

**Village of Walden
Board of Trustees Meeting
May 12, 2009
Motions and Resolutions**

Fire Department Request

Trustee Millspaugh moved to allow the fire department to use Olley Park trails for Kubota training. Seconded by Trustee Norman. All ayes. Motion carried.

Approval to Hold the 2009 Memorial Day Parade by VFW Post 2946

Trustee Hurd moved to approve the 2009 Memorial Day parade by the VFW Post 2946. Seconded by Trustee Millspaugh. All ayes. Motion carried.

Homeowner Water Bill Review

Trustee Leonard moved to relieve \$113.00 of the water/sewer bill. Seconded by Trustee Wynkoop. All ayes. Motion carried.

Appointment of Village Engineer

Trustee Norman moved to appoint Lanc and Tully Engineering as village engineers.

Deputy Mayor Rumbold moved to appoint Lanc and Tully Engineering for civil engineering with the village. Seconded by Trustee Hurd.

Deputy Mayor Rumbold revised her motion to say retain Lanc and Tully Engineering for general engineering services to the Village of Walden. Seconded by Trustee Wynkoop. All ayes. Motion carried.

Resolution No. 23-08-09-Levying Village Taxes for Fiscal Year 2009-2010

Trustee Hurd moved to adopt Resolution No. 23-08-09, Levying Village Taxes for Fiscal Year 2009-2010. Seconded by Trustee Norman. All ayes. Resolution adopted.

Approval of Minutes

Deputy Mayor Rumbold moved to adopt the minutes of April 28th, 2009 with the following correction, Page 8; change to Trustee Millspaugh stated that by May 15th they have to go back to chlorinating the effluents. Seconded by Trustee Millspaugh. All ayes. Minutes adopted.

Audited Bills

Trustee Hurd moved to pay the audited bills of May 12, 2009. Seconded by Trustee Norman. All ayes. Motion carried.

Executive Session

Trustee Wynkoop moved to hold an executive session pursuant to 105-(f), Personnel, police and village manager and 105-(e), PBA negotiations of the Public Officers Law. Seconded by Trustee Norman. All ayes. Motion carried.

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

Trustee Hurd moved to hold an executive session pursuant to 105-(f), DPW personnel, of the Public Officers Law. Seconded by Trustee Leonard. All ayes. Motion carried.

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

Adjournment

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

**Village of Walden
Board of Trustees Meeting
May 12, 2009**

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

On roll call the following were:

Present:	Mayor	Brian Mayer
	Deputy Mayor	Sue Rumbold
	Trustees	Mary Jean Norman
		Roy Wynkoop
		Richard Hurd
		Marcus Millspaugh Jr.
		Edmond Leonard

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

Village Manager's Report

Manager Politi asked if there were any questions on the department head reports.

Trustee Hurd asked if dogs that are picked by the animal control officer does the owner get charged for having them at the Humane Society.

Mr. Dowd stated that there is a reclaim fee to get the dog out of custody.

Mayor Maher stated that the fee goes up in increments.

Trustee Leonard asked if the oil truck has been removed.

Manager Politi advised him that it has been removed and the lawns have been cut and the cost will be charged back to the homeowner. One truck was removed and the truck on the street is legal. You can't park the truck in the driveway, but it can be on the street.

Manager Politi also advised the board that a letter went out to David Church regarding Orange County Transportation and how they define the communities within the county. This goes forward in terms of transit and funding and how they look at the community with their roads and transportation. This is the village's ability again to tell them about Route 52 and Route 208.

Mayor Maher stated that they are thinking about restructuring the whole way of labeling cities, towns and villages.

Manager Politi stated that he put the outcome of the DEC meeting in the Board's packet. The meeting went well.

Trustee Millspaugh stated that they were able to establish the fact that Walden is doing everything they can to meet the DEC standards that have not been met before and then go beyond that. He was quite deliberate in making the point that if we have to spend fine money that money is going to be taken out of our ability to do some of the things that the engineers want to accomplish there.

