

NOTICE OF MEETING

PLEASE TAKE NOTICE that the Village of Walden Board of Trustees will hold a regular meeting on Tuesday, December 12th, 1995 at 7:30 P.M. at the Village Offices, 8 Scofield Street, Walden, New York.

AGENDA

1. PLEDGE/ROLL CALL
2. APPROVAL OF MINUTES
3. BOARD'S BUSINESS
 - A. ACTION ITEMS
 - A.1 Consideration of Bids For Library Shelving
 - A.2 Payment of Audited Bills for December 12th, 1995
 - B. DISCUSSION ITEMS
 - B.1 On Street Daily Parking Permits
 - C. INFORMATIONAL ITEMS
 - C.1 Municipal Building Project Update
 - C.2 Orchard Street Parking Survey
 - D. CORRESPONDENCE
4. PUBLIC PORTION
5. EXECUTIVE SESSION
6. ADJOURNMENT

APPROVED

VILLAGE OF WALDEN
BOARD OF TRUSTEES MEETING
DECEMBER 12, 1995

Mayor Andrew Uszenski called the regular meeting of the Village of Walden Board of Trustees to order at 7:30 P.M.

On roll call the following were:

Present: Mayor Andrew Uszenski
Trustees John McGuckin
John Ryan
Antonio Garcia
Martin Besdesky
Chris Forman
Raynard Ozman

Also Present: John Kelly, Village Manager
Kevin Dowd, Village Attorney

Recording Secretary: Nancy Mitchell, Village Clerk

APPROVAL OF MINUTES-

Trustee Ozman moved to adopt the minutes of November 28, 1995. Seconded by Trustee Forman. On roll call Trustees Ozman, Forman, Garcia, Besdesky and Mayor Uszenski voted yes. Trustee Ryan abstained. Motion carried.

CONSIDERATION OF BIDS FOR LIBRARY SHELVING-

Mayor Uszenski stated that one bid was received for library shelving from Tucker Co. for \$27,764.00. The attorney and engineer have approved the bid.

Manager Kelly stated that he spoke to the librarian and the \$6,000 item that she thought it would take to buy the furniture they will limit it to just the circulation desk and the price on that is \$8,000. They were originally looking to hold the price to \$30,000 and then the number was \$33,000. The shelving came in a little higher than they expected. This is the company that the library has been dealing with. The library is satisfied that this buys all the shelving. With the exception of the additional \$2,000 for the furniture this will accomplish everything they need. The only thing left for them to buy is the computer tables.

Trustee Garcia moved to accept the bid from Tucker Co. for \$27,764.00 for library shelving. Seconded by Trustee Besdesky. All ayes. Motion carried.

PAYMENT OF AUDITED BILLS-

Trustee Forman moved to pay the audited bills of December 12, 1995. Seconded by Trustee Ozman. All ayes. Motion carried.

ON STREET DAILY PARKING PERMITS-

Mayor Uszenski stated that at the last meeting the board talked about the request for on street daily parking permits. They asked for some guidance from the Police Chief. His opinion is that these permits and his discretion to issue them should be given only for the following circumstances: 1. Special events that have village approval, some examples are senior citizen meals and special events for them. Church events where members or parishioners need parking close to their buildings to help run their events and 2. construction areas where parking would be needed by employees, or construction workers to complete a project. This would include when disasters such as fire, wind damage etc. occur and the owners of a building need special help in day to day operations. All permits would be temporary with a review for long term ones. The chief is concerned about when someone wants to park to do general repairs and taking advantage of it.

Manager Kelly suggested the board grant authority to the chief to issue daily parking permits under special circumstances as indicated in item 1 and 2 of the chief's memo, to be reviewed on an as needed basis by the village board.

Trustee Ozman suggested that the board consider requests that have been denied by the chief as a policy measure.

Manager Kelly stated that if it is going to be something that is not a time constraint possibly the board would like the opportunity to review more of these on a case by case basis and leave the discretionary items to the chief, when they cannot be dealt with in a timely fashion by the board.

Trustee Ozman stated that he is concerned about whether or not the authority will be delagated to someone else if the chief is absent from the village for any length of time.

Chief Holmes stated that there comes a point where he has to say these people will get the exemption and these won't.

Trustee Besdesky stated that he agrees with the chief, but he feels badly that the village is getting so rigid and so structured that we can't flex a little bit for people who have been in the village for thirty five years, and who are making an improvement by being here.

Manager Kelly stated that right now he doesn't have the authority to act on his own. He is asking the board to set the parameters under which he is allowed to issue permits, subject to board review on an as

needed basis and if he runs into a questionable one the board can review it.

Trustee Ryan agreed with the chiefs report, it is clear and precise. In his absence it leaves a policy to follow.

Trustee Ryan moved to accept Chief Holmes memo regarding parking permits. Seconded by Trustee Forman.

MUNICIPAL BUILDING PROJECT UPDATE

Manager Kelly stated that he wanted the board to be aware of where the village is at with the municipal building project in terms of completion. As of now we are 20% complete. We have paid out 15% of the cost and there is another 5% between the end of last month and this month that will be billed. One of the issues he would like to discuss with the board is when the issue of change orders that are required to be performed that are in the best interest of the village to do, either a change in a layout which will save money on one end but might cost money on another end. We haven't had any change orders with the exception of the boiler. He would like to discuss with the board how they would like to authorize those to proceed. If a change order is required to be made in terms of field change, which is an immediate change to the plan during the scope of the work that has to be performed prior to the next board meeting, the owner is suppose to authorize a change order. Typically we have done that through the years using Slayton's office, when we are doing a public works project. He asked the attorney if he can be authorized to sign such change orders in the best interest of the village?

Mr. Dowd advised the manager that it would be subject to the board's ultimate approval of that expenditure. The board will not be meeting until January 9th, the board can authorize the manager in the event such a situation occurs to use his best judgment as whether a change order is needed or not.

Manager Kelly stated that he intends to use the department of public works for any outside work in this contract that the village can perform to save the village money. We have already had a situation arise where there were no footings in front of the building. They were shown on the original construction plans from when the building was first built, but when they excavated to find if they were in fact there. One of the bays had no footings and one had a partial footing. In the best interest of the village he used the department of public works to pour footings, which we were perfectly able to do. The field change and drawing were done by the architect at no cost. The contractor has taken extreme exception to this. There is a letter from their attorney, which has been distributed to the board, ceasing and desisting of any further work. The village is going to do whatever they need to do which is in the best interest of the village, regardless of what they say. The village has a contract that does allow the Village of Walden to use its own forces to perform additional

work outside of the contract or bring in outside contractors. If change orders can wait for the next board meeting he will do so. He is not looking to have full discretion on this job. There are going to be times where a decision is needed to be made on the spot and that will be done in consultation with the architect and clerk of the works. He is relying on their best judgment as well.

Trustee Ryan stated that he has no problem with the manager making the decision if the time is of the essence. The only word of caution he got from the architect about extras is if anything is structural or something is hinged into other parts of their work, granted you may be being held hostage, but if you allow them an out where if something fails or something is not deemed appropriate you've given them the out.

Mayor Uszenski stated that in this one instance the contract gave a cost of \$6300 and the village did it for \$1500.

Trustee Ozman moved to authorize the manager to have the discretion to act on change orders when the board is not able to enact change orders that he sees appropriate upon consultation of the architect and clerk of the works. Seconded by Trustee Besdesky. All ayes. Motion carried.

FIRE HORN

Manager Kelly stated that the fire horn has been disconnected and it will not be reconnected until the village can obtain some type of wiring schematics.

ORCHARD STREET PARKING SURVEY

Mayor Uszenski stated that the survey has determined that the residents want to keep the slate. There were two requests to make that part of Orchard Street one way.

Trustee Garcia suggested a stop sign be put in front of the municipal building at the corner of Scofield Street.

Trustee Ozman suggested that in regard to the Orchard Street parking that the board take the managers suggestion, schedule a timely work session, notify the people that asked to be notified to have there input and do it well in advance of June, so the project can be done at the close of the school year.

Trustee Ryan suggested that if you take out the driveway cut outs and make those concrete, a more durable surface for vehicles, then you free up the slate for the areas you need it.

Manager Kelly stated that he will send to same thirteen people the results of the survey and an invitation to the work session.

Manager Kelly stated that he had a conversation with Senator Larkin's office regarding the youth center funding. Senator Larkin is going to be asking for a formal review and report from the Division for Youth and from the Division of Budget, they are trying to determine now whether or not the funding that was put back into the executive budget is in fact in the operating budget. The manager was told that non of the youth centers that were reappropriated funds this year have received any monies. The governors executive budget is due out Friday. Mr. Larkin's office wants to determine if in fact the funds have been reappropriated and the manager has asked for a formal meeting for the purpose of identifying where the monies are and whether or not we will receive the appropriation we were promised and to have accountability at the state level. He has been promised a phone call before Friday with the answer as to the question as to whether or not the money is in this years budget and where do we go from here. The manager will report back to the board as soon as he has another update.

PUBLIC PORTION

Larry Sager, 78 Orchard Street stated that the last three words on his sign, first amendment rights, the board didn't take away his first amendment rights because he cursed at the board, did you?

Mayor Uszenski stated that he stopped Mr. Sager's turn during public portion because of his language, improper use of language in a board meeting.

Mr. Sager asked, I didn't curse, did I?

Mayor Uszenski stated, yes you did.

Mr. Sager stated, no I did not. Look it up in the American Heritage Dictionary.

Mayor Uszenski advised him it was inappropriate language for the board meeting.

Mr. Sager advised the board that he's not done. When he's done the board will never, ever do that to a person again. He's hoping the Mayor resigns.

Mayor Uszenski stated that he did what he felt was appropriate.

Jim Ryan commented on the snow removal tickets that were given to the people attending church. He feels there is a law of common sense that should prevail. Mass is held every Saturday from 4:30 P.M. until 5:30 P.M. The plowing had already been done and there were no plows on the street. He spoke to the officer and said, if you wait eight minutes this mass will be over. They are all senior citizens and a lot of them do not live in the village, so they don't know the law. The answer he received from the officer was his sergeant gave him these orders and this is it. He feels its a blemish on the village.

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Mayor Uszenski stated that the information he received was that the plows were out.

Manager Kelly stated that according to the police log at 4:00 P.M. the department of public works asked to have the cars removed from Walnut Street. The snow emergency started at 9:30 A.M. and didn't get removed until 11:30 Saturday night.

Trustee Garcia stated that Walnut Street didn't have to be plowed at that particular time. If that was the last area to be plowed, fine. There are many areas that they could have been doing. They should know that is the only church that holds services on Saturday afternoon.

Mayor Uszenski stated that whether you are going to church or coming home from work, you're still breaking the law.

Trustee Garcia asked why did they have to pick that particular area at that particular time to plow?

Manager Kelly stated that there are five or six areas in the village that are considered routes for snow removal and each man is assigned an area and as each man is doing their area if they encounter cars the instructions are to call over the radio to the police department, the police department logs it on the radio log and sends an officer to that particular location to remove the cars to enable the men to continue plowing. That might be the last area for that mans route.

Keith Millspaugh, 52 Main Street stated that he has a concern in the same area. He had an out of the community customer come to his store during the snow storm who happened to park on Main Street, along with many other cars that were parked on Main Street. When they were leaving the store they saw that their car was just being hooked to a tow truck. She asked that the car be taken off and he said I hooked you I charge \$35.00 and I can't take it off. His customer is facing a \$110.00 fine, which is an embarrassment to him as a businessman. He is not going to let her pay the fine, he is coming before the board to ask that the fine be refunded and the ticket be reversed. He asked where the discretion is that the police officer can use to warn someone that the ticketing can take place. He suggested that the police department create a list of the businesses and have someone call them to warn the businesses that there is a snow emergency. He doesn't want to put more of an embarrassment on his customer by making her come before the judge.

Mayor Uszenski stated that there is a responsibility of the business owners serving their customers.

Mr. Millspaugh stated that he also feels its wrong to put the public portion at the end of the meeting. To have the public portion at the end of the meeting is disrespectful to the citizens of the community.

Mayor Uszenski asked, how do you treat everyone fairly if you don't administer the law equally.

Trustee Ryan suggested the business community develop a phone chain.

Trustee Garcia stated that the parsonage was called on Saturday and advised of the snow emergency.

Mayor Uszenski asked Mr. Millspaugh to talk to the business people and come up with some suggestions and then the board will discuss them.

Mr. Millspaugh asked again that the village reverse the ticket and refund the towing charge.

Mr. Dowd stated that he doesn't think the board can do anything about the ticket, that is solely in the discretion of the court.

Mr. Millspaugh further asked if the person has to be inconvenienced to come into court personally or can he represent them?

Mr. Dowd stated that there might be a way of doing it by affidavit, but that is usually the way attorneys represent clients. He doesn't know of any way a non-attorney can come in with an affidavit from someone saying, I designate him to plead guilty for me.

Larry Sager, 78 Orchard Street asked if it was feasible for the village to send a letter to the residents informing them of what radio station to listen to or that its announced on the television? He feels it would be a courtesy to the people of the village to send a letter.

Mayor Uszenski stated that if the board wants they can send out letters.

Manager Kelly stated that he has two messages on cable television right now. One message explains the two inch snow emergency law and the second message explains what radio stations can be tuned in for snow emergency information and additional information to call the Walden Police Department.

Bob LaMancuso stated that it appears that people want to live in a perfect world, what happened, people don't talk to their neighbors and tell them there is an emergency law. People don't look at the newspaper and see that the weather is going to be bad in a couple days. He doesn't understand why people have such a problem with this snow policy. He also feels the snow policy is a good policy.

Larry Sager asked if the chimney was relined at the municipal building?

Mayor Uszenski advised him that the chimney didn't have to be relined.

Mr. Sager asked how much money was saved by not relining the chimney?

Mayor Uszenski stated that no money was saved because the village had to put in a new boiler.

Mr. Sager asked if the village got a second opinion on the chimney?

Manager Kelly stated that the village received the opinion directly from NYSE&G.

PRESENTATION

Mayor Uszenski presented Keith Millspaugh with a certificate of recognition to Millspaugh Furniture in acknowledgment for maintaining an attractive appearance of their building.

REPORTS - COMMITTEE-

Trustee Besdesky stated that someone contacted him about the village throwing the snow back onto his sidewalk after he's shoveled it and that the truck was going too fast.

Manager Kelly stated that he's been in the trucks when they are plowing and fifteen to twenty miles per hour is the top speed that they hit. With the village's policy of clearing the snow curb to curb you have to push the snow back far enough so that if it freezes where it lies, the next snow storm you get you have an area to push the snow. The state will not plow the shoulder on Main Street. The village has to go back and plow it.

Trustee Forman stated that the department of public works did a nice job fixing Grant Street.

Trustee Forman asked about the Hill Street bridge?

Manager Kelly stated that the first bridge they were putting the deck back on which is in a three piece section. The manager has a copy of the contract, but hasn't had the chance to look at it. He has asked Mr. Jennings to review with the town board what the village board has discussed which is the village entering into agreement with the town, whereby the village signs over our grant to the town and let the town undertake the administration of the other bridge replacement.

Trustee Ryan stated that since it is the town's bridge they should be doing it.

Trustee Ryan stated that when the board discussed the two inch snow rule the parks were to be plowed out. Bradley Park has yet to be touched. He asked the manager to have the dpw plow those areas.

Manager Kelly stated that the Gladstone Avenue water tank area was discussed as one of the areas, there is no room to park there.

Trustee Ryan stated that the residents have always parked under the

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trees near the water tank. They drive over the curbs.

Manager Kelly stated that the village would not be able to plow anything up there. He suggested an alternative of the Pond Road area by the pump station where there is a driveway. The village doesn't encourage cars to drive up over the curb and sidewalk to get off the street.

Trustee Ryan stated that the sign at Cherry Street for the deli is still up.

Trustee Ryan suggested the board have a special meeting before budget time to see if the village can't scale back the services that the police department gives, hence saving lots of money. There may be creative ways the village can get police service into the village, but yet scale back a third of their budget. A third of their budget is \$300,000.

Trustee Ryan stated that the zoning board met and there were two applicants, one for an area variance and one for a use variance. The area variance on the corner of Bradley Lane and Ivy Hill Road was approved. The use variance was given an extension to produce statements to give credit to their hardship.

Trustee Ryan stated that when the contractor was doing the work at the Girl Scout Cabin he parked on the grass and chewed it up. He would like it reseeded in the spring.

Trustee Ryan stated that he brought up buildings that have been in a some sort of disaster and the attorney raised the question of how to enforce it. What does the village do to get the owners to fix them up. You can't tear the buildings down but the village can fine the owners and we may be able to fine them on a daily basis.

Manager Kelly stated that the village needs to research the issue of the sections of the village code which are penalties under the penal section. The issue is it's a continuation of a single violation which precludes you from each and every day.

Trustee Ryan stated that its been a month since someone was in talking about absentee landlords. He asked the attorney where the paper work was?

Mr. Dowd stated that he does not know where that went afterwards. He will check into that and if nothing has been done he will do something.

Trustee Ryan stated that it has been two months since the attorney had his meeting with the building inspector on unregistered vehicles. He'd like to get that moving.

Trustee Ozman stated that in regard to the unregistered vehicles, the meeting was short and they just discussed the quality of life issues,

the problems of the village. He did tell the building inspector that he would work with him.

Trustee Ozman stated that the recreation board met yesterday. The meeting was about the new youth center. Manager Kelly has given the board as much information as they discussed at the meeting. The key here is just to keep on top of Senator Larkin's Office, and the Division for Youth. He asked the manager to keep on top of that.

Manager Kelly stated that he will follow up with Senator Larkin's office by Friday.

Trustee Ozman stated that the recreation committee realizes that the Big Apple Circus approvals are well on their way to completion and one of the issues that came up again was the issue of contamination of the Wanderling Park swim area.

Manager Kelly stated that today he gave John Howland a copy of a November 21st memo from the engineer to file. The planning board granted conditional final approval to the Big Apple Circus at the December 4th special meeting. The three conditions for the special exception use permit, as well as site plan, were that every one of the SEQRA requirements of the November 21st letter be addressed and implemented, that the DEC issue the necessary permits and approvals and that the department of health issue the necessary permits and approvals. The letter that Mr. Howland has is a six page outline of requirements and the Big Apple Circus has agreed to implement all of them. The manager suggested Mr. Howland copy that letter to the recreation board and upon review of the board if there are additional concerns or questions that need to be addressed at that point a letter to the chairman of the planning board would be the appropriate way.

Trustee Ozman informed the board that the basketball program is in full swing and there are 226 people enrolled.

Trustee Ozman stated that the recreation board also wanted to address lighting at the entrance to Woosters Grove. There was lighting at one point and now none exist.

REPORTS - MAYOR-

Mayor Uszenski stated that he has a question from the younger residents, when is the ice skating rink going to be flooded?

Manager Kelly stated that first the area has to be plowed out and then they will flood it.

Mayor Uszenski stated that he's noticed quite a few sidewalks haven't been shoveled.

The clerk advised him that notices have gone out for sidewalks.

EXECUTIVE SESSION

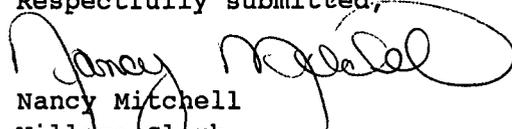
Trustee Ozman moved to hold an executive session pursuant to 105-(f) of the Public Officers Law. Seconded by Trustee Ryan. All ayes. Motion carried.

Trustee Besdesky moved to reconvene the regular meeting. Seconded by Trustee Garcia. All ayes. Motion carried.

ADJOURNMENT

Trustee Ryan moved to adjourn. Seconded by Trustee Ozman. All ayes. Meeting adjourned.

Respectfully submitted,


Nancy Mitchell
Village Clerk

DECEMBER BILL LIST - DECEMBER 12, 1995

GENERAL FUND

VOUCHER	VENDOR	AMOUNT
A-674	GAINER-WILBUR CONSULTING ENGINEERS	1,566.35
A-675	AMTHOR'S WELDING	316.42
A-676	AMTHOR'S WELDING	59.24
A-677	CHERRY TIRE SERVICES	80.80
A-678	CHERRY TIRE SERVICES	155.00
A-679	COUNTRY HARDWARE	35.96
A-680	DAN THE TREE MAN	600.00
A-681	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	1,265.00
A-682	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	327.70
A-683	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	105.00
A-684	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	3,166.66
A-685	FUN SERVICES	55.00
A-686	GALLAGHER TRUCK CENTER, INC.	39.20
A-687	GEORGE'S AUTO PARTS	71.47
A-688	GEORGE'S AUTO PARTS	140.72
A-689	GOLDEN RULE CREATIONS	311.91
A-690	GROSSO MATERIALS, INC.	641.02
A-691	IRVING NESS	43.00
A-692	KEY BANK OF NY	30.00
A-693	MITCHELL, NANCY	14.00
A-694	McCOSKERY T J	29.00
A-695	MAYBROOK MATERIALS, INC.	1,055.98
A-696	NYCOMCO	125.00
A-697	NY TECH SUPPLY	110.00
A-698	NATIONAL RECREATION & PARK ASSOCIATION	90.00
A-699	NEWBURGH AUTO GLASS II	70.00
A-700	PINE BUSH EQUIPMENT	226.30
A-701	PISANO BROS. AUTO., INC.	552.81
A-702	PRINTABLE SERVICES	130.46
A-703	SARJO INDUSTRIES	46.38
A-704	SARJO INDUSTRIES	84.98
A-705	SHARE CORP	247.35
A-706	SLATER'S POWER EQUIPMENT, INC.	30.00
A-707	SMITH'S COMMERCIAL TIRE SERVICE, INC.	469.40
A-708	SOME'S UNIFORMS	459.00
A-709	TRADE COMPOSITION SERVICE	346.16
A-710	TIMES HERALD RECORD	23.76
A-711	UZ ENGINEERED PRODUCTS	140.36
A-712	WALDEN AUTO SUPPLY	63.38
A-713	WALDEN AUTO SUPPLY	53.89
A-714	WALDEN AUTO SUPPLY	25.34
A-715	WALDEN AUTO SUPPLY	28.84
A-716	WALDEN AUTO SUPPLY	84.73
A-717	WALDEN AUTO SUPPLY	64.08
A-718	WALDEN AUTO SUPPLY	116.31
A-719	WICKES	23.69
A-720	ZEE SERVICE CO	44.25
A-721	GAINER-WILBUR CONSULTING ENGINEERS	484.01
A-722	GAINER-WILBUR CONSULTING ENGINEERS	111.00
A-723	GAINER-WILBUR CONSULTING ENGINEERS	46.13
A-724	HOWLAND JOHN	54.62
		<u>14,461.66</u>

DECEMBER BILL LIST - DECEMBER 12, 1995

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
F-73	ORANGE COUNTY LAB	120.00
F-74	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	416.67
F-75	SCHMIDT'S WHOLESALERS	183.52
		<u>720.19</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
G-76	ADCO ELECTRIC	55.00
G-77	ADCO ELECTRIC	406.00
G-78	COUNTRY HARDWARE	78.29
G-79	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	416.67
G-80	MIDDLETOWN ELECTRIC MOTORS, INC.	2,290.00
		<u>3,245.96</u>

DECEMBER BILL LIST - DECEMBER 12, 1995

SPECIAL BILL LIST

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-725	COUNTRY HARDWARE	159.92
A-726	ENVIRONMENTAL PAPER TOWEL SERVICES	39.90
A-727	EXPANDED SUPPLY PRODUCTS, INC.	196.09
A-728	NY TECT SUPPLY	120.60
A-729	STAR GLASS	357.35
A-730	SANWA	135.00
A-731	THRUWAY MARKET	86.88
A-732	RALPH C. HERMAN CO., INC.	123.80
A-733	BELL HERRING	309.17
A-734	BELL HERRING	399.00
A-735	AIR PRODUCTS	13.50
A-736	PAGE NY	57.00
A-737	WEINERT'S T SHIRTS	255.50
A-738	WEINERT'S T SHIRTS	805.40
A-739	RISK MANAGEMENT	10.00
		<u>369.11</u>

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
F-76	COUNTRY HARDWARE	108.37
F-77	ENVIROTEST	90.00
F-78	MID HUDSON OFFICE SUPPLY	34.00
F-79	PAGE NY	15.00
		<u>247.37</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
G-81	METRO WATER TECH, INC.	136.00
G-82	COUNTRY HARDWARE	71.63
G-83	ENVIROTEST	495.00
G-84	MID HUDSON OFFICE SUPPLY	34.00
		<u>736.63</u>

DECEMBER BILL LIST - DECEMBER 12, 1995

PERPAID BILLS

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	AT & T	15.78
	NYNEX	56.71
	PETTY CASH	27.87
	CL & EJ GRIDLEY	2,464.44
	NYSEG	319.65
	BELL ATLANTIC NYNEX POLICE DEPT	26.76
	BELL ATLANTIC NYNEX DPW	20.76
		<u>2,931.97</u>

WATER FUND

VOUCHER

VENDOR

AMOUNT

	NYSEG	2,742.30
	AGWAY ENERGY PRODUCTS	41.40
	POSTMASTER	69.19
		<u>2,852.89</u>

SEWER FUND

VOUCHER

VENDOR

AMOUNT

	NYSEG	158.30
	NYSEG	4,735.96
	ORANGE COUNTY SANITARY LANDFILL	485.55
	POSTMASTER	69.18
		<u>5,448.99</u>

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AGENDA

1. PLEDGE/ROLL CALL
2. APPROVAL OF MINUTES
3. BOARD'S BUSINESS
 - A. ACTION ITEMS
 - A.1 Payment of Audited Bills for November 28th, 1995
 - B. DISCUSSION ITEMS
 - B.1 Intro. Local Law I-4 Vehicle & Traffic Code Revisions
 - C. INFORMATIONAL ITEMS
 - D. CORRESPONDENCE
 - D.1 Parks & Recreation Committee Recommendations
 - D.2 Request For Main Street Parking Permit
 - D.3 Request For Review of Water/Sewer Quarterly Bill

PUBLIC PORTION

1. EXECUTIVE SESSION
2. ADJOURNMENT

APPROVED

VILLAGE OF WALDEN
BOARD OF TRUSTEES MEETING
NOVEMBER 28, 1995

Mayor Andrew Uszenski called the regular meeting of the Village of Walden Board of Trustees to order at 7:30 P.M.

