

**Village of Walden
Board of Trustees Meeting
September 22, 2009
Motions and Resolutions**

Hearing – 36 Sherman Avenue Property Maintenance

Deputy Mayor Rumbold moved to open the hearing for 36 Sherman Avenue property maintenance. Seconded by Trustee Norman. All ayes. Motion carried.

Trustee Norman moved to close the hearing. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

Trustee Wynkoop moved to affirm the board's findings that the building is unsafe and that it shall remain vacant until such time as it's brought up to code and that they are given a week to clean up the premises to allow a special inspection by the Village Engineer and the building inspector. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

Police Inter-municipal Agreement

Deputy Mayor Rumbold moved to accept the police inter-municipal agreement. Seconded by Trustee Norman. All ayes. Motion carried.

Bradley Park Tennis Court Bids

Trustee Leonard moved to reject all bids for the tennis court. Seconded by Trustee Hurd. All ayes. Motion carried.

Re-establishment of the Village Recreation Committee

Trustee Millspaugh moved to appoint Trustees Norman and Leonard to the recreation committee. Seconded by Trustee Leonard. All ayes. Motion carried.

Approval of the Minutes of September 8th, 2009

Trustee Hurd moved to adopt the minutes of September 8th, 2009. Seconded by Trustee Norman. All ayes. Minutes adopted.

Audited Bills

Trustee Wynkoop moved to pay the audited bills of September 22, 2009. Seconded by Trustee Norman. All ayes. Motion carried.

Bike Ride

Trustee Norman moved to give permission to the Black Rock Forest to use village streets for their 170 bicycle ride October 11, 2009. Seconded by Trustee Millspaugh. All ayes. Motion carried.

Executive Session

Trustee Hurd moved to hold an executive session pursuant to 105-(f), Recreation personnel and 105-(e), PBA negotiations of the Public Officers Law. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

Trustee Hurd moved to reconvene the regular meeting. Seconded by Mayor Maher. 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
September 22, 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:

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| Present: | Mayor | Brian Maher |
| | Deputy Mayor | Susan Rumbold |
| | Trustees | Mary Jean Norman |
| | | Roy Wynkoop |
| | | Richard Hurd |
| | | Marcus Millspaugh |
| | | Edmond Leonard |

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|---------------|-----------------------------------|
| Also Present: | James C. Politi, Village Manager |
| | Nancy Mitchell, Village Clerk |
| | Kevin Dowd, Village Attorney |
| | Dean Stickles, Building Inspector |

Hearing – 36 Sherman Avenue Property Maintenance

Deputy Mayor Rumbold moved to open the hearing for 36 Sherman Avenue property maintenance. Seconded by Trustee Norman. All ayes. Motion carried.

Mr. Stickles stated that the last time he came before the board he presented pictures and a report to the board on the house. Since that time the owner has taken steps to start to clean up the property. He has been there every day at 7:30am. He has made some strides. He doesn't know how far he will go or how much he will do, but he feels he will clean up what he is supposed to clean up and make the house habitable. He suggested the board hold this until one more meeting to see what he does and how well he cleans up and at that time the board can make a decision. There are other people here tonight that own this home. They can speak on what they are going to do and how they will move forward.

Deputy Mayor Rumbold stated that the building inspector had said before that he was concerned with structural issues and he felt no one could go in and thoroughly inspect it until the residence was thoroughly cleaned.

Mr. Stickles stated that is what is being done now. After it's cleaned they will be able to do a walk through analysis of the structure. Two weeks ago he couldn't even walk into the building and today he could.

Deputy Mayor Rumbold asked which floors were being cleaned.

Mr. Stickles indicated first floor right now.

Deputy Mayor Rumbold asked if he has inspected the basement or second floor.

Mr. Stickles stated no.

Mayor Maher asked if the owners had anything to say.

James Ronk, 36 Sherman Avenue stated that he is working on everything that he needs to. He is working with Mr. Stickles on everything.

Mayor Maher stated that this board has seen lots of pictures and has documentation on a very thick history regarding this property. If it's not for Mr. Stickles recommendation he doesn't know how much faith he would have in the hope for this property to ever come to some kind of completion in compliance with the village code. It is the building inspector's judgment that he would go by. The board has seen all the history; you've seen all the history, are they taking strides now that surpass all the strides they've taken in the past.

Mr. Stickles stated that right now they are, over and above what they did in 2005.

Mayor Maher asked the building inspector if he would like the board to wait two more weeks to see if that continues.

Mr. Stickles stated that he would like the board to wait a week. He could give a week by week report to the manager and then he could report to the board. He doesn't want it to go too long and give him too much time and not have anything done.

Mayor Maher asked the board how they felt.

Trustee Wynkoop stated that the building inspector is the closest to the project. Mr. Ronk seems to be working with him and he's accomplishing stuff.

Mr. Ronk stated that he is doing everything himself. He doesn't ask anyone for help.

Mayor Maher asked Mr. Ronk if he's been a part of this property in the past trying to revitalize and fix up the property.

Mr. Ronk stated that he has. His son was staying there for three months and he's not there anymore.

