

**Village of Walden**  
**Board of Trustees Regular Meeting**  
January 10, 2012

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

On roll call the following were:

|          |              |                  |
|----------|--------------|------------------|
| Present: | Mayor        | Brian Maher      |
|          | Deputy Mayor | Sue Rumbold      |
|          | Trustees     | Edmond Leonard   |
|          |              | Bernard Bowen    |
|          |              | Tara Lown        |
|          |              | Sean Hoffman     |
| Absent   | Trustee      | Randi Lee Penney |

Also Present: John Revella, Village Manager  
Lori Pinckney, Village Clerk  
Kevin Dowd, Village Attorney

**Presentation: Walden Community Council – Window Decorating Contest Winners**

Sandra Magil from the Walden Community Council presented the winners for the window decorating contest. She commented the Village looked wonderful this year, she thanked the judges of the contest; Mary Landolina, Mary Beth Sebring and Willie Carley. The judging was done on creativity and on effort. The runner up was Tickled Pink whose window was themed after the items sold in the store. Sandra presented Marie with a certificate from the WCC. First prize went to Hunter Insurance Services, Inc whose theme was Miracle on Main Street. Sandra presented Keith and Cindy Hunter with a certificate from the WCC.

Keith Hunter thanked the Village and Sean's son for the unexpected thank you card. He thanked the DPW for the job they did decorating and the Village Board for supporting the business community and creating a sense of community in the Village. He thanked the WCC and Dave Lustig for everything. He complimented Marie on her window as well.

Deputy Mayor Rumbold commented she is so proud of the businesses for everything they've done during this Christmas season. She believes Marie and Keith went out of their way to make Christmas on Main Street such a success and thanked them for making the season so special for so many people.

**Village Manager's Report**

- Continue to remove dangerous trees on Rail Trail; hopefully the Town will fix drainage issue
- Patching roadways and potholes and water break places
- Water main break on Walker now
- Work continues on Cherry St building; Wooster's is almost finished

- Windows in Bradley room getting replaced
- Meeting with 5 local Buddhist Temples – they are starting an open house tour: working with Orange County Tourism to start a pilgrimage tour
- Started drainage and pavement work at sewer plant
- Finished sidewalk work on Oakland, Grant and East Main Street
- Conference with Building Inspector regarding lighting issues on Main St and a few of the developments to get the lights back on
- Installed new pump on Pine Street- the portable, temporary is no longer needed
- Repaired water main break on Second St and Route 208
- Employee evaluations were done on all employees in the Village by year end and will be done from now on.
- New Year's Eve fireworks went well and were well attended
- Did a visual inspection of the upper dam, noticed some issues, need to get a dam specialist
- Oak Street parking lot guide rail installed – there's a new retaining wall and fencing
- Code Red signup is going well; restricted to emergencies only – but signups can be for notifications or emergencies or both.

Trustee Bowen asked if there has been any feedback regarding the left turn off Rt 52 onto South Montgomery. He asked about the no parking.

Manager Revella responded yes; lines were painted on the road and we're waiting for new signs to come in which should help. In response to the parking, he commented the Board would have to make a decision about that, he recommended cutting the curb back at least.

Trustee Leonard asked if the Village can cut the curb or does the County do it.

Manager Revella responded we can do it; we just have to notify them.

### **Trustee's Committee Reports**

#### **Energy Efficiency Committee/DPW liaison – Trustee Leonard**

Trustee Leonard complemented on the windows being replaced in the Bradley Assembly room.

#### **Treasurer/Clerk liaison – Trustee Bowen**

Trustee Bowen commented the corrective actions for the State Audit have been done; he complemented Peter on an awesome job.

#### **Economic & Community Development Committee – Trustee Lown**

Trustee Lown commented Leadership Day is Thursday at 7pm here in the Bradley room. She listed the winners: Marcus Millspaugh, David Lustig, Jodi Lynn and Mike & Darlene Ciardullo, and William Holmes. She announced the WCC meeting at Jacobowitz & Gubits, Weds at 7pm. She indicated the next TriBoard meeting will be held on Jan 19<sup>th</sup> at 7pm. She announced a few conferences: The Association of Towns 2/19-2/22 in NYC, NYCOM's Winter Legislative meeting 2/26 & 2/27 and NYCOM's Annual meeting will be 5/6-5/8.

#### **Building Dept liaison – Trustee Hoffman**

Trustee Hoffman commented he met with Dean and John this past Friday and discussed the mailboxes letter and it was sent. Dean has been working through open permits and catching up on paperwork.

### **Action Items**

#### **30 Richardson Street – waiver of sewer use**

Manager Revella commented this is the usual waiver that is required; really no reason why the Board shouldn't grant the waiver.

Trustee Leonard moved to grant the waiver of sewer use for 30 Richardson Street. Seconded by Trustee Lown. All ayes. Motion carried.

#### **57 Capron Street – request for fee/tax review**

Manager Revella commented the owner requested it be tabled until the next meeting.

### **Business Directory at Oak & Main Streets**

Manager Revella commented we have a request from 2 businesses to be put on the business directory that's on the corner of Oak & Main.