On roll call the following were:

Present: Mayor Andrew Uszenski
Trustees John McGuckin
Chris Forman
Martin Besdesky
Raynard Ozman
Antonio Garcia

Absent: Trustee John Ryan

Also Present: John Kelly, Village Manager
Kevin Dowd, Village Attorney

Recording Secretary: Nancy Mitchell, Village Clerk

APPROVAL OF MINUTES

Trustee McGuckin moved to adopt the minutes of November 14, 1995 with the following corrections: page 2, fifth paragraph, change to: Trustee Ozman stated that he would like them to get the same notice as specified in the letter of credit; page 4, second paragraph omit the word that; page six, second paragraph; fifth sentence, change to: In terms of the area on West Main Street the vehicle and traffic law relating to parking on pavement is difficult to enforce in that location; page 12, first paragraph, second sentence, change to: Based upon conversations with some of the people who had called him during the week and his conversation with the manager about this matter, his feeling was perhaps the village should come up with some sort of guideline and possibly elevate the status that the dog control officer presently holds to animal control officer based upon the fact that he doesn't have any form of training to handle animals with rabies; page 12, fifth paragraph, change to: Trustee Ozman suggested a rule be created in terms of what type of protocol be followed. If for example you leave it up to the homeowner or resident to dispose of the animal, perhaps the resident can be given a palm card describing who to call or what they do from this point forward; page 12, sixth paragraph, change to: Trustee Ozman stated that he would like to go on record as saying, while he understands the mayors desire to maintain an orderly public

portion and he understands the mayors motivation to maintain an orderly public portion, he respectfully disagrees with the method that is employed in limiting the speech of the residents. Seconded by Trustee Garcia. All ayes. Motion carried.

AUDITED BILLS

Trustee Forman moved to pay the audited bills of November 28, 1995. Seconded by Trustee McGuckin. All ayes. Motion carried.

CANCELING DECEMBER 26TH MEETING

Trustee Besdesky moved to cancel the December 26th Board of Trustees meeting. Seconded by Trustee Ozman. All ayes. Motion carried.

INTRODUCTORY LOCAL LAW I-5 OF 1995 - VEHICLES AND TRAFFIC

Trustee Ozman stated that he spoke to Randy Harwood from New York State Department of Transportation who is generally in charge of striping highways within municipalities. He wasn't familiar with safety zones. This evening Trustee Ozman measured the area on South Montgomery Street and he found the area to have a twelve foot width. The department of transportation likes to have twelve foot width roadways when possible. The bottom line is it would not be feasible to enact a safety zone on West Main Street. He also spoke with people who chose not to be named, they indicated the state was making a recommendation to the village and its not binding. If the village did do what they recommended it would be for the safety of the village and the residents.

Manager Kelly stated that the village said they didn't want to do the recommendation and then we got a follow up letter requesting the village reconsider. The state is pushing it.

Trustee Ozman stated that he spoke to someone that said its not mandatory. Its up to the village board whether or not to enact the signage on the west side. The only alternate would be local legislation that would prohibit obstructing traffic in that area.

Mr. Dowd stated that if you wanted to enforce the law you would have to post the area.

Trustee Forman asked, on the Gladstone Avenue section can that be made weekdays only. The Reformed Church has a parking problem.

Trustee Garcia stated that if this local law is being made for safety reasons then it should be for all times. An accident can happen during church services.

Trustee Ozman asked what the police chief's reason was for changing the yield to a stop on Cross Street?

Manager Kelly stated that Mr. Kantonah raised the issue, he wanted the

village to put a stop bar down for the yield sign, designated where people should be stopped. The village felt if the intent was a stop bar then a stop sign should be there.

Trustee McGuckin introduced Introductory Local Law I-5 of 1995, Vehicles and Traffic.

Trustee Besdesky moved to hold a public hearing on Introductory Local Law I-5 of 1995, Vehicles and Traffic on January 9, 1996 at 7:45 P.M. Seconded by Trustee McGuckin. All ayes. Motion carried.

PARKS AND RECREATION COMMITTEE RECOMMENDATIONS

Mayor Uszenski stated that the following recommendations were made by the Park and Recreation Committee in regards to Wooster Grove: 1. that Phase I of the Wooster Grove Entrance and road with parking to the extent of grading and sub-base immediately be completed and that the surrounding area be graded so as to cure the existing hazardous conditions to allow safe use of the recreation facilities and other park uses. 2. That a concrete curb be placed around the existing entrance sign with the intent to use the area for planting to enhance and define the entrance. 3. That the parking stalls be delineated by striping to get the maximum parking use. 4. That if feasible concrete curb in a round or teardrop shape be placed within the cul de sac to define the travel area for the turn around and to enhance a park like setting with appropriate plantings.

Delores Moore, Parks and Recreation Committee Member stated that the committee was talking about the safety of leaving the project as it is. They realized that some really bad things must have happened to have to have it end up looking and being like it is. She asked what the problems are and how are they going to be addressed?

Manager Kelly stated that the village planned to do phase I, which was to have the grading, run of bank and binder course put down this year and the finished top course put down next year. The village began the project and they were able to enlist the help of the Town of Montgomery and the other villages. They began grading the road and the turn around and they hit the sewer lateral, which they did not know how shallow it was at the time and it turned out to be only several inches below the surface, that is what stopped the project initially. About that time the village went from drought conditions to very heavy rain and the snow storm. There is a condition at the grove now which is mud and dpw trucks are unable to bring material into the turn around at this time. The bulldozer has been removed from the site. The town has taken it out of service for the winter. The redesign of the sewer line has been looked out in several different ways by the village engineers. The first was to relocate the line and put it sufficient depth in the ground as to prevent freezing. In order to do that a pump station had to be designed to be installed. The engineers looked at the feasibility as well as the potential layout and the cost was \$7500.00 to do that. The village didn't believe that was feasible so the

village asked the engineer to look at another option and a second option was looked at trying to reroute the entire line with a gravity feed so that it wouldn't require any station. The problem with that is there is only a one foot grade difference between the building and the manhole, so we can't make the grade. There is another alternative to put a much smaller station. The problem right now is until the redesign and the materials are purchased the sewer line, which is allowing the teen center to stay open, is above ground. Once the sewer line configuration is resolved we can install a new sewer as soon as we can get it, but the problem will be that the asphalt plants are closing this week. If there is a dry spell and the ground dries out enough to allow the trucks to bring in the run of bank we would have to rent a bulldozer and we were trying to avoid the cost, which was approximately \$2500 for a week. If we are unable to complete phase one this fall we will put snow fence around the area.

Mrs. Moore stated that she noticed a car turning into the park and all of a sudden they saw the construction, so we have to let people know what the situation is there. She further stated that the committee was looking forward to the ice skating season. It makes them wonder how much planning went into it before the village just started ripping things up.

Manager Kelly stated that the problem was the village did not know where the sewer line was located and they also hit underground electric, which they did not know was there. As far as the weather pattern changing as quickly as it did, if we had known that was going to happen they would not have started. It was the second board meeting in September that the board was able to provide the go ahead even to get the project started.

Mrs. Moore asked if they will still be able to use the train station and the ice skating rink safely?

Manager Kelly stated yes.

Mrs. Moore asked if when they do the grading are they going to take all the stuff they put over opposite the skating rink back over on the other side, so there is room to park?

Manager Kelly stated that he will speak to the superintendent. He further stated that in regard to the recommendations, the concrete curb he doesn't believe presents any problem around the entrance sign, its a good idea. In regard to the parking stalls, he believes the plan showed them striped to maximize the parking.

Mrs. Moore stated that it was unfortunate that the committee hasn't had a set of plans to look at.

Manager Kelly stated that Mr. Howland had the plans. He showed them to Carl Monte and got comments back, which were reviewed by the village board prior to the approval to go ahead. The board had referred the

plans to the parks and recreation committee to look at to make sure they were comfortable with what the village intended to do. The other item on the recommendations, number four, is a tear drop shape which was also requested when Mr. Monte reviewed the plans. The problem with the tear drop is the size of the cul de sac is ninety five feet across and the minimum is one hundred feet. If they put a tear drop concrete in the middle they would have had to make it bigger and they would of had to take down more trees. They tried to accommodate the existing locations, make the turn around as small as possible to lessen the disturbance in the area.