Deputy Mayor Rumbold asked Mr. Ronk if he lives at the property.

Mr. Ronk stated not right now. Once the house is fixed up he will move back in.

Deputy Mayor Rumbold asked if he was living at the property.

Mr. Ronk stated that he moved away for three months.

Deputy Mayor Rumbold asked when that was.

Mr. Ronk stated three months ago.

Deputy Mayor Rumbold thanked Mr. Ronk for being here and being honest about his efforts to do this property. Her concern is she is looking at documentation starting in 1988 with the same issues with this property. Time and again he's been before this board and been to court and she doesn't know him so she has to judge by past practice and her concern is what the building inspector said in the beginning that he will do what he has to do and she has documentation that states that the outside was cleaned up, the building inspector signed a letter to the judge that said you complied or the owner or who ever was there at the time complied with what needed to be done and within three or four months it was the same thing over again. Her concern is for his neighbors and she doesn't know if she has the faith and she would think after this amount of time and this amount of issues with the village that he would have an understanding of what the code is.

Mr. Ronk indicated that he can't read or write.

Deputy Mayor Rumbold stated that if he looks at his neighbors homes and he rides around the village and sees other people's houses.

Mr. Ronk stated that he has ridden around and he knows how it should be and it's not going to happen again. He indicated that Mr. Stickles is welcome to come to the house any time he wants. He trusts him.

Trustee Norman stated that she agrees with the deputy mayor that there are neighbors that have come before the board many times and when he does come before the board he goes back and cleans the property up. She saw him this past weekend and he was working hard on one side of the house. She feels he should take into consideration of what his neighborhood looks like. She will go along with the building inspector.

Mr. Ronk says that he also agrees with the deputy mayor and he will go along with anything Mr. Stickles wants.

Deputy Mayor Rumbold asked once the inside gets cleaned does he have a problem with an engineer coming in and checking the structure.

Mr. Ronk stated that he has no problem.

Mr. Dowd asked if there were any other owners present.

Melissa Taylor, daughter of Grace Schoonmaker stated as Jimmy says he doesn't ask for any help but he does have it. There are plenty of family members around and her husband is in construction. That is her mother's main concern to get everything done and then it goes back to the same situation all over again. He needs to reach out to the family.

Deputy Mayor Rumbold asked if they've tried to intercede. They've known the situation and the owner that is living there is he non compliant with their request to keep the property.

Ms. Taylor stated that her mother has tried to go down there and look at things because she gets the letters and she wants to know what is going on. He's not the only owner of the property and he needs to ask for help.

Deputy Mayor Rumbold stated that other than cleaning and making it neat, structurally there are going to be costs involved. The owners will have to make a decision once the engineer goes in whether they can financially do whatever has to be done to that structure to meeting the code.

Ms. Taylor stated that none of them can afford this.

Deputy Mayor Rumbold stated that she wants them to know the scenario of what is going to happen because he is working very diligently to clean it up but at the end of the day it may not structurally be sound

Ms. Taylor stated that she understands.

Deputy Mayor Rumbold stated that she wanted to make certain that they didn't think it was a matter of cleaning up the property.

Trustee Millspaugh stated that Mr. Dowd should explain what the mechanics are.

Mr. Dowd stated that the hearing tonight is to decide whether or not to affirm your original designation two weeks ago that this is an unsafe building and order it repaired. You have the choice of affirming that decision after the hearing, finding it an unsafe building and order the owner to fix it and to give them a time frame in which to fix it. The other alternative, usually you have you fix it or we fix it at their cost. We go in and fix it and put the cost on their taxes if they don't pay us back. It's rather costly and you don't get the money right away from the county. He doesn't think there is any question that the building is unsafe as far as sanitary conditions are concerned. If the board wants to affirm it they can and give it a target date for them to clean up the property. If you're going to get weekly reports from the building inspector where you can hold special meetings you may not want to do that yet.

Deputy Mayor Rumbold stated that since the building inspector didn't see the basement or upstairs he really doesn't have any idea of how long it would take to clean that area to get it so an engineer can go in and make some kind of determination.

Mr. Stickles stated that on an estimation of what he has done so far for the first floor he would say he would not have a problem if everything went according to plan, a week to clean both the second floor and basement.

Deputy Mayor Rumbold asked if he has a week to clean it out and who authorizes the engineer to go in.

Mr. Dowd stated that the village would ask our engineer to go in to make a special inspection, but we would also need the consent of the owners to have them go in voluntarily to do that kind of inspection.

Deputy Mayor Rumbold asked how many of the owners do you need, a majority of the owners to give that permission.

Mr. Dowd asked how many owners are there.

Mr. Ronk stated five.

Mr. Dowd stated that he doesn't know if they need a majority in so much as you have someone present especially the person who will be living in the home and has been living in the home to give that authority to the building inspector to bring in an engineer. That would be sufficient. Any one of the owners could give that authority to the building inspector.

Trustee Millspaugh stated that there is a Section 116, Property Maintenance which doesn't require structural but would cover the problems they see in the pictures.

