

**Village of Walden
Board of Trustees Regular Meeting
February 28, 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
		Randi Lee Penney
		Tara Lown
		Sean Hoffman

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

Walden Elementary School, Poster Contest Winners

Veronica Casillo, Principal of Walden Elementary, thanked the Village for their support of the Be a Friend/Help a Friend initiative to combat bullying in the school. There were 12 winners, however all participants did receive an achievement certificate. The winning posters were posted around the Assembly Room and will be moved to locations throughout the Village.

Mayor Maher presented Certificates of Achievement on behalf of the Village of Walden to the winners of the poster contest as follows: Maddox Rivera, Lucas Dunn, Gary Hill, Marisa DiPiero, Abigail Melendez, Elizabeth Luey, Lilliana McEachin, Janae Ambino, Sophie Steeger, Nicolette, Isabel Vasquez, Nicholas Becker and Mia Usenski.

Lanc & Tully – South Montgomery Street traffic and parking

John Queenan of Lanc & Tully provided a detailed handout of the intersection. They were asked to survey the entire intersection regarding the turning radiuses and existing traffic routes. He spoke with the fire department regarding the size of their largest fire truck. Lanc & Tully used a program that simulates vehicle turning widths and turning radiuses to determine the routes of the Village's largest fire truck, a smaller fire truck, a school bus and a tractor trailer. He explained the red lines are the tire paths and the blue lines are the body. Four simulations were done, including a 46 foot long fire truck with a bucket hanging off the back. The Village does not currently have this type of truck but it could in the future. That fire truck could make the left turn without entering the opposing lane or hitting the curb by approximately 3 feet. Two more analyses were done with a school bus and a 38' fire truck; both vehicles make the turn without difficulty. A tractor trailer making the left turn is not as successful; it goes over the curb line by about 3 feet and does interfere with opposing traffic. Based on the fire truck criteria and the school bus, they recommend not changing the intersection too much. He indicated the intersection is not uncommon; it is not friendly to the larger trucks. The concentration is on emergency vehicles and general

traffic like the school bus and a UPS truck. Their recommendations include elimination of parking in the hatched area, which will provide one parking spot in front of the business located there, then there will be a no parking area for roughly 70-75 feet or the amount of space for approximately 3 vehicles, then resume normal parking. It is recommended to take the yellow double line and move it over approximately 1 foot. He also recommended a dashed line after the stop line due to the sight distance to allow cars to come more perpendicular. These recommendations will not cure all the problems, but it will help the intersection and alleviate the concerns on the turn. He evaluated Cross Street and it is recommended to add additional striping and signage. The intersection of Cross and South Montgomery Street is a difficult intersection and the one-way does seem to be working.

Trustee Leonard asked if it would be wise to put in a lay down curb where the recommended restricted parking is.

John Queenan responded right now the curb is pretty well matted down, but if in the future the curb needs repair, he would recommend a mountable curb.

Deputy Mayor Rumbold asked the impact to the businesses by taking the parking away.

John Queenan responded there is a dog groomer on the corner and we did look at it hard; it will impact them. One space was left there and the goal was to limit the number of changes made. The no parking zone can be expanded or shortened if it needs to be.

Manager Revella commented the one parking space that is there is already limited to 15 minutes. He commented the owner of the apartment building has tenants parking behind the building and he is not concerned.

Mayor Maher asked how many spaces will be lost.

John Queenan indicated about three.

Trustee Leonard spoke with Michael, the owner of one shop, and he asked for one spot to be preserved for his elderly clients; the pet owner said she didn't have a problem either way.

John Queenan commented the area that is proposed to be striped and taken out does not directly fall in front of a business or apartment. He indicated they tried to preserve a space in front of each building.

Trustee Lown confirmed that the no parking zone could be shortened.

John Queenan responded yes, but this is a simulation, figuring a perfect driver. It can be re-evaluated and re-adjusted a couple of months down the road.

Manager Revella commented it is not a truck route, so the Mack truck issue is not really an issue, most local roads do not permit 53' trucks.

John Queenan responded we did the tractor trailer to show the worst case.

Mayor Maher asked Kevin what the process would be if the Board wanted to implement these recommendations.

Kevin responded we only have jurisdiction over the parking spaces; the striping of the lane would be the County. A local law would be needed to remove the parking on S. Montgomery Street; he would need specific measurements of the distance taken away.

