

**Village of Walden
Board of Trustees Meeting
October 13, 2009**

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

On roll call the following were:

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

Also Present:	James C. Politi, Village Manager
	Kevin Dowd, Village Attorney
	Victoria Kurtz, Deputy Village Clerk

Certificates of Achievement

Mayor Maher presented the Friends of the Walden Youth with a certificate of achievement for their hard work and dedication towards the goal of making our village a better place to live for our youth.

Trustee Norman thanked the Mayor for the certificate and stated that the Friends of the Walden Youth have had a lot of volunteers and she shares this with each and every one of them.

Mayor Maher presented with a certificate of appreciation to Eileen Brickner who has gone above and beyond her duties as a citizen of our village. He wishes he got to know her better before she left our community.

Ms. Brickner stated that it has been a privilege to work with everyone and she will miss it.

Village Manager's Report

Manager Politi stated that he will give a further update at the next meeting. He asked if there were any questions on the department head reports. He also reminded the Board about the code review on Thursday, October 15, 2009 at 6:30pm.

Deputy Mayor Rumbold stated that she might not be able to attend the code review meeting.

Mayor Maher stated that he has a conflict too and they will have to reschedule the review.

It was the consensus of the board to reschedule the code review for Thursday, October 29th at 6:30pm.

Manager Politi stated that there was an article in the newspaper today about the building and he would like to clarify that there is no interest in purchasing the building, it's about property.

Public Comment

Dennis Wageman, 27 Ulster Avenue stated that he was here about a year ago and stated how unfair the trash situation was to single home owners. A fellow that works for him has a family of three and he has the ability to go to the dump. He goes about once every 10 weeks and it cost him \$8.00. Last year Mr. Granger was paying about \$300 for his garbage removal. He's one person, his wife lives in Connecticut. This year, one person, he's paying \$600 a year for trash only. He would like to ask the Village Manager how he would feel if everyone in his family was paying \$600 a year for trash collection.

Mayor Maher stated that the Village Manager does serve under the board. This is something he inherited himself as the Mayor. It was something that happened that he hit along the campaign trail. To single out just the Village Manager, it is the board too. It was the decision of the board that made the decision to do that and it was the Village Manager to act on the board's decision. He asked the Village Manager to explain how that came to shape.

Manager Politi asked if he was a multiple unit building. Is it just himself, one building?

Trustee Hurd asked Mr. Wageman if he had a multi family.

Mr. Wageman stated that he is one person who inherited a two family house. He's one person living on both sides of that house. That may bring up another issue that the building inspector said he may have lost the use of the two family house. Across the street there is no White Birch Manor which is being sold as fully approved. He's been in that building. He knows the parking situation for that building. If that building is sold fully approved he doesn't know how he lost his use, but he did lose his use. We have to go to the trash situation, the block watch situation and the loss of his use situation. He would like to ask about people having the sewer portion of their bill waived. In his case he'd like to be treated like a one family. He doesn't generate as much garbage as multi family homes do. His requested that board treat him as a one family until the other portion is rented out.

Mayor Maher stated that he and the manager could meet with Mr. Wageman to figure out the best situation for everyone and how the board would handle it and whether it will be taken to the board.

Marty Hand, 97 Gladstone Avenue stated that he didn't come to praise anybody as far as he's concerned you're a failure. He came down to the office one day and spoke to one of the ladies. He ask her that if you have an apartment house with two apartments; one person moves out, what do you have to do so you don't have to pay that garbage. Her attitude was there's nothing you can do. He said that's not what he wanted to hear. Her second comment was to have his water shut off. That was a big mistake. You're not saving anything. His apartment house with him living downstairs one person living upstairs they generate one garbage can. He can get any contractor to come over and pick up his garbage for less. Is there a real garbage problem in this town? He has a house in Long Island and they're not told who picks up their garbage.

Mayor Maher stated that there is huge issue with garbage and they can talk about it as much as they can. They can figure out what is going to be cost effective for everyone and we can tolerate that, but as a village we are not going to tolerate Mr. Hand's attitude right now, because it's terrible. He and the manager can meet with Mr. Hand and discuss all his issues, but to come in here and call the mayor a failure in one of his meetings when he doesn't have an understanding of what the village manager form of government is, is unacceptable. So he and the manager will meet with Mr. Hand and talk as people and residents and as members of this community because they all care about this community and that is the attitude they need to have.

Mr. Hand stated that the village has violated his rights. He's getting into this now. He called the company and they don't want to touch it. These guys told him, no way, take it to the board and that is where he is taking it. You have violated my rights.

Mayor Maher stated that Mr. Hand has every right to comment but it would be more productive if they had a conversation with him, the village manager and Mr. Hand to discuss his concerns and to figure out they can come to a solution.

Mr. Hand asked why the village even attempted to negotiate a contract with that company.

Mayor Maher stated that he didn't have any part in it.

Mr. Hand stated that he would like to sit down with the mayor. He also stated that this thing that the village is buying, the old factory, have you lost your mind. The MTA is not doing anything.

Mayor Maher stated that they will be discussing that later in the meeting.

Henry McLaughlin, Albany Post Road stated that he is here tonight about 36 Sherman Avenue. He has been dealing with this for 10 to 15 years now. The problems

he's had are with the garbage, dogs, shed, rats and a water problem. He was told that the water was tested and it wasn't village water. The neighbors are intimidated about this and they won't come to a meeting. A couple weeks ago his name was in the paper about this and the next day his mother's oil tank was drained which went into the footings and now he is dealing with DEC. This will cost thousands of dollars and the insurance company said they won't pay for pollution.

Mr. Lustig stated that he saw in the paper that Package Lighting was on the agenda for tonight. He has had cataract surgery and the doctor told him to go home and relax and don't get excited. He asked the board to make a motion and pass it that they will forget all about Package Lighting and he'll go home right now. He asked how many have visited, during the work week, the Campbell Hall Station.

Three people raised their hands.

Mr. Lustig stated that he spent some time there and they found the parking lot covered, two to three acres. That was a surprise to him. They walked up and down the platform. There was no one around. There were two enclosures where you could buy tickets. Down the road there was a house for attorneys, a lot of cars there. He looked around and wondered what if he wanted a cup of coffee, there was no dispenser. There was no Dunkin Doughnuts, no McDonalds or even a custard stand. It's the same in Middletown, at the Newburgh bus station, Newburgh Ferry and Beacon Station. Then he thought when these commuters get off the train that is going to be a mad dash up and down Sarah Wells Trail, up and down Route 207 and that is a lot of cars. It's the same thing in the morning. You have to assume if there is a commuter station in Walden, even if that many people or cars come what is going to happen by Sweeney's Tavern or Sherman Avenue when they speed down Edmunds Lane to get to Coldenham Road. It will be a first class mess. That is something to think about. Here's this grand plan to put Railroad Place in Walden. It's a pipe dream. There were probably well in excess of 100 cars in that parking lot in Campbell Hall. The same thing would happen in Walden. You would have parking lot you would have to plow and the police would have to patrol it. Where are these people, they are in the metropolitan area working. They have been away from their cars for twelve hours. They get back and you think they are potential shoppers, they're not. They are going to get in their car and race like hell up Sherman Avenue or Grant Street and head for home. He asked the board to think twice about this plan. The other side of the coin, if you were going to commute from Walden in addition to catching the train at Campbell Hall there will be at least a half an hour travel time. That would be an hour more a day to get the bus in Newburgh or the ferry and train out of Beacon. That is five hours a week. What does that do to a person? It doesn't make sense. If it does make sense then the station should be outside the village. Main Street produces more tax revenue to the Village of Walden. He asked that the board figure out a way to help Main Street. To pursue this any further is a waste of time. Also, grant money is not free money. If you're going after grant money lets get it for something that would benefit all the people.

Ann Ilkew, 71 Main Street stated that she has the latest pictures from Sherman Avenue that were taken today at 3:00pm. She asked the board if they would like access to them now or wait.

Mayor Maher thanked Ms. Ilkew and stated that they could wait.

John Revella, 16 Church Street stated that he appreciates Mr. Lustig's skepticism. He knows there is a lot of criticism about the Package Lighting building and the plans for that area. He's sure the village is open to any suggestions anyone might have to stimulate the economy in the Village of Walden. There's not much more the village can do to help the economy in the village. There are not a lot of industries. The only other issues they have are trying to bring in some commercial into whatever area. There are some on Main Street and they are trying to bring in more. They are looking into funding to help stimulate the area. He knows the Community Council is also trying to help and so is the Business Association. There is an opportunity in the Railroad Place area and he doesn't see why the village shouldn't look at all angles to see if they can find something that will work. If it works, great, and if it doesn't we will move on. That is the only thing he's seen recently on the agenda for economic stimulus. There is money earmarked federally and statewide for those kinds of transportation projects. There is another Main Street grant coming up. He hopes they take a hard look and looks at all angles and make sure they are doing the right thing for the entire village. He feels they are so far.

Becky Pearson, 167 Walnut Street asked about the request for funding of the fence at Bradley Field, is that in the budget.

Mayor Maher stated that will be discussed later in the meeting.

Ms. Pearson asked about the compact excavator, is that in the budget.

Mayor Maher stated yes.

Ms. Pearson asked how much.

Mayor Maher stated that will be discussed later.

Ms. Pearson stated that she called about having the agenda put on line and the minutes are not updated. Maybe we can work on that. She also asked about the lights on the bridge and Main Street.

Mayor Maher stated that he hasn't received a call back from the department of transportation and he asked that manager if he's gotten a call back yet. He also asked if the village has reached out to our elected officials.

Manager Politi stated that he did some but it would be good for the mayor to make that call.

Mayor Maher stated that he will make calls.

Ms. Pearson asked about the grants for solar lighting and the Scout Cabin and painting of the Gladstone Avenue water tank.

Manager Politi stated that the solar lights have been ordered and we are waiting for them to be delivered.

Mayor Maher asked about the Scout Cabin.

Manager Politi stated that he will give the board a report for the next meeting. He will have all the grants in the report.

Ms. Pearson asked about the CBDG money for this year, have we gotten any of that.

Manager Politi stated that he is waiting for the letter of what was approved.

Ms. Pearson asked if number one on the list was Maple Street.

Mayor Maher stated that it was the Maple Street sidewalks and then the McKinley Monument and the sign law.

Ms. Pearson asked if the Maple Street sidewalks were done before they got the grant money.

Mayor Maher stated no.

Manager Politi stated that will be in a memo to the board at the next meeting. We don't know what we've gotten so he can't report it.

Ms. Pearson stated that what she is saying is that they did the work before they got money for it. She believes that you can't go back and get the money for a project you've already done.

Manager Politi stated that Orange County makes that determination.

Ms. Pearson asked about Introductory Local Law I-5, "Vehicles and Traffic", handicapped parking on Woodruff Street, was there a discussion on that at some point.

Mayor Maher stated yes, that was the meeting she didn't attend and Mr. Lamacchia was part of the discussion and they asked the residents.

Jose DeJesus, 4 Tin Court asked about the vehicle and traffic local law, he asked if it's been done already. Are the signs up and is it striped.

Mayor Maher stated that there was the original law and this is a different law changing that law.

Mr. Dowd stated that this is amending that I-3 that set up the handicapped spaces, one on Wileman and one on Woodruff and after discussion two weeks ago this law will remove the one space on Wileman and put it on Woodruff.

Mr. DeJesus asked where they were adding the second space.

Mr. Dowd stated Woodruff.

Mr. DeJesus asked how that was decided that there would be a need for two handicapped parking spaces.

Mayor Maher stated through board discussion.

Mr. DeJesus stated that he understands that people had a problem with parking in the area which he doesn't understand because there are big signs asking people to go to Wooster Grove. Now you're putting two handicapped parking spaces, one closer to Wileman and the other just past Mr. LaMacchia's house. Usually with the handicapped parking spaces there is usually a citizen in the village who has the need for a handicapped parking space who comes to the board. Somehow this has changed and he's trying to ascertain the need for those parking spaces when you have Wooster Grove for parking. It seems to him that this came up for the wrong reason.

Deputy Mayor Rumbold stated that she thinks the discussion started because it was her understanding that the switch back was put up on Wileman Avenue specifically for handicapped access to the rail trail. When they discussed the parking there was an issue with parking in the area in front of homes and when they talked about restricting parking up there the discussion about handicapped spaces came up that if you are handicapped in a wheel chair they thought perhaps trying to negotiate Wooster's Grove and get across Route 52, go up Woodruff and then get access to the rail trail on Wileman that if the intent was to create handicapped access then there should be handicapped parking. When they set up the parking in those areas what happened was the one on Wileman restricted parking to a residence, it was really the only basic parking space that was there so if that person had family or friends there was no access to a parking spot near her home. That is why they decided to maintain the two parking spots because theoretically you could have two handicapped persons that wanted to use the rail trail simultaneously so they decided to maintain that extra handicapped parking but move it away from the residence so that two handicapped persons may be able to park there and access that without having to get in a wheel chair and negotiate through Wooster's Grove to get there.

Mr. DeJesus stated that he understands that, but he understands there were concerns from people about the parking in the area. He doesn't live there, he does use the trail and he knows about the parking. That is a public street and there should be

access for everyone. He understands handicapped parking and respects that. The issue becomes that do you then use other means to block the parking for other people in general.

Deputy Mayor Rumbold indicated that the general parking was a fire department issue.

Mr. DeJesus stated that he understood that.

Deputy Mayor Rumbold then they thought if they were moving those areas then where would they put handicapped parking so that those persons could access the trail and that is why it is where it is.

Mr. DeJesus stated that they need a cut for access to the street or into the sidewalk for the individuals getting out; it seems they went backwards with the process.

Mr. Revella stated that shopping nights in the summer was brought up at the Business Association meeting. Where a block on Main Street would be shut down for pedestrians only and stores would be open late to do Christmas shopping during the summer. They would need DOT approval.

Walden Business Association Sign Request

Manager Politi stated that the Walden Business Association, Mike Ciardullo, President approached him about getting a sign for the East Main Street business district to direct people down to the businesses on East Main Street. The McKinley monument was requested a few times and the board did not want to do anything in that area. An idea they came up with was to purchase a light post and adapt that with signage that they would put on the sidewalk by Hess so they can get it away from the McKinley monument and it would act as a directional sign to send people to the businesses on East Main Street.

Mr. Baxter stated that the sign would be double sided. It would be high up and it would sit over the roadway more than it sits on the sidewalk. It ties into the solar lighting because it will be solar powered.

Manager Politi stated that there would have to be some approval from the state because it is Route 52 and 208.

Mayor Maher stated that all the businesses are all for it.

Manager Politi stated that one of the components of the sign law was to get two or three of these in. They did get one on the corner of Oak and Main Streets but they haven't been able to place the other ones. This is one way of doing it and still stays uniform with the signage they are trying to take place.

Trustee Leonard asked where they were looking to put more signs.

Manager Politi stated that if this works, getting it in the air rather than the stanchion signs they have now, that may be the application they use out here.

Deputy Mayor Rumbold asked what the cost was.

Manager Politi stated that the poles were in the range of \$1500. He doesn't know how the businesses would work assuming there is a cost.

Mayor Maher stated that we will now have an East Main Street sign.

Manager Politi stated that right now he would like to know if the board likes the concept and then they will discuss the cost with the Business Association.

Mike Ciardullo stated that some of the businesses advertise on the state highways' and they pay really big to do that. They wouldn't have a problem paying a yearly fee.

Trustee Leonard stated that this would be better signage for the businesses and he supports it.

Trustee Millspaugh stated that he is not opposed to this.

Trustee Hurd indicated that he was in favor of it and he likes Mr. Ciardullo's idea of not paying for it.

Deputy Mayor Rumbold stated that she has no problem with it, but she would like to see the entire concept.

Mayor Maher stated that his only concern was would it impede on the McKinley Monument and it seems not to be.

Trustee Wynkoop stated that he likes the idea.

Trustee Norman stated that it is a great idea.

Trustee Norman moved to approve the sign concept. Seconded by Trustee Hurd. All ayes. Motion carried.

Resolution No. 04-09-10, Request for Real property Tax Exemption of the Village Owned Property Devoted to water Supply Facilities

Trustee Millspaugh moved to adopt Resolution No. 04-09-10, Request for Real Property Tax Exemption of the Village Owned Property Devoted to Water Supply Facilities, attached. Seconded by Trustee Hurd. All ayes. Resolution adopted.

Request for Funding for Fencing at Bradley Field-Walden Little League

Manager Politi stated that it was brought to his attention by the recreation staff that the out field fence at Bradley Park was removed. Following to that there was a crew on site to reinstall a new fence and they were told to stop work because we didn't know what was going on.

Mayor Maher stated that they contacted him and said they wouldn't be able to attend the meeting. They requested a meeting with the mayor and manager.

Manager Politi stated that the village budgeted \$6500 which was to be a match with Walden Little League for a back stop installation.

Deputy Mayor Rumbold asked if anyone knew who took the fence down.

Manager Politi indicated that he didn't know. It was at the direction of the Little League but he doesn't know who moved it.

Deputy Mayor Rumbold asked whose fence is it.

Manager Politi stated that it's our fence.

Deputy Mayor Rumbold asked if the Little League can send a reason why they took it down.

Mayor Maher stated that they will be meeting with him and the manager and then he will bring it to the board.

Introductory Local Law I-5, Vehicle and Traffic Handicapped Parking on Woodruff

Mr. Dowd stated as per the board's request he prepared a local law removing the handicapped parking space on Wileman Avenue and move it to Woodruff.

Mayor Maher moved to introduce Introductory Local Law I-5 of 2009, "Vehicles and Traffic" and set a hearing for October 27, 2009 at 6:30pm. Seconded by Trustee Hurd.

Deputy Mayor Rumbold asked Mr. Lamacchia if the handicapped space on Woodruff is being utilized.

Mr. Lamacchia stated that it is and he can show the board pictures if they want.

All ayes. Motion carried.

Compact Excavator Bid Acceptance

Manager Politi stated that in the village's capital plan, part of our borrowing for roads is a compact excavator and a one ton dump truck replacement. We went to bid for a compact excavator. We ended up with two bids. When the bid came back in there was a low bid which was the Yanmar by \$10,000, but it's not up to specifications. He asked that the board reject the bid for the Yanmar and accept the bid from Bobcat. They had appropriated \$75000. for that piece of equipment, so it came in under what they anticipated.

Trustee Millspaugh asked if the village really needs this piece of equipment.

Manager Politi stated yes.

Trustee Millspaugh stated that this excavator digs 13 feet deep and our people shouldn't be digging 13 feet deep. He was wondering if a lesser machine would suit the village's purposes.

Manager Politi stated that depth is a maximum; rarely do they go that deep. It will give them the flexibility to go out there and do the work.

Trustee Millspaugh stated that it might be more appropriate for the village to have a small piece of equipment and let our backhoe do the heavy lifting and let this do the little maneuvering for putting in catch basins.

Manager Politi stated that is actually what you are doing; this is applicable to our work and our back hoe is aging. This will extend the life of the back hoe.

Trustee Millspaugh stated that the heavy lifting should be done by contractors. He noticed in the bills that Adams Concrete had done three catch basins and that would be the direction to seriously consider.

Mayor Maher asked Mr. Lamendola to speak on Trustee Millspaugh's words.

Mr. Lamendola stated that the excavator that NYSEG uses they use it just to dig gas lines on peoples property. We have to dig up roads where they are pulling out chunks of black top and they are pulling out sidewalks. In the winter time you will be digging into two feet of frost to get to a water main. You need the power and the reach. Two weeks ago on Ulster Avenue they had to close down a full section just to get the dump truck in there, where if he had this machine he could have spun it and kept one lane open. The back hoe right now is in tough shape. This would be Bob Cat and that would give him access to parts.

Deputy Mayor Rumbold stated that she is worried about the loader. That is their work horse for salt.

Mr. Lamendola stated that in a couple years the loader will have to be replaced.

Trustee Hurd moved to reject the bid from Chambers Tractor Sales as non compliant. Seconded by Trustee Leonard. All ayes. Motion carried.

Trustee Hurd moved to award the bid for the compact excavator to Bobcat of Mid Hudson in the amount of \$71,500. Seconded by Trustee Leonard. All ayes. Motion carried.

44 Wileman Avenue Water Bill Review

Manager Politi stated that there is a request from the owner of 44 Wileman Avenue who had filled his pool with village water and he is looking for relief from the sewer portion of the water bill.

Trustee Hurd stated that he knows of certain communities that make provisions for this within their law provided that the water going into the pool is metered and that arrangements are made in advance. We have no such law on the books.

Mayor Maher asked if the village has ever done this for swimming pools.

Manager Politi stated no. There was one bill the board waived because of a broken pipe. Thirty one Sherman Avenue is the same request. He suggested something be put in the code. These will keep coming in front of the board.

Mayor Maher asked if it's justified.

Manager Politi stated that you're not sending the water to the sewer system and as long as you are monitoring it from start to finish.

Trustee Hurd stated that he had that situation and he paid the extra. What he considers is it's still incredibly inexpensive compared to buying trucked in water. He can't imagine the village would want to undertake trying to monitor and measure this. It sounds like a major nightmare. He doesn't see it as a financial hardship.

Trustee Leonard stated that you would be opening a can of worms in terms of monitoring.

Trustee Hurd moved to deny the request to waive the sewer portion of the water bill for 44 Wileman Avenue. Seconded by Trustee Wynkoop. All ayes. Motion carried.

Trustee Leonard moved to deny the request to waive the sewer portion of the water bill for 31 Sherman Avenue. Seconded by Deputy Mayor Rumbold.

Trustee Millspaugh stated that it should be explained to these people that there is no way for the village to verify the amount of water.

Mayor Maher asked the manager to call both these homeowners.

Manager Politi stated that he would call both.

All ayes. Motion carried.

Walden Fire Department Request for Reimbursement of Building Permit Fees

Trustee Millspaugh stated that earlier in the meeting the board asked for taxes on our well fields be waived, this is another governmental agency.

Mr. Dowd stated that these are two different things. That is a county legislative request to exempt from real property taxes.

Trustee Millspaugh stated that this is funded by tax dollars.

Mr. Dowd stated that the Walden Fire District is a different tax base, especially if the building inspector put any kind of review issuing the permit.

Mayor Maher asked what the manager opinion was on this.

Manager Politi stated that there is staff time on this.

Deputy Mayor Rumbold asked if they get a building permit when they put the fire house up.

Manager Politi stated that he is not sure.

Mr. Stickles stated that they paid a fee when they put the original fire house up.