Mrs. Moore asked if the road was going all the way around or was it stopping?

The manager stated that the intent was to stop it at the cul de sac. There will be a post with a chain so if emergency vehicles needed to go all the way around they can.

Trustee Ozman stated that on phase one can they resolve to as quickly as possible neaten that up to the extent that it will be cleaned up before the winter, fence it in and keep some parking at the end.

Manager Kelly stated yes.

REQUEST FOR MAIN STREET PARKING PERMIT

Mayor Uszenski stated that a request was received from Mark MacLean requesting a parking waiver for one to three days per month to park in front of his building at 71 Main Street.

The mayor further stated that if the board continues to grant these requests we will have Main Street blocked with repair trucks. He's not in favor of this.

Trustee Ozman stated that he would be in the position that if someone needed to come in and they needed to effectuate some sort of repair one or two days a year, if there was some major repair that was going to be done, he would consider the request. Three days a month is too much for that location.

Mayor Uszenski stated that the village board policy has been not to grant any open end unconditional parking waivers.

Mrs. MacLean stated that it really isn't one to three days per month. Her husband went over to the police station and said he would be here for a few hours today, please don't give me a ticket and in the past they have granted that. He has an eighteen foot box truck and all his equipment and materials are in there and its very difficult to park behind the building and every time you need something you have to run all the way back to the parking lot. The other day he needed to do repairs and the police department said no, that the village board said no exceptions.

Manager Kelly stated that he spoke to Chief Holmes and it seems that when Chief Brilliant was here his policy was to issue such waivers. By village code the police department is not empowered to issue such waivers. Chief Holmes does not want to be put in the position of granting waivers without some type of authorization from the village board to do so, because it can set itself up for abuse and favoritism.

Trustee McGuckin stated that he doesn't have a problem with the chief granting waivers.

Manager Kelly stated that according to the village code there is no waiver provisions. If the village board policy is to empower the police chief on a case by case basis, he has no problem with that, but the chief would like to know that is what the board wants him to do. The board could adopt that as a policy, set a parameter that says the individuals that are requesting it must register at the police department and the chief is to keep an accounting as to how often they use that privilege.

Mayor Uszenski suggested the manager gets back with the chief and get feedback from him and to have this on the agenda for the next meeting.

Trustee McGuckin moved to grant a temporary parking waiver to the owner of 71 Main Street to park their repair vehicle on the street for longer than two hours, as long as notification is given to the chief. Seconded by Trustee Besdesky. All ayes. Motion carried.

WOOSTERS GROVE GRANT

Mayor Uszenski stated that John Howland and the manager have been going back and forth with Mr. Larkin's office trying to find out where the grant money is.

Orin Segall stated that he feels the mayor should be doing something, such as going to Albany. The way things are going we are going to lose the grant money. Also, the number of board members that have gone to Wooster's Grove to take a look at the mess there, he would say maybe one trustee has been there. He hopes that is corrected.

Mayor Uszenski stated that he's signed letters, but he hasn't gone up to Albany and he's not personally talked to Mr. Larkin. The manager has done some calling.

Manager Kelly stated that he sent another letter today. The problem seems to be with Christine Haywood and the Department of the Division for Youth.

Mr. Segall stated that letters don't mean anything.

Manager Kelly stated that the only mechanism the village has is to work within the system that is there. Senator Larkin was instrumental in

restoring the funds in the state budget. That was in the letter the village received in July. Since that time we have been unable to get through to the Division for Youth to commit on the dotted line as to when they will be starting the project. The manager is asking Senator Larkin for his assistance in getting the assurances that the village needs to see that this thing is going to happen. If it takes a meeting in Albany they will go to Albany.

Mayor Uszenski stated that he will also go to Albany.

REQUEST FOR REVIEW OF WATER/SEWER QUARTERLY BILL

Mayor Uszenski stated that Mr. Hornbeck's water meter was tested and it was fine.

Manager Kelly stated that the water did go through the meter and it was used, what it was used for they don't know.

It was the consensus of the board to deny Mr. Hornbeck's request.

PUBLIC PORTION

No one from the public spoke.

REPORTS - COMMITTEE

Trustee Garcia stated that he would like the situation with the cars at 191 Walnut Street looked into. He'd like to know why the tenants can't park in the driveway.

Trustee Garcia asked if the manager has heard from Wesley Hall?

Manager Kelly stated that he sent out the letter today.

Trustee Garcia asked if anything has been done about the low branches on Westwood Drive?

Manager Kelly stated he has to follow up on that.

REPORTS - MAYOR

Mayor Uszenski stated that at the next meeting he will allow Mr. Sager to speak during public portion as long as proper language is used. He doesn't mind being criticized, you can improve and grow from that. That is not the problem, its the manner in which it is directed at the board. If need be he will have the police department come in if there is a problem.

EXECUTIVE SESSION

Trustee McGuckin moved to hold an executive session pursuant to 105-(d) of the Public Officers Law. Seconded by Trustee Forman. All ayes.

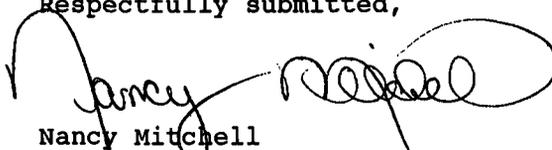
Motion carried.

Trustee Ozman moved to reconvene the regular meeting. Seconded by Trustee McGuckin. All ayes. Motion carried

ADJOURNMENT

Trustee Garcia moved to adjourn. Seconded by Trustee Besdesky. All ayes. Motion carried.

Respectfully submitted,



Nancy Mitchell
Village Clerk

NOVEMBER BILL LIST - NOVEMBER 28, 1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-622	AIR PRODUCTS & CHEMICALS, INC.	13.50
A-623	AL VALK'S GARAGE	108.10
A-624	AL VALK'S GARAGE	40.00
A-625	AMSTERDAM PRINTING	48.19
A-626	ANNESE & ASSOCIATES, INC.	223.04
A-627	AUGUST STIEFEL	10.50
A-628	CARGILL SALT EASTERN	17,678.03
A-629	CHERRY TIRE SERVICES	304.96
A-630	CIARDULLO PRINTING	44.00
A-631	COMMISSIONER OF FINANCE	34.00
A-632	COUNTRY HARDWARE	87.98
A-633	COUNTRY HARDWARE	80.00
A-634	DICTAPHONE CORP.	979.50
A-635	ERNEST DAVIS JR.	986.70
A-636	ENVIRONMENTAL PAPER TOWEL SERVICES	165.60
A-637	GAINER-WILBUR CONSULTING ENGINEERS	223.88
A-638	GAINER-WILBUR CONSULTING ENGINEERS	368.00
A-639	GAINER-WILBUR CONSULTING ENGINEERS	358.00
A-640	GAINER-WILBUR CONSULTING ENGINEERS	83.25
A-641	HERMAN RALPH	37.07
A-642	HERMAN RALPH	323.68
A-643	HERMAN RALPH	278.65
A-644	HVLSA	25.00
A-645	IRA D CONKLIN & SONS, INC.	20.16
A-646	J-S SERVICENTER	15.75
A-647	BRIAN JARVIS	49.25
A-648	JIM SMITH CHEVY	88.52
A-649	K.C. CANARY	206.98
A-650	KING TREE SAWMILL	37.33
A-651	LYNCH MICHAEL	35.75
A-652	MID HUDSON COMMUNICATIONS	126.12
A-653	MID HUDSON COMMUNICATIONS	167.50
A-654	NY PLANNING FEDERATION	120.00
A-655	ORANGE COUNTY CLERK	7.75
A-656	QUAKER STATE CORP.	242.00
A-657	QUALITY INN	417.00
A-658	QUILL	142.17
A-659	QUILL	131.97
A-660	SHAWN BARRY	47.80
A-661	SOHNS MUSIC SHOP	34.95
A-662	TIMES HERALD RECORD	52.56
A-663	TIMES HERALD RECORD	69.12
A-664	TIMES HERALD RECORD	33.12
A-665	TIMES HERALD RECORD	130.00
A-666	VEN MAR SALES	76.12
A-667	VINCENT TOOMEY, ESQ.	300.00
A-668	WALDEN AUTO SUPPLY	65.99
A-669	WALDEN AUTO SUPPLY	51.19
A-670	WOODARD'S CONCRETE	250.00
A-671	ZEP MANUFACTURING CO.	1,526.95
A-672	JOHN HOWLAND	83.05
A-673	HUMANE SOCIETY OF WALDEN	6.00
		<u>27,036.73</u>