Mr. Dowd stated that they usually use the property maintenance code for the exterior of the property as well. Although there are some things like infestation so all they would have is another grounds for finding the property in noncompliance.

Trustee Millspaugh stated that it's pretty definitive what is expected within the structure.

Mr. Dowd stated that if the property is not structurally unsound, in other words it's structurally sound as far as not being in danger of falling down and the only issues are these other issues of water and sewer, cleanliness and habitability, which may not be grounds for tearing the house down. You can bring a house up to habitability. If there is nothing wrong with the building itself and it's not in any danger of falling then it's easily correctable in sense of cleaning it and making it habitable by getting rid of all the different health issues inside and all the property issues outside. You may not have to

tear it down. You don't have the authority to tear something down that is structurally safe especially if they are making strides to get it up to habitability.

Deputy Mayor Rumbold asked who makes the determination once it's cleaned out and the engineer gives a laundry list of things that have to be done to bring it up to code.

Mr. Dowd stated that the engineer would make up a list for the benefit of the building inspector and as the code enforcement officer the building inspector would then give it to the owners and to the board and say this has to be done.

Deputy Mayor Rumbold asked if there would be a time frame.

Mr. Dowd stated that it's within the board's jurisdiction, so he would think at that point in time they would want the owners to come back and allow them if they make great progress and if you have these issues that the engineer finds out, give them time to fix those engineering problems so this whole thing about the habitability of the house, the stability of the house, and the safety of the house. Declaring the house vacated was an important step. Now you have to look at each individual element of the house. We are getting to that point where somebody can go in within a week or so and get an engineer in there to do a structural analysis and tell you if there is anything with the wiring or anything else.

Mayor Maher stated that if they have to have a special meeting they can.

Mr. Dowd stated that you give him that week and then it's at the discretion of the building inspector to tell you if they stopped doing anything. Then you can bring them back in.

Mayor Maher stated that it has to be made clear that this board is not afraid to condemn this property if things are not complied with.

Deputy Mayor Maher stated that the paper trail proves out that the village has been more than patient and has been willing to work with the owners since 1988 and it's very evident that it gets complied with and then a month later it's back to where it was. It comes down to it's really willful what is happening with this property. Even if you can't read or can't write you can comprehend that if you've been here enough times and have been told the yard must be kept neat and if you're throwing tires, garbage and whatever else is in that yard you know that is not what is suppose to happen. The yard is to be kept neat. That is not hard to understand and it seems to her that it is willful.

Mayor Maher stated that this board has to protect the beauty and integrity of the village and that is why they are being hard on this issue.

Mr. Dowd asked if the owners had anything else to say to the board.

Ms. Taylor indicated that her mom is in favor of whatever decision the board wants to make.

Trustee Norman moved to close the hearing. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

Trustee Wynkoop moved to affirm the board's findings that the building is unsafe and that it shall remain vacant until such time as it's brought up to code and that they are given a week to clean up the premises to allow a special inspection by the Village Engineer and the building inspector. Seconded by Deputy Mayor Rumbold.

Deputy Mayor Rumbold asked if the building inspector will have a report for the board next Tuesday.

Mr. Stickles indicated that he would.

All ayes. Motion carried.

Mayor Maher thanked Mr. Stickles for his hard work on this.

Village Manager's Report

Manager Politi stated that the board had asked the manager to investigate the cost of privacy fencing because of the concern from Ms. Sonner. An eight foot section of wooden privacy fencing is \$260. installed, \$280. for plastic. They need 140 feet for an approximate cost of \$5200. That would be just a straight line and if you were to do a straight line across the back of her property it's within the \$5000 range and it doesn't really help because when you come around the corner you can see right into the yard.

Mayor Maher thanked the manager for the research.

Manager Politi stated that one other item that came up with the rail trail is they've painted the curbs yellow, they put the lines in, if you go to the northeast side of the area on Wileman there is a handicapped space there now, if you come back to the northwest side of Woodruff they put the other handicapped spot there. The one on Wileman he received a call from the homeowner on the corner, Mrs. Mentz, you've now eliminated any possibility of parking near her property with that handicapped space. She was very upset with that. If it's the village's intention to put a couple of handicapped spaces there it may be worthwhile taking that space and bringing it around the corner and put it parallel to the one that in on Woodruff. You still have the distance that the fire department has requested. He asked the board to consider it. She also has a driveway cut and the handicapped space covers it.

Deputy Mayor Rumbold asked if you take that space away someone that is using the rail trail could park there.

Manager Politi stated yes, or someone could visit Mrs. Mentz.

Deputy Mayor Rumbold stated that she would move it.

Trustee Leonard asked if that requires rewriting the law.

Mr. Dowd indicated that it would.

Mr. Lamacchia suggested they have the space behind the other one. If you put it parallel it will cause congestion. It will also be a safety problem.

Manager Politi stated that you just may want to eliminate the second spot. That space across from the one they have now there would be a higher probability of use by non handicapped.

Mayor Maher asked how the board felt about the elimination of that space.

Mr. Lamacchia stated that there are a lot of handicapped people that use the trail.

Trustee Hurd stated that there is plenty of room to move it.