Deputy Mayor Rumbold asked if they could figure out the expenses.

Trustee Hurd asked if they were setting a precedent anywhere else. They serve more than the Village of Walden. The village residents paid for the work to be done so he believes we should recover some. He thinks the deputy mayor's idea was a good one.

Mayor Maher asked how they get that portion.

Manager Politi stated that they would have to calculate the hours.

Mr. Dowd stated that they've already paid the fee.

Mayor Maher stated that he wouldn't be opposed to refunding the fee because of all the work the fire department does.

Trustee Hurd stated it's not about that. Everyone here respects the job the volunteers do, it's about because the taxing district extends to people beyond the village who would receive value from work that Mr. Stickles did. Maybe we should recover our expenses.

Mayor Maher asked if something like that could be done.

Mr. Dowd stated yes.

Deputy Mayor Rumbold stated that our expenses should be figured out, deduct that from what has been paid and refund the difference.

Mayor Maher moved to reimburse the Fire Department the building permit fee of \$1677. Seconded by Trustee Leonard. On roll call Trustee Wynkoop and Mayor Maher voted yes. Trustees Hurd, Leonard and Deputy Mayor Rumbold voted no. Trustees Norman and Millspaugh abstained because they are members of the fire department. Motion defeated.

Trustee Hurd moved to reimburse the Fire Department a portion of their building permit. Seconded by Mayor Maher. On roll call Trustees Wynkoop, Hurd, Leonard, Deputy Mayor Rumbold and Mayor Maher voted yes. Trustees Norman and Millspaugh abstained. Motion carried.

36 Sherman Avenue Update

Manager Politi passed out the structural engineers review.

Mr. Stickles stated that at the last meeting this building was found to be unsafe and ordered to be cleaned out. Since that time the entire house has been cleaned out and everything but three dressers has been thrown away. The dumpster was dumped once a day. Last Friday he met with Mark Day, Engineer who went from the basement to the first floor and seconded floor. His analysis is that the house is structurally sound and could be remodeled. The front porch facing Sherman and the rear addition by the garage will be removed and not replaced.

Deputy Mayor Rumbold asked if the engineer looked at the structure to see if it could bare the weight.

Mr. Stickles stated that he looked at the structure to see if the house could support itself.

Deputy Mayor Rumbold asked if he addressed electrical.

Mr. Stickles stated no, he was a structural engineer.

Mayor Maher stated that if funding could be found how much funding could they get.

Mr. Stickles stated that there is funding through the villages Small Cities program, through the county and through the state. This home is owned by five different people so they would all have to agree with funding and move forward.

Mayor Maher asked if that would be possible. When they were here it seemed that they all weren't on the same page.

Mr. Stickles stated that it seems like it may happen now, except for the one brother that who is in Florida. So far they have done exactly what they've been asked to do. No one has lived in that house since the first night.

Mayor Maher asked if there were any pictures of the inside.

Mr. Stickles stated that he doesn't have them today. He did take pictures last week and he will get them developed.

Mayor Maher stated that he needs some kind of visual to go by.

Mr. Stickles stated that first they wanted to make sure it was structurally sound and now they have renovations to do.

Mayor Maher asked about the water leaking into the street.

Mr. Stickles stated that is the curb box that is leaking. That is the owner's problem.

Mayor Maher asked when he was going to fix that because it affects the neighbors.

Mr. Stickles stated that the person that Mr. Ronk works for is going to take care of that. No date has been set.

Deputy Mayor Rumbold asked what the next step is.

Mr. Stickles stated that he can give the board a list of what has to be done to make it habitable.

Deputy Mayor Rumbold asked when the board will know if that will be feasible for them. If it's not then what recourse does the board have? What happens if they can't do the renovations?

Mr. Stickles stated he imagines if they can't afford to fix it they would have to sell it. You can't live in it as it is now.

Mr. Dowd stated they could declare it partially unsafe and remove those portions of the house that are listed on the structural analysis and charge that back to the property on the tax bill. You can also use the property maintenance law to put some sort of work into the exterior to make it look a little presentable and charge that back to the property.

Trustee Leonard stated that in reading the structural report basically it's not structurally sound, you need 2 x 8 floor joists in the middle with two L girders.

Mr. Stickle stated that the meaning of that is when the house was constructed originally the span was constructed with 2 x 8's, he's suggesting to cut the span in half and put the L beam down the middle. It's not for the weakness of the floor; it's to meet the current residential codes.

Trustee Millspaugh stated that it says the owner needs to install a micro lamb beam and columns in the basement. It's a requirement as well as installing the lolly columns and the new footings. That's not an option. It says he needs to.

Deputy Mayor Rumbold asked how long is it going to be before they get an estimate so the board knows that they are going to move forward.

Mr. Stickle stated that what we need to know is do they have funding and when can they start. He can give prices. He will provide the board with pictures of the inside of the building.

Mr. Dowd stated that they are all 1/5th owners and in order for anybody to sign on they would all have to sign on.

Mayor Maher asked the building inspector to get pictures of the inside, estimate costs and ask them if all five owners will agree. The board needs to know that before they make any kind of decision. He would like that information for the next meeting.

Mr. Stickle stated that all the clean up down there hasn't cost the taxpayers anything.

Outdoor Furnace Code Development

Manager Politi stated that there was quite a bit of information in the board's packets about the outdoor furnaces. There are sample legislation from municipalities that have had some requirements or banning of the use of the outdoor wood burning furnaces. Both towns and villages have adopted bans or some restrictions. When you look at the villages most of them ban them altogether.

Trustee Millspaugh stated that he read through these and 20 villages ban them, 4 regulate them and the four that regulate them put 100-200 foot distance to property lines

which has to be a big lot. Seems if we are going to regulate them we should look at the large separations. If they saw fit to ban them then we should look seriously into that.

