

**Village of Walden  
Board of Trustees Regular Meeting  
June 12, 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
	Trustees	Edmond Leonard
		Bernard Bowen
		Tara Lown
		Sean Hoffman
		Willie Carley

Absent	Deputy Mayor	Sue Rumbold
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Also Present:	John Revella, Village Manager
	Lori Pinckney, Village Clerk
	Austin DuBois, Village Attorney
	Michael Blustein, Village Attorney

**Public Hearing – Taxi Code – 6:30pm**

Mayor Maher read: A local law amending Chapter 291 of the Code of the Village of Walden entitled “Vehicles and Traffic” to establish a tax parking area on the north side of West Main Street.

Trustee Lown made the motion to open the public hearing on Introductory Local Law I-4 of 2012, “Vehicles and Traffic”. Seconded by Trustee Leonard. All ayes. Motion carried.

Mary Ellen Matisse, 21 Clinton Street, asked for clarification on the two designated parking spots.

Attorney DuBois responded the law designates two taxi cab spaces on the same side of the street on the north side of West Main Street. Taxi cabs will be prohibited from parking anywhere else in the Village except on the street where the owner/driver resides.

Trustee Lown clarified the parking is limited to two hours between the hours of 9am – 6pm, Monday thru Saturday.

Mary Ellen commented that she spoke with someone today and she believes many people feel the same that with these two spots being designated for taxis, it really takes away two spots in a commercial area. She doesn't know if this law will eliminate the problem as there are many taxis and Ciardullo's already has a loading zone which eliminates parking on that street.

Mayor Maher responded the intent is to make it more advantageous for businesses to have parking spots in the commercial district because of what was going on.

Dave Sperry, 12 Overlook Terrace, clarified the parking times for the parking and asked if any other business wanted to apply for their own parking spot for deliveries, etc that would be okay, the Board would grant it.

Mayor Maher responded it would be premature to say we would grant spots to everyone, but we would hear everyone's case and the Board would make the best determination as a Board for our Village.

Attorney DuBois commented his impression of the law is its being considered because taxis in particular are frequently taking up several spots throughout the Village.

Mayor Maher responded Mr. Sperry is talking about setting a precedent and it was discussed at various times during the creation of this law and it has been taken into account and the Board still went forward with this law. He understands Mr. Sperry's point.

Dave responded he feels the Board is making an exception for one person that could also park cars in a Village lot, just like a delivery cars could use Village lots like everyone else should do. The Board is making an exception for this one company to allow them to park two cars, 6 days per week, during business hours on Main Street tying up parking available to those businesses instead of forcing them or asking them to use the Village lots like everyone else has been asked to use for employee parking. He indicated by allowing them to get away with this, its circumventing the parking rules and every business that applies should also be granted the 9-6 during business hours.

Jessica Metzger, 4 Gracewood Court asked how much is it costing to make this law.

Manager Revella responded it depends on number of pages for General Code and the number of signs needed to be put up, probably \$230-\$250.

Jessica commented she understands the reason behind the law but it does seem that the business owner has taken the necessary steps since there really aren't many taxis there now. It appears there is great communication going on between the owner and the Board and asked if it is really necessary to spend the money on the law and signs.

Mayor Maher responded the communication did take it to the next level once it was assumed and agreed upon that this would be in place.

Jessica commented she read the minutes from the last meeting and there was a quote from our attorney with regard to the police being "heavy handed" with how they give out tickets to drivers of the taxis. The actual law states these cabs can not be parked on any other Village street period; it is not open to interpretation.

Attorney DuBois responded it is not any other village street, it's limited to the street of their residence and that was changed.

Trustee Bowen commented since they have been doing well and they are under the impression that we have to pass the law he doesn't think the Board should be pushed into the law to get the change. He thinks we are all in the community and we should be looking at it as I don't need to be pushed into a place to make a change if the change needs to be made. Everyone should work together and as far as cost goes, he says don't change it. If

there are three cars there and someone is running in to pay or change shift it's only 5 minutes, but when the car is parked there for hours that is where the problem comes in. The problem was there was just too many cars parked and we have justified it now and lets just move forward without the law.

Trustee Hoffman commented if the law isn't drafted the cabs can park there unobstructed, there is no mechanism for the PD and a taxi can park there every night so the law is somewhat of an agreement or compromise and they will police their drivers a bit better if we can allocate two spots for their drivers that have some mobility issues.

Manager Revella responded that is what the owner said.

Trustee Bowen asked where are they parking now.

Mayor Maher responded they are most likely parking in the newly paved lot.

Trustee Lown responded the owner made arrangements with the Church.

Manager Revella responded the owner's concern is what if the Church sells.

Trustee Leonard recommended going ahead with the law, he is concerned that 6-8 months down the road or in the winter, the number of cars might creep back up.

