

**Village of Walden
Board of Trustees
Regular Meeting
October 27th, 2009
Motions and Resolutions**

Public Hearing – Local Law I-5-V&T Handicapped Parking Space @ Woodruff Street

Deputy Mayor Rumbold moved to open the public hearing. Seconded by Trustee Norman. All ayes. Public hearing opened.

Trustee Hurd moved to close the public hearing. Seconded by Trustee Wynkoop. All ayes. Public hearing closed.

Trustee Hurd moved to declare the Board of Trustees lead agency and to declare a negative declaration with regard to SEQRA. Seconded by Trustee Norman. All ayes. Motion carried.

Trustee Hurd moved to adopt Local Law I-5 of 2009, "Vehicles and Traffic" as Local Law No. 6 of 2009. Seconded by Deputy Mayor Rumbold. All ayes. Local Law adopted.

Request for Audit Services with Nugent & Haussler

Trustee Leonard moved that the audit be done every two years because it's twenty plus thousand dollars, the reports that come back are virtually the same from year to year, we've had no significant problems and that's a ½ percent of our budget, it's redundant. Seconded by Mayor Maher.

Trustee Leonard withdrew his motion.

Christmas on Main Street

Mayor Maher moved to close Main Street from 6-9pm and advertise the business mall from 6:30pm to 9pm and have Christmas on Main Street. Seconded by Trustee Hurd. All ayes. Motion carried.

Outdoor Furnaces

Trustee Leonard moved to set a public Hearing on Introductory Local Law I-6 of 2009, Nuisances on November 10th, 2009 at 6:30 pm. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

Approval of the Minutes – October 13th, 2009

Deputy Mayor Rumbold moved to adopt the minutes of October 13th, 2009. Seconded by Trustee Norman. All ayes. Minutes adopted.

Payment of the Audited Bills

Deputy Mayor Rumbold moved to approve the audited bills of October 27th, 2009 that have four signatures or more. Seconded by Mayor Maher. All ayes. Motion carried.

Executive Session-DPW Personnel; Park & Recreation Personnel; Village Manager

Deputy Mayor Rumbold moved to hold an executive session pursuant to 105-(f), Personnel, Village Manager, DPW and Parks, Police and Recreation and 105-(e) PBA Negotiations, 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. Meeting reconvened.

Adjournment

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

Village of Walden Board of Trustees Regular Meeting October 27th, 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
	Nancy Mitchell, Village Clerk

Presentations

Mayor Maher presented John Revella, President of the Walden with a certificate of appreciation for the Walden Community Council for their hard work and dedication towards the goal of making our village a better place to live.

Nat Winum, Past President and Jean Winum, Treasurer were unable to attend the meeting to receive their certificates of appreciation.

Brenda Adams was presented a certificate of appreciation for going above and beyond her duties as a tax paying resident as secretary of the Walden Community Council and as a human being.

John Revella was presented a certificate of appreciation for going above and beyond his duties as a tax paying resident as secretary of the Walden Community Council and as a human being.

Public Hearing – Local Law I-5-V&T Handicapped Parking Space @ Woodruff Street

Deputy Mayor Rumbold moved to open the public hearing. Seconded by Trustee Norman. All ayes. Public hearing opened.

Mayor Maher presented the Affidavit of Publication, Affidavit of Posting Notice and Notice of Hearing, which he read.

Mr. Dowd stated that this law takes away the one handicapped parking space on Wileman Avenue and puts it on Woodruff Street.

There were no comments from the public.

The public hearing was kept open.

Village Manager's Report

Manager Politi stated that there is an update of the rail trial in the manager's report. One important point is that the Town of Montgomery has been awarded a \$75,000 grant to put parking in off of Lake Osiris Road. That will help with parking. Also in the manager's report is a recommendation for the comprehensive plan. He would like to reestablish the comprehensive plan review committee. It's been five years since the time of adoption.

Manager Politi stated that one of the important revenue items for the village is the sales tax revenue share and we are on the mark from what we budgeted. We had budgeted \$800,000 as a revenue and our first quarterly payment was \$210,000 and this quarter is \$213,000. We are a little bit ahead. This represents 13% of your revenue.