Mayor Maher agreed.

Trustee Leonard stated that he feels they should be banned.

Trustee Wynkoop stated that he would want to see them in the village.

Trustee Norman stated that she is not for them.

Trustee Hurd stated that if you really investigate the cost, really most of us in the villages do not have a wood lot. They also produce too much soot and smoke.

Trustee Millspaugh stated that some of the villages that banned them were in the north country and wood would be a minor consideration.

Mr. Dowd stated that you would need a law. He will have the introductory local law by next meeting.

Ms. Keator asked if there are any right now in the village.

Mayor Maher stated that he did not know.

Ms. Keator asked if they do exist would they be grandfathered into the law.

Mr. Dowd stated that would have to be addressed in the law.

Ethics Board Decision and recommendations

Mayor Maher stated that it is his understanding that all they can do is take the recommendations and whether or not they are going to sign onto them as a board.

Mr. Dowd stated that the ethics board did do its investigation and it did deliver its findings and recommendations. There are three recommendations, two that this board needs to look at. It's in reference to the village's copy machine and they are recommending that the board develop some sort of internal control for the use of the village copier. The last recommendation is that they feel the ethics code is important enough to have classes on for employees and officers of the village so they don't forget their responsibilities.

Trustee Millspaugh stated that he's looked at the machine and there is a key that codes can be assigned to and those that need to be restricted can be restricted.

Mayor Maher moved that the village develop internal control for the use of the copier and that classes for employees and officers be held so they don't forget their responsibilities. Seconded by Trustee Hurd. All ayes. Motion carried.

Package Lighting-LDC

Mayor Maher stated that Package Lighting and LDC was supposed to be on the agenda to be discussed. It will be discussed right now.

Trustee Millspaugh stated that he's been upset about this concept ever since it started. He's talked with members of the community and everyone he's talked to there is no enthusiasm. They don't want to be any part of the property or building or any part of that property. The question was from the start, everyone on the board heard Mr. Lustig's presentation two meetings ago and he's sure everyone in the room read Mr. Lustig's letter to the editor and heard his comments tonight. So we all know what the short comings are to this property. He feels they are premature to get involved in anything right at this moment.

Trustee Millspaugh moved that they immediately abandon any proceedings with regard to the Package Lighting property on Grant Street, including the expenditure of any money for options, plans, studies or anything else. Deputy Mayor Rumbold seconded the motion.

Trustee Hurd stated that he will speak in exactly the opposite. He feels that only it's not premature it's overdue. The village spent almost two years revising our master plan. They looked at the area known as Railroad Place. They went through the trouble of rezoning it to the mx zone after a lot of work and consideration. It was always designed to be a two fold purpose. First to try to get the area that is underdeveloped developed to bring businesses and taxable base to the village. The second thing was that there was always the possibility in the future of possibly having rail transportation in this village, connecting to the Port Jervis line which connects to Manhattan and the area in New Jersey across from Manhattan. Tonight Mr. Lustig made some good points, but he thinks that his suggestion that we were trying to bring the railroad here so that would be a direct connection to put business there was never the intent. You have to look at the nature of what a railroad does for a community having commuter rail and if you look at the communities and he will use Beacon, if you look at the Beacon trail station of course no business is going to come up and set up in a parking lot. They know that commuters come in the morning and come back in the evening, but having that ability to take a train and commute to an area where you can earn a substantial living means that the community itself is an asset, that people come here and live here and purchase homes here and increase the value of the entire village have that ability. The paper keeps printing the fact that the village wants to spend \$750,000 to buy the building, that is not the fact and that was never the fact. We're only hoping to find, through the LDC, someone who might be able to come up with a use for that building to jump start the process, as long as that use conforms with the zoning in that area. We hope to do some of the preliminary work and for that we were hoping to negotiate an extremely favorable

price to own about two acres that is parallel with the railroad. Metro North came here and they had no money so they are not coming in this week or this month or this year and going to go with a commuter rail. They are not going to do that, but he thinks they would go wrong not to try to develop Railroad Place whether they have the commuter rail or not. If we have the possibility he thinks they would be incredibly short sided not to cease an opportunity to have some control. If you buy those two acres for a reasonable price we will own it as a village if the railroad never comes here we'll sell it and put the money back in the village. If we don't do that and we lose that possibility it would be lost forever, your choice.

Mayor Maher stated that he doesn't think anyone is against development in that area and they spoke about the possibility of rail transportation. He knows many people and many people spoke to day about a great spot for it would be outside the village, where Beacon has theirs and Middletown has theirs with twenty acres of property not three. Also, a few things that strikes him he's done his research and spoke to a lot of people, spoken to the five remaining LDC members and others that have resigned. He would question, not the LDC because they have a lot of great intentions and great projects in the past but one thing to remember and not lose sight of is that all the projects, which have been dozens of projects that the LDC has taken part of cost the village taxpayers zero dollars. Why all of a sudden it's going to cost thousands. In the first phase twenty to forty alone. He's spoken to residence and some who are for this commuter rail and attach the two together and he's spoken to residence that are against the purchase just for the commuter rail. One thing that they should do is to distinguish the two. We've spoken to the MTA and they talked about a lot of different things. They talked about how they are broke and they talked about how it's not going to get any better. They also talked about unfunded mandates and how that sets them up in the future which is not too well. Talking to Chris White, representative of Maurice Hinchey, who is 100% supportive of everything we do and supports the Village of Walden more than most representatives in other areas do. He said you might want to make it a ten year plan. His question is to everyone on the board, what are we going to do in the meantime. We are in a recession and a ten year plan is great to have, but why are we going to invest the money when there is so much that can be done in the meantime in other parts of the village, especially Main Street, which has so many vacant buildings and the Christmas on Main Street idea that is coming up with the Walden Business Association. Tons of things like that. We can talk day and night about what the village government is going to do for businesses and to stimulate our economy. Whether we do nothing or something today or tomorrow it's all going to come from our residents. We don't have to spend all this money, its here, its us. We are going to have our own destiny in our own hands as we always do. It's the Walden Community Council, the Friends of Walden Youth and things like that we have to invest in. Its what we have that our residents are already utilizing that we need to spend our money in before we put money into another area and redevelop it. No one here is against redevelopment in the area, but we have to prioritize in these times with funds that we have. How on earth do we have the money to invest in this project but we don't have the money to pay for our tennis courts. There are certain things that you have to ask. He wants the board's opinion on this.