Trustee Lown commented her biggest concern if the Board doesn't go ahead with the law it's just going to create an issue that it has been for some time now for businesses that are already there and it's not ideal to put new businesses into those empty storefronts if there is already an existing situation. She agreed with Ed.

Trustee Carley recommended going ahead with the law. He indicated this particular business is unique because of the fleet of vehicles that they have. Their revenue is based on the number of vehicles, so for her to grow her business she needs more than 1-2 vehicles. She has grown to nearly 30 vehicles, it's commendable and it shows the community is growing and there is a need for it and we have to put this in place in order to meet that need.

Trustee Hoffman commented the business has a right to occupy some spots on Main Street just as any other business. He believes it is a fair and equitable arrangement.

Mary Ellen Matise commented Trustee Carley had a good point, but as her business grows she might grow to another spot and those spots would have to be rescinded anyway.

Becky Pearson, 167 Walnut Street, commented that every other business that wants to park on Main Street has to move their car every 2-3 hours so how fair is that to other businesses. She mentioned Mr. Sohn's having his delivery truck parked on Main Street, would he be able to get that, parked for 6 hours per day since there isn't somewhere else to park. She agreed with Bernard. If anyone with a business wants two spots why wouldn't the Board allow it then, of course you would, and who is going to come into the Village and park and spend money. There are other spots that people can park; she is up to 27 cars, maybe she should look at a place where she can park her fleet instead of on the street. It is hard to find that and we don't want businesses to leave, we want them to

stay but it's not fair to those businesses that have to move their cars every 2-3 hours because they are parked in front so why is it fair for this woman.

Manager Revella responded there have been a few cases where the Village made an exception and made 15 minute parking in front of their establishments and also the Sohn's truck is a rare situation; they are in a loading zone and can keep that truck there all day.

Becky commented it is a hard call and understands the difficulty but it is not fair to the other businesses that have to move their cars every 2-3 hours. She has 27, that is good, business is growing but it is still not fair to other people.

Mayor Maher understands the argument but worth noting the businesses that you are representing are the ones that were part of the discussion that wanted this and came forward and lobbied the Board to ensure this law take place so the people you mentioned, Sohn's, businesses on Main Street and not on Main Street were part of the discussion to make sure this law happened.

Trustee Leonard commented that we now have 56 unlimited spots on Oak Street now that we did not have back when Becky was Mayor.

Trustee Lown commented that reading the law, there is a 2 hour time limit between 9am and 6pm. She asked if that is correct.

Attorney DuBois responded no, it used to be limited and noted the direction/dimensions from Oak Street mentioned in the law and no time limit for the taxi cabs is indicated.

Jessica Metzger clarified her opinion; she suggested that since this is working right now, it can be retracted and pull it out and enact the law. She is concerned with the precedent it is setting, she agrees with the two spots and understands the why but in the past few months the owner has been compliant and the reason being is she understands these two spots are coming and good for her. The law is drafted and it can always be pulled out and sent away, spend the \$500 for paperwork and signs. She asked if there is a time limit on it.

Trustee Hoffman asked if there is a time limit after the public hearing is closed.

Attorney DuBois responded it could be reopened and noticed again.

Jessica commented that as a resident who spends money in the Village and goes to the different businesses she does not feel that we need to spend the money to do this. If we have to and are pushed into a corner than absolutely.

Trustee Carley asked if it is fair to have a local law in our back pockets as a threat.

Jessica responded she agrees with Trustee Carley but doesn't think it is any worse than having 27 cars in her fleet and parking on Main Street. The Village is not going tit for tat here; we are trying to look out for other businesses that are close to this business. We are being diligent; we have it if it is needed and shame on her for costing the taxpayers money.

Trustee Bowen agreed with Jessica; we are not using it as a trump card but if we are in compliance with each other and communicating with each other, continue doing it. Yes, we can pass the law, but we don't have to pass the law if she agrees with it. If the owner agrees with it and has been able to do it than continue doing it.

Trustee Carley commented looking at it from a cost perspective and he's only been on the Board since March, this has been talked about since March. We have spent a lot of time talking about it and now we go back and rescind it once we got to a certain point because someone is being compliant and as the Mayor said it's because we are working together as a community and we want to help her out because she has a hard business. The surrounding businesses needed assistance and this was the solution; it is working both ways.

David Sperry commented there aren't many cars using the Church parking lot, if Oak Street lot does not have a time limit and the Church gets sold, they could fill Oak Street Lot with their vehicles. Their business might get too big for the amount of cars and we will be back here saying how many cars they can have in a public lot. If they got thrown out of one lot, they will fill up the other.

Mayor Maher agreed and originally did not feel this law was needed. We had a lot of discussion over a lot of time and we came to an agreement. Before we created this law, it has been working.

Becky Pearson commented she finds it sad that we made an agreement with someone before we see how it's going to work. We are going to promise something to someone and have to pass a law without someone compromising and trying to make it work for the Village as well. The people being pushed into the corner is the Board.