Mayor Maher asked if there is enough room on the directory.

Manager Revella responded no, there is not.

Kevin commented there is usually a cost for the sign and the business pays for it.

Trustee Bowen asked if we can have a second sign or a bigger sign.

Kevin responded we lease that space from the Thruway Market and we would need to get DOT approval. Making it larger is a possibility.

Trustee Bowen asked how many businesses are on the sign and how many businesses in the area could possibly want to be on it.

Manager Revella responded there are a lot of local businesses that could want to be on it.

Trustee Bowen responded maybe we should think about doing a sign that would accommodate everyone.

Manager Revella commented we would have to see how big that would be and if that would meet DOT regulations.

Mayor Maher commented that the five people that have signs there possibly invested in it knowing there would only be 5 businesses listed; so there if there is too much congestion, they might not find it worth the investment. He recommended bringing those people together and see who else wants to join.

Trustee Bowen volunteered to assist.

### **Proposed Bond Resolution 17-11-12 – Sidewalks**

Kevin commented the proposal is to authorize \$150,000 in bonds for a new vehicle and sidewalk construction and reconstruction. The first motion would be to declare lead agency and issue a negative declaration on an unlisted action and then vote on the bond resolution itself.

Manager Revella commented this was discussed at the last short meeting, but no action was taken.

Kevin indicated \$25,000 is allocated for the vehicle and \$125,000 for sidewalks.

Mayor Maher confirmed the vehicle is for the Village Manager.

Manager Revella responded the vehicle is no longer usable.

Trustee Lown made the motion to declare the Board lead agency and to issue a negative declaration on an unlisted action. Trustee Bowen seconded. All ayes. Motion carried.

Trustee Leonard moved to adopt bond resolution 17-11-12. Seconded by Trustee Bowen.

Deputy Mayor Rumbold asked what is wrong with the vehicle we have now.

Manager Revella responded it was involved in an accident during the snow storm in October. He indicated we received insurance proceeds and were able to retain the vehicle so we sold it.

Deputy Mayor Rumbold asked how much is the new vehicle and what it is.

Manager Revella responded it's \$22 and change; it's a Ford Escape. The other option on State bid was a Toyota Highlander and that was \$29,000.

Mayor Maher asked how much we made off the other vehicle.

Manager Revella responded about \$7000 total.

All ayes. Motion carried.

### **Resolution 16-11-12 Designating place & time of annual election**

Trustee Lown made the motion to adopt Resolution 16-11-12 designating time and place of annual election. Seconded by Trustee Leonard. All ayes. Motion carried.

### **Knights of Columbus – 2<sup>nd</sup> Annual Car Show (7/14/12 w/7/21/12 rain date)**

Timothy Beers, 96 Orange Ave/Grand Knight of the Knights of the Columbus Council 9254, asked permission for the Knights to host their Second Annual Classic Car Show on Saturday July 14<sup>th</sup> from 9am to 5pm. They would use the same footprint as last year; they do not need the Village's small stage like they did last year. The Knights of Columbus would be responsible for all trash removal and will provide all necessary certificates of insurance. They will be fully staffed to assist the police dept if needed for barriers; we will be available to set up no parking placards if needed. The Knights will solicit all sponsors and advertisers for the event. The only things required from the Village for the event would be access to the area, police control, provide the trash receptacles and possibly the street

sweeper at the end of the event. We would like permission to post signage of the event at the entrances to the Village. Last year there were 78 cars, this year the Knights are hoping for 100 cars – so there will be a few changes to the footprint by taking away a few of the vendors. The Knights received great feedback from last year’s event and they received positive press from the Walkkill Valley Times.

Trustee Bowen moved to approve the Knights of Columbus Second Annual Car Show pending the necessary insurance certificate naming the Village additionally insured. Seconded by Deputy Mayor Rumbold.

Trustee Lown recommended coordinating the garbage cans with the parks and recreation coordinator. She asked if Village businesses could be involved some way.

Tim responded that would involve the sponsorships and there are other angles that could involve the businesses.

Mayor Maher commented COC Music could benefit by providing equipment for sound or possibly entertainment.

Trustee Bowen asked how many people attended last year.

Tim responded a best guest, at any given time, 200 people.

Deputy Mayor Rumbold asked if Chief had any concerns regarding traffic or any other impact.

Manager Revella responded no, not at all, weekends are pretty easy to deal with.

5 ayes, 0 nays, 1 abstention by Mayor Maher. Motion carried.

Trustee Bowen asked if the Knights used the area along the school last year.

Tim responded that area was filled last year and that’s the area we filled last. He confirmed they are expecting more cars this year; they feel they have more time to organize the event this year and it will be easier to promote the event this year.