Mayor Maher responded he would like to have another meeting with all the owners of the buildings and businesses that would be affected before we move forward. He confirmed that idea with the other Board members.

Kevin recommended placing markers on the street as a visual aid.

John Queenan agreed and recommended having the fire truck drive through.

Trustee Hoffman asked if there have been any problems now; any near misses.

Manager Revella responded as of now, no. When Cross Street was first changed, there were some problems, but the additional signage has helped. We are waiting now for the weather to do the additional striping.

Public Hearing – Code Violation Hearing – 106 First Street

Jay Buchalski, Code Enforcement Officer, indicated the owner of 106 First Street, William Schoonmaker, has had 2 couches sitting up against the right side of the house. Notices have been sent, hoping they would be removed and they have not been removed in a timely manner.

Mayor Maher asked if Mr. Schoonmaker was present. No response was received from the audience. He asked for recommendations.

Manager Revella responded he recommended they be removed at the owners' expense.

Kevin commented there has to be a resolution which will be served on the Schoonmaker's which will indicate they had the opportunity to be heard and they didn't show up for the hearing and are in violation of the code. He commented a short period of time can be allowed for them to remove it, possibly 5 days, that's up to the Board.

Trustee Lown asked if they have responded to any of the Notices in any way, shape or form. She confirmed that the Notices clearly indicate how to respond.

Jay responded no responses were received and the Notices are clear.

Mayor Maher asked if anyone has an issue with giving them 5 days.

Trustees Penney and Lown both indicated they've already been given 5 days to comply on February 2nd.

Mayor Maher responded then let's pick up the couches.

Trustee Lown commented wait, have we discussed it fully; she wanted to make sure it was discussed openly and honestly.

Mayor Maher responded we can do that in discussion, this is a public hearing.

Kevin clarified this is a hearing for the owners to come before the Board; the public can observe but it is really for the owners rights.

Trustee Lown commented that she wants to clarify and to wrap it up. She confirmed the owners have been clearly noticed on how to respond and they have not responded in any way, shape or form nor have they shown up here tonight so therefore our next step shall be.

Mayor Maher continued he recommends getting the couches immediately.

Trustee Lown concurred; she wanted to make sure everybody discussed it.

Trustee Lown made the motion to remove the couches immediately with no 5 day grace period. Trustee Leonard seconded.

Kevin clarified the owners need to be served with the Resolution from tonight and then it can be removed. The owners need to be told the Board has taken a final action and have ordered it removed.

Manager Revella commented as soon as service is complete.

Pat Glass commented that on Mondays and Tuesdays if you go through this Village, you can see all kinds of furniture and mattresses sitting out by the road. Tuesday mornings the garbage goes through and they take everything so why don't you just put the couches out next Tuesday and see if they pick them up.

Mayor Maher responded that will be discussed in public comment,

All ayes. Motion carried.

Village Manager's Report

- Street signs have been replaced at Yale & Berwick and all over the Village: 40 street signs and 30 street names
- Have all the department numbers for preliminary budget
- Cameraing and jetting the sewer lines; repairs will be done in-house if possible
- Met with Towne Cryer – toured the Village – bringing business into Village
- Receiving responses regarding possible commercial garbage program; informational at this point
- Reviewed the Village Emergency Management Plan with police department liaison and administrative aide
- The Buddhist Temple is planning improvements on their two new properties along Edmunds Lane
- Went through Ulster Ave with Village Engineer; discussed sidewalks with state DOT and curbing, sent letter to several property owners regarding sidewalk type – concrete or slate, received only one response so far

- Discussed Bradley park improvements and CDBG also
- Discussed with Building Inspector fixing lights around the Village, Walden Estates completed today
- Cited the garbage company for violating contract
- Met with the Chief regarding the taxi code
- Water/Sewer bills will be arriving from the new vendor next week; will be able to view bills and pay online starting in April
- Easter Egg hunt March 31 at 10am
- Ice rink coming down next week
- Music in the Grove will be moved to Monday nights
- Met with the treasurer, librarian and library board regarding the budget and tax cap issues
- Met with Deputy Mayor regarding garbage issues and CSEA negotiations
- Snow last Friday, cleared the sidewalks, the roads had already started to melt

Trustee Hoffman asked the price difference between the concrete and slate.

Manager Revella responded there is a huge difference; used slate about \$90, concrete about \$47 and new is about \$120 per foot. Those are the estimates we have, but there could be a vendor that has a blowout sale.