Mayor Maher responded there was much discussion, some of the employees weren't complying and there was some miscommunication on the owners end and ours. The issue has been resolved without passing this law, which is where we are at.

Brian Sebring, 84 East Avenue, commented some vehicles park right behind her building and some behind the Hometown Bank as well. He heard the Church could be sold and if it is, and if the Board does not act on it then we are back to square one.

Trustee Hoffman made the motion to close the public hearing on Introductory LL I4: Taxi Code. Seconded by Trustee Lown. All ayes. Motion carried.

Trustee Leonard commented that at any given time there are only 3-4 cars that are active; the other cars are parked at the driver's houses around the Village. At the most there will be 4-6 cars and with the two spots in front, the remaining cars can park in the lot. He recommended go with the law.

Trustee Bowen recommended no.

Trustee Lown recommended yes.

Trustee Hoffman recommended yes.

Trustee Carley recommended yes.

Trustee Leonard made the motion to declare Local Law I-4 a type II action under SEQRA. Seconded by Trustee Lown. 5 ayes, 1 nay by Trustee Bowen. Motion carried.

Trustee Lown made the motion to adopt Local Law 3 of 2012, Taxi Code. Seconded by Trustee Leonard. 5 ayes, 1 nay by Trustee Bowen. Motion carried.

### **Public Hearing – Sign Law – 6:45pm**

Mayor Maher commented this is an extension of the timeline. He read: “A local law amending Chapter 305 of the Code of the Village of Walden entitled “zoning” to extend the time for signs made non-conforming by the adoption of Local Law No. 5 of 2002 to be brought into compliance with said law.”

Trustee Lown made the motion to open the public hearing on Introductory Local Law I 6 of 2012: Sign Law. Seconded by Trustee Bowen. All ayes. Motion carried.

Jessica Metzger, 4 Gracewood Court, commented we paid for a law 10 years ago that we are not enforcing and now we want to add another extension. She commented there are signs in the Village that are not compliant.

Dennis Wagemann, Ulster Ave, commented this law was passed 10 years ago and applies to signs for businesses. He asked if banners were included and if so there is a banner in the Walker Building that exceeds the limit.

Mary Ellen Matise, 21 Clinton Street, asked if there have been any discussions with the sign owners.

Trustee Hoffman responded yes, a number of owners attended a meeting in the fall.

Mayor Maher responded we should have done more in the past six months but we will move forward and do it right.

Mary Ellen commented the Sign Law is separate from the architectural guideline recommendations but because people don't follow either, maybe both need to be looked at together.

Dave Sperry commented that years ago when someone wanted to open a business, the owner would come to the Planning Board and would get a pamphlet with appropriate colors, etc. He asked if that still happens.

Mayor Maher responded there has been issues where some people get screened and it's as if some people maybe don't. That is not something that is a practice, that's not something he would say happens, on record, but there are obviously places in the Village that are in compliance and not, and there are answers to all those questions. Once Sean has gotten on the Board and as liaison to the Building Department, he has been able to answer each of those questions on individual properties. He understands Dave's point and this process going forward will hopefully answer all the questions.

Manager Revella commented he does not appreciate vinyl siding downtown and that is one of the questions he has discussed with the Building Inspector. The Building Inspector does have discretion to approve materials downtown.

Mayor Maher confirmed the Building Inspector does have discretion to say “yes, that’s approved” and also to say “no, you have to go through the architectural review board to get your colors approved”. He clarified that is what the Manager is stating, which we don’t like, which we try to make sure we are uniform and everyone goes in front of the review board because they should.

Dave agreed with Jessica Metzger that we already have a law on the books, so why don’t we give x amount of days and the fines will commence as of 30 or 60 days.

Mayor Maher responded when this law was created 10 years ago no one was told about being in conformance, no one received a letter. This Board was told the owners were sent a letter. The business owners came to the Board and stated they never received such letter, so the reason why we are extending the enforcement of this law is because the business community came to us indicating it doesn’t make any sense and they weren’t involved in the conversation as much as they should have been. They asked to be involved and move forward with what makes sense for the businesses and the Village.

Dave commented it would make sense to give every new business moving into the Village a pamphlet of the rules; that is what used to be done and should’ve been continued.

Trustee Hoffman commented there were too many issues at the time. The first was the signs that existed before the law passed, for example Gridley Horan.

Dave clarified if we are talking about Main Street businesses or all businesses.

Trustee Hoffman responded the entire Village. The other issue was that there were certain signs that have a variance through the ZBA so Dean surveyed approximately 100 signs in the Village and checked all the individual files to see which ones had an approved variance. He indicated this has not just been put on a shelf; there was a lot of work involved and more complex.

Jessica Metzger asked if it is the Village Board’s intention to modify the existing law.

Mayor Maher responded yes.

Jessica responded then if someone’s sign was there already, it should be grandfathered in.