## **Discussion Item**

### **Proposed townhouse zone**

Kevin commented that on Monday night the Village Planning Board approved the finding statement to complete the SEQRA process which clears the way for the Village Board, if they wish, to consider the zoning amendment that is being requested and it also clears the way for the Village Planning Board to begin to act on the preliminary approvals for the project depending on what version – the original plan or the amended plan. This is a local law that the applicant is requesting. The law right now calls for the Townhouses to be 24’ wide and 20’ wide. The 20’ wide are the affordable units and the 24’ wide is the minimum for the market-rate units. During the course of preparing the project for approval from the Planning Board, the applicant has proposed that the uphill market-rate units be allowed to be 20’ wide instead of 24’ wide. The Planning Board can not approve it since it does not match the zoning law as it exists right now. It requires the Village Board to either entertain it or not entertain it, to approve it or not to approve it. Either way, the Planning Board

would go back to the plans themselves and either approve the conventional plan or the amended plan, if in fact the board amends the zoning law. According to the correspondence received from Marcia Jacobowitz, there are 42 units that are market-rate units that are uphill that would fall under this proposed zoning amendment. The Local Law that was proposed to us states 20% of the number of dwelling units in the project shall be 20' wide and 20% of 204 is 41 units, not the 42, so it is off by one. The applicant also used the old zoning chapter sections, which have since been recodified. Chapter 148 is now Chapter 305, so it would need to be changed before introducing it. The applicant is asking the Board to consider the reduction of the market-rate units to meet the affordable units on the uphill side. The affordable downhill units will continue to be 20' and all affordable will be 20'. The downhill market-rate will be 24' which matches the requirement not. They are asking for the uphill units to be 20'.

Mayor Maher asked each Board member to weigh in.

Trustee Leonard commented he has been attending the Planning Board meetings, but has not followed very closely. He believes the 41 or 42 units is less of an impact than he originally thought and suggested to go forward with it.

Trustee Bowen commented he doesn't know too much about it but he asked why do we need to change it and if we are going to change it, will more units will be added.

Kevin responded the number of units will not be changed; the 204 is fixed. It is strictly the size of the units that are market-rate on the uphill portion that the applicant would like changed from 24' to 20' wide. He indicated Mr. Jacobowitz is present and you may want to hear his reasoning for why you may want to consider it. Kevin recommended that if the Board is asking why, the best person to address it is the applicant.

Deputy Mayor Rumbold responded we received correspondence from someone giving reasons.

Kevin commented he believes that was part of the environmental review; some of the basis from the final environmental impact statement. He thinks that was what Deputy Mayor Rumbold is referring to.

Trustee Lown commented she has the same question as Bernard.

Trustee Hoffman asked for clarification of the number of units affected. He commented that they attached portions of the FEIS which indicate 52 units.

Kevin responded the way the Local Law was drafted, it states 20%, which calculates to 40.8 or 41. There would be one unit that would have to be 24' wide uphill or it would have to be moved around on the site plan. In response to the 52 unit question, there was some discussion back and forth, but it was established the actual number is 42.

Deputy Mayor Rumbold asked Kevin when this was first brought to the Planning Board.

Kevin responded he believed the original project began in late 2008 or early 2009. There was a draft EIS around 2010, if he recalls correctly, when the alternate plan was put forth. From that point, the DEIS, the FEIS and the public hearing it was all talked as an alternate

to the original plan. The applicant and the planning board were fully aware that to go to 20' market-rate units would require a zoning amendment, therefore this Board became an involved agency, if they wanted to pursue it, but the Planning Board still had to analyze the environmental impact of both the conventional 204, 20' & 24' wide units of the original plan as well as the alternate of these 42 units. That finding statement was adopted last night showing the environmental impacts of going to the smaller units was less than or at least equal to the 204 that are meeting the zoning code now. It was his best guess that around 2010 was when this alternate plan was proposed to the Planning Board.

Deputy Mayor Rumbold asked when the plan was originally proposed with the units of 24' and affordable at 20' wide, the economy wasn't much better than it is now and it has gotten worse. She is asking why if this wasn't planned from the beginning, if what are they trying to accomplish was prices of what the market will bear in Orange County and why this change is coming at the eleventh hour. She served on the Town of Montgomery Economic Committee and their statistics said that housing typically costs more in services than revenue in taxes from those houses and the remainder of the taxpayers and homeowners in a municipality then share the cost of those services for any new homes that are built. If you're looking at the project and thinking about the number of units and the sizes of those units and the potential revenue from taxes, you're starting at a negative to begin with and now with the reduction of the size of the units, they will be cheaper so the tax revenue will be less causing the rest of the taxpayers in the municipality to bear a larger burden to make up the difference for those services used for those projects. There is going to be an impact to the Village, like traffic and everything that goes with a project of this size. She believes this Board is in the business of protecting the taxpayers, welcoming new taxpayers but doing so in a manner that doesn't negatively impact the rest of the Village. She realizes it needs to be financially feasible for the person doing the project, but she doesn't know if the Board should be in the business of altering a plan to assure that profitability and negatively impact the taxpayers of the Village. The argument may also be if the units sit empty that negatively impacts everyone, then you don't do a project. She feels the Board's main responsibility is to the taxpayers and not to make certain that someone's project is profitable to them.

Jerry Jacobowitz, thanked the Board for considering this. He would like to respond to the comments that were made. He clarified there are 52 uphill units, 10 of which, at least will be affordable. The change is to allow 42 to be market-rate. The total uphill are 52 units of which 10 must be affordable because the Village Code requires affordable units not be segregated, that they be allocated among the entire project. The uphill section will have a minimum of 10 or 11 or 12 affordable units among the 52. The change is asking to allow 41 of the uphill units that would be market to be 20' wide. He indicated there are no more than 204 units, that is locked in. Only the width of the units will be reduced. He commented portions of the FEIS were submitted to the Board that deals with the issue of the width of the lots and their effect of reducing the width on the environment by reducing the disturbance of the area. It reduces the amount of impervious surface, it reduces storm water runoff, and it reduces the amount of water in retention and off site water that will result. In addition, it will provide more open space and that will provide more space between the buildings. From an environmental standpoint it's a plus. The documents the Board received from Jayne Daly is a portion of the FEIS which deals with this particular issue. On the economic issue, the DEIS has a section in it that provides the cost benefits; the costs of the project and the benefits to the community. It is not negative. He indicated he would be happy to sit down with the Board to go over it and the detailed numbers.

Those numbers were based on Orange County Dept of Planning and the Rutgers University study is the authoritative source on cost benefit analysis. He suggested the Board look at the EI Statement on the cost-benefit section, analysis is provided for all taxes, state, county, town, school and Village. He commented if the width is reduced and the prices are reduced, which is the general idea; the idea is not to make more profit, but to make the units more marketable and more acceptable in the marketplace. The Village still has a positive effect from the project and the taxes. He would like to go through it with the Board. He indicated Orange County real estate prices have declined around 17% since 2010 so there is a different economic condition today. We don't want to build units that are left empty; whatever they do will be a sound business decision. The combination of 20% affordable is unheard of in Orange County; there is no law in Orange County that requires 20% affordable units, it is 10. The Village's law is 20, he helped make that law and he stands behind it and there are reasons for it. The idea is to bring in solid, middle class citizens. The units need to be priced marketable and that market has declined. He referenced the Sunday Times Herald Record – Real Estate section for homes that recently sold and their prices. The prices of these units need to be competitive. He commented that this is not the eleventh hour in any means. In 2010, one of the variations was to make 22' units throughout the project. This was changed during the environmental review process because if there is a market for 24' unit dwellings, why would we want to give up that possibility by only having 22'; the higher the price the higher the profit margin so reducing the price of a house does not put more money in the developers pocket, it puts less money. The idea of reducing the size is to make them more marketable and to make it more successful, not to make more money.

Deputy Mayor Rumbold asked if the size of the unit is reduced then they don't save money.

Jerry responded they don't save any money; it's a lower cost that is passed onto the buyer. The reduction of the two feet is 160 sq ft. It's \$100 per sq foot to build a house, so that's a \$15,600 reduction in the price as a result of making the unit 20' wide.

Deputy Mayor Rumbold asked how much the affordable units proposed to cost.

Jerry responded the numbers are in the EIS and the findings in your packets. The numbers were as of that moment in history and may not be accurate for today. There will be a price difference between the market-rate unit and the affordable unit.

Deputy Mayor Rumbold asked the price difference between the 20' marketable and the 20' affordable.

Jerry responded the sales price for townhouse use must be between \$250,000 to \$280,000 for the marketable units at 24'. He could not provide an answer for a 20' marketable unit. The cost to build the 20' would be \$15,600 less than building the 24' unit. He indicated we are still 2 years away from breaking ground on the first unit.

Deputy Mayor Rumbold asked what is affordable for Orange County in this economic climate in the Village of Walden.

Jerry responded that is very hard to answer. Affordable housing is going to require some type of assistance, either lower interest rates or buy downs or FHA eligibility or Federal Home Loan Grant, etc.

Manager Revella commented that the price proposed for affordable units as compared to marketable units is roughly \$50,000.

Jerry clarified the square footage of the building will be the same, the difference will be the downstairs of 400+ square foot area that will be finished in the market unit but not the affordable unit as an initial offering of that unit. We don't know that actual price of what the units will cost.

Manager Revella clarified 520 square feet.

Jerry commented their obligation is to deliver homes in the affordable price range as the Village Code defines it; that's the starting point.

Deputy Mayor Rumbold commented since we can't unequivocally say what the cost will be, then we can't determine what the benefits to the Village will be because we don't know what the tax revenue will be.

Jerry responded the analysis shows there is a positive benefit to the Village of Walden from this project. The pricing is not going to adversely affect it, reasons include what is the tax rate in 2 years and what is the equalization rate going to be in 2 years. The Village will have no expense with respect to snow and ice removal or maintenance of the roads within the development, they will pay their water/sewer, garbage and building permit fees and will pay the same taxes as a house on Walnut Street where the Village does maintain the street. He commented he would be happy to sit down with the Board to go over the numbers in the EIS.

Mayor Maher clarified many of the Board members' concern focus on why and it appears you are trying to market these units more appropriately; you don't believe you will be able to sell the 24' wide like the 20' wide units.

Jerry responded that is one of the reasons; we want it to be successful and don't want empty units or abandoned units. We want people to move in that can afford it and are able to live here, stay here and become citizens of our community. If we build all 24' units, it will hold the project up considerably. The code requires us to have proportionate, affordable units so that if we can't sell a market unit, we can't build an affordable unit.

Trustee Bowen asked if you have a 24' unit and are selling it at the 20' unit price, you're saying he wouldn't buy it.

Jerry responded no, in order for them to be able to have affordable units, we have to build market units and we can't build market units faster than a proportionate that would satisfy the affordable requirements of the Village Code. 1 out of 5 – we have to sell 4 market units to support one affordable unit. If we don't sell 4 market units, we can't support one affordable unit. He commented the issue before the Board tonight is if you are willing to call a public hearing on this issue to let the public be heard and to allow the applicant to

present the information and for the Board to ask questions, get answers and to make a decision on what you want to do. The Board is not committed to saying yes on it.

Mayor Maher confirmed with the Village Attorney that a local law would be required including feedback from the County.

Kevin confirmed a local law would be introduced and since it's a zoning law it would have to go to the County Planning Board for their report and recommendation as well as the Village Planning Board for their report and recommendation. He recommended the Board of Trustee's read the Draft Environmental Impact Statement where a lot of the cost break down is described. The draft Local Law in front of the Board this evening which was provided by the applicant has mistakes in it so those mistakes would have to be corrected. The Chapter sections and section numbers are wrong and the location of the market rate units are not specified. The language may have to be changed to not less than 20' wide and located as designated by the Planning Board for example.

Deputy Mayor Rumbold asked Kevin if he wrote the local law.

Kevin responded no, this came from the applicant's attorney.

Deputy Mayor Rumbold asked Kevin to write it up with the necessary corrections for the next meeting.

Kevin responded absolutely, he will have it for the next meeting and recommended the Board read the DEIS. The Law can be introduced at that time and then you can introduce it and set the public hearing as you wish.

Trustee Lown commented she would like to hear what the public thinks as well.

Trustee Leonard asked if the uphill units are defined in the EIS.

Kevin responded yes, the site plans show downhill and uphill units and the alternate plan specifically shows the uphill units being 20' wide.

Mayor Maher confirmed the Board agrees that Kevin should draft the Local Law and setting the public hearing at the next meeting.

Jerry clarified that according to the agenda, this is referenced as a reclassification. This is not a reclassification, we are only asking you to change one dimension within the existing zone. Nothing is getting reclassified or re-zoned.

### **Motorized Vehicles on residential property in Village**

Manager Revella received a request from a resident asking to consider adding something to the Village Code regarding motorcycles and motorized vehicles to residential property. He asked if Mr. Gibson is present.

Mayor Maher commented if he is not present, he recommends tabling it.

### **157 Elm Street Zoning Issue**

Manager Revella commented there are 2 tax parcels on the dead end of Elm St off Coldenham Rd. There is a home and a barn, both are on separate tax bills but have single ownership. The owners are asking they be re-zoned; currently they are zoned OLI – Office Light Industry – and have been a residence since 1900, which was pre-existing, non conforming. They are requesting it be changed to residential, they are selling and the buyers are having an issue getting financing due to the zoning. Several trustees have asked what impact it would have on the Village, changing that zone. The property is currently not serviced by our sewer system.

Deputy Mayor Rumbold asked the Manager's recommendation.

Manager Revella responded he doesn't have issue changing the zone from non conforming to conforming. He doesn't think anything else can be done with the home besides use it for a home. The barn has a separate issue; he's not sure how they build the barn in OLI zone to be conforming, he's not sure what happened during that time period in 1986 when that occurred.

Mayor Maher commented this looks like an opportunity for a bank to provide a loan for a home. He asked the present homeowner to speak.

Rebecca Lafargue, current homeowner, commented they are trying to sell the house but as it stands OLI property is not going to be financed by any conventional mortgage. The house has been there since the early 1900's; it borders property that is residential.

Trustee Hoffman asked if we would be creating a non conforming lot if the property is under the R3 minimum lot size.

Rebecca commented that the individuals they are contracted with are planning on combining the lots.

Kevin responded that has been discussed. The idea was to change the zoning to residential, let them consolidate the lots into one lot and they would have an accessory barn. So the zoning change could be conditional upon them to consolidate the lots and not subdividing the property in the future.

Rebecca responded to the best of her knowledge, the individuals are purchasing the house to live in it; they are not looking to subdivide. The house lot is over an acre and the barn lot is almost half an acre. These individuals are looking to buy the house, fix it and live in it.

Kevin commented once the zoning is changed to R3 the new owner could take that smaller lot and build a house on it.

Manager Revella commented even the barn lot could be subdivided.

Kevin commented it can be combined with the restriction that they can't subdivide.

Deputy Mayor Rumbold asked if that is forever.

Kevin responded that would be the condition of the zoning change.

Manager Revella asked why would you want them not to be able to subdivide; what would be the advantage.

Kevin responded technically you're losing an OLI lot that could potentially have a ratable on it that was OLI zoned as opposed to a residential property. If it is allowed to be subdivided, there is a potential for 3 or 4 houses in the future all of which are not connected to the sewer. The buyer would be notified but he doesn't know the effect on the buyer.

Manager Revella asked for clarification on the condition.

Kevin responded make them consolidate and not subdivide.

Deputy Mayor Rumbold commented since one Board can not bind a future Board, so down the road another Board could reverse the decision.

Kevin responded yes, this Board can not bind a future Board.

Trustee Leonard asked if the beginning of the street is an approved 3 lot subdivision.

Rebecca confirmed that is owned by a builder.

Trustee Leonard commented if those three lots are built, water and sewer will be extended down the street.

Kevin commented the next step would be to prepare a local law for the zoning change, introduce it, send it to County Planning, the Village Planning, the same as Mr. Jacobowitz's request.

### **RFP's for Re-Organization Meeting**

Mayor Maher commented we normally just do this at the re-organization meeting, but we've decided to try to make it sooner so that we are not interviewing at the same time as budget sessions. He asked for Board comments.

Trustee Lown commented it would be nice to have RFP's in advance so she has time to review them before making a hasty decision.

Mayor Maher commented the RFP's would be for Engineers, Attorney and Planning.

Manager Revella commented he would like to consider doing contracting as well like to the County does for different kinds of pricing.

There was discussion of when the RFP's would be due.

Trustee Bowen made the motion to make the RFP's returnable for March 13, 2012. Seconded by Trustee Lown. 5 ayes, 0 nays, Deputy Mayor Rumbold not present. Motion carried.

### **Bid Awards for surplus vehicles**

Manager Revella commented the first bid was for the 2004 Jeep Liberty, seven bids were received, the highest bidder was \$2189.99 by Jersey One Auto Sales Inc. The second bid was for the 1993 Eager-Beaver 20 Ton Trailer, two bids were received, the highest bidder was \$3125.00 by G.T. Excavating. The third bid was for the 1999 JCB Backhoe, 2 bids were received, the highest bidder was Jersey One Auto Sales, Inc for \$15,559.99. All bids were acceptable and the three top bids met the requirements of the minimum.

Trustee Leonard made the motion to accept the three highest bidders. Seconded by Trustee Bowen. 5 ayes, 0 nays, Deputy Mayor Rumbold not present. Motion carried.

### **Public Comment**

Diane Sandbothe, 90 Liberty Street, commented the last bulb on the bridge went out as she drove across it. She thought it was determined months ago that the Village was going to take over the maintenance of the bridge's lighting because NYS wasn't doing it. She asked when will the lights go back on.

Manager Revella responded we took over the maintenance of the lighting after the bridge was completed. The solution is to get some cobra lights installed at the entrance of the bridge, we have to get a proposal with NYSEG to get them installed or we have to hire a contractor.

Diane asked why the Village Manager has to have an SUV, why not a car. She asked if anyone knows the minimum real estate tax on any of the townhouses if they were build right now.

Manager Revella responded there aren't many 4 wheel drive on state bid pricing.

Mayor Maher responded regarding the townhouses that the information is in the Draft EIS which is available on the Village's website under Overlook at Kidd Farm.

Trustee Leonard commented the Village will pick up over \$400,000 in tax when the project is fully built.

Diane asked if this project will have a Homeowners Association, if yes, then the roads will never be dedicated to the Village.

Kevin responded the proposed roads in the development are only 26' wide and the code requires a 30' wide paved surface so in order to meet the Village's specification is if there was substantial removing of the curbs and the right of way to widen the road, plus the right of way is not 50', it's only 37.5' so it doesn't match State Law.

Diane asked what happens if the Board does not approve this zoning change.

Kevin responded the project goes forward on the plan that's presented which is the 24' wide and the 20' wide units.

Vincent Robinson, 6 Berwick, spoke to the Village Manager back in October about the Yale sign that has been missing at the corner of Yale & Berwick. He commented there are stop signs that were missing from Berwick and S. Montgomery Street and the intersection Alfred and Sunset, which are no back in place. He commented back in the summer, he

called the Walden PD to report the 2 stop signs in the middle of the street. He indicated there is a lot of criminal mischief and vandalism on the back roads of Yale, Berwick, Princeton and Alfred area. He wants to see a bit more police patrol in these areas instead of them hanging around the Walden bank or the Mobil or Hess gas stations. He commented he's lived here 11 years and while driving through, the Police are seen talking to the kids and hanging out in front of the bank when they should be doing more patrols. He asked that the more patrol be brought up to Berwick, Princeton and Yale Drive. He spoke with the Village Manager about getting the sign back up, but now he can put Walden as a liability issue because it can cause an issue for his block. If there is an inexperienced police officer or paramedic or firefighter for the Village of Walden and they don't know where Yale Drive and they cross the street to Berwick, there is no sign there. It could affect the response time whether there be a fire or an emergency or a heart attack. He spoke with Manager Revella back in October and we are now in January and it's not being done in a timely manner. He indicated back when Becky Pearson was Mayor he asked for Children At Play signs and Stop Signs and they were put up in a very timely manner. He would like that sign put up soon.

Manager Revella commented that Children At Play signs and Stop signs are signs that are kept in stock, street signs and signs with names on them are not in stock signs and need to be ordered.

Vincent responded he is not really here to complain and realizes the signs need to be ordered. He indicated there has been lots of mischief on his street, his house has been egged and a tire has been stolen off the back of his jeep and would like more police presence in the Princeton and Berwick area. He asked for a time line for the Yale Street sign.

Manager Revella responded 17 street signs have been ordered and they should be in any day now. The DPW will be responsible to install them.

Vincent reiterated that he would like it on record in the event of any incident or emergency and the response time is delayed due to the street sign not being up and he asked for additional police patrols.

Mickey Millsbaugh, Jessup Street, commented he doesn't quite follow the 20' and 24' townhouse bit. He thought the requirements for our townhouses were specific area; one unit is 1000 ft, 2 units is 2000 ft, etc. If you skinney up the house, you haven't changed the area requirement, you are saying there will be less disturbance. But if you're going to keep the same area, make it thinner, you're going to have to cut back further in the hill. He asked the Board to investigate that.

Manager Revella responded an answer he received there wouldn't be any more square feet to come up with the square footage issue.

Mickey asked if it's going to take a local law to make sure the firewall and roof separations are very severe so neglect on one unit won't affect another unit. He would like that investigated as well. In regards to the street signs, there was a comment about Village of Montgomery's nice street signs and asked if the Village of Walden could get nice signs. Jim Politi got one and it sat in the corner here for a very long time, far beyond what Montgomery had.

Dennis Wageman, 27 Ulster Avenue, commented he thinks Ulster Avenue got its name since because it goes towards Ulster County. He thinks it should be renamed halfway house avenue. Ulster Avenue got a halfway house for woman returning from Iraq and Afghanistan, although he feels that's not the case. He asked how the woman will be chosen to live at 23 Ulster Avenue.

Mayor Maher responded there is a massive vetting process and there are hundreds of Iraqi women veterans, no children allowed in this one. The women are vetted through a system through the organization RECAP and they are very specific and have to go through interviews, they are not going to just be picked off the street.

Dennis responded it is his understanding the women have to have been in a drug outreach program or a mental facility. They are homeless woman with social problems. He attended both zoning board appeal meetings and not one inciteful question was asked by the Board; it was pitiful. He spoke against it and so did David Lustig and he feels there is a hidden agenda. He referenced the people in the Walker Building who wanted to have others besides seniors in there and they were shot down. They would have been far more acceptable to have other than seniors in the Walker Building than what is accepted for Ulster Avenue. They put specific conditions on themselves that weren't even included in the resolution approved by the ZBA. He indicated Walden is going to have a mess because of this. He sent a letter to the ZBA indicating he might sue. He commented he grew up in 27 Ulster Avenue and he would hurt Walden more by letting this go than by suing. He commented try to sell a house in the summer time with those 23 residents are collected on the porch, everyone would walk away from it and that was never taken into consideration when it was approved. This was a very bad decision for Walden. He indicated 27 Ulster Ave looks the way it does because he suffers every time Board's make a decision. He commented about the parking for the van.

Mayor Maher recommended Dennis tour one of these facilities, they are run very efficiently.

Dennis responded there will be 23 people essentially in kid-sized bedrooms; it's going to be a problem.

Mayor Maher commented it is a transitional place; it's somewhere where they can go and get the help they need.

Dennis responded it is not for returning war veterans as it was sold; it can be any age and as long as you are coming out of a facility and have VA benefits.

Mayor Maher commented he doesn't believe that is accurate and will provide the documentation and look into it.

Dennis commented about the mess his neighbor's 2 leashed dogs left in the right a way for his driveway. The neighbor commented that he has every right to do what he's doing because the way the leash law is written. He indicated the problem is with the block watch people. He asked the Board to re-write the law.

Becky Pearson, Walnut Street, asked about Overlook at Kidd Farm and the documents provided which assumed the Board was going to call the public hearing and she thanked

Sue. She referenced the Polte development and the prices start at \$276,775 for 1751 sq feet, they go up to \$325,000. This in Orange County probably without the 20% affordable, we allow the 20% affordable because we want people in there that could afford it. She asked why wouldn't you want your most pricey pieces on the hill. This will be built in 4 phases over the years. She called Polte – they have 154 units built with 147 built and only 7 are open. Their model is selling for \$390,000. She asked the Board to do more research on it, she doesn't feel it's necessary to go down to 20' especially on the hill. She asked if the Board has seen a site plan and what these units are going to look like. The applicant is already proposing these and there isn't a plan, it's only a concept. This Polte development is in Orange County and people are purchasing them, so why does the Village of Walden have to bring down our pricing. She asked the Board to do their research.

Mary Ellen Matise, Clinton Street, recommended the Board read the past presentations by the applicant. The applicant is not just asking for plans for the Village of Walden, you have to realize what is happening in the Town of Montgomery. The Village is taking up the slack in the whole Town for affordable housing and projects, that's why it's 20%. This will help offset the County and it will help meet quotas. She cited a firm that came up with a breakeven point for a residential unit of \$450,000.

Trustee Leonard commented these are townhouses and not homes.

Deputy Mayor Rumbold commented this impacts schools, there are 204 units and there are going to be children. She commented how she was on the school board and talked about expanding the middle school. A year later we had to do the expansion on the Montgomery elementary school because the elementary numbers went nuts.