Trustee Hoffman asked if we are considering alternate bids.

Manager Revella responded the idea is to get all pricing for all variations, it depends on what the State comes down with, likely to be granite curb all the way down and we'll try to get a vendor that has the granite that doesn't slice the tires. He anticipates doing the catch basins in-house, looking at interlocking block for the retaining walls.

Trustee Lown asked for an update on the property damage from the water break.

Manager Revella responded he submitted the paperwork to JBL and copied it to Central Hudson, he received confirmation from Central Hudson that the yards will be fixed.

Trustee Lown asked if the residents have been notified.

Manager Revella responded they were told at the time that if Central Hudson didn't remediate, we would.

Trustee Leonard asked about the Ambulance that struck one of our police cars if there was much damage.

Manager Revella responded there was just a little damage; dent in the fender and they've already offered full reimbursement.

Trustee Lown asked about the status of the speed humps and potential town hall meetings.

Manager Revella responded we have three areas that traffic studies have been done. We are likely looking at Oakland first.

Trustee Lown asked about the potholes on S. Montgomery Street, has there been any response from the County.

Manager Revella responded they don't have a pothole crew out right now; he thinks the plant will open early this year, so they should be out soon. If the potholes get very deep, he has no problem filling it until they come through.

Mayor Maher asked about the pothole at the intersection of Route 208 and Rt 52.

Manager Revella responded he can not fill; we have to be careful what goes into a State road. The State knows about it, Dean has called them about it several times. That is a common area for holes.

Trustee Leonard asked if there has been a response back from Social Services on 154 W. Main Street.

Manager Revella responded yes, we did.

Mayor Maher indicated that Trustee Hoffman will address that in the Committee reports.

Trustee Lown asked for an update on the business directory sign at Oak and Main.

Manager Revella responded Trustee Bowen was at the meeting and he will hopefully provide an update.

Trustee's Committee Reports

Energy Efficiency Committee/DPW liaison – Trustee Leonard

Trustee Leonard attended the NYCOM meeting, it was very productive. Governor Cuomo and Tom DiNapoli both spoke and he will provide a report to the Board from his notes.

Economic & Community Development Committee – Trustee Lown

Trustee Lown thanked the supporters of the Walden Team that went to the Polar Plunge this past weekend; the team raised \$2600. She announced the St. Baldricks event on 3/31 at 2pm at the Walden Firehouse. Events leading up to that include on March 4th at the Union House 7pm, Music for Megan and on 3/11 there is a zumbathon from 2-7. She announced the Walden Community Council meeting on 3/14, 7pm at Ampac. The summer youth employment initiative committee is hoping to work with the recreation coordinator to combine the SYLA application as well as the youth employment application to make it a more smooth transition in our office as well as for the youth bureau. She asked if anyone from the community would like to work with her on that program to please contact her. She announced the Friends of Walden Youth yard sale on 3/25 and the Village Election is on 3/20 from 6am-9pm at the Firehouse.

Building Dept liaison – Trustee Hoffman

Trustee Hoffman commented he spoke to David Jolly who is the Commissioner of Social Services regarding 154 W. Main Street and people being placed in housing with code violations. Mr. Jolly sent an inspector to the location where one tenant was living with no heat or hot water. They discussed how to avoid this situation in the future, trying to determine whether apartments have code violations before people are placed. They agreed on having one of their representatives contact our Building Inspector to go over a

master list of code violations prior to a person being placed. He believes we are over the communication problem that existed previously.

Mayor Maher commented that budget hearings will be set at the next Board meeting. He announced the Village of Walden will be receiving \$367,500 in county grant funds for the specific reason of sewer imaging and repair. Last year we applied and were awarded \$75000 which will be released in the next few weeks and another \$292,500 the Village applied for in the Community Development Block Grant committee. This is a 100% grant, totaling \$367,500 and he commended our Engineers and Manager John Revella. We've been trying as much as possible to catch as much grant money we can to help service the Village.

Business of the Board of Trustees

23 Oak Street – Code Violation

Kevin commented the Board had taken action at the last meeting and had given the owners until this meeting to satisfy the conditions of the unlicensed and dismantled vehicles.

Jay Buchalski, Code Enforcement Officer, reported the two vehicles have been moved from the left side of the house. The blue Chevrolet Impala is no longer on the property. However, the yellow Jeep is on the right side of the property, it is unregistered, not inspected and no license plate. It has created another code violation due to where it is parked, violation of section 305.3b1 of the zoning code.