Deputy Mayor Rumbold asked how much are these figures that we budgeted down from last years budget.

Manager Politi stated that the highest point was about three years ago where they broke \$950,000 in revenue.

Deputy Mayor Rumbold asked if the manager remembered what it was the year before this.

Manager Politi stated \$850,000. He further stated that in the board's mail boxes are the copies of the comprehensive plan design guidelines for Main Street and the mx zone.

Deputy Mayor Rumbold asked if the guidelines were three years old.

Manager Politi indicated that they were. He asked if the board had any questions about the department reports.

Trustee Millspaugh asked what the latest was on 36 Sherman Avenue was.

Manager Politi stated that the building inspector will be coming back to the board for another hearing to take it to the next level. The building now needs work. The owner has done a lot of clean up and clean out of the property. You're at a point where they're going to need to make an investment in that building and that is when he will come back to the board. The building inspector will be coming back to the board at the next meeting with that request.

Deputy Mayor Rumbold asked if she was missing the DPW report.

Manager Politi indicated that he has it and he will print it out for the board.

Mayor Maher stated that he has heard that the zumba class is a big hit.

Trustee Hurd asked the manager how it feels to be "50".

Mayor Maher asked the manager if he's gone over any ideas for the west side Christmas decorations.

Trustee Norman indicated that they are meeting next week.

Manager Politi stated that he did get a call back from DOT concerning the bridge.

Mayor Maher stated that he spoke to someone today too.

Manager Politi stated that they are coming back out to look at the bridge. Hopefully the wiring on the bridge.

Mayor Maher stated that the time line is within a week. He told the mayor that he looked under Section 46 or 26 and it did say it's the responsibility of the village to maintain the bulbs.

Manager Politi stated that there is a problem in the wiring. We will maintain the light bulbs, but not the fixtures.

Deputy Mayor Rumbold asked if the manager got a final figure from Stantec.

Manager Politi stated that he has one more meeting this week and he will be coming back to the board.

Mayor Maher asked if they were still on schedule with the solar lighting.

Manager Politi stated yes, they are in manufacturing right now. It takes six to eight weeks.

Deputy Mayor Rumbold asked if they will be delivering them to the village or holding them until the spring.

Manager Politi stated that they have to get into the ground. They will be working on footings and anchor bolts by the next week.

Public Hearing – Local Law I-5-V&T Handicapped Parking Space @ Woodruff Street, Continued

Mayor Maher asked if there were any comments from the public.

There were no public comments.

Trustee Hurd moved to close the public hearing. Seconded by Trustee Wynkoop. All ayes. Public hearing closed.

Trustee Hurd moved to declare the Board of Trustees lead agency and to declare a negative declaration with regard to SEQRA. Seconded by Trustee Norman. All ayes. Motion carried.

Trustee Hurd moved to adopt Local Law I-5 of 2009, "Vehicles and Traffic" as Local Law No. 6 of 2009. Seconded by Deputy Mayor Rumbold. All ayes. Local Law adopted.

Public Comment

Lynn Schwandt, 143 N. Montgomery Street asked about the lawsuit with the Town of Montgomery, A Fund, the Sue Cockburn mess that we have.

Mayor Maher stated that what Ms. Schwandt is referring to is the lawsuit pending right now that two citizens of the Village of Maybrook has on the Town of Montgomery for charging the A Fund contribution for their zoning and planning law suit that's the land master law suit. What they did was they took the money out of the A Fund surplus and that is a charge to all the villages. Himself along with the mayors from Maybrook and Montgomery and our attorney Kevin Dowd

believe that it should not be an A fund charge and we are watching what happens with the law suit that's the two citizen's from Maybrook have. There is no point in us having our own law suit because that is still pending. They are doing everything they can to make sure the taxpayers to make sure they are not double taxed and there is no taxation without representation.

Mary Ellen Matise, 21 Clinton Street asked if this board was not going to make any written or verbal comments during the town's budget process. The public hearing is still open on that. Last year Mr. Dowd sent a letter from the board. Maybe it would be appropriate for this board to comment as a board even though they are not participating in the lawsuit right now.