NOVEMBER BILL LIST - NOVEMBER 28, 1995

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
F-68	COUNTRY HARDWARE	175.00
F-69	ENVIROTEST LAB	175.00
F-70	IRA D CONKLIN & SON	399.03
F-71	IRA D CONKLIN & SON	363.54
F-72	L & C MUNICIPAL	178.91
		<u>1,291.48</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
G-71	AMERICAN SEPTAGE SERVICE	300.00
G-72	ENVIROTEST LAB	755.00
G-73	NYS DEPT OF ENVIRONMENTAL OCNSERVATION	350.00
G-74	NEWBURGH WINWATER	18.25
G-75	WALDEN ANIMAL DELI	252.00
		<u>1,675.25</u>

NOVEMBER BILL LIST - NOVEMBER 28, 1995

CAPITAL ACCOUNTS

CAPITAL ACCOUNT #82	ST GERARD PRINTING MUNICIPAL BUILDING	534.60
CAPITAL ACCOUNT #82	V.M.I. INC. MUNICIPAL BUILDING	1,650.00
CAPITAL ACCOUNT #86	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA MUNICIPAL PARKING LOT	36.15
CAPITAL ACCOUNT #87	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA WATER SYSTEM	194.25
T & A 85.4	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA	2,106.83
COMMUNITY DEV SMALL CITIES 92	CONNOLLY PLUMBING & HEATING	7,950.00
COMMUNITY DEV SMALL CITIES 94	VERNOL PUMBING & HEATING	6,740.00
COMMUNITY DEV SMALL CITIES 92	WILLIAM FYKE	2,725.05
COMMUNITY DEV-93	KERRON BARNES ASSOCIATES	1,100.00
COMMUNITY DEV-92	KERRON BARNES ASSOCIATES	2,546.25
COMMUNITY DEV-95	KERRON BARNES ASSOCIATES	1,260.00
COMMUNITY DEV-94	KERRON BARNES ASSOCIATES	1,615.00
COMMUNITY DEV-UDAG SMALL CITIES - 92 78 ORCHARD ST	KERRON BARNES ASSOCIATES R.W.MECHANICAL, INC.	52.50 3,395.00
SMALL CITIES -92 48 ULSTER AVE	R.W.MECHANICAL, INC.	5,425.00
COMMUNITY DEV UDAG GIRL SCOUT HOUSE	RAY COX CONTRACTING	6,860.00
CAPITAL ACCOUNT #82	MUNISTAT/PFA, INC. IMPROVEMENT BOND	8,961.55

NOVEMBER BILL LIST - NOVEMBER 28,1995

PREPAID BILLS

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	FRONTIER COMMUNICATIONS	63.67
	FRONTIER COMMUNICATIONS	7.74
	FRONTIER COMMUNICATIONS	25.46
	WAREX	448.29
	WAREX	1,313.33
	COASTAL REFINING	509.63
	NYSEG	1,697.70
	POSTMASTER	600.00
	AT & T	33.31
		<u>4,699.03</u>

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	AGWAY ENERGY PRODUCTS	2.44
	CENTRAL HUDSON	476.55
	FRONTIER COMMUNICATIONS	86.50
	NYSEG	16.47
		<u>581.96</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	FRONTIER COMMUNICATIONS	12.10
	NYSEG	432.44
		<u>444.54</u>

NOTICE OF MEETING

PLEASE TAKE NOTICE that the Village of Walden Board of Trustees will hold a regular meeting on Tuesday, November 14th, 1995 at 7:30 P.M. at the Village Offices, 8 Scofield Street, Walden, New York.

AGENDA

1. PLEDGE/ROLL CALL
2. APPROVAL OF MINUTES
3. BOARD'S BUSINESS
 - A. ACTION ITEMS
 - A.1 Town of Montgomery Library & Recreation Contracts
 - A.2 Walden Recreation Basketball Program Fee Schedule
 - A.3 Walden Estates Subdivision Maintenance Bond
 - A.4 Request of Supt. of Public Works for Cellular Phone
 - A.5 Payment of Audited Bills for November 14th, 1995
 - B. DISCUSSION ITEMS
 - B.1 Village Employee Parking Area
 - B.2 Intro. Local Law I-4 Vehicle & Traffic Code Revisions
 - C. INFORMATIONAL ITEMS
 - C.1 Walden Municipal Building Renovation Project
 - D. CORRESPONDENCE
 - D.1 Request for Parking Waiver
 - D.2 Coregis Letter Re: Sewer Repairs
 - D.3 Orange County Conference of Mayors
4. PUBLIC PORTION
5. EXECUTIVE SESSION
6. ADJOURNMENT

APPROVED

VILLAGE OF WALDEN
BOARD OF TRUSTEES MEETING
NOVEMBER 14, 1995

Mayor Andrew Uszenski called the regular meeting of the Village of Walden Board of Trustees to order at 7:30 P.M.

On roll call the following were:

Present: Mayor Andrew Uszenski
Trustees John McGuckin
John Ryan
Antonio Garcia
Chris Forman
Martin Besdesky
Raynard Ozman

Also Present: John Kelly, Village Manager
Kevin Dowd, Village Attorney

Recording Secretary: Nancy Mitchell, Village Clerk

APPROVAL OF MINUTES

Trustee Ozman moved to adopt the minutes of October 24, 1995 with the following correction to page seven, fifth paragraph, change to: Trustee Ozman stated that he doesn't agree with that, because there are other sections of the vehicle and traffic code relating to impeding the flow of traffic on a highway that can be used to cite a motorist that is blocking a lane of traffic. Seconded by Trustee Garcia. All ayes. Motion carried.

TOWN OF MONTGOMERY LIBRARY & RECREATION CONTRACTS

Trustee Ryan moved to authorize the manager sign the recreation and library contracts with the Town of Montgomery. Seconded by Trustee Besdesky.

Trustee Ryan stated that the amounts the Town of Montgomery for recreation and the library are grossly inadequate and he hopes they will improve as the time goes on.

All ayes. Motion carried.

WALDEN RECREATION BASKETBALL PROGRAM FEE SCHEDULE

Mayor Uszenski stated that because of Valley Central's austerity budget

the village will now have to rent the school for its basketball program at \$2.75 per hour. This will increase the cost of the program approximately \$500.00. Mr. Howland has recommended increasing the fees of village residents from \$10.00 to \$13.00 and non residents \$20.00 to \$23.00. The other possibility is that the village assume the \$500.00 and not increase the fees.

The mayor suggested \$12.00 for residents and \$24.00 for non residents.

Trustee Besdesky moved to approve the Walden Recreation Basketball Program fee schedule, \$12.00 for residents and \$24.00 for non residents. Seconded by Trustee McGuckin. All ayes. Motion carried.

WALDEN ESTATES SUBDIVISION MAINTENANCE BOND

Manager Kelly stated that the village attorney has drafted a resolution for the board authorizing the manager to draw down the letter of credit regarding Walden Estates subdivision maintenance bond. There is also correspondence from the village engineers which is certification of the cost estimate for each of the items that remain incomplete. The village engineer will be providing a formal certification to accompany the site draft to the bank. The manager will move on the letter of credit tomorrow.

Trustee Ozman stated that he would like them to get ^{the same} notice as ^{specified} ~~per~~ how they requested in the letter of credit.

Manager Kelly stated that one of the things the village made sure we had at the time the letter of credit was accepted is that it's drawn on a bank in Philadelphia and that they would accept process by mail and they will accept process by numerous processes of service. It will be sent by Fed Ex tomorrow.

Trustee McGuckin moved to adopt Resolution No. 11-95-96, Walden Estates Subdivision Maintenance Bond. Seconded by Trustee Forman.

Trustee Ryan asked if the draw down will not exceed the \$63,000 that the engineers specified for cost?

Manager Kelly stated no. There is a statement in the letter of credit that states that the amount for the work that has not been completed must be certified by the village engineer and the value of that work, the draw down cannot exceed that. The engineer was advised that they needed to make sure that the work can be performed for that amount so that there wouldn't be a short fall. The breakout includes a 20% contingency as well as the engineering inspection and administrative fees, so that the value of the work is \$34,000.00, the balance is to insure that the work can be completed.

Mr. Dowd stated that he received the amount from the engineer and when he spoke to Ms. Harris he said, please make absolutely sure, this is a one shot only deal, that what happened with University Heights does not

happen again and triple check the figures and Mr. Dowd has been assured that that number will take the village through the process and make all the necessary repairs and you may even have some money left over.

Trustee Ozman asked if the village was under an obligation to release the balance of the letter of credit at that time?

Mr. Dowd stated that the letter of credit will expire on Thanksgiving Day, November 23, 1995.

