

**VILLAGE OF WALDEN  
BOARD OF TRUSTEES MEETING  
FEBRUARY 19, 2008**

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

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

Absent:	Kevin Dowd, Village Attorney
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**Approval of Minutes**

Trustee Leonard moved to adopt the minutes of January 22, 2008 with the following correction, Page 15, 3<sup>rd</sup> Paragraph, change desert to divert. Seconded by Trustee DeJesus. All ayes. Minutes adopted.

**Public Comments**

Robert Montanaro, Walden Community Council, 2 S. Montgomery Street explained to the board that he is here to talk about Project 365 which is a project where the National Night Out Committee picks an area of the community that they would like to clean up. The area they have chosen is the area that was recently taken over by the village, in the area of the Veterans Bridge. They picked March 29<sup>th</sup> to start and then every five or six weeks after that they will go back and make sure the trash is picked up. He asked the board for supplies, a permanent garbage can located there and a means of removing the trash on the 29<sup>th</sup>, a DPW truck or dumpster. He understands the AMVETS are going to purchase a flag pole for that area. He will contact them to see if they can get this started by the end of March.

Mayor Pearson stated that she thinks this is a great idea and any help from the community people is wonderful.

Manager Politi stated that it will be easy to coordinate.

Michael Warner, Clinical Director of the Catholic Charities who are located at 8 Scofield, which is a full time out patient substance abuse facility are finding it hard to find a place to park their cars. He requested extended time for parking.

Mayor Pearson explained that the Oak Street Parking Lot is not timed and they can park there all day.

Trustee Wynkoop stated that the Maple Street parking is also not timed.

John Muehlen addressed the board about the garbage behind the Old Eagle Hotel. He complained about this six weeks ago. There is a code enforcement officer, what is he doing.

Manager Politi stated that Mr. Stickles went over there today and he has spoken to the owner.

Mayor Pearson stated that someone called her because they want to rent a space in that building and there is no phone number for the person that owns the building.

Manager Politi stated that Mr. Stickles does. It does take time to get people to move and they are trying to get him to move on this.

Mr. Muehlen stated that Myrna Wolf hired two kids to shovel the ice off the roof of her building. They throw it into his alleyway. When he saw it he stopped them and walked over to the police station. He was excited. He did not have his wallet on him and he talked to Officer James at the window and because Mr. Muehlen had no id he turned his back on him and walked away. Another officer came out in the foyer and said Mr. Muehlen, he told him if he swore one more time he would lock him up. He walked outside and he followed him and he told him that again. He never swore at them personally. Remember when Roy swore at him in this room with 60 people here.

Trustee Wynkoop stated that he apologized in front of 60 people too.

Mr. Muehlen stated that Roy was never threatened with arrest. Why was he threatened with arrest? We had this before with Officer Reed. It's his civil right that he can swear at any cop he wants to. The cops never came over. He thinks one of the officers is engaged to one of his tenants and she called the station and he ran right over there. He wants to make a complaint against Officer James. He has damage to his building. If Mrs. Wolf doesn't straighten this out he will take her to small claims court.

### **Audited Bills**

Trustee Hurd moved to pay the audited bills of February 19, 2008. Seconded by Trustee DeJesus. All ayes. Motion carried.

### **Resolution No. 10-07-08, Designating Place & Time of Annual Elections**

Trustee Hurd moved to adopt Resolution No. 10-07-08, Designating Place and Time of Annual Elections, (attached).

Deputy Mayor Matise asked if they wanted to have the election at the fire house.

The Village Clerk stated that there is no other place to have the election.

Seconded by Trustee Leonard. All ayes. Resolution adopted.

### **Resolution No. 11-07-08 Designating 2008 Election Inspectors**

Trustee DeJesus moved to adopt Resolution No. 11-07-08, Designating 2008 Election Inspectors, (attached). Seconded by Trustee Hurd. All ayes. Resolution adopted.

### **New Street Light Authorization – Millard Avenue**

Deputy Mayor Matise moved to authorize the new street light on Millard Avenue. Seconded by Trustee Hurd. All ayes. Motion carried.

### **Setting Dates for Budget Review Sessions**

Mayor Pearson requested a copy of the budget by the weekend.

Trustee DeJesus stated that he spoke to the treasurer who indicated that the hold up of the budget was because of information that comes from the county in terms of sales tax and also information from the town.

Mayor Pearson stated that they can have discussions on things that they know will affect the budget.