Mayor Maher stated that he did discuss that with Mr. Dowd and a few board members and they did talk about doing that. He asked if any of the board members would object to the attorney drafting a letter on the board's behalf.

Mr. Dowd stated that he would strongly suggest that the village's register their objections to the Town of Montgomery budgeting in the A Fund to pay back the bond that they borrowed earlier this year to pay back the legal fees for the law suit which is \$651,000.

Mayor Maher asked the attorney to put something together, have all the board members sign it and one board member attend one of the budget sessions and they could present their argument.

Ms. Matise stated that it is worth having it on record. They did that on the rec line, they even took the senior money out. That would make it a little more palatable to village residents if they got it down below the 2%.

It was the consensus of the board to have the attorney draft a letter to the town.

Dave Lustig, 54 Oakland Avenue stated that he recognizes the board as good will ambassadors' for everything that goes on in the Village of Walden. He feels that no matter what anyone's business is that comes before the village they should go away feeling good about it, go away smiling whether they win or lose. However, a week ago he had a leak in the roof of his house which is 18 years old. He had a leak in his commercial building downtown. He called the fellow who came from Greenville and after two attempts he cured the leaks. He felt so grateful to him for what he had done that he asked him to look at his house and give him an idea what it would cost to replace that roof and he did that. He was busy during the summer and the weather wasn't that good. Going into the fall the weather still wasn't that good, but then the forecast was for a few good days of weather. He called him and he said he could be there on Monday. That was on a Friday. He called the village office and he was told to apply for a building permit. The contractor asked Mr. Lustig to find out if they required a weather shield. He was faxed a contract. He gave the contract to the building inspector and he said he had a check with him for the amount and he asked how soon he could have the building permit. The building inspector said that it takes a while to fill out the papers, have the contractor pick it up on Monday morning. He called

the contractor and explained it to him and told him he has to sign the permit, not him. He was a little surprised at that. He said, you're the owner of the house, but if that's the way the village demands it I will sign the building permit. The contract came on Monday, October 19th. Mr. Lustig went to pick up the building permit and it wasn't ready because the building inspector said to him that it has to be signed by the contractor. He went back home and called the contractor to tell him that and he said I'll be there to start work tomorrow morning. Mr. Lustig told him that the offices open at 9am, so be there at 9 and he gave him directions to the village office. The village already had Mr. Lustig's check for \$96.00 and he was confident that his contractor would go there at 9am, but in the mean time he got to the house and the weather was perfect and he started stripping the shingles off because he had to have the weather shield. About twenty minutes after nine he was back and he was quite ruffled. Mr. Lustig asked him what was the problem and he said the building department told him that it takes seven days from the time the application is applied before the permit is issued. He said, not only that when I told them I already started work the clerk, (not Nancy) said to him," you started work, you're subject to a \$1,000 fine and Mr. Lustig's building permit fee will be tripled. This gentleman is as honest as you can imagine. Mr. Lustig was infuriated. The weather was good, he's got quite a few rows of shingles stripped off. Mr. Lustig said he would find out, he went into the office and he was told that he should have known better and he said wait a minute I talked to the building inspector himself, I know I'm old but I'm not senile and I'm not crazy. He said you can pick the building permit up tomorrow; it has to be signed by the contractor. With that the person called Dean and gave him the phone and was given the same story, Dave, I told you seven days. He told Mr. Stickles that he's not crazy and he's not deaf. He told him specifically have the contractor pick it up Tuesday morning. Mr. Stickles said, send him over. He sent the contractor over and three days later the job was done and everything was fine. His question is that the policy, seven days. He even questions whether that needs a building permit, but if it does so be it, but seven days. Here the weather wasn't bad, the roofer was backed up and he was lucky to get him and they wanted him to send him home and come back in seven days. It left a bad taste in his mouth, as well as the contractors. He had the building permit with him and it says specifically, signature of applicant. His contractor isn't the applicant, he is. Why did he have to sign it? Something isn't right about this and if that's policy then by all means it should be changed.

Mayor Maher asked the manager to explain what the policy is.

Manager Politi stated that he will respond with what the policy is. He will look at the code.

Judy Alfloyd, 49 Main Street stated that she is here to support the closing of Main Street for the Christmas holidays. It would generate business and lift the spirits of those in Walden.

Stephanie Faso, 37 Oakland Avenue stated that as the WBA secretary and as a resident she wants to pledge her support for the Christmas on Main Street program. She read an excerpt of a letter that crossed her desk this week from Richard Crisco of Montgomery Business Association to our Walden Rotary,

what we are trying to accomplish for the Village of Montgomery's old fashion holiday weekend is to promote business in our community. Times are tough and we must adapt our strategies in order to draw people into our businesses in our community. We feel people are looking for things to do that cost little to no money but are safe and fun family activities. On December 12th Santa will be visiting the village. The business association would like to piggy back on this and offer some incentives for people to visit our shops and restaurants. We are inviting the Boy Scouts and Girl Scouts to participate on the streets by ringing Salvation Army bells and offer gift wrapping, etc. We are inviting the middle school and high school band chorus members to sing and play holiday music on the street corners. We will have a decorating contest with the businesses and a raffle for the visitors as well. The music studio will be offering a four hour kid day event on Saturday following Santa's visit for parents to drop their children off so they can ceruse the shops on their own. On Sunday there will be a tree lighting ceremony with music offered under the tent. She said that someone has been reading her emails. The letter went on to state that Montgomery is a great village and they thanked everyone for their consideration to put Montgomery on the map as a destination. She wants Walden on the map.

John Revella, 16 Church Street stated that he serves happily as the president of the Walden Community Council this year. Although he accepted the certificate of appreciation the appreciation goes out to all membership throughout the year. It's a blessing, thrill and he is glad to be a part of it.

Dale Hammond, Walden Lodge and an employee of Sohns Appliance Center stated that he would like to show his support for Christmas on Main Street. Growing up in Walden we all know that Walden is an absolute gorgeous village and it's full of great people. It's important to bring everyone together on those Thursday nights.

Anita Vandermark 76 Highland Avenue announced that this is the last week for the Farmers' Market from 11:30 to 4:00pm.

Mr. Lustig stated that he likes to use the rail trail, but there is a problem with the bicyclist's whizzing by. You can't hear them coming on you. He suggested an organization from Walden solicit funds to buy bells and give them out to the adult bikers so they can warn the walkers.

Trustee Leonard stated that the proper etiquette is if you're on a bike you call out left or right indicated the side you are passing on.

Trustee Hurd stated that the village does not have the rules posted yet.

Manager Politi stated he will contact the town to see if they will be producing the rules. A center line would help and they may want to do that in the future.

Dave Sperry, 12 Overlook Terrace asked about leaf pick up.

The Village Clerk indicated that it will continue for the month of November.

Mr. Sperry stated that at the last meeting it was mentioned that the fence at Bradley Park was removed. Who authorized that?

Mayor Maher stated that no one authorized that. There will be a meeting on Thursday with the Little League directors to discuss why they did that and what we are going to do moving forward.

Mr. Sperry asked if the tennis courts will be done next spring.

Mayor Maher stated that it will be in the next budget and start the process early so he hopes it will be done in the spring. He will do everything to make it happen.

Mr. Sperry stated that two months ago members of the board had questions about Overlook Terrace the road being completed. He had questions too. Two months ago the board was notified that property was sold and three years before that a bond wasn't taken for the finishing of that project. He asked if there were answers to those questions.

Manager Politi stated that the roadway was accepted by the village in November of 2005. The dedication is for the newly constructed portion of Overlook from Wait to the old section of Overlook by James Smith's old house. There are no longer any bonds or letters of credits on file. The village owns the roadways and the improvements. The sidewalks in front of the four lots that were sold are to be installed when they build those homes.

Mr. Sperry stated that there was a bond held for the finishing coat on the last approximately 200 feet of that road by the developer. Also the developer doesn't own any of the property now. He built two houses and sold two lots. There was a bond being held for the remainder of that project which would include the sidewalks and the finish coat of that road. The finish coat is not done and the village doesn't hold a bond to finish that. There is 200' of road that is not finished that the village is stuck finishing and now there are two houses with sidewalks that are done that the village is going to have to pick up the tab.

Manager Politi asked Mr. Sperry to give him the information if he has it.

Mr. Sperry indicated that he will bring it to the manager.

Dennis Wagemann, 27 Ulster Avenue stated that he would like to comment on 36 Sherman Avenue. It seems like there is a very dangerous precedent being set here. It looks like the village is trying to have this house updated to current code. Most houses in the village don't meet the current code. The house he's living in doesn't. When does the village decide to step in and tell someone their house has to be brought up to current code? If he takes a look at 36 Sherman Avenue and he goes past houses on the other side of the river that are a lot worse than the one on Sherman Avenue, what is to stop the village from walking into that house or walking into his house and telling him that he has to

make his house up to code. Not only structurally but all the systems. How can the village residents get protected against this kind of intrusion?

Mayor Maher asked that if Mr. Wagemann saw the pictures of this specific house.

Mr. Wagemann stated that the question is being brought up to current code. That is the problem. He can't do it.

Mayor Maher stated that would be a question for the building inspector. He will look into it and get back to Mr. Wagemann.

Request to Establish Comprehensive Plan Review Committee

Manager Politi stated that he is requesting this. He gave the board members copies of the comprehensive plan which is 2005 as well as the recreation survey. This should be revisited every 3 to 5 years. It is a living document. The committee last time consisted of homeowners, different board members, and businesses. Jose DeJesus was the chair at that time. He asked the board if they are ready to revisit this.

Mayor Maher asked how the committee gets formed. Does the board form that committee?

Manager Politi stated that you need to hit all segments of the community when the board establishes it.

Mayor Maher stated that he definitely wants to see people from the business community on the committee.

Trustee Leonard stated that he agrees that members of the planning board should be involved as well as members of the community and trustees. You don't want the committee too big.

Trustee Millspaugh stated that he feels it's premature for a committee right now. Within the document there is a schedule of things to be done and who's responsible. There should be a review of what has been accomplished and what still is to be accomplished and then think about a committee to overview the revised report.

Manager Politi stated that is the reason for the committee. The committee created this document and the committee could review that document to see where we are going.

Trustee Millspaugh stated that they put responsibilities for who was to do it, the Village Board the Village Manager whoever. They should respond to their responsibilities before we get an outside committee.

Mayor Maher asked if the board should discuss this further, look at the comprehensive plan before they form the committee.

Trustee Millspaugh stated that the responsibilities should be reviewed in house with the board before there is a committee for the revision of whole thing.

Mayor Maher asked that this be on the next agenda as a discussion item.

Trustee Millspaugh stated several meetings.

Trustee Hurd had no comment.

Deputy Mayor Rumbold stated that the document doesn't say if things have been completed, it wouldn't be a bad idea to discuss it and go over this document and see where it ended up.

Manager Politi stated that he will get the board the information, you're at 80%. You'll see connected points where you couldn't move forward. You won't get all these done. Its 42 suggestions and you have the bulk of it done. The most critical components of the zoning is passed. It's not so much the responsibility that you're looking at whether it's been completed what it is out of the outcrop of those meetings and that work are the items themselves which may need to be reviewed.

Deputy Mayor Rumbold stated that if the board is going to have a representative it would be good to discuss it so our representative knows what to bring to the committee.

Manager Politi stated that he will put together what is completed.

Mayor Maher stated that it would do service to the committee if they as a board discussed it as a discussion item for the next meeting. If they need to discuss it more they will. They will take as much time as needed because it's a huge deal. He would like to take the time and get it right. He asked the manager to get the statistics together. He's not opposed to form a committee as long as they are at that stage.

Manager Politi stated that the recreation review is attached to that. It's something to incorporate.

Trustee Norman stated that she is fine with it.

Request for Audit Services with Nugent & Haussler

Manager Politi stated that we have the annual audit and Nugent and Haussler has done it for us. They have send in their tentative agreement and he asked if the board would like to move forward with it.

Trustee Leonard moved that the audit be done every two years because it's twenty plus thousand dollars, the reports that come back are virtually the same from year to year, we've had no significant problems and that's a ½ percent of our budget, it's redundant. Seconded by Mayor Maher.

Trustee Hurd stated that the reason we're having no problems is because we have an annual audit. We can take pride that our audits are exemplarily to the penny. We have some extremely competent people. He liked the idea of having this looked at every 12 months.

Trustee Millspaugh stated that perhaps if they had an audit every other year and took the money that is not used on the audit, one of the auditors recommendations is to we increase the internal controls and ask them to work with the manager in carrying out their recommendations. He thinks the comment about internal controls will come up this year.

Mayor Maher asked if that was feasible.

Manager Politi stated that you're not paying the bulk of this work out of the general fund, only half from the general fund. The rest comes from community development, because you're doing the audit of the community development funding as well.

Mayor Maher asked how much it costs the village taxpayers out of our budget.

Manager Politi stated that he will get the board that exact number. It is a split. It's half that. The treasurer strenuously requests this audit, because you've come off of a tough year. She needs that check as well. Especially this year because it will be a tighter year. The staff asks that the board move forward with the audit on a yearly basis.

Mayor Maher asked what the audit does to alleviate from it being a tough year.

Manager Politi stated that the recommendations that come out as you get into tighter situations, to make sure we're doing the right job with the money, that we're distributing and using it accurately.

Mayor Maher stated that Trustee Leonard's comment is right on the nose, redundant. If you're getting the same thing every year you would think you're beyond the recommendations right now.

Manager Politi stated that the internal control they are looking for another position.

Trustee Hurd stated that recommendations are just part of what they do, they actually check the work.

Manager Politi stated that he doesn't know what the charge would be for two years.

Mayor Maher asked the manager to look into the board's concerns and have this on the next agenda as and action item. He feels there are too many questions that need to be answered before the board takes action.

Trustee Leonard withdrew his motion.

Deputy Mayor Rumbold asked if the comptroller's office would come in and do an audit if we requested it.

Manager Politi stated that they are in the area. It's on a rotation. You could ask.

Mayor Maher asked if it would cost the village anything.

Manager Politi stated that he doesn't know. He will check with the comptroller's office.

Trustee Leonard stated that he would also like to see the comptroller's office come in.

Manager Politi stated that the audit is not a requirement, but communities do it.

Deputy Mayor Rumbold stated that she isn't saying for the village not to do their due diligence because the taxpayers expect that from the village. She is saying this is like cookie cutter thing every year and there is nothing wrong with exploring a different kind of audit.

WBA Presentation – Christmas on Main Street

Stephanie Faso thanked the businesses for coming out who are too shy to speak. This program would utilize three Thursday evenings when many of the businesses are already open late to create a unique shopping opportunity village wide. This includes window décor, musicians, carolers, performers and refreshments. A component of this program includes a creation of a pedestrian mall on Main Street between Bank and Oak to allow for the businesses at our gateways and Orchard Street to participate as well as for the entertainment. These three nights present an opportunity for people to change their habits, of driving down Main Street through Main Street on their way to someplace else. To spend their money and to support that municipalities sales tax revenues.

Donna Hall stated that they cannot make Walden a destination spot until they bring people in to stop and shop.

John Revella stated that the more sales tax revenue is generates the lower property tax will be.

Ms. Faso asked that the board consider this program not as a cost but as an investment. This has the potential to recover the cost through the sales tax revenues. As a cost reduction they are looking into the use of the fire police.

Ms. Schwandt asked if they are doing this the night of the tree lighting ceremony.

Mayor Maher stated that first night will be that night.

Ms. Schwandt stated that there is no where for the tractor trailers to go.

Mayor Maher stated that he spoke to the department of transportation and Chief Holmes will be speaking on the challenges to that, but it is possible. It will be hard to do, but it can be done. It really should be done for the business community.

Manager Politi stated that DOT is not going to tell you no they just need to know the details. In speaking to the chief it is doable.

Trustee Hurd asked what the cost would be.

Manager Politi stated that it would be \$900 to \$1000 per night.

Mayor Maher stated that is not a defined cost because he's talked to the Department of Transportation and police officers or fire police cannot only be crossing guards.

Manager Politi stated that if we do it internally with our own crossing guards and police department it would be \$900, in that area.

Trustee Hurd suggested they hold the program in the square rather than on Main Street.

Ms. Faso stated that using the square would cause everyone to relocate.

Mayor Maher stated that it shows off our Main Street. It lets people stop at our Main Street and look at all the windows that the business owners have signed on to do.

Mayor Maher stated that the reason for closing down the street is to include businesses that aren't on Main Street by having a little kiosk and they've spoken to businesses who spoke up in favor of this.

Ms. Faso stated that the only way that they will really be able to comfortably include their gateways and those businesses off that block is to have that block be safe and secure and spacious for the vendors and shoppers.

Trustee Hurd asked if there were any insurance issues.

Mr. Dowd stated that there is always an insurance issue, depending on what the board wants to impose.

Mayor Maher stated that our insurance agent said that they will have to do a perm 17. The village applicant for the permit engineer will have to do the perm 33. This will create a lot of energy in the village and he is 100% in favor of it. He urged this board to support it. He will do his best to outreach to the fire police and work with the chief and the manager to see that there is no cost, but if there is an investment cost the board should vote in favor of it.

Mayor Maher moved to close Main Street from 6-9pm and advertise the business mall from 6:30pm to 9pm and have Christmas on Main Street. Seconded by Trustee Hurd.

Trustee Leonard asked about advertising in the paper.

Ms. Faso stated that they have that covered. She also stated that the dates are Dec. 3rd, 10th and 17th.

Deputy Mayor Rumbold stated that no matter what goes on we always go to our businesses and they are very supportive. This is the first time the businesses have come and asked for something for themselves and she thinks it something the board has to do for them to show their support for them.

All ayes. Motion carried.

Outdoor Furnace Code Development

Manager Politi stated that section three of the local law shows that the outdoor furnaces will be prohibited within the Village of Walden.

Mr. Dowd stated that based upon the board's discussion two weeks ago he prepared Introductory Local Law I-6 of 2009 which the legislative intent is that the village recognizes the need for outdoor furnaces and why they want to ban them because of the nuisance they create as far as smell, smoke and fumes. Section two is definitions, Section 3 is the banning of them and Section 4 is a penalty.

Trustee Leonard moved to set a public Hearing on Introductory Local Law I-6 of 2009, Nuisances on November 10th, 2009 at 6:30 pm. Seconded by Deputy Mayor Rumbold.

Trustee Millspaugh suggested different verbiage in Section 1.

Mr. Dowd stated that he thinks it's a recognition or reality that peoples heating costs and oil cost and natural gas costs are going up. In spite of those realities the board is concerned about the detrimental affect and therefore you're going to outlaw them.

Trustee Millspaugh stated that the law also states, where many of the homes are in close proximately of one another, change that to that there are homes in close proximity, take out the word many. There are places in Walden where you are not next to somebody.

Mr. Dowd stated that they can take the word many out.

Mayor Maher stated that he would leave the law verbiage to the attorney.

All ayes. Motion carried.

Code Review

Manager Politi reminded the board that code review is Thursday, November 5th.

Public Comment on Business of the Board

Brenda Adams congratulated the board for the decision to have Christmas on Main Street. She also stated that with regard to the audit, perception is 9/10ths of reality. Even though its boiler plate and their words are page after page almost the same. Every year when Nugent and Haussler audits they audit something different. They pick certain things every year that they dwell on; they go all the way to the root. When they walk in you do not know exactly what it is they will be going for and you can't be prepared for that. Your best bet is to be prepared for everything.

Mike Ciardullo, 83 Walnut Street , Chairman of Walden Business Association thanked the board for the decision they made to work with the business association. You have to make sure that people shop local.

Mary Ellen Matise stated that with regard to the audit GASB 45 which is the provision that we have a reserve for future pension contributions that is something you have to look for in your audit.

Approval of the Minutes – October 13th, 2009

Deputy Mayor Rumbold moved to adopt the minutes of October 13th, 2009. Seconded by Trustee Norman. All ayes. Minutes adopted.

Payment of the Audited Bills

Deputy Mayor Rumbold moved to approve the audited bills of October 27th, 2009 that have four signatures or more. Seconded by Mayor Maher.

Deputy Mayor Rumbold asked about the \$325. for Rotary

Manager Politi stated that the mayor and Mike Bliss have joined the Rotary Club and those are the dues.