Manager Kelly stated that the original letter of credit had an automatic renewal and the other condition under which the letter of credit was extended was that First Fidelity demanded that clause be removed. It expires on November 23rd and that's why its before the board tonight.

Trustee Ryan asked, if the costs run over, how is the village held harmless, who makes up the difference?

Mr. Dowd stated that the developer will be long gone, the letter of credit will have expired, there is only one person you can look to.

Manager Kelly stated that this project will not be done before spring, because it has to be bid out as a public contract.

Trustee Ozman stated that he has a concern that over the winter the areas that are eroded are going to deteriorate further and that will increase the amount of work that the village will have to do at that point and the engineer will say, when we looked at that in the fall there was no problem, but over the winter it deteriorated further, you should have gotten to it sooner, so its not really our fault that its not a satisfactory amount of funds reserved.

Manager Kelly stated that the area that is washing out behind the curb would have to be graded and planted. Some of the items he will speak to the engineer about to find out if there is any remedial action that we would need as a stop gap. Most of it is digging out and repairing. There is nothing that is major in terms of an immediate problem, but it is something that has to be dealt with.

All ayes. Motion carried.

REQUEST OF SUPT. OF PUBLIC WORKS FOR CELLULAR PHONE

Mayor Uszenski stated that there is a request by the superintendent of public works for a cellular phone. The cost is approximately \$200.00 a year.

Manager Kelly stated the \$200.00 is for the service and then you pay for each call. This a new state contract and the cost is substantially less than what it have been in the past. What the superintendent is finding increasingly difficult is many times he is called when an

emergency happens and he's not at home and by the time he gets to a telephone and calls back and then has a follow up call its not always as smooth as it should be or that it could be.

Trustee Ozman asked ~~that~~ the manager to make sure the phone is a three watt unit.

Trustee Forman moved to approve the cellar phone for the Department of Public Works Superintendent. Seconded by Trustee McGuckin.

Trustee Ryan asked about insurance on the phone?

Manager Kelly stated that he will look into it.

All ayes. Motion carried.

AUDITED BILLS

Trustee Ozman moved to pay the audited bills of November 14, 1995. Seconded by Trustee McGuckin.

Trustee Ryan asked about the bill from Advanced Testing, was that a request from another contractor?

Manager Kelly stated that it was a request from him to provide an air clearance letter on the building which we did not get other than one hundred pages of individual test results. What was being asked of the village by the contractors, prior to the work starting, was to have a clearance letter that all of the abatement work was done properly. The manager didn't have one specific letter, so he asked Kevin Patten to do it.

Trustee Ryan stated that there were three bills submitted by Walt Sweed, Conrad Flickenschild, and Steve Reed for reimbursement. Has the village received reports from them?

Manager Kelly stated that Conrad Flickenschild was for the judges conference, which he is required to go to in order to keep his certification, the manager doesn't asked him for a report. The manager will be receiving the recent police school reports and he will put them in the board's correspondence box.

Trustee Ryan stated that in regard to Judge Flickenschild he is appointed and he is using public funds. The policy has been that if we use public funds for education the board would like a report. A report is also required from Walt Sweed.

Trustee Ryan stated that there is a bill for hammers. That is the third bill for hammers in the last three months. For pulling nails its not a very good hammer. We should be purchasing tools that have longevity to them.

Trustee Ryan further stated that there is a bill in from the architect, he's not seen any correspondence in regard to the dumpster issue.

The manager stated that the architect has never responded.

Trustee Ryan asked the manager to ask the architect if he would like the cost taken directly out of his bills or would he rather the village go to his insurance agent.

Manager Kelly stated that he will write a follow up letter suggesting that the Village Board will not authorize payment of the vouchers until the architect provides an explanation.

It was the consensus of the board to pay this bill to the architect and hold the next bill until there is an explanation regarding dumpsters.

All ayes. Motion carried.

SMALL CITIES PROJECT EXCEEDING \$10,000

Trustee Besdesky moved to approve Small Cities Project No. 93-60 to exceed \$10,000. Seconded by Trustee Forman. All ayes. Motion carried.

VILLAGE EMPLOYEE PARKING AREA

Mayor Uszenski stated that since the parking area in the rear of the municipal building has been blocked off there is no parking for employees. There is a request for the board to consider waiving the three hour parking requirement for the employees in the Orchard Street parking lot. Permit stickers will be issued to the employees. This is temporary until the municipal building renovations are done.

Trustee Ozman asked if this would impact the parking during the Christmas season?

Manager Kelly stated that parking is waived during the month of December.

Trustee Besdesky suggested a permanent five or six car parking waiver.

Manager Kelly stated that when the building is finished the village may end up with a lot that only has thirteen spaces behind the building. We may never have enough parking for everyone.

Trustee Garcia moved to allow village employee parking in the Orchard Street parking lot and to also suspend parking restrictions in the business district for the month of December. Seconded by Trustee Ozman. All ayes. Motion carried.

INTRODUCTORY LOCAL LAW I-5 OF 1995, VEHICLE & TRAFFIC CODE REVISIONS

Mayor Uszenski stated that this local law would amend Chapter 141 of the village code. This local law calls for a stop sign on Princeton Drive at the intersection of Harvard Drive. This would also put a stop sign on Cross Street at the intersection of South Montgomery Street. This local law would also amend Chapter 145-15, yield sign at Cross Street will be deleted to be replaced by the stop sign. Amend Chapter 141-18, no parking anytime on Scofield Street, southwest side, between Gladstone Avenue and Ridge Avenue and South Montgomery Street on the east side between Cross Street and West Main Street and South Montgomery Street between South Street and First Street and South Montgomery Street beginning at the parking lane of Oak Street to a point opposite the southerly line of Walker Street and the north side of West Main Street beginning at the westerly end of the parking lane opposite Cross Street to a point opposite the southerly line of Walker Street.

Trustee Ozman stated that the stop sign on Cross Street is not going to do the job that you think it will do. The other idea he would like to bring up is the proliferation of signs throughout the village. In his opinion the village has many, many signs that are unnecessary. He would like to see the village begin to use whatever creative ways we need to come up with in order to limit the signage throughout the village. In terms of the area on West Main Street, ^{the} vehicle and traffic laws is difficult to enforce in that location. The only other option we would have on the west side of village would be to create a safety zone, which is something that you create with a line or striped area and usually the Department of Transportation creates it. It is put in the roadway and its for pedestrian traffic, it would make it into a no parking zone. That would be an option to signage. He would like the board to also follow up on widening the streets.

Relating to
parking on
Pavement

Trustee Ryan stated that he is in favor of the safety zone.

The was tabled until more information regarding the safety zone was received.

WALDEN MUNICIPAL BUILDING RENOVATION PROJECT

Mayor Uszenski stated that the Clerk of the Works, Craig Maslik was invited to the board meeting to give an update on the project.

Craig Maslik stated that the last couple of weeks in the municipal building have been very busy. They've done quite a bit of work in the critical areas, which include the elevator. They started excavation on the elevator pit and they expect to be finished this week. The other critical area is framing and demolition for certain areas through the brick. Walls for offices have been on going this past week. The progress has been slow up until this last couple of weeks. The project is on line and heading for significant work completion. Electrical.

panels have been roughed in. They've started the work on the new boiler and it should be running by Thursday morning. Openings in the foundation walls have created a problem for the contractors in that its a two foot thick brick wall and they've designed a building that has many penetrations through the foundation walls, each opening takes a good day to rough them out, so the contractor responsible for this has taken significant amount of time to get this done. The next two weeks the clerk of the works expects them to be running electrical lines, they will be doing exterior excavation, pouring footings, pads for the fire escape and new entrance, running refrigerant lines for the HVAC, plumbing and within the next month he expects to be running telephone wires, communication wire, data wire and he expects to start abatement within the next three or four weeks.

Mr. Vantran stated that he went into the library tonight and there seems to be a layer of plaster laying around, is the heat being off in the building causing a problem?

Mr. Maslik stated yes. The white dust is from the beams in the library, they covered these beams years ago with a material that has been tested by Advanced Testing and he said it does not contain asbestos.

Mr. Vantran asked if the lose of heat was causing any other problems other than powder falling off?

Mr. Maslik stated that he is not certain.

Mr. Vantran stated that he would like the beam looked at and make sure its solid before the library reopens.

Manager Kelly advised the board that two good things came out of the bond sale for the municipal building, one is that as part of the process for the bond sale the village went through a rating with Moody's Investor Services and our bond rating was upgraded from BAA to BAAl, which has a positive benefit on the sales of the bonds and the interest rate you will pay. The bonds were bid with the ability of having multiple interest rates over the life of the bond and there were four rates, 4.9% for the first three years to 5.375% for the last year. The reason it was done this way is that there is also a call provision in the bond which can come into play, so by staggering interest rates and loading them, if there is a call provision you will save the additional interest rate on that amount.