Trustee DeJesus stated that they should start with a 5% cut across the board.

Deputy Mayor Matise stated that the town should be more responsive. Cornwall has already adopted their budget.

Mayor Pearson asked if they will have the budget by the weekend.

Manager Politi stated that they have to understand that the village just received the levy today and that is critically important. Our comp plan was just cleared up. They need to have the department heads in first. That would be three nights of presentation.

Mayor Pearson stated that all these budget review sessions are open to the public.

Trustee Leonard suggested that if any of the dates change to have it posted on the internet.

Trustee DeJesus moved to set the following dates for the budget review sessions: Feb. 27, 28 and 29, March 4, 5, and 6 at 6:30pm on the second floor of the Municipal Building. Seconded by Trustee Leonard. All ayes. Motion carried.

### **Review of Ponds at Riverside Response to Citizen Concerns**

Manager Politi stated that they took all the concerns from the meeting and tried to address each one. Lanny Charles and Jim Fitzsimmons from Stantec, John Herzog and Mike from Beezer and Frank from Porchetta went on site. He will get an update for the board. Landscaping will have to wait for better weather.

Mayor Pearson asked if the manager got her email regarding light poles.

Manager Politi stated that is a consistent call to get them there to take these things out.

Mayor Pearson asked about the tree that was planted over a pipe, was the homeowner there at the time of inspection.

Manager Politi stated no.

Mayor Pearson asked who will keep track of the erosion on the buffer zone.

Manager Politi stated all of us.

Mayor Pearson stated that she would have like to have been made aware of the meeting.

Manager Politi stated that the board asked them to meet with the developer and they did.

Mayor Pearson stated that there was a board member there.

Manager Politi stated that the trustee lives in the area and he saw the crowd and stopped.

### **Review/Update of Annexation Process**

Manager Politi stated that the board requested he meet with the developer/owner, a representative of that project for engineering law. The building inspector and he met with him and a couple of things came up. He gave the board a copy of the letter regarding the discussion. They discussed quite a bit but it honed in on the traffic studies that were completed. The diagram shows the traffic flow and the percentage of traffic

flow which is 40% traveling out north which set some alarms because that was going towards the McKinley Monument area. They would like to see further study of the impact of Routes 52/208. Even though it says 5% going out Edmunds Lane they feel once people discover that that will go up. They need to study that further.

The manager asked Mr. Jacobowitz to explain the part of the letter that states, “we suggest that an additional study be part of either the rezoning of the annexed property, if annexed, or as part of the site plan submission to the planning board.”

Mr. Jacobowitz stated that if the board determines that what is before them is adequate purposes for continuing, hopefully the board will authorize this be sent to the Town of Montgomery so they can start reviewing it. This board makes the decision, but they get a chance to look at it and input. Let’s assume we get through all that and the property gets annexed. The next thing this board needs to decide is zoning. As part of that some of the same questions get addressed. Assuming you adopt the zoning they then have to go to the planning board for site plan approval and they get the chance to raise issues as well. What they are suggesting is rather than more traffic studies at this point they can do them either as part of zoning process or as part of the site plan. The planning board may say they haven’t had a chance at this yet and they’d like to send the traffic folks out again at one time and complete the whole traffic study. Usually a traffic study wouldn’t be done at this stage in this process. The zoning will decide what the traffic impact will be. This study makes assumptions about how much traffic there may be. The planning board may have other places they would like studies also, so they would do it all at one time. The reason they did it was because at the annexation hearing the bulk of the comments were about traffic, so they figured if they didn’t do it they would say they didn’t do their job.

Deputy Mayor Matisse asked if these were a rating system.

Mr. Jacobowitz stated yes, and it’s based on time. There are standards in the report which are based on times at an intersection. That is another question the planning board will get a crack at. They may say peak time isn’t the time that he picked. When he asked the police chief about accident data he said traffic peak might be a little earlier.

Mayor Pearson stated that they are increasing the units also, so it does make sense.

Trustee Hurd stated that he feels the impact should be from the entire project.

Mr. Jacobowitz asked that the village get this over to the town so they can start to look at it and they can get back to this board with their comments and then this board can evaluate the comments.

Mayor Pearson asked about the boundaries and what year are they proposing when they look at the boundaries.

Mr. Jacobowitz stated that they are using the one that is on file with the New York State Secretary of State. He doesn't remember the year of that. At the hearing he had a certified copy from the Secretary of State and that is what they are using. It's the official one. They will actually do surveys of that line and provide an actual field survey. If the board decides to annex that line will become the new village line and that line will be subject to the actual field survey.