Manager Revella responded the law states there is no grandfathering.

Jessica responded this is why every i should be dotted and every t should be crossed, just like Cross Street. It has been 10 years and we are going back to it now, it is discouraging. She referenced the sign law discussions back in the 2007 minutes and nothing was done then and here it is again being postponed again. According to the last meeting’s minutes there are not as many signs that had an issue as first thought, she doesn’t feel there is a need to postpone it.

Trustee Hoffman responded if it is not postponed than Gridley Horan is non conforming and would need to remove the sign and he doesn’t not believe that is what this Board intends. Under this law, there is no protection for that sign.

Jessica asked if the Board right now has the power to allow signs already in place by today to stay.

Mayor Maher responded they have the power but they have not had enough discussion to come up with the solution needed to write a law that makes sense.

Manager Revella commented that we needed Dean's input; he just completed his survey last month to find out when these signs were in place to know who would be grandfathered.

Jessica asked if the law could just be amended or does it have to be re-written.

Mayor Maher responded we are not going to re-write the entire law.

Jessica commented that as a resident she is not happy with the amount of time it's taking and she doesn't believe its as big of an issue as its made out to be.

Trustee Hoffman commented that it has required a lot of time; Dean has been researching archived files on top of his normal duties.

Jessica responded as a resident that has attended these meetings for 15 years and having been in attendance when this law was passed the first time, it is discouraging because she will be in this audience ten years from now when the law that is passed, like the Taxi Code, there will be an issue that comes up with it. Each time a law is passed it costs taxpayers money; she realizes everyone on the Board has the best intention, it is discouraging to see a time issue on something like a sign law and yet she'll see something get pushed through like the square re-design.

Trustee Lown made the motion to close the public hearing on Introductory LL I 6 of 2012: Sign Law. Seconded by Trustee Bowen. All ayes. Motion carried.

Trustee Lown made the motion to issue a negative declaration on an unlisted action with regard to I – LL 6 of 2012. Seconded by Trustee Hoffman.

Trustee Carley commented we need to devise a plan to say "a, b, c & d" because Sean mentioned some things that he wasn't aware of, for example Dean going through the archives. The Board needs to devise a plan to show the public that we are doing our due diligence.

Attorney DuBois clarified that the motion on the floor is that there will not be any environment impact and Willie's point will go through to the next motion.

Trustee Carley asked how can we assure that through the architectural guidelines that this is being done accordingly so it won't need to be done again.

All ayes. Motion carried.

Trustee Hoffman made the motion to approve Introductory Local Law I-6 of 2012: Sign Law. Seconded by Mayor Maher.



Trustee Leonard commented that Joe Horan spoke to the Board a few months back and indicated many businesses are struggling and to force them to buy a new sign could run upwards of \$3000-\$4000. He believed the original authors of this law were too strict.

Trustee Bowen asked if there was any way to distinguish between Main Street businesses and off Main Street ones while we are looking into this law. We need to make sure all the signs/businesses that are grandfathered are signed off on and all new businesses coming in are in compliance with the guidelines. He believes they should concentrate on the businesses on Main Street.

Trustee Lown commented she agreed with Trustee Carley; the next steps need to be planned out.

Manager Revella commented the first moratorium was in place in order for Dean to advise us on which signs were in compliance and which weren't, which had variances so we could determine based on the law as it reads which ones are not compliant so we could work something out with the law and make it better so it works. We weren't sure how long it would take; that step is done. Now the Board needs to revise the law, which requires time, based on Dean's survey.

Trustee Hoffman indicated he met with Dean today and the next step would be for Dean to offer some suggestions based on his understanding of Planning Board applications.

Trustee Lown asked if we can move on this prior to the six months.

Trustee Hoffman & Mayor Maher responded yes.

5 ayes, 1 nay by Trustee Lown. All ayes. Motion carried.

### **Village Manager's Report**

- Road crews have been out patching roads by plow routes; more to go on west side.
- Been cutting low lying branches from sidewalks
- Continuing to jet and flush the sewer mains
- Discussed with Orange County Dept of Health the program for spraying mosquito larvae in our catch basins – we are on their list
- Fencing at Bradley Park is complete
- Met with Village Engineer to review traffic patterns on Cross Street/S. Montgomery Street and North Street. Engineer had injury and surgery today, should have reports for next Board meeting.
- Spoke with Lovell Safety Group (Worker's Comp Carrier) – we should be getting dividend check based on performance, we did have a bit of a high claim rate.
- Attended the Association of Towns, Cities & Villages meeting at Winding Hills; Mayor Maher, Special Counsel, Trustee Hoffman attended; discussed bonding, bond counsels and procedures to be tax compliant.
- DPW did a survey of signs needed – less than last year. Did survey of tree stumps that need to be ground, will rent/borrow stump grinder soon.
- DVR at the Police Dept is on last legs, getting estimates for replacement. Used to record video surveillance.
- Meeting with FEMA- applications for sewer reimbursement are in, we have two applications outstanding – they should be completed soon.