Deputy Mayor Rumbold stated that she doesn't want to lose a handicapped spot. It's important to have it.

It was the consensus of the board to move the handicapped space in line with the other one.

Manager Politi stated that the solar lighting is in production and happening. There is a match that will be in kind.

Trustee Hurd stated that he's read reports that state that it takes 45 years to amortize the savings cost.

Manager Politi stated that it's the dependency on oil that you're trying to get away from.

Deputy Mayor Rumbold stated that this report is what she has been looking for in a manager's report.

Manager Politi stated that the dates to remember are Sept. 23rd, 7pm, Harvest Fest., September 25th, NIMS Training, 10am, September 30th, joint board meeting, 7:30pm, and General Code review Oct. 15, 6:30pm. He further stated that in the second week of October there will be Work Place Violence Program training. That is a requirement for everyone including the board.

Deputy Mayor Rumbold asked about the Stantec report, it states we estimate, she thought there was a bill and she doesn't remember that figure being on that bill.

Manager Politi stated that he rewrote that sentence. The cost of the pump was \$12,312. He hasn't calculated the engineering side of it.

Deputy Mayor Rumbold asked when he will have the final number so they know what they are talking about.

Manager Politi indicated by the end of the week.

Trustee Millspaugh asked if the recreation department has any responsibility for the rail trail.

Manager Politi stated that they take care of the mowing of the switch back.

Trustee Millspaugh asked if they monitor the rail trail.

Manager Politi stated that they are not officers, so they wouldn't be in the monitor mode. He goes to the rail trail four out of five days of the week to keep an eye on the kiosk so that it's not being misused. He has also walked the first quarter mile to inspect the fence. We are fixing a piece of fence now.

Trustee Leonard asked if the short cut to by pass the switch back was getting worse.

Manager Politi stated that he's not condoning it, but the board might want to fence it off. They did remove the guide wire yesterday. It is rooted well so there isn't any eroding. If a wash out starts they will block it off.

Deputy Mayor Rumbold asked that the board be notified when the meeting is scheduled with the homeowners on Sunset Drive.

Manager Politi stated that he will advise the board. He is waiting for the homeowners to advise him when they will be ready for the meeting.

Deputy Mayor Rumbold asked if the revenue report would be out the end of October, beginning of November.

Manager Politi stated yes.

Deputy Mayor Rumbold asked if there were still issues with the sewer and water bills being paid.

Manager Politi stated no, we're okay right now. It's tight, we're holding off on certain items. We are at a basis function right now. Only absolute necessary pieces are being completed right now.

Deputy Mayor Rumbold asked how they are handling delinquency.

Manager Politi stated that he will get the board a report on that. When the bills went out there were calls because the rates went up. We are just beginning the delinquency process.

Trustee Leonard stated that the summer recreation program was a large success.

Trustee Norman stated that the all day program went over well with the residence of the village.

Trustee Wynkoop congratulated the committee that are responsible for the houses and train in the park. It was a fantastic job.

Public Comment

Diane Sandbothe, 90 Liberty Street asked about the lights on the bridge being out. Also, by State Farm the two lights were taken out and never replaced them. With the lights out on the bridge it's very dark. She wanted to know when the lights will be fixed.

Mayor Maher stated that the lights on the bridge are state lights. The board and manager are making calls to the state to get the lights repaired on the bridge.

Manager Politi stated that the lights by State Farm are NYSEGS lights and he will call them.

Deputy Mayor Rumbold suggested they start calling our elected officials that can speak DOT language and get the lights on the bridge fixed.

Ms. Sandbothe stated that she spoke to the building inspector about the oil truck and unlicensed car on Madison Street that will be taken care of. She asked about the garbage pick up. There are bulk items out there now. Does that mean she can throw out anything she wants and the garbage people will pick it up or is there trash day?

Trustee Leonard stated that it might be in anticipation of bulk pick up, but that is weeks in advance.

Manager Politi stated that the garbage company is not supposed to take it. We have to chase it ourselves. He also stated that bulk pick up is October 19th-October 23.

Ms. Sandbothe asked about the swale behind her house if it will be repaired before the winter sets in.

Manager Politi stated that it would.

Ms. Sandbothe stated that she volunteers with the Humane Society of Walden and Mr. Ronk's dogs weren't at the humane society. That means that 12 dogs are in the Ronk's house, what is happening with the dogs.

Ms. Ilkew, Town of Montgomery Animal Control Officer stated that she was just at the Ronk's house and the dogs are still there. The Walden shelter is ready to take them.

Trustee Wynkoop asked if Ms. Ilkew felt the dogs should be removed.

Ms. Ilkew stated yes. Mr. Ronk told her she could remove them.

Deputy Mayor Rumbold stated that she thought that house was uninhabitable and no one was supposed to be there, so is anyone feeding these dogs and giving them water.

Mr. Stickles stated that he hasn't seen any dogs in that house since the day he went there.

Mayor Maher stated that if the building is uninhabitable can the board order the Humane Society to go in there.

Mr. Dowd stated that there are laws on the books that the animal control officer can follow. It's not tied to our unsafe buildings.

Mayor Maher asked if she could knock on the door and if no one answers go in and get the dogs.

Trustee Wynkoop stated that he would get Mr. Pangia, village animal control officer to go in with her.

Ms. Ilkew stated that Mr. Pangia has recused himself.

Mr. Dowd asked Ms. Ilkew if she has spoken to the town attorney about this issue. If there are any questions about gaining access to premises and take the dogs she should talk to the town attorney before she does it.

Ms. Ilkew stated that she spoke to Officer Werner and he said he would get a warrant if necessary.

Mr. Dowd stated that she can't go into a residence and grab dogs without a warrant.

Mayor Maher asked Ms. Ilkew to keep working with Mr. Ronk and to keep in touch with the manager.

John Revella, 16 Church Street stated that the area along the switch back could be a trip hazard. Also, there are several areas where street signs are missing.

Manager Politi stated that street signs have been ordered.

Mr. Revella stated that the Orange County Volunteer Firemen's Parade is Saturday at 2pm.

Frank Lamacchia stated that the section along side the switch back should be blocked off it's very dangerous. They ride down that and someone is going to get hurt.

Mayor Maher asked how they could close it off.

Manager Politi stated that they could fence it.

Anita Vandermark stated that the bikers do not stop at the intersection with Highland Avenue. She asked if the welcome center was open.

Manager Politi stated that right now it's not operating.

Police Inter-municipal Agreement

Mr. Dowd stated that he received an email from the Town Attorney who said the Town Board has not reviewed this or seen it yet. He is satisfied with it. The Village Board can approve it and ship it to the Town Board for acceptance.

Deputy Mayor Rumbold moved to accept the police inter-municipal agreement. Seconded by Trustee Norman. All ayes. Motion carried.

Manager Politi stated that he is working with the town regarding getting a letter from the town stating that they want the village to impose there rules and regulations for violations on the rail trail.

Deputy Mayor Rumbold stated that this agreement is between the town and village, what happens if our officers go into the next county.

Mr. Dowd stated that this is the model that they are using and they can take this and extend it to Shawangunk or to the other villages and town.

Appointment of Village Historian

Mayor Maher stated that he'd like to table this until the next meeting.

Bradley Park Tennis Court Rehab Bids

Manager Politi stated that the village put the bid packets out and received bids back. We have programmed for that work \$25,000 and the lowest bid is \$34,000. He suggests that they encumber the \$25,000 and try in the next budget cycle to add to that money and gets the courts done. There is one useable court there that is in rough shape but useable.

Mayor Maher stated that the next budget cycle they will be able to do the entire project rather than part.

Trustee Leonard stated that the budget year doesn't start until June 1st and we have to go out to bid.

Manager Politi stated that the board starts the budget cycle in January so you will know what you are building toward. Come Spring as you get close you can get the bids out.

Deputy Mayor Rumbold stated that if you're going to make the commitment, make the commitment so you know how much its going to cost so when they do the budget process build it in there, encumber the \$25,000 and just say, "we're getting this done."

Manager Politi stated that they tried to do as much as they could physically do in house.

Trustee Leonard moved to reject all bids for the tennis court. Seconded by Trustee Hurd. All ayes. Motion carried.

Outdoor Furnace Code Development

Trustee Leonard stated that he was at the Town Board meeting and they were discussing outdoor furnaces. They have been having issues regarding the furnaces being too close to the neighbors.

Mr. Stickles stated that this started in the village a year ago.

Deputy Mayor Rumbold stated that the board has to decide whether they want this kind of thing in the village or not. She gets smoke in her house from her neighbors wood stove. She can't imagine putting up with a furnace.

Mayor Maher asked if the board wants to be proactive and wait.

Trustee Wynkoop stated definitely.

Mr. Stickles stated that the town has problems. In the village your smallest lot is 5,000 square feet and some of these homes are three and four feet apart. He has suggested that if they are going to be allowed only is allowed on a 12,000 square foot lot or larger and with setbacks which these lots may not be able to attain. The stack that comes off a furnace is four feet tall so everyone would be affected by the smoke that comes out of these furnaces. He recommended a taller chimney

Deputy Mayor Rumbold stated that she wouldn't like to see these in the village.

Trustee Leonard stated that when these first came out they were for farm areas where there were large separations between buildings. He recommended the village not go down this road.

Manager Politi stated that he would not like to see them

Trustees Norman and Wynkoop agreed.

Mr. Dowd stated that the village can regulate but he doesn't think they and eliminate them all together.

Trustee Hurd stated that these are not cheap, they are thousands of dollars.

Mayor Maher asked the attorney to look further into it and bring the information back to the board.

Mr. Dowd stated that there is only one community, Town of New Windsor that has prohibited altogether. He will contact their attorney to see what they've done.

Mayor Maher stated that the board will discuss further at the next meeting.

Rededication of the Fireman's Monument as it was Dedicated 100 Years Ago on October 14

Mayor Maher stated that this was brought to his attention by Mary Ellen Matise. She did research into the history of this. He has spoken to a few members of the fire department. He would like to have a rededication ceremony to honor our four different fire departments. The rededication will be on October 14th in the evening.

Ms. Vandermark stated that the community council will be meeting on the 14th.

Manager Politi advised the board that is village property, we insure it.

Deputy Mayor Rumbold asked if that is inspected to see if it needs repairs.

Manager Politi stated yes and it has been in good shape. They can take a closer look. It might need to be cleaned.

Mary Ellen Matisse stated that Pollock's Foundry did the McKinley monument.

Deputy Mayor Rumbold asked if she remembered the cost.

Mary Ellen Matisse stated that it was \$1500.

Deputy Mayor Rumbold asked if they do consultations.

Ms. Matisse stated yes.

Larisa Ortiz Associates Request to Present Information

Mayor Maher stated that he brought this to the managers' attention. Larisa Ortiz Associates are advisors in commercial district revitalization. They're main platform revolves around coming in and doing an in depth assessment. Understanding the economic and political landscape creates recommendations. It's an attempt to revitalize our commercial district area, focus on our Main Street and our commercial district and create different strategies on how to make our Main Street and our businesses successful and self sustaining. Manager Politi, Trustee Leonard and he went to the Beacon Main Street summit. Beacon has revitalized their Main Street tremendously. Ms. Ortiz is working in Kingston and would gladly stop to speak with us.

Deputy Mayor Rumbold asked if this was free.

Mayor Maher stated for her consultation is then its \$150. per hour. They would have her come up here to talk about cost. The in depth assessment cost is anywhere between \$1500 and \$3000 and you get a lot out of that.

Trustee Hurd asked if this was different then what Mr. Sorensen did.

Manager Politi stated that is a question he would raise. You do have a planner that you do work with at this time. It looks similar in concept of their business so you may want to have Mr. Sorensen repitch this.

Mayor Maher asked if they should talk to Mr. Sorensen first before going forward.

Trustee Norman stated that if it's free she will go along with it. If there is a cost she's not in favor of it because there are a lot of other things in this village that have to be taken care of.

Mayor Maher stated that Main Street is in need of improvement. Since it is free we should listen to what she has to say and we should also listen to Mr. Sorensen.

It was the consensus of the board to invite Larisa Ortiz to Walden and have a meeting with the Mayor, Trustee Leonard, and Village Manager.

Re-establishment of the Village Recreation Committee

Mayor Maher stated that it has been discussed a lot as to whether or not we want to have committees or liaisons to different departments. He feels it's a good idea. The Village Manager also has okayed this, to have a pilot committee which will be a two member committee to oversee the recreation department. We would see how successful it would be and from there reevaluate and see if it is something we would like to do in all our departments.

Trustee Hurd stated that you can't step on the manager's authority.

Mayor Maher stated that they discussed reporting their findings back to the manager.

Manager Politi stated that at one time they had a recreation committee which would give suggestions and ideas going forward. He didn't think it was the right to oversight.

Mayor Maher stated that it probably isn't the right to over sight but to give suggestive ideas.

Manager Politi stated that when they formed the last group there were a lot of ideas floating around in the community which they were grabbing and brought to the recreation department for possible implementation. There were several things that grew out of that committee. He thinks that is where the mayor is going.

Trustee Norman stated that the last recreation committee had one member from the board that was herself. The only reason the recreation committee fell apart is because they had appointed a president and the president didn't work with the people that were on that board and that is why everyone said they weren't going to do this and they stepped down. The Friends of the Walden Youth have nothing to do with the recreation department. She spoke to Mr. Howland about bringing it back.

Mayor Maher stated that the committee would be two members from the board.

Trustee Millspaugh moved to appoint Trustees Norman and Leonard to the recreation committee. Seconded by Trustee Leonard.

Trustee Hurd asked what happens when recommendations come up against the budget.

Manager Politi stated that would be a good time to start that.

All ayes. Motion carried.

Public Comment on Business of the Board

Lynn Schwandt stated that if the village consolidated it's police department they wouldn't be able to rededicate the firemen's monument with two weeks notice. You wouldn't have police coverage. You have to plan a year ahead.

Mary Ellen Matisse stated that with regards to Larisa Ortiz Associates the village might want to contact the Citizens Foundation and see if they wrote up any reports.

Mayor Maher stated that Ms. Ortiz has seen all their reports. It will be necessary in any of these discussions.

Ms. Matisse stated that you have to be careful of what you say about Beacon or Kingston because their charters are independent of village law or town law, so they can do things and leverage things that we can't.

Mayor Maher stated that there are other villages and towns that have been worked on.

Mr. Lamacchia complimented the village on their revitalization. Upgrading the village is a good idea.

Ms. Matisse stated that one thing that Beacon did was because they are their own assessing body they were able to get tax credits for people on Main Street.

Mayor Maher stated that there are different opportunities that even the village can do.

Bernard Dooley asked if the recreation committee only needed board members.

Mayor Maher stated that the committee would have its first meeting and then decide whether or not it's just going to be the two board members or they would invite members. There would be something public to announce that.