Deputy Mayor Rumbold asked about VRI and the power issues.

Manager Politi stated that it was the Pine Street pump station and they came in to trouble shoot.

Deputy Mayor Rumbold asked about keys.

Manager Politi stated that was a new employee key set.

Deputy Mayor Rumbold asked about the shed for the Highland Avenue tank.

Manager Politi stated that was part of the telemetry system.

Deputy Mayor Rumbold asked about the influent flow meters and the trickling filter pump was that rebuilt.

Manager Politi stated that the influent flow meter when you go to the head works of the sewer plant there is a flow meter there, that is part of your DMR's which gives you your numbers for the day and every day. That has to be calibrated once in awhile. The trickling filter pump was the third pump that had to be installed.

Deputy Mayor Rumbold asked if the manager ever got the figure for the repair to Ivy Hill and Bradley Lane.

Manager Politi stated that the filter fabric was a result of the left over from Kid Town. The stone they had. The base was given to them from one of the other companies, so all they paid for was the top which was \$2400.

Trustee Leonard asked about the clothing allowance for DPW.

Manager Politi stated that it depends on what it is. Pants tend to wear out and they get ripped up with paving.

Deputy Mayor Rumbold stated that they should get there yearly allotment and if they rip them they're not replaced. She doesn't know if they are gardening in those blue jeans. It's something to think about.

Manager Politi asked if he's to pay only the bills that have four signatures.

The Mayor indicated yes.

All ayes. Motion carried.

Correspondence

Manager Politi gave the board the libraries funding request and usage update. These are the numbers they request from the town.

Trustee Millspaugh stated that he received a letter from the District Attorney's office regarding police consolidation.

Mayor Maher stated that was published in the Wallkill Valley Times.

Deputy Mayor Rumbold stated that there was correspondence from Norman and Lillian Hecht regarding their retaining wall.

Manager Politi stated that it's on the county road, that's not the village. Mr. Stickles has been in touch with them.

Deputy Mayor Rumbold asked that a reply be sent to them.

Miscellaneous Comments from the Board of Trustees

Trustee Norman indicated that the Halloween parade went very well. She is meeting with Mike Bliss in regard to the holiday decorations on the west side. She also indicated that the scar crows in the square need to go. Also, the zumba class is going well.

Mayor Maher stated that before the meeting started tonight he performed his third wedding. He also stated that there will be a Harvest Fest close out meeting on November 4th at pm. There will be an informational meeting on October 28th at 1pm with Walden Day Care.

Deputy Mayor Rumbold stated that the village looks great, but the scar crows should be removed.

Trustee Millspaugh stated that he went by Union Street the other day and he noticed quite a bit of water in the gutter and it is still there.

Manager Politi stated that the water at 36 Sherman has been shut off.

Trustee Millspaugh asked what happened do the rest of the dogs down there.

Manger Politi stated that they are locating them now.

Trustee Leonard stated the he emailed John Katonah to see where he was at with the prices for the sound system. He will be submitting them to the manager. Also, he went on the walk through of the Kidd Farm property with the planning board. They were looking for the property line of the buffers. They found many significant trees along the property line that will be saved. The applicant will add to that to create a good buffer.

Trustee Leonard also stated that the sight distance at the intersection of East Main Street and Valley Avenue is very bad. That corner needs to be reviewed and see about eliminating some parking. He asked to have it on the next agenda.

Trustee Norman stated that there are a few places that need to be reviewed. One is when you come out of the Medicine Shop.

Mayor Maher asked that Chief Holmes and Sergeant Metzger get together a list of concerns.

Mayor Maher wished the Village Manager a happy 50.

Mayor Maher stated that he is extremely excited and can't wait to see what Christmas on Main Street will look like.

Executive Session-DPW Personnel; Park & Recreation Personnel; Village Manager

Deputy Mayor Rumbold moved to hold an executive session pursuant to 105-(f), Personnel, Village Manager, DPW and Parks, Police and Recreation and 105-(e) PBA Negotiations, 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. Meeting reconvened.

Adjournment

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

Respectfully submitted,

Nancy Mitchell
Village Clerk