- Met with Village Treasurer & Special Counsel regarding debt management and bonding for coming year.
- Attended pre-bid meeting for Water Treatment Building – open bids yesterday, bid will be awarded at next Board meeting.
- Central Hudson did a lot of the landscaping work that was needed along rail bed.
- Did the Elevation Certificates for Wooster's Grove – in response to FEMA's question and flood plain.
- Attended LEPC (Local Emergency Planning Committee) Meeting with one of our police officers at Goshen 911 Center. Very informative; there are a lot of resources we can sign up for – one being the E-Plan – allows us to look online for potential hazardous areas around the Village.
- Attended meeting for Hudson Valley Greenway at Kaplan Hall with Trustee Bowen; discussed projects and funding for our region.
- Fence is going up at Midge's Park this week so dedication will follow.

Trustee Leonard commented that he noticed the washout on East Main Street by Old Scalper has been repaired; did DOT fix it?

Manager Revella responded no, DOT only repairs catch basins that were put in from 1979 to present, anything prior to 1979 is the local municipality's responsibility according to the agreement with DOT. He mentioned that he sent out correspondence to the Superintendent of Prisons at Shawangunk regarding extending the Rail Trail; he did receive positive correspondence back and they want to work on it with us and are in favor of it.

### **Approval of the Minutes – May 22, 2012**

Trustee Lown made the motion to approve the minutes from May 22, 2012. Seconded by Trustee Bowen. All ayes. Motion carried.

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

#### **DPW liaison – Trustee Leonard**

Trustee Leonard commented he would like to have the manufacturer of that portable building at the next meeting.

#### **Village Office Liaison (Clerk, Treasurer) – Trustee Bowen**

Trustee Bowen commented he spoke to Peter; all the tax bills went out and payments are coming in quickly.

#### **Community Liaison & Library Board Liaison – Trustee Lown**

Trustee Lown commented the Summer Youth Employment Program kicks off Thursday at 6 pm, approximately 30 applications have been received. Thursday's event includes representatives of area businesses coming to talk to the applicants. The Youth will be notified on June 25<sup>th</sup> and the program starts July 2<sup>nd</sup>. On 7/21 there is a mandatory skills and resume building workshop and graduation will be 8/9 at 7pm in the Bradley Room. She mentioned the businesses participating this year: Big Apple Circus, Millspaugh Funeral Home, Spence Engineering (Circor), Quarter Note Café, Jacobowitz & Gubits, Village of Walden, Orange County Rural Development Advisory Corporation, and the Thruway. She commented about the great Memorial Day Parade and Ceremony and thanked the Committee. She commented there was a great Flag Day Ceremony and thanked everyone involved. She announced that there is a Walden Community Council

meeting Weds, 7pm at VFW, the Farmers Market starts Friday at Wooster's from 1-5:30, National Night Out meeting 6/21 at 6:30pm in Community Room, the Masonic Lodge graciously donated \$3000 to cover the fireworks. There is a Harvest Fest Meeting 6/27 at 7pm at New York School of Music and the Music in the Grove Series is starting 7/7 at Wooster's at 6pm and will continue almost every Monday in July. Each concert is being sponsored this year.

### **Building Department Liaison & Planning & Zoning Board Liaison – Trustee Hoffman**

Trustee Hoffman commented he met with Dean this morning, reviewed a 3 lot subdivision on Pleasant Avenue and the 82 West Main barbershop site plan. They spoke about sign law and enforcement of two items: 33 N. Montgomery Street, which is an action item and 46 Scofield, which has court tomorrow.

### **Parks and Recreation Liaison – Trustee Carley**

Trustee Carley mentioned tennis is over, day camp registration is going on, the beach opens this Saturday, there is lots of work being done to all the Parks. The Health Dept inspections are complete, Bradley park has two bathrooms, the women's bathroom is backordered, teen center will open 6 days per week starting 6/26; it will be open Monday through Friday.

### **Public Comment on Business of the Board**

Manager Revella mentioned discussion item #3 will be tabled and speed humps will be discussed instead.

Mary Ellen Matise, 21 Clinton Street, asked if 33 N. Montgomery Street is across from the little firehouse.

Manager Revella responded yes.

Mary Ellen asked if the Comprehensive Plan will be discussed tonight and will it include a discussion of sign guidelines, there is so much discretion in them right now they are not really enforceable.

### **Action Items**

#### **Bond Resolution 1-12-13**

Manager Revella commented this is a statutory installment bond to do the work listed as follows: reconstruction of various Village roads estimated cost of \$434,000, reconstruction of portions of Village Hall estimated maximum cost of \$203,500, and various improvements at Bradley Park estimated maximum cost of \$275,000. Total \$912,500.