Trustee Leonard stated that he has one question, why is this coming up again, is there any new information.

Mayor Maher stated that he and the manager spoke and he had talked to him that they really have to decide whether or not we are going to move forward on this because of costs that may be incurred.

Trustee Leonard stated that we're going over everything they discussed previously, at least in executive session. There is no new information.

Mayor Maher stated, not that he knows of.

Deputy Mayor Rumbold stated that Trustee Hurd is correct, there is nothing wrong with a municipality having the fore thought to invest in an area that they want to revitalize so that they can have some control over what that revitalization looks like. The village has a plan and they want to be able to see that plan thought through. When you look at the village as a business, which you have to, that when we're sitting in a building that they know desperately needs a roof that houses our village offices, police department and library arguably this building is the nucleus of this village that is debt we are going to have to incur to take care of that. Our DPW building is bursting at the seams, we just spent \$71,500 on a piece of equipment that we are going to ask that building to protect. That is in serious need of something being done to it, that's debt. We have a building next door which the village purchased as an investment. We sided it and put windows in it and the inside is still not finished, that's debt. When she weighs the pros and the cons and she looks at taxpayers in this economy and say if we are going to have to incur debt which we are going to have to, her preference would have to be to incur debt to protect the investments that we have already. There are many things in this village that because of the shear cost have been patched, taped, glued and we're going to have to pay the piper. While she understands the fore thought of that mx zone in that area, if our house was in order and we didn't have all these issues she could look these people in the eye and say, yes we need to make that investment because we need to try to control what happens in that area. She would have no problem asking these people to take on debt to do that, but when she knows in her heart and they've talked about it through budget, the issues that are going to be coming up in this village we're going to have to find the money some where and we're getting done with the bond and if we're getting done with a bond on this building, we're going to incur debt, rebound and do the roof protect this investment before we go out on a limb and do something else. She wishes they could do it all, but she just cannot ask and look people in the eye and say, I'm in favor of incurring debt for someday when reality tells her that they need to direct that little bit of money and protect what we have now.

Trustee Wynkoop stated that he loves the thought of a railroad coming here and there are so many people that commute to the city. A study was done and forty six percent of the riders come from this side of the river. A lot of the people that commute think it's a good idea. He doesn't think they should spend \$750,000 for a building, we're not in the develop business. Sign of the times right now it's tough on us and the

taxpayers. He would never give up the dream of a railroad coming in. It would greatly enhance the property values in the area. It has its pros or cons. He would never buy a building. There is a lot of money to be spent before a railroad could even come in here, but don't give up the dream. Right now he can't find the way to say spend the money.

Trustee Norman stated that she has been torn between this for a long time. She has gone by the building many times. She would like to see the building done over for restaurants or whatever would go in there. She is not that sure of the railroad. At this time she has to agree with the deputy mayor. We have put a lot of things on the back burner and some of it has to come forward. We started traditions last year that people were excited about and now we have to stop it. She has done a lot of work with the Friends of the Walden Youth they just finished putting up a children's village at Olley Park. There is a lot that has to be done. She is also concerned about the tennis court, because it's one of the things that was promised to get done and unfortunately they weren't able to get it. She thinks it's the wrong time to even advance to something like that.

Mayor Maher thanked the board for their input.

All ayes with Trustee Hurd voting no. Motion carried.

Public Comment – Business of the Board

Ann Ilkew stated that with regards to 36 Sherman Avenue there was the question about could they afford anything, they haven't paid their taxes for two years and as of March the county will be going into foreclosure on their property. She has pictures of the inside of the house as of September 28, 2009.

Mayor Maher stated that there are pictures coming.

Ms. Ilkew stated that Mr. Ronk assured her that he has no money to pay for licenses or any kind of vaccines for the dogs. He surrendered four of his dogs to the shelter. There are seven dogs still unaccounted for. He's going to court tomorrow and he said he would disclose their location to Mr. Pangia and as of today he hasn't. Until she knows something more this is still an open investigation.

Mayor Maher asked if the tax information would have an impact on the board's decision.

Manager Politi stated that would be more for Mr. Stickles.

Lori Keator, 29 Rifton Place stated that in regard to the house on Sherman Avenue she went through this when she was on the board. Mr. Ronk did what he always does, he cleans it to a point and then it goes by the way side. There are five owners of the property and the gentleman in Florida seems to be the hardest one to reach and she doesn't think the last time it was a ritual and that is why it came to a stand still. She

works real estate and she does foreclosures every day and 90% of what she sees looks like that house. She feels you're not going to get everyone to agree and you're just going to go round robin. She urged the board to do something about this property.

Mary Ellen Matise urged the board in light of the way this whole issue of the Packaged Lighting building has gone on since March unbeknown to former board members, it's time to review the mx zone. She remembers Trustee Hurd saying that because something is in the plan doesn't mean what it's going to be. He told them that before she got on the board they were having public meetings about the comprehensive plan, just because that is going to be ten houses per quarter acre that doesn't mean that is what it's going to be when they finally do the zone. That is not true and you can go back to a plan and revise it. The mx zone, all the businesses there are non conforming. They can't get mortgages or loans, they can't expand their business because they won't fit into whatever plan had in mind five years ago. Beyond changes in the economy the public is telling the board to look at that whole area.