Darren Bogert, 23 Oak Street, commented that he put the Jeep back together and he moved it, but was not aware of another code violation, so he will move it back into the driveway.

Deputy Mayor Rumbold responded we can only deal with the original violation that we talked about.

Kevin agreed, which was the 2 unlicensed vehicles.

Mayor Maher clarified that Mr. Bogert is in compliance.

Kevin commented that as far as the Board is concerned it is completed.

Darren asked if he have until Saturday to move it.

157 Elm Street Rezoning

Kevin commented we had to get permission from Ms. Lafargue's parents for her to act on behalf of her parents since they are the legal owners of the property. He put together a developers agreement based upon their last conversation and mailed it out to Ms. Lafargue for her parents to review and sign. This agreement would require the parents to consolidate the two lots as the Board has directed. He commented the Board could introduce the Local Law tonight and set the public hearing for the last meeting in March since it has to be sent to the County Planning Department and the Planning Board since it is a zoning manner. He recommended the Board introduce it tonight, set the Public Hearing for 3/27 which will provide enough time.

Trustee Leonard moved to introduce Local Law 12 of 2012 and set the public hearing for March 27, 2012 at 6:30pm. Seconded by Trustee Lown. All ayes. Motion carried.

Budget Amendment – Resolution 24-11-12

Peter Sullivan, Village Treasurer, indicated this is a resolution amending the budget based on the forecast he outlined about a month ago. We are moving money around within the groups of personal services and contractual services and maximizing the funds available within those groups. Doing this process now will stop the beeping in our budget system since we are doing more purchases now and to allow us to budget more aggressively towards the end of the year.

Deputy Mayor Rumbold moved to approve Resolution 24-11-12 amending the budget. Seconded by Trustee Lown. All ayes. Motion carried.

Flag Day Ceremony at Veterans' Memorial Park

Mayor Maher commented this will be the fourth annual Flag Day Ceremony. The Veterans Memorial Park Committee has requested authorization to hold the annual Flag Day Ceremony on June 10th at 1pm.

Deputy Mayor Rumbold moved to approve the Flag Day Ceremony. Seconded by Trustee Lown. All ayes. Motion carried.

Discussion Items

Taxi Code

Manager Revella indicated the Village does have a Taxi Code and taxis are required to be permitted. There has been some question regarding assurances that drivers are properly licensed, cars are properly inspected and where and how they can do pickups. He would like a review of the Code to make sure any issues are addressed or address any issues that might not be in the Code now.

Trustee Lown clarified that this is just being discussed and that she would like something to look at so she knows what is being discussed.

Kevin responded it is Chapter 272 in the Code; it is basically a licensing, inspection and insurance requirement, to check the backgrounds of the drivers and that each cab riding around the Village is properly inspected and requirements of the State and Local Codes are met.

Trustee Lown commented that going forward, if we are going to discuss something, we should have a copy of something already in place.

Manager Revella responded the Board members should all have a copy of the Code.

Trustee Lown indicated she does not have a copy of the Code.

Chief Holmes commented that once per year any Taxi service permanently in the Village is required to fill out an application and provides copies of all drivers' licenses. The police department does a check of the information. There have been questions about what to do about taxis that come into the Village; that is a gray area. He has looked into what the City of Newburgh requires.

Deputy Mayor Rumbold asked what is the issue with taxis that come into the Village.

Chief Holmes responded that was brought up a few years ago, since we require our permanent taxi company to be permitted it was asked about the taxis that are called into the village.

Trustee Lown commented shouldn't they be permitted where they reside.

Manager Revella commented the only reason they were allowed to pick up without being permitted is for medical purposes only, but that needs to be discussed a bit more with Kevin so it is defined in the Code. We want to make sure the cabs operating in the Village are safe, we can't control who drops off here. We need to address a taxi stand area or not.

Chief Holmes responded there is a definition in the Code of what a taxi stand is. He referenced a taxi company over on East Main years ago that had a taxi stand and he thinks that was when the law was originally written. We need to look at what taxi stand means.

Mayor Maher indicated this is a good starting point; it can be discussed more at the next Board meeting. Options will be discussed at the next meeting.

Trustee Lown commented she knows this was discussed, but she didn't have anything to look at and she apologized.

Manager Revella responded point taken and he confirmed that Trustee Lown doesn't have a Code book.