Trustee Lown made the motion to approve the Bond Resolution 1-12-13 authorizing issuance of \$912,500 serial bonds. Seconded by Trustee Bowen. All ayes. Motion carried.

#### **33 N. Montgomery Street – property maintenance hearing**

Manager Revella commented Dean would like a hearing date set to allow notice and discuss the property maintenance issues.

Trustee Lown made the motion to set a Property Maintenance Hearing for 33 N. Montgomery Street for June 26, 2012 at 6:30pm. Seconded by Trustee Leonard. All ayes. Motion carried.

**Award Bid for Pine Street CDBG Work**

Trustee Lown made the motion to award the Pine Street Curbing & Sidewalk bid to Whispering Pines Development Corp for \$59,475.02. Seconded by Trustee Leonard.

Manager Revella commented this for curbing and sidewalks on Pine Street; the curbing on Orchard and West Main will be granite. CDBG will cover the majority of it; there will be a bit extra in order to cover the granite curbing which the Village will pay for out of the capital project fund.

Trustee Leonard mentioned it's about \$18,000 difference.

Trustee Lown asked if we have worked with this contractor before.

Manager Revella we have not worked with them; the Engineers have reviewed all bids and checked them out and recommended awarding the low bidder.

All ayes. Motion carried.

**Award Bid for Gladstone Tank CDBG Work**

Mayor Maher announced the low bid is CMC Construction for \$97,000.20.

Trustee Leonard made the motion to award the Gladstone Tank bid to CMC Construction for \$97,000.20. Seconded by Trustee Lown.

Manager Revella commented this company has worked for us before; they did Oak Street Parking Lot.

Trustee Leonard asked how much money is set aside for this.

Manager Revella responded CDBG money is \$75,000; that is for the tank but in order to do the tank we have to do the fence as required by the grant. We had already budgeted for the fence anyway.

Trustee Bowen confirmed that we only have to come up with \$23,000.

Manager Revella corrected the figure to \$22,000.

All ayes. Motion carried.

**Discussion Items**  
**Comprehensive Plan**

Manager Revella commented he has received some feedback from the public. He indicated he would like to see more improvements in the gateway areas, sidewalks and curbs, especially coming in from the south on Route 208. He is considering filing for a grant to improve sidewalk and curbing from Highland Avenue up to the Hess Station which is in poor condition. After the Ulster Avenue grant, the only thing left would be the Orange

Avenue section. He would like to stop having children bused out since we have a large elementary school right in town; he would like to lobby the district a bit more about keeping Village of Walden residents in the Village as opposed to busing them around. He proposed maybe expanding the school to accommodate more children. He asked what residents would like to see; building up, building out, type of development or businesses to attract. He indicated the draft plan is online but the maps are not available yet and encouraged everyone to read it.

Trustee Leonard commented he would like to see sidewalks on S. Montgomery Street due to the bus stop there and the considerable pedestrian traffic.

### **Traffic Concerns – WFD**

Manager Revella commented the fire department gave an updated list of intersections they are concerned with. The original list was in 2007 and he's not sure why it wasn't addressed back then, but there is concern with taking away parking and most of them have to deal with parking and room for turn radius.

Mayor Maher asked if there are any on this list that weren't covered on the drive through with the Fire Dept. He believes Sue wanted this on the agenda so the Board could discuss everything while they were discussing the one specific issue.

Trustee Carley commented this is another example of where we need an action plan; this was brought up in 2007 and is now being addressed in 2012.

Mayor Maher believes the discussion that took place in 2007 from what he was told by the Fire Department, many of these cases were detrimental to the business community's parking and they were allowed to let lie. It's possible another ride along should be done. He commented that when he was first elected the fire department came in and did a report of the issues; maybe we should do that again.

Trustee Carley recommended reviewing the minutes from back when the fire Chief did his report.

Trustee Lown commented she would like to see the Board make it an action plan instead of just talking about it.

Manager Revella indicated he could get the Engineer to map where they are and show the intersections.

Mayor Maher commented maybe we could have that report for the next meeting.

### **Speed Humps – Oakland Avenue**

Manager Revella asked for 2 volunteers from the Board to help him set up a town hall meeting with the residents of the area to discuss the speed hump placement.

Mayor Maher recommended Willie, Tara and Bernard.

### **Public Comment**

Mary Ellen Matise, 21 Clinton Street, commented that Whispering Pines has done work in the past for the Village; they did Bank Street and they did a crappy job and had to come

back and fix it. She provided a resolution on Indian Point Nuclear Plant Safety; she recommended it being a discussion item for the next meeting so we can find out how to get included in the plan; and what is Orange County doing. She commented it is up to us to protect ourselves. She indicated this is all online by a google search of Indian Point Evacuation Plan.

Becky Pearson, 167 Walnut Street, commented about the Sign Law and any sign that has been here less than 10 years should be in compliance and if there are any newer signs that are not in compliance than somebody is not doing their job. She recommended a committee being set up on the Sign Law to talk about it and address it to the Board; get the businesses and general public involved.