Mayor Pearson stated that it could be more than two acres.

Mr. Jacobowitz stated that it could.

Trustee Leonard stated that it was on the application, plus or minus.

Mr. Jacobowitz indicated that the magnetic north has changed since the time that survey was done; therefore the actual course will be different. The line won't be different but the course will be.

Mr. Millspaugh stated that when the description was given he tried to make that close and it would not close for him. The thought came to mind that they probably don't know where the village limits are. The physical points of the original limits of the Village of Walden if you look at an aerial picture you can see those points. The village at this point in time if they are considering the annexation they should redo the village line and get an accurate description. Within the subdivision law there was a requirement for sub dividers, you should do that with the village limits at this point.

Mr. Jacobowitz stated that the statute, one of the sections dealing with what to do after the vote is taken and you pass a resolution. The next sentence says you have to do the descriptions, file them here and file them there and they have to be certified. That all will be done. The statute requires that after the resolutions are passed and before the filing of the secretary of state that gets done, submitted to you and this board are the ones to send it to Albany. Actually you adopt a local law that affects the annexation and that local law goes to the Secretary of State to be filed.

Trustee Leonard stated that when the planning board gets to see the project there will be plans and the number of units will be firm and at that time it will be the appropriate time to do a full traffic study.

Trustee Hurd moved to send the Oak Street Management Annexation EAF to the Town of Montgomery requesting a written response. Seconded by Trustee Norman. All ayes. Motion carried.

## **Review of Cyber Policy**

Manager Politi stated that one of the sample policies is just an over view.

Mayor Pearson stated that she likes the General Code sample the best.

Manager Politi stated that the General Code sample pertains to a municipal setting. It was his understanding that the board was going to give their ideas to the attorney and then he will put a policy together.

Mayor Pearson stated that there is a section that deals with who is authorized to see the computers. She believes the board as a whole should be in charge of that.

Trustee Hurd stated that he feels it should be the manager.

Mayor Pearson stated that say a manager becomes friends with someone in a department, will he honestly do what is right. Who would have the authority after that?

Manager Politi stated that pertains to anything and that is for him to manage.

Trustee DeJesus stated that where he works the county executive or the board of legislatures do not come and check his computer. Ultimately it comes to the people that supervise. It's the manager's job. We can't have seven people overseeing every little component.

Mayor Pearson stated that there is something in the law that pertains to that and she will find it.

Trustee Hurd stated that he feels the board should not get involved. He doesn't want board members doing the manager's job.

Mayor Pearson stated that it wasn't that detailed.

Manager Politi stated that he will start formatting it.

Trustee Leonard stated that the Town of Marlboro adopted something like this in 2000, he would be curious to see their experience with it. He will give them a call.

Manager Politi stated that he will have something back to the board by March 11<sup>th</sup>.

### **Village Volunteer Recognition Board Location**

Trustee Norman stated that she and the Mayor have been all over the village looking for a location. She feels something should be on the west side. She found a piece of property on Wait Street, but it belongs to the Historical Society. The other area would be at Olley Park and have a bench and rock garden. She went down to DPW and they couldn't find the sign. Mr. Lamendola will continue to look for it.

Mayor Pearson stated that another location would be on the ambulance corp. property. Diane Savage stated that she needs more information and she will take it to her board. Also, at the Community Council meeting Marianne Landolina wants to do a

volunteer recognition and do it at the dedication of the sign. Mr. Spanos's property is also a great location.

Trustee Leonard suggested the new park by the bridge.

Trustee Norman stated that is for the veterans.

Mayor Pearson stated that she will further investigate the ambulance corp property.

Trustee Norman stated that she feels it should be on village property.

Trustee Hurd suggested Railroad Place.

Mayor Pearson stated that Wooster Grove was also mentioned.

Brian Sebring stated that another place would be across from the post office going up Church Street, that's village property.

Mayor Pearson and Trustee Norman will go look at that location.

Trustee Norman stated that another suggested is the boulevard.

Trustee DeJesus suggested the Alfred Place Park.

Trustee Hurd suggested the Bradley Assembly Room.

Trustee Norman stated that we need pictures of Walden in this room.

Mayor Pearson suggested in front of the police station windows.

Trustee Norman stated that she's not in favor of that. She wants a garden and a bench.