Garbage Code

Mayor Maher commented that he has received a lot of correspondence regarding the garbage code and so has Trustee Penney.

Kevin read the section in the Code, Chapter 247 -9, specifically letter f. In letter g the requirement is: All garbage and trash shall be placed at or within three feet of the curb or public street line for collection no earlier than 5:00 p.m. nor later than 11:00 p.m. on the day before collection. In section F, it states all containers shall be removed from the curb or street and to a place invisible from the street by 9:00 p.m. on the day of collection. The reason this was initiated back then was a fear of garbage cans being left curbside or just left in the front of the house and overflowing with garbage, which originated the wording "invisible from the street".

Manager Revella commented there has been concern regarding the timing if someone works and doesn't get home until after 11pm; does that mean they can't put their garbage out; the same would be true for removing it from the curb by 9pm.

Mayor Maher commented some don't have the means or the ability to have it not in plain view from some angle, it just says from the street.

Kevin commented the word invisible was put there with the intent that it was not visible from the public street, whether in a garage or behind a house or a fence. He indicated

nobody will be out there at 9:01 citing.

Deputy Mayor Rumbold commented it is really subjective to who's looking to whether it's invisible.

Kevin responded it was meant to be interpreted reasonably.

Deputy Mayor Rumbold understands the original intent since there are people that will leave their garbage cans out with stuff hanging out of them.

Trustee Leonard recommended being less strict on this during the winter months.

Trustee Penney disagreed that it shouldn't be just for the winter months; there are a lot of elderly in this Village. She commented if it is a neat garbage can, she doesn't think there should be a problem with it if it's located on the side of the house. She recommended citing the people that have cans that are overflowing with garbage blowing all over.

Trustee Leonard commented this was less of an issue when we had County Waste with those large cans that also had wheels on them.

Mayor Maher recommended taking these comments and the public comments and take a look at the Code and discuss and determine alternate language.

Trustee Hoffman asked Kevin if he had a chance to go through the entire section of this part of the Code or is it just section f.

Kevin commented he has to cross reference it with the Property Maintenance so we're not creating a problem somewhere else. He commented this law has been on the books since 1990 and it has not been strictly enforced.

Mayor Maher commented it is not about the enforcement, it's about us taking a look at the law.

Trees for Tribs Program

Manager Revella commented Patricia Henighan, Chairperson for the CAC, wrote a letter to the Board asking for their support in resolution form for their application to get trees for the Village.

Mayor Maher indicated the parcels involved are 304-7-13.21 and 304-4-7.21.

Manager Revella commented the parcels are located in Walden Estates along the Brook and possibly in Wooster's Grove along the Brook. The trees can tolerate water and sitting in water, that's why they were chosen for these locations; they will help with erosion.

Trustee Lown asked why Wooster's if it is a flood plain.

Manager Revella responded these types of trees are specific for flood plain mitigation. Alternate locations have also been discussed.

Deputy Mayor Rumbold made the motion to pass Resolution 26-11-12 supporting the

Trees for Tribes Program. Seconded by Trustee Lown. All ayes. Motion carried.

Manager Revella commented that this program was done at Benedict Park and the trees there were flooded for long periods of time and the trees did well.

Trustee Hoffman commented that he volunteered last year to plant trees; they lost a few trees but overall went well.

Public Comment

Stacey Clark, owner of 31 Bank Street, has an elderly tenant. He called her about a summons he received regarding his garbage cans which were located on the front porch. She indicated it is not unsightly. He told her he was going to be fined like \$15.

Manager Revella responded there are no fines for a notice of violation; a fine would be set if they came before the Board.

Mayor Maher commented this has been an issue for the past few weeks that is why we are looking at the law.

Ms. Clark asked how is she, as the landlord, going to fix the problem. She commented that with all the messes in this village, this can of garbage is causing a problem.

Mayor Maher responded it is not just about the enforcement, if you take any issue with this Village, we'll tell you how it's been enforced, who's been noticed and how. Due process is an issue. That's why there are certain things that are seen, but the Village is doing everything they can to Notice things. He commented that every time someone tells him that, it's not that he's doing his job specifically and not concentrating on other things, he is. The Code Enforcement Officer is doing his job, but we need to improve that law so that enforcement isn't the issue and we can change it into a law that makes sense.

Ms. Clark asked how long this law has been in effect. She commented she has been a landlady for 40 years here and shouldn't the landlord be notified.