Trustee Hoffman responded the original intention was to dovetail with the Comprehensive Plan Committee; we just couldn't get the survey done in time and it was counterintuitive to slow the Comp Plan down.

Becky commented the Committee from the Comp Plan should address this Board and have a discussion at every meeting, covering a few chapters each meeting. She asked about the entrances to the Village having no flowers, neither does the Square, and if there is any money in the budget for it. She asked about the minutes for the Zoning Board and where we are with hiring a secretary.

Manager Revella responded a secretary was hired yesterday.

Becky commented about Whispering Pines paving Bank Street and part of the problem was the engineering firm that was working for the Village was not doing their job correctly. She recommended to watch the contractor. She asked the 3 lot subdivision on Pleasant Avenue and if that is the old sewing place.

Manager Revella responded no, it's the Medley property and it goes up to Bergen.

Jessica Metzger, 4 Gracewood Court, asked how long the moratorium has been in effect for the Sign Law.

Mayor Maher responded between six and seven months.

Jessica asked about the \$275,000 bond for Bradley Park and if it is for the amphitheatre.

Manager Revella responded no, it's for the playground, roads and drainage.

Jessica commented about the Comprehensive Plan and the school district; it is important to know what is going on with the school district for the Comp Plan. The current classroom size has been reduced for the upcoming year and many of our residents are bused to other elementary schools. She commented that she grew up on East Avenue and walked to Walden Elementary School, but now if she lived there, she would go to East Coldenham or Berea. There are empty classrooms for next year and kids are being bused to another school. Our members in Walden are growing but they are sending our kids to other buildings. She indicated people on the Comp Plan Committee worked very hard on that and it's a very important aspect; is joining our budget together with the school budget. She referenced Code Red and her suggestion to go to the school district to discuss the Village

going on Connect Ed. Connect Ed has helped out the Town of Montgomery before. These are ways to save money; she recommended a liaison to the school district, including the Maybrook and Montgomery Boards.

Dennis Wagemann, 27 Ulster Avenue, asked about the former nursing home at 24 Ulster Avenue and why a CO was issued with front yard parking. He asked about the law written for the number of parking spaces for the number of beds and that the Planning Board gave the variance not the ZBA. He indicated the last time he was here, the street sign was missing at the corner of Ulster and Richardson. He has spoken to another resident on Ulster Avenue and tried to convince her to come to a Board meeting regarding the drug bags she has to pick up. He has brought trash and drug bags to Board meetings before and what is the Valley Avenue Block Watch doing. He has had a canoe stolen and a case of coke bottles stolen and it's not on the crime cameras and yet the Chief of Police and the Mayor are saying things are getting better in Walden. The Chief states in the Walden Quarterly that we need more crime cameras, there are more police officers on the street and they don't seem to do any good. He commented he is paying for signs that say there is a block watch but he can't get any information. He indicated we are not one big happy community; the police chief divided it when he set up good people and bad people.

Mayor Maher responded that is not what happened. The Block Watch has had huge success and it's done a lot of specific things. He has the documentation to provide to Mr. Wagemann regarding the Block Watch. He disagrees with a lot of what Dennis is saying. He indicated the police department has been working hard to make it a better community and a safer place. The police have a lot of resources but could use more.

Dennis asked how he and his wife could get into the Block Watch.

Mayor Maher responded he will look into that for him and he hopes to be able to do that.

Diane Sandbothe, 90 Liberty Street, confirmed the capital projects and Bradley Park is \$275,000 and Village Hall is \$203,000. She asked what the \$203,000 for Village Hall is for. She asked what the difference in the money is for.

Manager Revella responded the rest of the windows, fixing the roof, drainage and a generator. The \$434,000 is for roads.

Diane commented the road crews have been out but it seems the material being used is different, maybe a lesser quality and the roads are falling apart.

Anita Vandermark, Highland Avenue, asked how it was decided to put a speed hump on Oakland.

Manager Revella responded we have the traffic data there and it will be tested there.

Anita commented the traffic coming down from High Meadow onto Highland Avenue is much more so than Oakland. She also commented about the end of Highland when the parents are waiting for the bus, they are parked on both sides of the street and there is only enough room for one vehicle.

Manager Revella responded he brought that up at the last meeting. He commented if the Board passed a law allowing parking on only one side the parents would still be parked on both sides waiting for the bus. There might be a way to move the bus stop.

Anita commented about the brush at the end of Woodruff Street needs to be cleared. She also asked about the Municipal Building and the weeds, debris and paper lying around. She commented that we should be setting an example. She indicated she has a visitor from England, Reverend Walden, coming and he has asked to see our Municipal Building. She announced on June 20<sup>th</sup> the Poet Laureate of Orange County, Ms. Werkman will be at the Walden House at 7:30 pm. In addition, Mr. Walden will be at there on 6/16 at 10am. She commented on John Kidd's Walden Quarterly publication and how nice the article he did was.