### **Materials Exchange Relocation**

Deputy Mayor Matise stated that she received an email from Jill Gruber saying she wanted to relook at the LaBaron building. She did meet with him and he raised the rent. She hasn't spoken to her since. They are a not for profit and she wants to know if there is any assistance the village could offer her. She also asked if there were any other locations.

Trustee DeJesus stated that he can't see giving them any money. If we are giving money to a not for profit organization it would be to an agency that is providing an actual service. He would also like more information such as how much traffic would be



generated and what is going to be stored there and what this entails. He asked if they've talked to Raynard Ozman about his building on Elm Street.

### **Public Comments – Discussion Items**

Anita Vandermark, 76 Highland Avenue asked that the board keep March 13<sup>th</sup> open because the Community Council is scheduling a meet the candidates' night.

### **Correspondence**

Mayor Pearson stated that the NYCOM Conference is Feb. 23 – 26. She will be going up on Monday. The manager and Trustee Leonard are going too.

Mayor Pearson stated that the board received letters regarding people walking their dogs and not picking up after them

Manager Politi stated that he had signs put up asked people to clean up after their dogs.

Trustee DeJesus suggested the village send the man a letter.

Mayor Pearson stated that they need a sign on George Street too. She suggested something go on the calendar regarding curbing your dog.

Trustee DeJesus stated that in some cases the village knows who is doing this so a letter can be sent.

Manager Politi stated that he needs the names of the people.

Mayor Pearson stated that she will get the manager a name.

Mayor Pearson stated that she received correspondence about a grant from the county. It's for \$500,000 from the county for local municipalities developing recreational programs. Here idea was to put in for lights at Wooster Grove, benches and the trail at Olley Park. She and the manager will be meeting with someone regarding solar lighting at Wooster Grove.

Manager Politi advised the board that this is a 50% match.

Mayor Pearson stated that the parks and recreation committee met just before this meeting and they are looking at sending out the survey again. It's been five years since the last one. They talked about Olley Park regarding fishing and the trail in the back. She spoke to the head of Troop 31 and she asked if they had any Boy Scouts coming into Eagle and the trail would be a great project.

Trustee DeJesus stated that some of the Olley Park trail area needs to be filled in because of the water.

Manager Politi suggested they save the work for the grant as part of the match.

It was the consensus of the board to have the priorities as first for lights for Wooster Grove, then the trail at Olley Park and last benches.

Mayor Pearson asked the manager to talk about the Main street grant.

Manager Politi stated that the board had asked Mr. Barnes and Mr. Sorensen to work together and they met the other day to develop that.

Mayor Pearson stated that the Community Council is also working on this.

Manager Politi stated that it has to be carried through them.

Mayor Pearson stated that they are looking for people who are interested in helping to apply for the grant, so they know how much money to apply for. They need businesses that want to do this. There is a match for the businesses.

Manager Politi stated that you can also identify buildings that are not necessarily occupied at the time.

Mayor Pearson stated that they need this information before April 1<sup>st</sup>. She asked the trustees to let her know if there are any businesses they know would like to apply for this.

Manager Politi stated that it could also be a tenant.

### **Manager's Reports**

Manager Politi stated that bulk pick up is April 19<sup>th</sup> – April 26<sup>th</sup>. He also stated that he received a letter from parks and recreation stating that the Walden Methodist Church was given historic status.

Trustee DeJesus asked who made that application.

Manager Politi stated that he wasn't sure.

Mayor Pearson stated that the church did.

Manager Politi stated that the owner still has the option of doing what they want with that building.

Mayor Pearson stated that St. Andrews Church also put an application in for historic status.

Manager Politi stated that in regard to the MS-4 the village will get money back for doing components to the MS-4 requirements.

The manager stated that there was a letter from Public Service Commission notice that NYSEG, it looks as so someone is trying to buy that.

Manager Politi stated that the board has copies of the department head reports. The building inspector's reports states that there are rumors that Hannaford's is looking at property just outside the village by Slater's property or Amthor's property or across the street from these properties.

Trustee DeJesus stated that is a town issue but we still have to be concerned with what kind of landscaping, and how to protect the entrance to the village.

Manager Politi stated that the village can work with them.

Mayor Pearson asked about the recreation report, aerobic classes regarding the seniors being admitted free. Mr. Howland stated that he needs the fee to maintain the program.

Manager Politi stated that he suggests no.

Mayor Pearson stated that it was nice to see they will be opening the ice skating rink.