Brenda Martin stated that she likes the idea of a recreation committee because the Friends of the Walden Youth are always looking for something to do for the recreation department and that will give them direction.

Approval of the Minutes of September 8th, 2009

Trustee Hurd moved to adopt the minutes of September 8th, 2009. Seconded by Trustee Norman.

Trustee Millspaugh stated that on page 15, 10th paragraph change project to property.

Trustee Hurd amended his motion to include that correction.

All ayes. Minutes adopted.

Audited Bills

Trustee Wynkoop moved to pay the audited bills of September 22, 2009. Seconded by Trustee Norman.

Deputy Mayor Rumbold asked if there was anyway to renegotiate with some of the vendors or do something about, she's been noticing and this month it was Toshiba machine that we paid a penalty on.

Manager Politi stated that they have tried to pay that fee once a year and they want it monthly. In trying to pay that annually they got into a challenge and then the payment was late and we received a late fee. We are now trying to get that fee off.

Deputy Mayor Rumbold stated that she thought this board decided that if there was anything water and sewer it would be Delaware not Stantec.

Manager Politi stated that the planning board is asking water and sewer questions of the engineer and to do that research you end up with a bill.

Deputy Mayor Rumbold asked about the letter from Lanc and Tully.

Manager Politi stated that he met with the engineers today on some other issues. In regard to the paving on Ivy Hill and Bradley Lane and the reason for the heaving is the clay got wet, you reclaim but you never expose the clay so you don't see that it is wet, now you travel over this, you pave it and you have the same problem that you had prior, wet clay, then dry for a time, then reclaimed, now you exposed the top and you pull that off the top and you still have travel over it until you pave it. Now that water soaks the reclaim but you can't tell. Then you paved it and the same thing happens and it makes it to the surface. It was localized in that area. You can't say it's the fault of the company that came in to reclaim because they can't see that water rising from the clay. In the end the people that paved the village needs to pay them. That's why that bill is in there. You don't see the bill for reclamation in there. The manager is questioning if the reclamation company should have seen it.

Deputy Mayor Rumbold asked what it would cost the village to repair it.

Manager Politi stated that he will get that information.

Deputy Mayor Rumbold stated that the village paid an electrician to solve the issue on the Main Street lights, are they still blowing.

Manager Politi stated that they were and ADCO was out there today.

Deputy Mayor Rumbold asked if this was gratis.

Manager Politi stated that you have to see if the ballast or glass needs to be repaired. Power is still making it to the lights, you just can't solve the problem of that popping.

Deputy Mayor Rumbold asked who did the original wiring.

Manager Politi stated that he is researching that.

Deputy Mayor Rumbold asked if the village has bought the new mower that was in the budget.

Manager Politi stated yes.

Deputy Mayor Rumbold asked if there were two mowers because there is a bill for repairing a mower and she hopes it's not the new one.

Manager Politi stated that it wasn't, we have two mowers.

Deputy Mayor Rumbold asked about the bill for asphalt.

Manager Politi stated that it was for curbing.

All ayes. Motion carried.

Correspondence

Deputy Mayor Rumbold stated that she received a letter as a former school board member advising her that Deborah Calvino a teacher at Valley Central has been named New York State Teacher of the Year. She was wondering if the board would like to send a letter of congratulations to her.

It was the consensus of the board to send a letter of congratulations to Deborah Calvino.

Mayor Maher stated that he received a letter from Steven Sanchez who was concerned about his water bill. It was very high and he wasn't there. He was told that it could be a problem with his toilet. He paid to have all his toilets redone and its still the same problem. He'd like this looked into further.

Manager Politi asked for a copy of the letter and he will call him.

Board Comments

Trustee Norman stated that they will be decorating the square and they need help. The recreation department is going to help them.

Mayor Maher asked for a time and date and he will send an email blast out.

Deputy Mayor Rumbold asked about the slate sidewalk on Ulster Avenue.

Manager Politi stated that they are locating the slate. They will not get a certificate of occupancy until the slate is replaced.

Deputy Mayor Rumbold stated that they are having open houses with people wandering through. She asked where you have a street and you have a sidewalk, does the village own the entire sidewalk up to the wall of the building. Where does the village property begin and end.

Mr. Dowd stated that the village right of way is normally 50 feet wide and there is usually 30 feet of pavement centered in the 50 feet, so it would be ten feet on either side of the pavement. You can be sure the curb and village sidewalk are in the village right of way.

Deputy Mayor Rumbold stated that in some cases the sidewalk is right up to the building, so she assumes the village property is right up to that.

Mr. Dowd stated that it very well may be and if the buildings are old enough it could actually be on village property.

Trustee Hurd reminded the manager about the bike ride.

Manager Politi stated that the Black Rock Forest is asking permission to use village streets for their 170 bicycle ride on October 11, 2009. The towns of Shawangunk and Montgomery have approved that.

Trustee Norman moved to give permission to the Black Rock Forest to use village streets for their 170 bicycle ride October 11, 2009. Seconded by Trustee Millspaugh. All ayes. Motion carried.

Trustee Millspaugh asked that a line be put at the end of the Highland Avenue bridge because the street is very restrictive when the cars park there to wait for the school bus.

Deputy Mayor Rumbold stated that the catch basin in that area is in need of repair.

Mr. Dowd stated that if they pop over the line you might not have anything to enforce. While they are doing the law for handicapped parking they can add no parking from a certain number of feet from the bridge.

Trustee Millspaugh stated that he would like to see the trimmers out before the firemen's parade. He'd like the grass and overgrowth along the Tinbrook and other areas in the village trimmed. He was up on Center Street today and at the end along the curb the grass is two feet high and in the back in it's a foot high. We're tagging these people for three hundred plus dollars to get their place mowed.

Trustee Leonard asked if the attorney has written the letter to Beazer Homes.

Mr. Dowd stated not yet.

Trustee Leonard asked about the scofflaw.

Mayor Maher asked if the attorney and judge would like to schedule that.

Deputy Mayor Rumbold asked about the mowing the village has scheduled for properties, when we get our money back.

Manager Politi stated until the tax cycle. You're on the cycle from last year.

Manager Politi stated that by the time Trustee Leonard was done with Mr. Lamendola and all the acetylene and propane and switching, by the time he calculated out the savings on the switch was about \$1200 for year.

Trustee Leonard stated that the village is leasing a number of tanks down there and they should see if they need all of them and maybe next year purchasing them as opposed to leasing.

Trustee Leonard asked about the Masada contract.

Mr. Dowd stated that he tried to contact someone and was unsuccessful. He will keep trying.

Mayor Maher stated that the firemen's parade is this Saturday and the trustees are invited to march. Line up is at 1pm on Hidden View Drive.

Mayor Maher stated that the Walden Youth Employment is hitting full steam. The committee is Trustees Hurd and Norman and the mayor. They selected five youths to work at Ciardullo Printing, Walden Animal Deli, Walden Day Care and two in the village's parks and recreation department. He read one of the letters. They chose five out of several letters. Its looking to be very successful and they had great support and it

didn't cost the village any money besides the two recreation employees. It cost the village \$576. He thanked Trustees Norman and Hurd for being on the committee.

Mayor Maher read the following letter which talks about a young boy who has cancer. On August 11th, 2008 the Hubbs family of Pine Bush, New York was given the devastating news that their four year old son Gavin had a mass in his brain. The following day Gavin had an MRI at Westchester Medical Hospital that confirmed it was a tumor. After an eleven hour brain surgery on the 14th of August, 2008 the doctors were able to remove 99.98% of the mass that later they found to be a medulla blastoma cancerous tumor. He has had several radiation treatments and several chemo therapy treatments since then and on April 25th an MRI gave Gavin a clean and clear bill of health, but his journey continues. Early June of this year Gavin was unable to walk and the family once again had to hear devastating news. They were told that the tumor returned, not only in his brain, but also in his spine. On July 8th, 2009 the doctors of Maria Ferrari Children's Hospital in Westchester, New York went to surgically remove the spinal tumor. They did not have success where it is located. They were only able to remove about 25%. The medical staff has made a decision to radiate it and do stronger chemo in hopes that the tumor will diminish. Gavin has two brothers who he loves very much for which both have medical conditions. Little Noel has a condition in his legs and Taylor is slightly autistic. Gavin's father has been unemployed since Monroe Ford closed their doors last year. He was a car painter. Gavin likes playing outside and watching Sponge Bob and the movie Cars. Please tell everyone that we are thankful for the effort for helping this amazing family and can't wait to meet all of you. Be the Movement Organization donated \$250. to their cause. Rotary raised over \$1,000. They were invited to come to a meeting and they said the Gavin and the Hubbs have been going through a rough time these past couple weeks. Gavin has been having seizures which they cannot stop and has been put into a medical coma. Every time they try to wake him the seizures return. The Hubbs have been staying by the hospital at a local hotel to keep the family together. They are running out of money to pay for their stay in the hotel. They were looking for donations to help for another ten days for Gavin to come out of the coma and start another round of chemo. The rate was reduced to \$109. They responded with a \$250 donation and Rotary raised over \$1,000. His comment is that they should have done it three or four weeks ago because he sadly got the news this morning that Gavin passed away. After getting to know these people and talking about moments of clarity as he usually does, it really makes you realize what is important. Although they have tons of differences all the time and they make arguments and they try not to make things as personal as possible. What divides us is not even close to as strong as what brings us together and the action of these local communities in response to something like this is something that should be really shown. We are a community that respond to things like this and things like that are what matter most despite any differences they have and any political issues.

Executive Session

Lynn Schwandt stated that at the last meeting the mayor said he didn't want executive session because you didn't want to be transparent so why is this week different than the last meeting.

Mayor Maher stated that it's the PBA and personnel which is executive session. What they were going to talk about last time wasn't executive session because what was to be discussed was already known to the public. This is a completely different matter.

Trustee Hurd moved to hold an executive session pursuant to 105-(f), Recreation personnel and 105-(e), PBA negotiations of the Public Officers Law. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

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

Adjournment

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

Respectfully submitted,

Nancy Mitchell
Village Clerk