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

Trustee Lown made the motion to pay the audited bills. Seconded by Trustee Leonard. All ayes. Motion carried.

### **Correspondence – None**

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

Trustee Lown commented on the Memorial Day and Flag Day Ceremony and thanked everyone involved. She mentioned her favorite part of the Walden Quarterly is on page 43, Words from the Wise, mentioning Anita Vandermark and Marcus Millspaugh.

Trustee Bowen commented he attended the Fox Hill Graduation by the lake and it was awesome. There was a great turnout.

Trustee Leonard commented that he attended the Walden Quarterly kickoff and it was better than imagined; he commended John Kidd and his wife.

Mayor Maher commented the Flag Day Ceremony was great and he was glad to be a part of it. This past weekend was the Hudson Valley Honor Flight, where 86 World War II Veterans down to Washington, DC to see the WW II Memorial, there was a huge reception at Stewart Airport and it was great to be a part of it. He indicated David Lustig and Marcus Millspaugh were a part of it.

### **Executive Session – Police Dept. – Personnel, CSEA Negotiations**

Trustee Lown moved to go into Executive Session to discuss Police Dept – Personnel, CSEA Negotiations. Seconded by Trustee Bowen. All ayes. Motion carried.

### **Reconvene**

Trustee Leonard moved to reconvene the regular meeting. Seconded by Trustee Bowen. All ayes. Meeting reconvened.

### **Adjournment**

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



**Village of Walden Board of Trustees  
Regular Meeting  
June 12, 2012  
Motions & Resolutions**

**Public Hearing – Taxi Code – 6:30pm**

Trustee Lown made the motion to open the public hearing on Introductory Local Law I-4 of 2012, "Vehicles and Traffic". Seconded by Trustee Leonard. All ayes. Motion carried.

Trustee Hoffman made the motion to close the public hearing on Introductory LL I4: Taxi Code. Seconded by Trustee Lown. All ayes. Motion carried.

Trustee Leonard made the motion to declare Local Law I-4 a type II action under SEQRA. Seconded by Trustee Lown. 5 ayes, 1 nay by Trustee Bowen. Motion carried.

Trustee Lown made the motion to adopt Local Law 3 of 2012, Taxi Code. Seconded by Trustee Leonard. 5 ayes, 1 nay by Trustee Bowen. Motion carried.

**Public Hearing – Sign Law – 6:45pm**

Trustee Lown made the motion to open the public hearing on Introductory Local Law I 6 of 2012: Sign Law. Seconded by Trustee Bowen. All ayes. Motion carried.

Trustee Lown made the motion to close the public hearing on Introductory LL I 6 of 2012: Sign Law. Seconded by Trustee Bowen. All ayes. Motion carried.

Trustee Lown made the motion to issue a negative declaration on an unlisted action with regard to I – LL 6 of 2012. Seconded by Trustee Hoffman. All ayes. Motion carried.

Trustee Hoffman made the motion to approve Introductory Local Law I-6 of 2012: Sign Law. Seconded by Mayor Maher. 5 ayes, 1 nay by Trustee Lown. All ayes. Motion carried.

**Approval of the Minutes – May 22, 2012**

Trustee Lown made the motion to approve the minutes from May 22, 2012. Seconded by Trustee Bowen. All ayes. Motion carried.

**Bond Resolution 1-12-13**

Trustee Lown made the motion to approve the Bond Resolution 1-12-13 authorizing issuance of \$912,500 serial bonds. Seconded by Trustee Bowen. All ayes. Motion carried.

**33 N. Montgomery Street – property maintenance hearing**

Trustee Lown made the motion to set a Property Maintenance Hearing for 33 N. Montgomery Street for June 26, 2012 at 6:30pm. Seconded by Trustee Leonard. All ayes. Motion carried.

**Award Bid for Pine Street CDBG Work**

Trustee Lown made the motion to award the Pine Street Curbing & Sidewalk bid to Whispering Pines Development Corp for \$59,475.02. Seconded by Trustee Leonard. All ayes. Motion carried.

**Award Bid for Gladstone Tank CDBG Work**

Trustee Leonard made the motion to award the Gladstone Tank bid to CMC Construction for \$97,000.20. Seconded by Trustee Lown. All ayes. Motion carried.

**Payment of the Audited Bills**

Trustee Lown made the motion to pay the audited bills. Seconded by Trustee Leonard. All ayes. Motion carried.

**Executive Session – Police Dept. – Personnel, CSEA Negotiations**

Trustee Lown moved to go into Executive Session to discuss Police Dept – Personnel, CSEA Negotiations. Seconded by Trustee Bowen. All ayes. Motion carried.

**Reconvene**

Trustee Leonard moved to reconvene the regular meeting. Seconded by Trustee Bowen. All ayes. Meeting reconvened.

**Adjournment**

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