Dave Lustig thanked the board for their vote. He feels much better about it. He would assume the grant money is still hanging out there. He remembers talk about a pedestrian bridge over the Tinbrook at the end of the rail trail and you wouldn't have to cross Route 52 to get to the trail. You can get a prefabricated bridge and that would enhance the rail trail.

Manager Politi stated that they've applied twice for a grant and it was turned down both times.

Mayor Maher asked if there is one pending.

Manager Politi stated that they will continue to look for grant money.

Mayor Maher stated that the whole board feels that is a great project.

Approval of Minutes

Trustee Norman moved to adopt the minutes of September 22, 2009. Seconded by Trustee Wynkoop.

Deputy Mayor Rumbold asked if the manager got the final engineers cost for the pump.

Manager Politi stated that he is meeting with the engineer next week and they will be finalizing.

Deputy Mayor Rumbold asked about Mrs. Sandbothe's swale, when will that be fixed.

Manager Politi stated that is ongoing.

Deputy Mayor Rumbold asked if Mr. Howland will have his final report on the summer program.

Manager Politi stated that he will ask him.

Deputy Mayor Rumbold asked how they did with the late payment fee from Toshiba.

Manager Politi stated that's still being looked into.

Deputy Mayor Rumbold asked about the repair for Ivy Hill/Bradley Lane, how much is that costing.

Manager Politi stated that he will develop a number. They did take care of it.

Deputy Mayor Rumbold asked if the manager figured out who did the original wiring on Main Street.

Manager Politi stated no.

Deputy Mayor Rumbold asked if a congratulations letter was sent to Debra Calvino.

Mayor Maher stated yes.

Deputy Mayor Rumbold asked to see a copy of it.

Trustee Leonard stated that on Page 19 change Bernard Dooley to Bernard Bowen.

All ayes. Minutes adopted.

Trustee Hurd moved to adopt the minutes of September 30th, 2009. Seconded by Trustee Leonard. All ayes with the exception of Deputy Mayor Rumbold abstained. Minutes adopted.

Audited Bills

Trustee Millspaugh moved to pay the audited bills of October 13, 2009 as long as there are four signatures. Seconded by Trustee Norman.

Manager Politi stated that the pumpkins were from out of state so they cost more this year.

Trustee Millspaugh stated that he has a question on the sewer by pass. He didn't see any sign off by the county or engineers.

Manager Politi stated that he has all that information.

Trustee Millspaugh asked about Change Order No. 5.

Manager Politi stated that he finished.

Trustee Millspaugh stated that he didn't do that in a timely manner, so he doesn't see why we're paying it. Stantec should be questioned they were watching the job. He asked if the manager had the as built plans.

Manager Politi stated that he will check.

Trustee Millspaugh stated that we paid him for the winter work. Nobody was watching that job.

Deputy Mayor Rumbold stated that only the bills with four signatures should be paid.

Trustee Norman stated that there are four signatures on them.

Trustee Leonard stated that he will be in the morning to sign the bills.

Deputy Mayor Rumbold stated that she came in to do parks and rec and they are all smushed together.

Trustee Norman stated that the bills were fine when she was in.

All ayes. Motion carried.

Correspondence

There was no correspondence.

Board Comments

Trustee Norman thanked Eileen Brickner and Anita Vandermark for helping with the decorating of the square. The Recreation Department and DPW crew were a great help and the library came through with the scare crows. Also, she has gotten compliments on how nice Walden Day was.

Trustee Norman also stated that on First Street there is someone that thinks he can have 10 cars and park them on the street and people who own homes that want to park on the street can't do it. There are some cars without plates. Also, she has talked to the

manager about the west side of town being decorated for the holidays. She also stated that there are a lot of signs on the telephone poles and the garage sale signs aren't coming down. We need to get them off the poles.

Trustee Wynkoop stated that Walden Day went very well and it was well planned.

Mayor Maher stated that Walden Day/Harvest Fest was great this year. He thanked all those involved. He is also in favor of the west side of the village having holiday decorations. The Walden Business Association has some good ideas for Christmas. He asked Trustee Norman if she wanted to be involved in that. The youth employment program started this week. He thanked Trustees Hurd and Norman for sitting on the committee. Trustee Norman will be mentoring one of the youths. Each of the kids have mentors and they are putting together one hour work shops by weekly. He also thanked Kevin Dowd for his help.

Deputy Mayor Rumbold stated that she missed the Harvest Fest because she was sick, but she heard great things about it. She thanked everyone for working so hard. She thanked Anita Vandermark who called her to make sure she was still alive.

Trustee Millspaugh thanked the village for cutting the brush back at the intersection of Highland Avenue.

Trustee Leonard stated that he had a lot of feed back about Harvest Fest; it was one of the best. He thanked everyone and hopes they come back next year.

Mayor Maher stated that the rededication of the firemen's monument will be on October 14th at 7pm and after that will be the Community Council meeting. He asked everyone to attend the Community Council meeting.

Executive Session

Trustee Leonard moved to hold an executive session pursuant to 105-(f), DPW, Parks and Recreation and Police personnel, 105-(e) PBA Negotiations and 105-(d), Litigation, of the Public Officers Law. Seconded by Mayor Maher. All ayes. Motion carried.

Trustee Hurd moved to reconvene the regular meeting. Seconded by Trustee Leonard. All ayes. Motion carried.

Trustee Hurd moved to approve the signing of the DEC consent order. Seconded by Trustee Leonard. All ayes. Motion carried.

Trustee Hurd moved to hire Andrews Investigators. Seconded by Trustee Norman. All ayes. Motion carried.

Adjournment

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

Respectfully submitted,

Nancy Mitchell
Village Clerk