Mayor Pearson asked if the manager knew what we were hauling for Montgomery.

Manager Politi stated that there is an intermunicipal agreement and in turn we had their bucket truck for two days.

Mayor Pearson asked if the village sent anyone to Adams Fair Acre Farms in Newburgh. She received a phone call today from someone saying that the village pick up truck was going to Adams.

Manager Politi stated that he will find out.

## **Board Comments**

Trustee Norman stated that Saturday night the police department did a dinner for the seniors and it was excellent. Some of the seniors there were concerned about getting to the fire house to vote in March. She will be taking seniors to vote and if anyone else is available they can help too.

Mayor Pearson stated that the Dial a Bus will also be available. He'd rather do it before 5pm.

Trustee Norman stated that she's had a couple phone calls about the house on High Street. For the past two years the village has been working on trying to get these people to clean their porch. The building inspector told her that the bank owned the house. She asked that the village contact the bank.

Trustee Norman stated that there is a little wagon on Main Street and she would appreciate it be fixed or removed.

Mayor Pearson asked that Trustee Norman call her tomorrow to remind her.

Trustee Norman stated that Trustee DeJesus attended the dance at Wooster Grove and he felt it would be nice to move forward and have a few more adult activities such as family dances. Loughrans in Washingtonville would like to come to Walden and put on a senior prom for the seniors.

Trustee Wynkoop stated that the Ronk property is a mess again.

Deputy Mayor Matise asked that the village call Bob Lamancuso about the Route 208 bridge regarding the pothole.

Manager Politi stated that he is aware of that.

Trustee Leonard stated that Saturday night the PBA did the dinner and Brudorhof did the deserts and it was very good and very well attended. He will email the board the report on the Economic Development Committee. They are trying to set up a subcommittee to help the village redevelop their main streets. Mr. Sorensen has been given the information.

Trustee DeJesus stated that he asked for a copy of the report that was filed with the Orange County Youth Bureau and he never received it.

Trustee DeJesus asked that the village pay more attention to homes that are sold as two or more family houses.

Trustee Wynkoop stated that you can get the appraisal report.

Mayor Pearson stated that the house at 21 Bank Street was sold as a three family and now it has four mailboxes. He agrees with Trustee DeJesus, we should pay more attention to that.

Mayor Pearson asked about Well No. 8.

Manager Politi stated that it is moving along. The building has to be installed and motors have to come in. A lot of the work is the switch over in the building. You have to remove a generator and put one in.

Mayor Pearson stated that she drove down Cherry Street and the water departments building the bricks need to be repointed.

Manager Politi stated that they are aware of that.

Mayor Pearson asked if a letter ever went to the gentleman on Oakland Avenue about the trees.

Manager Politi stated that the attorney was to write that.

Mayor Pearson asked if anyone has heard where we are with the Central Hudson line.

Manager Politi stated that the chairmen of the planning boards want to meet over this issue. They are not happy and have a lot of questions. It's all about the trees. There are questions about the regulations. They're saying it's mandated.

Trustee DeJesus stated that he understands it's not. There are things they can do to minimize the impact.

Manager Politi stated that they can selectively thin the tree line for a fall zone.

Mayor Pearson asked about the lights on the bridge.

Manager Politi stated that he spoke to Mike Cotton. We can't talk to design anymore, it's beyond that. He went to Mike who is the assistant to the director of DOT in Poughkeepsie. He told him the scenario. Forget the lights; it's a safety issue now. It's a traveled space and you're leaving it out dark. There has to be a design flaw in the lights. If it's a design flaw it falls on DOT, because they do their own designs. You will have to redesign the lighting. If it is that it will take awhile.

### **Executive Session**

Deputy Mayor Matise moved to hold an executive session pursuant to 105-(f) personnel and small cities request for subordination, of the Public Officers Law. Seconded by Trustee Hurd. All ayes. Motion carried.

Trustee Hurd moved to reconvene the regular meeting. Seconded by Trustee Wynkoop. All ayes. Meeting reconvened.

Trustee Hurd moved to deny the subordination request. Seconded by Trustee Leonard. On roll call Deputy Mayor Matise, Trustee Wynkoop, Trustee Hurd, Trustee

DeJesus and Trustee Leonard voted yes. Mayor Pearson and Trustee Norman voted no.  
Motion carried.

**Adjournment**

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

Respectfully submitted,

Nancy Mitchell  
Village Clerk