Mayor Maher responded since 1990. It hasn't been enforced as much as it's been lately.

Trustee Hoffman asked Ms. Clark for clarification of her question: if she should have received the Notice of Violation instead of the tenant.

Ms. Clark responded yes, not the tenant.

Kevin asked if the violation was posted to the door, then they probably couldn't get the tenant to answer the door so they posted to the door for the owner to find it and they might not even know it's a rental property.

Lynn Yak, 96 Coldenham Road, commented that her landlord got a Notice and there is a dollar amount listed on the Notice. She indicated the Code Enforcement Officer must get out of his car to look in everyone's yard; some of those homes sit far back from the road and she finds it hard to believe he's doing that.

Manager Revella responded the Notice could read you might be fined, but it doesn't say you are going to be fined.

Kevin commented the fine is no less than \$10 but no more than \$25.

Anita Vandermark, Highland Avenue, commented that she received one of those Notices too and her can is quite attractive since she covers it with a tablecloth. She commented that senior citizens do have trouble lugging the can and she's glad the Board is taking this under advisement. She thanked the Board for taking care of Veterans Park and she mentioned that brick orders are still available. She commented about an incident on her street and commended part time Officer Lucas Brooks' response.

Becky Pearson, 167 Walnut Street, commented about the article in the paper about Maybrook winning and we should have been a part of it. The article mentioned how the court will have another hearing about the appropriate remedy; she asked if we will benefit from it.

Manager Revella responded he will be there on March 14th. He commented that we will still benefit from it, all Town taxpayers that are in the Villages will benefit.

Trustee Hoffman clarified that it wasn't the Village of Maybrook that took action, it was 2 citizens.

Becky commented that is the importance of this Board to go to their Board meetings especially at budget time. The Villages pay for a lot of things that we shouldn't be paying for. She commented the Trees for Tribs program is a great idea. She mentioned that Arbor Day is coming up and she's been talking to the Rec Coordinator and a teacher in Valley Central that can get trees from Saratoga. She would like to see if the Board would allow a tree to be donated for Midge Norman; last year it was done for John Howland. She mentioned the possibility of planting a grove to use for street trees later. Her comment on Lanc & Tully is why didn't this discussion happen before the law changed instead of now, should it be one way, the number of accidents, etc. She thanked Tara for the discussion. She asked about the Ulster Ave project and if slate and blue stone are the same thing.

Manager Revella responded yes.

Richard Randolph (Rocco), owner of Rocco's Burgers and Dawgs at 88 West Main Street, has been there 2 years now. He indicated he's been having a problem with the taxi cars taking up too many parking spots and it's affecting his business. He doesn't know if anything can be done since it's a State road. He commented that at one time they were the only business on the street, so they had full reign, but now there are other businesses there, a barber shop is opening soon and the bakery that's there. He commented if he ever had to move his business out of Walden, it would be because of the taxi cabs. He has spoken to the owner of the taxi's several times, but it doesn't seem to be enforced to the drivers, they are parked everywhere.

Manager Revella responded that he is not the only business in the area that has expressed concern.

Jessica Metzger, 4 Gracewood Court, asked the Board to consider putting a public comment portion back on the agenda prior to the action items. She asked if any Board members thought about putting it on the agenda and discussing it in public as to why or why not you do not.

Mayor Maher responded they are going to be discussing this in public prior to the next re-organization meeting and from the re-org meeting going forward there will be a public discussion on that matter.

Jessica responded it was not a public discussion when you changed the agenda. She thanked Sean for contacting the County; it's a very big deal and due to her husband's job and the hours he works, it's sad when police officers are bringing water to people in these homes so they can flush their toilets because we have property owners that don't care about their buildings or the people in them.

Trustee Hoffman responded it was a combined effort with Kevin and the building inspector.

Jessica responded but as a trustee, she appreciated his efforts and taking the initiative on it. She thanked Becky Pearson for her positive comments and recommending a tree for Midge, which will be a wonderful tribute. She asked about the deadline for the RFP's the Board voted on awhile back and she asked if anything was received on the police consolidation RFP.

Manager Revella responded the deadline is March 13th and he believes we received one so far on the police consolidation.

Jessica asked if it was from LaBarge; they did the consolidation work for Chester.

Manager Revella responded no, he thinks it's from Patterns for Progress.

Jessica asked where are they from, New Windsor?

Mayor Maher responded they have an office in the City of Newburgh, but they service the entire Hudson Valley.