Manager Politi stated that there are two priority projects, one is the rail trial pedestrian bridge which was submitted some time ago. It failed in the first round and failed in the second round. By working with Congressman Hinchey they are trying to advance that. The other is the phase II passenger rail feasibility study which is the next phase. Those will go back in for another round to try and get funding for those projects.

Trustee Millspaugh stated that he has been attending some planning sessions and there might be quite a point about sustainable building and he thinks when we're looking for grant money, there is a building here that has an ineffective heating system. The manager has a space heater in his office and the girls have space heaters in their offices and there is an electric heater in the hall yet we have this monster in the basement. There must be other alternatives and it would be great to see funding go in that direction. There is 33 Scofield Street that we would like to utilize; maybe it would qualify for green. One subject was green buildings, Stewart Field. They got into the mandates that they have to increase the facilities at Stewart Field, all with green/sustainable. We have to think about that and go for grant money. We have the building at Olley Park and we have the ability to go geo thermal and that could be a demonstration unit for many things. He feels there are opportunities for grant applications.

Manager Politi stated that sustainability also has broader sense as well as the ability of work and stay here. That is why you're chasing the commuter rail and the upgrades when you can. Not just for our own plant but for our community.

Trustee Millspaugh stated that he has a concern with the pedestrian bridge, if we get that grant what are we going to be obligated for. Suddenly we have a bridge then the taxpayers of the village have to fill in the gaps between the bridge and there is a reference to 100 feet in there. The end of the bridge and the rail trial are probably four or five hundred feet apart.

Manager Politi indicated that with this particular grant there is a 20% match. You already have land value and other pieces in there that will factor in and shrink down the real dollars. They did this with the rail trail because of the value of the land that we already had which was a match and the in kind work as well. You should be able to shrink the match.

Trustee Millspaugh stated that they had the walking tour a year ago and when that grant was mentioned to a couple of the planners they said, “why do you want a bridge to go from abutment to abutment, you want a bridge to go from one side of the stream to the other.”

Manager Politi stated that he doesn't think they understood the village's comprehensive plan that was developed and he doesn't think they understood the mx zone development. They were looking to just drop down to Main Street and going. We are trying to get them across the street into a TOD, transit oriented development, POD, pedestrian oriented development. He doesn't think they understood the village's comp plan and we're going with it. This is getting you over to what they hope to develop into an mx zone.

Manager Politi stated that the letter he passed out to the board was to confirm that the two projects that they had asked were put in, sewer, any wastewater grant that they can grab and for the phase II feasibility study if that is necessary.

Public Comment

Anita Vandermark stated that they are working on the Walden Veterans Memorial Park. They raised enough money for the flag and cement. They are working on raising the money to install the lighting. They did set up at the rail trail celebration. She thanked Trustee Millspaugh for his generous donation. They raised money on jewelry that the mayor donated. They still have \$90,000 to raise. They are open to donations of any description. They want the lighting on the flag when they have the opening celebration on June 14th. Congressman Hinchey has already flown the flag over the White House in our honor and will present it on that day. She further stated that the Community Council meeting will be on Wednesday at Jacobowitz and Gubits. She also asked who to complain about sidewalks to. Her neighbors on Highland Avenue are complaining about the condition of the sidewalks. She also asked about who takes care of trees that have dead limbs. Also, on May 20th the Historical Society is having a wonderful program; Vince DeClarno will speak on Sybil Lundington, female Paul Revere.

Mayor Maher stated that there are raffle tickets for the Veterans Memorial Bridge to be sold if anyone wants to help.

Frank Lamachia, 20 Woodruff Street asked about the status of the parking issue on Woodruff Street.

Manager Politi stated that they are going to establish more suggestive signs to get the people down to Wooster Grove. The next step would be to block out more area of no parking and he doesn't know if they want to go in that direction.

Mr. Lamachia stated that he has spoken to people from Wileman who have an issue with coming around the corner and cars parking on both sides. The residents were

told that there would be resident parking by permit. He asked what was going on with that. Mr. Nash spoke to four people and he asked them if they saw the sign to direct people to Wooster Grove and one gentleman looked at him and said, “so what, there is no sign that says I can’t park there.”

Mayor Maher stated that he’s not sure what they want.

Mr. Lamachia stated that he’d like to see signage that would not let people park there and enforce it.

Manager Politi stated that it was never said or given any direction and he doesn’t believe you can allow parking by permit on a village street for the residents. Then you can go to no parking which is enforceable. They didn’t want to take parking away from the residents. If the board decides to go in that direction there will be a public hearing.

Mayor Maher stated that the board will listen to the resident’s suggestions. The board is here to serve the community.

Mr. Lamachia stated that twice last week flowers were ripped from his garden. He doesn’t know what the solution is; make the whole area a fire zone.

Trustee Hurd indicated that if they make the whole area a fire zone everyone loses parking.

Manager Politi stated that if you push the parking back it becomes uncomfortable to park there and hopefully they will park at the park.

Deputy Mayor Rumbold suggested they make the no parking during daylight hours when the trail is open.

Mr. Lamachia stated that posting the hours for the trail would be helpful. He asked how high the pedestrian bridge would be.

Manager Politi stated that it would be an arched bridge and it would be high enough.

John Revella, 16 Church Street stated that it’s his understanding that there may not be matching funds from the village for the pedestrian bridge, but some other funding source, that would be great. The bridge might solve the parking problem.

Becky Pearson, 167 Walnut Street suggested there be a handicapped parking space at the rail trail. Coming down Route 52 the first sign you see is the rail trail sign which directs people up Woodruff Street. That sign should be moved further back or taken down, because after that sign is the parking at Wooster Grove sign. She also asked if the bridge would be a TEP grant, where is the grant coming from.

Manager Politi stated that it is called a high priority private; the congressman is finding that money.

Ms. Pearson asked if it was a 20% match and how much is the grant for.

Manager Politi indicated that it is a 20% match and it is for \$750,000. The rail trail was also a match and there was no payment because you had value to the land that you own and that becomes the match.

Ms. Pearson asked how much the attorney representing the village with DEC is being paid.

Mayor Maher stated that he is being paid \$220.00 an hour.

Ms. Pearson stated that they were talking about allowing the fine money to go toward the work being done, is that a definite?

Trustee Millspaugh stated no, she said that was beyond her control. She was not authorized to discuss that.

Ms. Pearson asked about the lights on the bridge and the Main Street lighting. Is there any information on the missing Main Street light?

Manager Politi stated that they are finding that there is a problem on Main Street with some of the wiring; we have to have an electrician look at that. The bridge is under the State and they have been notified. We are changing the bulbs and they keep popping. The new lamp post for Main Street has been ordered.

Ms. Pearson stated that she gave the village clerk a flag that came from Vinnie Tarrone who served in a couple countries. That might be nice to fly it in the Veterans Memorial Park. There is also a cd of where the flag was flown.

Mayor Maher stated that would be a matter of the Veterans Memorial Park committee.

Ms. Pearson also stated that in the manager's report the manager stated that there were lawns that were mowed, who mows those lawns for the village.

Manager Politi stated that Precise mows them.

Ms. Pearson asked if the village goes out to bid for that service.

Manager Politi stated that other landscapers have been solicited, but Precise comes out much quicker and the price is the same. The response time is important.

Ms. Pearson asked if this was something that should be bid out.

Manager Politi no, because you're not doing it on a yearly basis, your doing it on an item basis. We look at response time, because all the numbers are roughly the same.

Mayor Maher stated that the manager is handling this very well. He hasn't heard any complaints about this. He doesn't feel there is an issue.

Ms. Pearson asked about the lawsuit.

Manager Politi stated that it's a claim not a lawsuit which hasn't been resolved yet.

Fire Department Request

Manager Politi stated that the fire department is asking for permission to use Olley park for training for the new Kubota. They will supply a certificate of insurance.

Trustee Millspaugh moved to allow the fire department to use Olley Park trails for Kubota training. Seconded by Trustee Norman. All ayes. Motion carried.

Approval to Hold the 2009 Memorial Day Parade by VFW Post 2946

Trustee Hurd move to approve the 2009 Memorial Day parade by the VFW Post 2946. Seconded by Trustee Millspaugh. All ayes. Motion carried.

Homeowner Water Bill Review

Manager Politi stated that this family was away in December and when they came home they discovered a pipe had burst in the house on the second floor. The fire department shut the water off and they haven't been back in the home. They are requesting relief on the sewer portion of the bill. They will pay the monthly portion of the bill for sewer. It is approximately \$113.00 relief from a \$256.00 bill. The village has done this before for other homeowners.

Deputy Mayor Rumbold asked if homeowners insurance would cover this.

Manager Politi stated the damage yes, but not the bill.

Trustee Leonard moved to relieve \$113.00 of the water/sewer bill. Seconded by Trustee Wynkoop. All ayes. Motion carried.

Appointment of Village Engineer

Trustee Norman moved to appoint Lanc and Tully Engineering as village engineers.

Trustee Rumbold asked if they wanted to specify that to civil, because we have Delaware Engineering too.

Deputy Mayor Rumbold moved to appoint Lanc and Tully Engineering for civil engineering with the village. Seconded by Trustee Hurd.

Mr. Dowd suggested they appoint Lanc and Tully for engineering services not including water and sewer.

Manager Politi stated that he would question that.

Mr. Dowd suggested they retain the services of Lanc and Tully for all engineering services but not to include water and sewer.

Manager Politi stated that there will be a time where you will have over lapping inter play on that.

Deputy Mayor Rumbold revised her motion to say retain Lanc and Tully Engineering for general engineering services to the Village of Walden. Seconded by Trustee Wynkoop.

Deputy Mayor Rumbold asked how will the billing system will be set up so she can see that there is no duplication of services.

Manager Politi stated that when he met with Mr. Lanc he was very clear about that particular point. The explanation needs to be well defined. They have to explain the hours much clearer.

Trustee Millspaugh stated that you're dealing with two professional organizations and they shouldn't be jockeying for position at the village's expense.

Manager Politi stated that once a month there will be a meeting and we won't be charged for that. That meeting will be to organize there projects.

Trustee Millspaugh stated that he would expect that any relationship between Delaware and Lanc and Tully would be between the two of them, not with the village sitting in the middle.

Mr. Dowd stated that the manager would have to be involved and let the board know if Lanc and Tully is going to step into a sewer distribution issue.

Manager Politi stated that he would time that meeting correctly so it coincides with the meeting.

All ayes. Motion carried.

Resolution No. 23-08-09-Levying Village Taxes for Fiscal Year 2009-2010

Trustee Hurd moved to adopt Resolution No. 23-08-09, Levying Village Taxes for Fiscal Year 2009-2010. Seconded by Trustee Norman. All ayes. Resolution adopted.

Consideration of a Scofflaw

Mr. Dowd stated that there has been an issue with parking tickets not getting adjudicated in a timely manner. He has not spoken to the judge about this. He did mention to the manager that back in 1973 this board did enact a traffic violations bureau to handle things like parking tickets and tickets you get for towing during snow emergencies. It has to be implemented and the judge is the one to implement it. He implements the traffic violations bureau. The law is still the same; it allows you to have this. It is still on the books. It would set the procedure where when anyone gets parking tickets they would have to plead guilty or come in and have their case adjudicated and it would be done by the parking violations bureau.

Mayor Maher asked if they had the power to suspend their license if they don't pay.

Mr. Dowd stated that if you look at the actual authority they don't only issue fines but they can issue warrants for arrests for people who do not show up for court.

Mayor Maher asked if the bureau would cost the village any money.

Mr. Dowd stated that they are all volunteers.

Trustee Hurd stated that he feels it would be efficient enough to turn it over to the department of motor vehicles to send a letter out saying that their license was suspended rather than having make them subject to an arrest.

Mayor Maher stated that he agrees.

Mr. Dowd stated that it is already on the books and it is a means of getting these tickets taken care of. It would be up to the court to decide whether or not that the person who is not paying should be reported to the division of motor vehicles.

Deputy Mayor Rumbold stated that the judge is unaware that we have this.

Mr. Dowd stated that he assumes he is aware of it.

Manager Politi stated that there are companies out there that will do this service and they get a piece of the fine.

Chief Holmes indicated that in 1996-1997 a company came in and offered their services at no charge. We just had to take all the traffic tickets and turn them over to them. It was done by computer. They would send letters out. They would just remind them that they had a ticket. After the first year the prices were raised. We did it for one year.

Mr. Dowd suggested that judge use this particular method. It is on the summons as to when they have to appear and pay the fine.

Deputy Mayor Rumbold asked whose job is it to speak to the court and find out where the disconnect is and get it reconnected. To sit down with the judge and say what's going on with the process.

Mr. Dowd stated the manager first and the board second.

Mayor Maher asked the manager to speak to the judge.

Deputy Mayor Rumbold asked for information by the next meeting.

Introductory Local Law Discussion – “Flood Damage Prevention”

Mr. Dowd stated that FEMA revised the flood plain maps and the flood insurance rate maps and those maps will come effective the beginning of August. The DEC administers locally the insurance rate maps so we have to adopt a brand new flood prevention law. They have to be enacted by July 1st. He sent the information to DEC for their review and the board should introduce this and schedule the public hearing at their next meeting. When he hears from DEC with any changes he will present the board with the final version of the local law.

Trustee Hurd stated that he will send the manager a copy of the communication from vice president of Travelers Insurance which sells flood insurance, notifying agents that if the purchase flood insurance under the current map it will be less expensive. It will be grand fathered in and the cost won't go up.

Mr. Dowd stated that he expects the final version at the next meeting

Street Intersection Review

Manager Politi stated that this is a continuation of the fire department parking concerns at intersections. There is a memo from Chief Holmes indicating that he met with Mr. Lamendola, Superintendent of Public Works and Fire Chief Kurtz. They will be doing the set back signage on Valley Avenue immediately.

Trustee Millspaugh asked if the clearance was a matter of the paved area not being big enough for the truck.

Manager Politi stated that it's turn radius on both of them, but then its clearance on the other two.

Chief Holmes stated that it's because of the cars that park there.

Manager Politi stated that this is a straight line. LaFayette Street is very tight. They will take care of Valley Avenue and the clearance issues can be dealt with quickly.

Village Historian

Mayor Maher stated that at the last meeting the board discussed the village historian. Pat Eiseley was to be asked if she was interested. He had to call her and apologize because it was in the paper that the board was waiting for a reply and no one had asked her yet. While speaking to her and in speaking with Mrs. Vandermark it came to their attention that there is no job description.

Trustee Millspaugh stated that he has a job description.

Mayor Maher stated that both Ms. Eiseley and Mrs. Vandermark recommended that the village go into an agreement with the Walden Historical Society to have them act as the village historian rather than one person.

Mr. Dowd stated that other municipalities have done that.

Mayor Maher stated that he will go to the Historical Society meeting and discuss that with them.

Public Comment on Discussion Items

John Revella, 16 Church Street asked if the parking tickets the village currently has does it have a space for when someone is to appear at court or a space you can check guilty or not guilty.

Mr. Dowd stated that that information is on the parking tickets.

Approval of Minutes

Deputy Mayor Rumbold moved to adopt the minutes of April 28th, 2009 with the following correction, Page 8; change to Trustee Millspaugh stated that by May 15th they have to go back to chlorinating the effluents. Seconded by Trustee Millspaugh. All ayes. Minutes adopted.

Audited Bills

Trustee Hurd moved to pay the audited bills of May 12, 2009. Seconded by Trustee Norman. All ayes. Motion carried.

Correspondence

Mayor Maher stated that Maureen Drury will be donating trees for Bradley Park skate park.

Trustee Rumbold stated that the trees should be placed where there wouldn't be an issue with the falling leaves.

Deputy Mayor Rumbold stated that there were complaints about the garbage companies that the village does not contract with picking up. Dean and Mr. Dowd worked on a resolution to this problem

Mr. Dowd stated that a letter went out to the garbage companies citing our noise ordinance and asking them to not start any earlier than our own municipal pick up starts.

Deputy Mayor Rumbold stated that the village is also charging them for the permits. She asked what happens if they ignore the villages request.

Mr. Dowd stated that we would go after them and tell them they have to stop picking up garbage.

Trustee Wynkoop stated that the village's garbage trucks go up his street and they hardly wake anyone up anymore.

Board Comments

Trustee Norman stated that there is a new business on Orange Avenue, Ladies Corner Tea Room and it's very nice. She suggested everyone go and welcome them.

Trustee Wynkoop stated that the Ronk property on Sherman Avenue is still a mess.

Manager Politi stated that the building inspector is in the process of citing him.

Mayor Maher indicated that the village clerk has found a way to save the taxpayers \$3,984 a year by combining the calendars to include two months.

Mayor Maher stated that the DPW employees have sacrificed a lot of different scheduling so we can get through the last weeks.

Manager Politi stated that there is cash flow problems in the water and sewer accounts. That is why the rates are being raised. The dpw, water and sewer departments have switched their hours to try and reduce overtime which will greatly help.

Mayor Maher stated that the village has workers who are able to sacrifice for the taxpayers.

Deputy Mayor Rumbold stated that she went to see Chief Holmes about the NIMS training. If anyone else is interested they should see the chief.

Deputy Mayor Rumbold asked if the flags on the bridge are going to get changed for Memorial Day.

Manager Politi stated that they have to get the bucket truck.

Trustee Hurd suggested that rules for safety be posted for the rail trail because of the mixed use of the trail.

Manager Politi stated that the town is developing a leash law and a rail trail law which we will mimic.

Trustee Millspaugh asked if any thought has been given to a purchase order system.

Manager Politi stated that there is one in place.

Trustee Millspaugh stated that the county is going to a strict purchase order system and nothing is to be done without a purchase order number and the village should formulize something.

Manager Politi stated that is all in the procurement policy.

Trustee Millspaugh stated that he's going back to the voucher for \$17,000. He doesn't know if that is an isolated incident.

Manager Politi stated that it was.

Trustee Millspaugh stated that the telephone bills are high and he would like to see a study made. He noticed we use Sprint, and the police department uses Verizon. We should look at how much is being used for cell phones. He would like to see a spread sheet of all the utilities. He'd like to know the total energy costs, total phone costs, landline and cell. We also have Roadrunner is several places, is that an effective use or should we have a conference room with one road runner set up.

Manager Politi stated that there is a monthly report of all the numbers showing all the flow of the bills in every department. There is electronic reporting for the water and sewer department.

Trustee Millspaugh stated that he'd like to see us get into quantifying and metering things. He also indicated that the slate on Ulster Avenue is dangerous and

something should be done. Also, the site distance on Highland Avenue and Route 52 with the growth along the Tinbrook is starting to block the view. He commented at another meeting that the McKinley wall was something that should be pursued politically and he's hoping to get letters out to the congress that be.

Trustee Leonard stated that he went through the bills and noticed that the village spends a lot of money on cell phones. He feels a hard look should be taken of cell phones.

Manager Politi stated that they are on state bid now. They can look into consolidating them. It's a decision whether you want that technology. He will research other plans.

Trustee Leonard asked about the solar lights for Wooster Grove.

Mayor Maher stated that he's been trying to contact Jim.

Executive Session

Trustee Wynkoop moved to hold an executive session pursuant to 105-(f), Personnel, police and village manager and 105-(e), PBA negotiations, of the Public Officers Law. Seconded by Trustee Norman. All ayes. Motion carried.

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

Trustee Hurd moved to hold an executive session pursuant to 105-(f), DPW personnel, of the Public Officers Law. Seconded by Trustee Leonard. All ayes. Motion carried.

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Adjournment

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

Respectfully submitted,

Nancy Mitchell
Village Clerk