Mary Ellen asked who is the target market for these units. She commented about the business directory sign at Main and Oak that it is very hard to read. The small skinny hours are difficult to see. There was discussion about putting a really nice sign in the Orchard Street lot; maybe that should be thought about again. She asked how many miles were on the Jeep.

Manager Revella responded about 110,000.

Willie Carley, 10 Evergreen Lane, thanked the Board and the Village Manager for all their help getting the lights on.

#### **Approval of the Minutes – December 13, 2011**

Deputy Mayor Rumbold moved to approve the minutes from December 13, 2011. Seconded by Trustee Lown. All ayes. Minutes approved.

#### **Approval of the Minutes – Special Meeting December 21, 2011**

Trustee Leonard moved to approve the minutes from December 21, 2011. Seconded by Deputy Mayor Rumbold.

Trustee Bowen was present that morning to sign the bills, so why is he absent.

Trustee Leonard responded that you weren't at the meeting.

All ayes. Motion carried.

### **Payment of the Audited Bills**

Deputy Mayor Rumbold moved to pay the audited bills. Seconded by Trustee Bowen. All ayes. Motion carried.

### **Correspondence**

Trustee Bowen commented how well movie night went with the kids. He commented someone from Planned Parenthood came and discussed abstinence and they would like to give a presentation to the Board.

### **Miscellaneous Comments from the Board of Trustees**

Trustee Hoffman indicated there is a comp plan meeting on January 26<sup>th</sup>.

Trustee Lown indicated there is a WBA meeting on 1/21 on the second floor. She commented how fantastic the fireworks were New Year's Eve. She thanked the WCC for the decorating competition. She thanked the office for the double sided copies.

Deputy Mayor Rumbold commented the fireworks were great; she enjoyed them from her front lawn in her nightgown. She commented that Christmas on Main Street was very uplifting in such a horrible economic time that the community pulled together and made it a very festive season.

Trustee Bowen commented Christmas was awesome this year; everyone participated. He had a great New Year's Day at Sue's Sweet Shop.

Trustee Leonard commented the fireworks were great; he timed it at 27 minutes and we got way more than what we paid for.

### **Executive Session – Litigation, Personnel Office Staff, PD**

Deputy Mayor Rumbold moved to go into Executive Session to discuss litigation, personnel office staff, PD. Seconded by Trustee Bowen. All ayes. Motion carried.

### **Reconvene**

Deputy Mayor Rumbold moved to reconvene. Seconded by Trustee Lown. All ayes. Motion carried.

### **Anthony Sassone**

Trustee Leonard made the motion to pay Anthony Sassone \$2022 for overpaid water bill. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

### **Adjournment**

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

**Village of Walden Board of Trustees  
Regular Meeting  
January 10, 2012  
Motions & Resolutions**

**30 Richardson Street – waiver of sewer use**

Trustee Leonard moved to grant the waiver of sewer use for 30 Richardson Street. Seconded by Trustee Lown. All ayes. Motion carried.

**Proposed Bond Resolution 17-11-12 – Sidewalks**

Trustee Lown made the motion to declare the Board lead agency and to issue a negative declaration on an unlisted action. Trustee Bowen seconded. All ayes. Motion carried.

Trustee Leonard moved to adopt bond resolution 17-11-12. Seconded by Trustee Bowen. All ayes. Motion carried.

**Resolution 16-11-12 Designating place & time of annual election**

Trustee Lown made the motion to adopt Resolution 16-11-12 designating time and place of annual election. Seconded by Trustee Leonard. All ayes. Motion carried.

**Knights of Columbus – Second Annual Car Show (7/14/12 w/7/21/12 rain date)**

Trustee Bowen moved to approve the Knights of Columbus Second Annual Car Show pending the necessary insurance certificate naming the Village additionally insured. Seconded by Deputy Mayor Rumbold. 5 ayes, 0 nays, 1 abstention by Mayor Maher. Motion carried

**RFP's for Re-Organization Meeting**

Trustee Bowen made the motion to make the RFP's returnable for March 13, 2012. Seconded by Trustee Lown. 5 ayes, 0 nays, Deputy Mayor Rumbold not present. Motion carried.

**Bid Awards for surplus vehicles – 2004 Jeep Liberty/1999JCB Backhoe/1993 Trailer**

Trustee Leonard made the motion to accept the three highest bidders. Seconded by Trustee Bowen. 5 ayes, 0 nays, Deputy Mayor Rumbold not present. Motion carried.

**Approval of the Minutes – December 13, 2011**

Deputy Mayor Rumbold moved to approve the minutes from December 13, 2011. Seconded by Trustee Lown. All ayes. Minutes approved.

**Approval of the Minutes – Special Meeting December 21, 2011**

Trustee Leonard moved to approve the minutes from December 21, 2011. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

**Payment of the Audited Bills**

Deputy Mayor Rumbold moved to pay the audited bills. Seconded by Trustee Bowen. All ayes. Motion carried.

**Executive Session – Litigation, Personnel Office Staff, PD**

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**Reconvene**

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**Anthony Sassone**

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**Adjournment**

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