Trustee Lown indicated they are in New Windsor, that is where she sends the check to when she pays them for her job.

Mayor Maher commented their main office is in Newburgh, but they must have an office in New Windsor.

Jessica had heard someone ask how many accidents have been reported at the Cross Street intersection and she's heard that there have been 6 in the past 3 years and 2 of them were questionable and she doesn't think any of them were serious. She asked about the presentation by Lanc & Tully, if it is in the normal scope of their contract or did we have to pay extra for them.

Manager Revella responded they don't have any work in the normal scope of their contract; everything they do is paid for per hour, although they do perform some work pro bono.

Jessica commented she read in the paper and a grant to the Hudson Valley Conservatory.

Manager Revella responded that was not the Village's, it was the Walden Community Council's Main Street Grant, Hudson Valley Conservatory is included in the target area.

Mary Ellen Matisse clarified that the grant is for the Mini mall.

Jessica commented she was pleased to hear the discussion tonight regarding the garbage code; she herself has cans on the side of her house and they are visible from the street. She commented it is important and she's glad it is being re-visited. In regards to the taxis and checking taxis coming into the Village, there is something similar for garbage companies that who come in here and are not our garbage carrier. They have to have a special permit to come to the Village and pick up garbage and she knows there is something similar for the taxis and where they are picking people up. She commented she didn't appreciate the sarcasm Tara showed tonight and she indicated she was embarrassed for her for what she did last week when Sean had a conversation with someone in the public and not only herself, but the majority of the people on this side of the room, physically watched her turn her body, look to the wall, put her hands up and clapped. She commented she didn't see the need for it in a public meeting, it was seen by other people along with some of her fellow Board members. She commented it was disrespectful and her comments at the beginning of the meeting and her sarcasm did not go unnoticed by anyone.

Trustee Lown responded she didn't know what Jessica was talking about.

David Sperry, 12 Overlook Terrace, commented that Lanc & Tully did an excellent presentation, but it should have been done long before the road was changed over. He asked a couple of months ago, why it was done and he believes he was told it was for the fire trucks. He commented if we are going to talk about garbage pickup for the next month, maybe we should tell the Code Enforcement Officer to let that go until we have a definite of where we're going.

Manager Revella responded the Board can issue a moratorium if they wish.

Trustee Hoffman commented that to date he has only Noticed the violation; he is just warning people they are not in compliant with the law.

Mayor Maher commented that Dave has a point, perhaps it should be put in a newsletter.

Manager Revella responded it was in the last newsletter.

David asked about furniture being put out and the garbage company picking it up, if that is permissible. If they are doing it, then perhaps that person on First Street should be told to throw it out with his trash.

Manager Revella commented we can not make the garbage company pick up bulk outside of bulk week; residents can do their own bulk pickup at any time by calling the garbage company directly.

David commented he saw the new street signs and he was glad to see them. He asked about the lights and has bringing this up for the last couple of years. The Square has been off for two months now. The parking lot at Giuseppe's is poorly lit and the trees need trimming.

Manager Revella responded the trees were trimmed in the Maple Street lot, but the lights are not sufficient.

David commented about the Rail Trail and it being the Town of Montgomery's responsibility to fix the swale, he wondered how long that would take. He asked about the trees that were trimmed along the Rail Trail.

Mayor Maher responded that was part of the CDBG application.

David asked who marked the trees on the Trail and does that mean they are going to be cut. He sees a problem if those trees are going to be cut, especially with the rain we've had, some type of vegetation should be put back in. He asked about the spot on Route 52 by Highland with the cones and if that was the State.

Manager Revella responded yes, that is the State. The Village put the steel plates on it and we've argued about whose responsibility it is, so we've applied to the County.

David asked if there is a sign by Dunkin Donuts for trucks to make the left hand turn onto Elm.

Manager Revella responded the sign is gone and State DOT would have to put that sign back up and he has asked the State to reinstate the Truck Route.

Deputy Mayor Rumbold asked what is our recourse when we continually ask the State to do things that our state tax dollars should be paying for but we use our tax dollars for, and it's not being done.

Manager Revella responded contact your state representatives.

Mayor Maher responded the only recourse is to make a phone call to put pressure on someone else and he does his best to call people.

Deputy Mayor Rumbold commented we shouldn't have to beg. She asked why we have to be careful about what materials are put in the potholes.

