk