

**Village of Walden
Board of Trustees Meeting
May 26, 2009
Motions and Resolutions**

Introductory Local law I-2 of 2009, “Flood Damage Prevention”

Deputy Mayor Rumbold moved to introduce Introductory Local Law I-2 of 2009, “Flood Damage Prevention”. Seconded by Trustee Leonard. All ayes. Motion carried.

Deputy Mayor Rumbold moved to hold a public hearing on Introductory Local Law I-2 of 2009, “Flood Damage Prevention” on June 9th, 2009 at 6:30pm. Seconded by Trustee Hurd. All ayes. Motion carried.

Bid Rejection and Approval of Re-Bid of Tennis Court Resurfacing

Deputy Mayor Rumbold moved to reject all bids for the tennis court resurfacing and to go back out to bid. Seconded by Trustee Hurd. All ayes. Motion carried.

Budget Amendment-Year End Budget Transfer-Resolution No. 24-08-09, A Resolution Amending Resolution No. 23-07-08 (Adopting a Budget for the Fiscal Year Commencing June 2, 2008 and Ending May 31, 2009) To Transfer Funds

Trustee Hurd moved to adopt Resolution No. 24-08-09, Amending Resolution No. 23-07-08, Budget Amendment. Seconded by Trustee Norman. All ayes. Resolution adopted.

Resolution 25-08-09, A Resolution Amending Resolution 19-07-08 (Adopting Budget for the Fiscal Year Commencing June 1, 2008 and Ending May 31, 2009) To Transfer Funds.

Trustee Hurd moved to adopt Resolution 25-08-09, Amending Resolution 19-07-08. Seconded by Trustee Norman. All ayes. Motion carried.

CDBG Project List

Trustee Norman moved to scrap the retaining wall project and do Maple Street sidewalks, McKinley Monument wall and signage. Seconded by Trustee Wynkoop. All ayes. Motion carried.

Scofflaw Review

Trustee Hurd moved to table the Scofflaw review discussion for two weeks. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

Adoption of Minutes

Deputy Mayor Rumbold moved to adopt the minutes of May 12, 2009. Seconded by Trustee Hurd. All ayes. Motion carried.

Audited Bills

Trustee Hurd moved to pay the audited bills of May 26, 2009. Seconded by Trustee Norman. All ayes. Motion carried.

Executive Session

Trustee Wynkoop moved to hold an executive session pursuant to 105-e), PBA negotiations of the Public Officers Law. Seconded by Trustee Leonard. All ayes. Motion carried.

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

Adjournment

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

**Village of Walden
Board of Trustees Meeting
May 26, 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
	Vicki Kurtz, Deputy Village Clerk
	Jan Weiner, Village Treasurer

Absent:	Nancy Mitchell, Village Clerk
	Kevin Dowd, Attorney

Presentation

Trustee Norman stated that because the manager didn't do the ribbon cutting at the rail trail opening they would like to present him with the ribbon which is to be placed in his office. The Board can't thank him enough for the great job he did with the rail trail.

MS4 Annual Report

Manager Politi stated that we're an MS4 community and we have to submit our annual report. John O'Rourke took a look at that and get us up to speed. He has put the final report together.

John O'Rourke, Lanc and Tully presented the final MS4 report to the board. He explained that this is an annual report that the village started doing in 2002. These are rules of NYSDEC to detect and reduce and possible eliminate storm water pollutants from entering the water ways. As part of that DEC requires certain things to be completed by each municipality once a year. The board is required to have this on the agenda once a year to bring the public up to speed of what they've done over the past year to make sure they are in compliance with NYSDEC. The submission date is June. They met with the various village departments and coordinated things that was done last year which culminated this report. It ranges from public awareness on the web site which

is a very good web site. Public outreach they partnered with Orange Count Water Authority and Orange County Soil and Water District. They had education programs at the school and they did stenciling of the storm water basins. In the upcoming year there are new mandates. You have to continue mapping your storm water drainage basins that discharges to the streams within the village and you have to come up with a formulized plan. The village has done a very good job over the past year and they will keep the village in compliance and make sure the village continues on that plan.

Manager Politi stated that the first report was seventeen pages and now it's a thirty three page document. It's expanding over time.

Mr. O'Rourke stated that DEC has taken a hard look at cleaning up water pollution. In the early 90's a lot of beaches were closed and it wasn't because of sewer treatment plants it was because of storm water and that's what they've taken a hard stand on to try and find where the pollutants are coming from.

Deputy Mayor Rumbold asked if there were any red flags.

Mr. O'Rourke stated no, you're in complete compliance.

Village Manager's Report

Manager Politi stated that in the next few months you will see Central Hudson on the current line removing vegetation. This is not construction, it's only maintenance to the existing line.

Trustee Leonard asked if this information could be put in the village's web site.

Manager Politi stated yes.

Manager Politi stated that the wastewater treatment plant is still moving forward. They are waiting to hear back from DEC.

Mayor Maher asked if the manager know when that will happen.

Manager Politi stated no, it will take time to review.

Manager Politi stated that the Farmers Market is progressing. There are one or two new vendors this year. Diana Lupinski will take lead on that.

Manager Politi informed the board that the Winding Brook Homeowners Association is trying to turn their pump station over to the village. They've been trying to do this for nine years. We know what the original agreement is. There is a little disagreement within the HOA. That was planned from the original construction of that subdivision.

Deputy Mayor Rumbold asked if they could see what the original agreement looks like.

Manager Politi stated yes.

Trustee Leonard asked if the pump station was in compliance with what the village wants.

Manager Politi stated that it's very well maintained. The village has inspected it to make sure everything is up to speed. There is a glitch in there that they are disagreeing with, but that is within the HOA not with the village.

Mayor Maher stated that he, Deputy Mayor Rumbold and the manager met with Jim Dippener and the solar lighting will have to wait because there is a law suit pending that will not allow him to purchase the solar lights through the grant that we have. We gave him two weeks to see how the law suit goes. If it goes too long the village will look at the other options.

Deputy Mayor Rumbold stated that he said he will get the village lights for the pavilion. She asked the manager to make sure we get them.

Manager Politi stated that the village is working with Grey's Woodworking for a bid on the playhouse. We will get one playhouse in place and see how that goes cost wise.

Deputy Mayor Rumbold stated that the building inspector sent letters out to the private garbage haulers and she had a citizen tell her that they were picking up garbage at 3:30am. She doesn't know if they got the letter and didn't read it.

Manager Politi stated that a letter went out to Marangi's and Interstate Waste about times the village would like to see them do garbage pick up which is 5:30am.

Deputy Mayor Rumbold stated that the Village Code says daytime hours which is 8am until whenever and Mr. Stickles was sending them a letter to start at 5:30am like our contracted company does and to also for them to pay their licensing fee.

Public Portion

Anita Vandermark 76 Highland Avenue thanked everyone who was involved in the Memorial Day ceremony. It was an outstanding tribute to our Walden Veterans. With regard to Central Hudson she'd like that information on the calendar. She thanked the manager for changing the flags on the bridge. She also asked if the sign for the rail trail on Route 52 would be taken down or the arrow changed to direct people to Wooster Grove. Also, are there rules of how people should be riding on the streets? She asked if they could put information under people's wipers telling them to park at Wooster Grove. There is a lot of parking on the weekend.

Mayor Maher stated that they are working at changing the sign.

Frank Lamachia, 20 Woodruff Street asked if a petition is needed with their recommendations with signatures of people in the area.

Mayor Maher stated absolutely, anything they want to present it to the board and then they will move forward. He will get back to them.

Rick McNamee, 78 Maple Street stated that it's been brought to his attention that several flags in the village aren't flown in accordance with the U.S. flag rules. Flags should be taken down at sunset or illuminated. He would like that taken care of. One flag at Wooster Grove and three at Bradley Park needs to be taken down or illuminated.

John Revella, 16 Church Street stated that there should be a better crossing on Route 52 for the rail trail. He understands why people with small children don't want to park at Wooster Grove and cross Route 52.

Becky Pearson, 167 Walnut Street stated that there are pot holes on Walnut Street. They are getting worse. She also asked about the lights on the bridge.

Manager Politi stated that they are waiting for the states inspection.

Ms. Pearson also asked about the Main Street lights.

Manager Politi stated that they are looking into that.

Ms. Pearson stated that there is a dead tree at 171 Walnut Street. Also, the grant for solar lighting, can they look for other options in case that does fall through. She can't believe they are going to make someone get a petition when they know there is a problem with parking for the rail trail. Why can't you discuss it? She also asked how much money will be transferred for the budget amendment.

Ms. Weiner, Village Treasurer stated that the money is being transferred within the general fund.

Ms. Pearson asked about the grant for the painting of the water tower.

Manager Politi stated that all the projects are in a pile at the community development offices. When they get to it we will get the final approval.

Ms. Pearson asked about the scout cabin grant.

Manager Politi stated that it's the same thing.

Ms. Pearson asked if the tennis court was a grant.

Manager Politi stated no, it's a capital project.

Regis Sonner, Wileman Avenue asked about the privacy fence along the rail trail. She'd like the village held to the commitment to that.

Trustee Hurd stated that after you get 100 yards down the trail the elevation is such that it blocks the view of the people up there. His recommendation is that they would provide screening material and people were interested in natural screening.

Ms. Sonner stated that the agreement was that it was standard that a six foot security fence would go down there and they would decide if they wanted fencing or shrubbery of some sort. People came to her house and talked about that.

Trustee Hurd stated that originally they talked about the fence going along the breaking point in the yard. The final design had chain link fencing. He recalls they would still offer people screening material for their back yard.

Manager Politi stated that his recollection is the fence for sure.

Ms. Sonner stated that was a given that it would go along the trail. She doesn't remember a discussion about it coming up on the property line. She remembers a security fence would be where the fence is.

Manager Politi stated that he will go back to the plans to see what the final design is.

Ms. Sonner stated that she asked if they could have parking by permit only for residents.

Manager Politi stated that what they've seen is only two residents having conflicts with parking. He suggested they get a petition and then they could proceed.

Ms. Sonner asked if permit parking was a total wash.?

Manager Politi stated that it's a public street and you can't put a parking spot for a particular person on a public street. You can do no parking from dawn to dusk.

Ms. Sonner asked about alternate side of the street parking. You can't get a fire truck through there.

Mr. Sonner stated that he sees people on the trail at 10:30pm.

Mayor Maher stated that the police do patrol up that street. He personally rode with them one night and three times they went up there and shone the light on the trail. He spoke to the town and they will be patrolling that.

Ms. Sonner stated that there is no dawn to dusk sign on the trail.

Deputy Mayor Rumbold stated that someone questioned why you would need a petition. We have two families that have come and voiced the issues that they have. We don't want to make a decision that satisfies the two that are here. That would create issues for those that aren't here. We are trying to accomplish a consensus with the neighborhood what suggestions they would like to make, what compromises can be made so that there is a consensus with the neighborhood so these answers that we're able to give, remedies that we are able to give is going to satisfy everyone who is impacted by this situation. She can't promise anything. She wants to hear from the neighbors what they think should happen, what is happening and how can we remedy it to the best of our ability to try and satisfy everyone. We are only hearing from two people.

Manager Politi stated that he can meet with them in the evening.

Deputy Mayor Rumbold stated that they gather people together to talk about this and try to come up with a compromise.

Mayor Maher stated that he or the manager will call Ms. Sonner to set up a meeting.

Ms. Sonner stated that there are many people that would like to attend a meeting.

Trustee Hurd stated that he feels they should meet on site. He has visited other rail trails to see what they do. Residence complained about parking and they made no parking on the street. He suggested dawn to dusk no parking, Friday, Saturday and Sunday.

Introductory Local law I-2 of 2009, "Flood Damage Prevention"

Deputy Mayor Rumbold moved to introduce Introductory Local Law I-2 of 2009, "Flood Damage Prevention". Seconded by Trustee Leonard.

Trustee Hurd stated that flood insurance rates are going up astronomically. He suggested something go on the web site advising people to purchase flood insurance before the end of July.

All ayes. Motion carried.

Deputy Mayor Rumbold moved to hold a public hearing on Introductory Local Law I-2 of 2009, "Flood Damage Prevention" on June 9th, 2009 at 6:30pm. Seconded by Trustee Hurd. All ayes. Motion carried.

Trustee Leonard asked if the flood maps were available.

Manager Politi stated that he will make them available to the board.

Bid Rejection and Approval of Re-Bid of Tennis Court Resurfacing

Deputy Mayor Rumbold moved to reject all bids for the tennis court resurfacing and to go back out to bid. Seconded by Trustee Hurd. All ayes. Motion carried.

Budget Amendment-Year End Budget Transfer-Resolution No. 24-08-09, A Resolution Amending Resolution No. 23-07-08 (Adopting a Budget for the Fiscal Year Commencing June 2, 2008 and Ending May 31, 2009) To Transfer Funds

Trustee Hurd moved to adopt Resolution No. 24-08-09, Amending Resolution No. 23-07-08, Budget Amendment. Seconded by Trustee Norman. All ayes. Resolution adopted.

Resolution 25-08-09, A Resolution Amending Resolution 19-07-08 (Adopting Budget for the Fiscal Year Commencing June 1, 2008 and Ending May 31, 2009) To Transfer Funds.

Manager Politi explained to the board that there was a grant that came in and once it comes in you have to make the adjustment. The second part of the resolution is donations and expenditures.

Trustee Hurd moved to adopt Resolution 25-08-09, Amending Resolution 19-07-08. Seconded by Trustee Norman. All ayes. Motion carried.

CDBG Project List

Mayor Maher stated that originally we had the block grant go toward the retaining walls but since the project because so expensive it would be a multi year project and since we're getting that funding for 2012 to do the Ulster Avenue sidewalk which would include the retaining walls they thought it would be best to put that money where it would be used.

Manager Politi stated that when they did the review and estimate of the retaining walls it pushed it passed the yearly allotment which is \$125,000. Now you're looking at a multi year and you knock out the other projects, McKinley Monument wall, signage and Maple Street keeps coming up. That would be a simple estimate to put through. You would also be able to create a better drainage line. He is asking to switch this over. There would be three projects, McKinley Monument, \$40,000, Maple Street sidewalks (one side) \$30,000 and signage \$20,000.

Trustee Norman moved to scrap the retaining wall project and do Maple Street sidewalks, McKinley Monument wall and signage. Seconded by Trustee Wynkoop. All ayes. Motion carried.

Trustee Millspaugh stated that the foot of Maple Street and Pine Street needs a lot of work. That whole intersection should be raised to the level of the normal flood down there. They should be thinking about drainage too.

Deputy Mayor Rumbold stated that will be addressed with Lanc and Tully.

Manager Politi stated that there is also the ability to raise that road which can be done in-house.

Trustee Millspaugh stated that the street gutters are non existing.

Manager Politi stated that is what you're trying to establish with the project.

Trustee Millspaugh stated that the pump station is within Pine Street.

All ayes. Motion carried.

Scofflaw Review

Mayor Maher stated that he spoke to Ray Ozman about the Scofflaw. Mr. Dowd suggested issuing warrants. Trustee Hurd, he and a few others thought that might not be the best approach. Mr. Ozman agreed. There are two main issues, research of the fine enforcement and also getting people to court. The judge would like this tabled for two weeks during which time he will do more research.

Trustee Hurd moved to table the Scofflaw review discussion for two weeks. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

Public Comment – Discussion Items

There were no comments on discussion items.

Adoption of Minutes

Deputy Mayor Rumbold moved to adopt the minutes of May 12, 2009. Seconded by Trusted Hurd. All ayes. Motion carried.

Audited Bills

Trustee Hurd moved to pay the audited bills of May 26, 2009. Seconded by Trustee Norman.

Deputy Mayor Rumbold asked if the Stantec bills was pulled.

Manager Politi stated yes.

All ayes. Motion carried.

Correspondence

Mayor Maher stated that he received a letter from Courtney Stafford who has a concern with Bradley Park and a hole in the playground which has been addressed today. There are other items that will be addressed.

Board Comments

Trustee Leonard stated that the planning board held a work session and representatives from the Buddhist Temple were present and they presented their proposal for a park and walkway.

Deputy Mayor Rumbold asked what the time frame was.

Trustee Leonard stated that he didn't know.

Mayor Maher stated that when they have the money raised they will do the work.

Trustee Leonard stated that the planning board has another cell tower antenna approval before them for Wait Street. They want a physical inspection of the tower to make sure all the maintenance has been done. This was an issue two or three years ago.

Trustee Millspaugh stated that the intersection of Highland Avenue and East Main Street was trimmed back, but it needs to be trimmed back more. He'd also liked to see the dead trees removed and the self seeded trees also removed from the bank of the Tin Brook. He also stated that there is a lot of places of undeveloped property where the over growth overgrows the paved surfaces of the road. We send letters to people who don't mow their lawns these people should also be noticed too. He also advised the board that the flag pole is up.

Trustee Hurd stated that the sidewalk just passed Dr. Quinones you can't walk on it because of the overgrowth. He also stated that the Memorial Day ceremony was wonderful.

Deputy Mayor Rumbold gave kudos to the parks department for the nice job they did with the entrance to the village on Route 52. Also, Memorial Day ceremony was fabulous. She was also glad to see the attachment on line. She would like to see more so they save paper. The board did get a copy of the response from the comptroller about the proper assessment for the village's of Montgomery and Maybrook. The letter solidified Mr. Dowd's position that at the moment it's not being done correctly. She also asked how often park equipment inspections are done.

Manager Politi stated that there is a check list which they go through. He thinks its every six months. That helps us with our insurance.

Deputy Mayor Rumbold asked if those reports are on file and does someone sign them.

Manager Politi stated yes, Mr. Howland does that in the children's playground and he mimics that in the other playgrounds.

Mayor Maher also stated that the Memorial Day Ceremony was beautiful. He congratulated Dave Penney for all the hard work he did to make this such a success.

Trustee Wynkoop stated that it was a great day. Also, on Route 52 and East Avenue they need a school bus warning.

Manager Politi stated that was brought up at the state planning meeting. They noted that intersection quite hard.

Trustee Norman also stated that the Memorial Day ceremony was wonderful. Also, the article in the Wallkill Valley Times about one of our veterans was nice. The flag pole looks great. People on that committee did a great job. She thanked Mike Bliss for planting the flowers. She will be meeting with Mike Bliss once a month to discuss different things. She will have a report for the Board.

Executive Session

Trustee Wynkoop moved to hold an executive session pursuant to 105-e), PBA negotiations of the Public Officers Law. Seconded by Trustee Leonard. All ayes. Motion carried.

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

Adjournment

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

Respectfully submitted,

Nancy Mitchell
Village Clerk