Manager Revella responded he has to ask permission to touch the road and to patch a hole properly he would have to cut it out to make a square so the blacktop sticks better.

Deputy Mayor Rumbold asked what recourse does someone have if the State's been made aware and somebody drives their car and damages their car.

Kevin commented the State controls curb to curb the roadway itself and you would think they would have their own self interest because if they don't fill the potholes or take care of sight distance requirements and there is an accident, the State will get sued. They've

been put on notice that there is a problem; this happens all over the place, it is not new to Walden.

Manager Revella commented there are times when we've Noticed them and they don't respond in a timely manner, we go out there and do it ourselves.

Deputy Mayor Rumbold commented that when you're looking at the fiscal issues the State is having and we are trying to be conservative and responsible to our taxpayers and have to take our crews, do their work that we are paying for in our State taxes, she's not understanding where that is fair. She asked if that is the idea, they will ignore these municipalities, we'll do the work and the State doesn't have to spend the money. She asked if we can get more aggressive with our law makers; she feels they are double dipping.

Manager Revella commented it is very similar to the Dial a Bus program; the County cuts the funding and the costs trickle down to the Town level, which trickles down to the Village and we get sent a bill. He doesn't think it's appropriate, but that is politics in NY, but hopefully that will change.

Trustee Leonard indicated that was a big issue with NYCOM, unfunded mandates from the State.

Mary Ellen Matise, Clinton Street, commented the broader issue is the State highways running through small communities and it keeps being brought up and nobody is addressing it. She's been listening to the quality of life issues tonight, garbage, and taxi cab parking. People have complained to her about parking on both sides of Church Street and getting the stones re-set on Church Street. She commented the blue stone comes from right here in the Catskills so it shouldn't be too expensive and can be ordered with any size and thickness. She recommended an open meeting where everyone can comment on the quality of life issues (Stitch and Bitch). She indicated money was received for the Main Street Grant and we have 20 projects, last time it was only 6. She requested that Ridge Avenue and Clinton Street be looked at as they are crumbling apart; some of the smaller streets need to be looked at.

Approval of the Minutes – February 14, 2012

Deputy Mayor Rumbold moved to approve the minutes from February 14, 2012. Seconded by Trustee Penney. 5 ayes, 0 nays, 1 abstention by Trustee Lown. Minutes approved.

Payment of the Audited Bills

Deputy Mayor Rumbold moved to pay the audited bills. Seconded by Trustee Penney.

Deputy Mayor Rumbold commented only the bills with the required number of signatures.

All ayes. Motion carried.

Correspondence

Trustee Lown read a Thank you card addressed to: herself, Lauren, Dave, Gary, Brian and Anita for the leadership day award event from Jodi Lynn, the 2011 Volunteer of Year recipient.

Trustee Hoffman indicated he received an email about the Rail Trail.

Miscellaneous Comments from the Board of Trustees

Mayor Maher thanked Becky for the comment about planting a tree in honoring Midge and he looks forward to being a part of it. He thanked Becky for the great job she does on the Arbor Day celebration.

Adjournment

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

**Village of Walden Board of Trustees
Regular Meeting
February 28, 2012
Motions & Resolutions**

Code Violation Hearing – 106 First Street

Trustee Lown made the motion to remove the couches immediately with no 5 day grace period. Trustee Leonard seconded. All ayes. Motion carried.

157 Elm Street Rezoning

Trustee Leonard moved to introduce Local Law 12 of 2012 and set the public hearing for March 27, 2012 at 6:30pm. Seconded by Trustee Lown. All ayes. Motion carried.

Budget Amendment – Resolution 24-11-12

Deputy Mayor Rumbold moved to approve Resolution 24-11-12 amending the budget. Seconded by Trustee Lown. All ayes. Motion carried.

Flag Day Ceremony at Veterans' Memorial Park

Deputy Mayor Rumbold moved to approve the Flag Day Ceremony. Seconded by Trustee Lown. All ayes. Motion carried.

Trees for Tribs Program

Deputy Mayor Rumbold made the motion to pass Resolution 26-11-12 supporting the Trees for Tribs Program. Seconded by Trustee Lown. All ayes. Motion carried.

Approval of the Minutes – February 14, 2012

Deputy Mayor Rumbold moved to approve the minutes from February 14, 2012. Seconded by Trustee Penney. 5 ayes, 0 nays, 1 abstention by Trustee Lown. Minutes approved.

Payment of the Audited Bills

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

Adjournment

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