REQUEST FOR PARKING WAIVER

Mayor Uzenski stated that a letter was received from Dr. Guneratne asking for a parking waiver for the contractors on his project.

Manager Kelly stated that he asked Dr. Guneratne to give the manager a letter indicating how many contractors would be involved, how many vehicles and he asked for it for tonight. All he received was the

doctors note, which is an open ended request for something and he's not sure what it is. He doesn't feel its fair to the board to ask them to grant an open ended waiver. It would be at least fair to know how many vehicles he's talking about. They are asking for a three month waiver. He suggested that the board extend the waiver for up to three cars and if there were additional cars it would be necessary to request it in writing.

Trustee Ryan stated that he has a problem with the project, they actually shut down the village sidewalk over the weekend, causing everyone to walk out into the street. He can understand the concern of the contractor because they were doing work on the facade. He was surprised the contractor walked away from the project the way it was left, some boards were litterly hanging, not in contact with the ground. He's concerned the building inspector allowed it to happen. If this is going to be a long period they should put up a man bridge. The sidewalk must remain open.

Trustee Besdesky moved to approve Dr. Guneratne's request for a parking waiver for up to three cars from November 15th until January 30th and if he needs a waiver of additional vehicles additional documentation is needed to the Village Board. Seconded by Trustee Ozman. All ayes. Motion carried.

COREGIS LETTER RE: SEWER REPAIRS

Mayor Uszenski stated that a letter was received from the village insurance company regarding Ernie Davis Jr.'s sewer repairs denying the claim.

Trustee Ryan suggested the village pay the bill and send a nasty letter to the agent telling him that this was not a football lodged in the sewer, this was a root and it should have been covered by the funds the village distribute to them for our insurance.

Trustee McGuckin asked what kind of precedence will the board be setting by paying this claim?

Mr. Dowd stated that the village is making a payment of village funds which your insurance carrier has stated you are not responsible for. From a purely legalistic point of view he's not so sure they are not incorrect in their assessment of that.

Manager Kelly stated that he asked the insurance representative if the village gets sued will the insurance company defend the village, and the answer was yes. If Mr. Davis were to sue the village in small claims court this insurance company would be forced to defend the action and if the legal bills exceeded the amount they could have paid the claim, that is something they chose to do. That would be the recourse anyone would have.

Mr. Dowd stated that he feels if the village pays this bill they will

be setting precedent.

Trustee Ozman asked if there were any similarities between this case and the case on Orange Avenue?

Manager Kelly stated that that is the closest to being on point. In that instance about a year earlier the line had plugged up with a tree root and the village paid for the sewer router rental. A year later the line plugged up again and at that point tree roots were suspected, so a contractor was called in and a claim was submitted to the village insurance company, a different company, and they paid it. Prior notice was also raised and because the issue had occurred a year earlier they felt prior notice was on file. In this case they don't feel prior notice is on file.

Trustee Garcia stated that there are other instances in the village where the village paid for sewer problems and he feels they should pay this one.

Trustee Forman moved to pay Mr. Davis for his sewer repairs and to send a letter of dissatisfaction to the insurance company. Seconded by Trustee Ryan. On roll call Trustees Ryan, Ozman, Forman, Garcia, and Besdesky voted yes. Trustee McGuckin and Mayor Uszenski voted no. Motion carried.

ORANGE COUNTY CONFERENCE OF MAYORS

Mayor Uszenski stated the the next Conference of Orange County Villages will be held in Greenwood Lake on November 16th.

It was the consensus of the board that they were in favor of the amendments to the by-laws of the Intermunicipal Agreement.

CORRESPONDENCE

Manager Kelly stated that John Hornbeck is concerned that he received a water bill during the period of the summer that he was not at home and he's not sure how the water could have been used. It is a new water meter. The water department will go up and do a water test on the meter. The manager will report back to the board.

FIRE DISTRICT WATER BILL

Manager Kelly stated that the fire district indicated that they did not receive their water bill until after the thirty day grace period had expired. They are requesting a waiver of the late charge.

Trustee Besdesky moved to waive the late charge on the fire district water bill. Seconded by Trustee Forman. All ayes. Motion carried.

GEOGRAPHY AWARENESS WEEK

Mayor Uszenski stated that there is a request to declare the week of

November 12-18 as geography awareness week.

Trustee McGuckin moved to declare the week of November 12-18 as Geography Awareness Week. Seconded by Trustee Garcia. All ayes. Motion carried.

PUBLIC PORTION

Mr. Sager raised his hand to be recognized.

Mayor Uszenski informed Mr. Sager that before he is allowed to speak he requests an official apology for Mr. Sager's inappropriate language at the last meeting, either in writing or verbal. If Mr. Sager is willing to do that now he will be recognized.

Mr. Sager stated that he's not going to give a public apology.

Mayor Uszenski informed Mr. Sager that he will not be recognized in the public portion.

Mr. Sager stated that his name is Larry Sager and he lives in Walden, 78 Orchard Street.

Mayor Uszenski stated that is noted, but he is not recognized until his apology has been given to the board.

Mr. Sager stated, why don't you put in there what I said, instead of blank, blank? Why didn't you put in there that I pay your Goddamn salaries?

John Katonah, 211 River Road stated that he would like to bring up a safety issue involving South Montgomery Street. He would also like to offer some observations and comments as to what he thinks the Village of Walden comes across to him as a non resident. He is concerned with the signage in the village. The street in front of the village office, if someone had come along and painted numbers one through one hundred on our walls it would have been considered graffiti. He considers the same numbers on the street a distraction and graffiti. They could have been made smaller for Walden Day and they could have been removed. There was a sign put at the top of Oak Street and he can't think of a more safer of an intersection to make a turn on red. Recently someone added a sign on Oak Street stating no U turn, why? He's never seen a village with all the signs on top of a street sign to say which way the business is. Is there a limit as to how high this will get?

Manager Kelly stated that business signs on top of street signs are permitted by village code. There is a limit of five. The issue of no right hand turn on red the village addressed that with DOT when they did the Route 52/208 intersection. If there is a pedestrian walk-way you cannot have a right turn on red.

Mr. Katonah stated that when he first moved to the village there was a

yellow line on South Montgomery Street from the outside of the village through the village to about 50 meters prior to the intersection of Cross Street. Before the board determines if parking is allowed there or not allowed there someone should go out and look into who painted the yellow line and who gave the authority for it. He's talked to the county and the county says they will repaint the line if requested by the village. He feels Cross Street should have a yellow line. The other issue of a safety zone he feels would help. He feels the speed limit should be enforced better on South Montgomery Street. Also, the sidewalk on Cross Street needs to be replaced.

REPORTS - COMMITTEE

Trustee Garcia stated that the heavy snow has brought the limbs down on trees on Westwood Drive and they hit your car. They are in front of 32 Westwood Drive and 193 Walnut Street.

Trustee Forman asked about the railroad crossing on Grant Street, when will it be fixed?

Manager Kelly stated that DPW will be cutting it out and feathering it.

Trustee Ryan suggested a certificate of appreciation be given to the Health Care Coalition. Also, Leroy DeGroot should be honored for how he keeps his yard.

Trustee Ryan stated that one of the attorney's said that the village can amend their laws simpler then enacting new laws.

Mr. Dowd stated that you can always amend the law to add provisions without doing it all over again. Sometimes if you're trying to add sentences within a paragraph it's easier to repeal and put whole new paragraphs in as trying to put the sentences.

Trustee Ryan asked if the village could add a paragraph to the unsafe buildings law to state that any buildings that were brought into some sort of state of demolish either by natural causes, cars, wrecks whatever, would have a period of time, six months, to secure a building permit and a years time to secure the outside to its original shape and size, so we don't have buildings boarded up or half crumbled.

Trustee Ryan stated that the county did come through with the railroad crossing, a letter of that should go to the commissioner.

Trustee Ozman stated that the recreation committee will be meeting on November 20th.

Trustee Ozman stated that he was in Albany and he stopped by Senator Larkin's office and spoke to one of his clerks who passed the ball over to the Division for Youth in terms of the hold up of getting the funding for the youth center. John Howland has also been up to Albany and they are trying to put pressure on them to secure the funds.

Trustee Ozman stated that he received a couple calls regarding an animal that appeared to behaving somewhat out of the ordinary. He saw a memo from the Police Chief regarding the village policy on potential dangerous or rabied animals. Based upon conversations with some of the people who had called him during the week and he also spoke to the manager about this matter, ^{as conversation with the} the feeling was perhaps the village should come up with some sort of guideline and possibly elevate the status that the dog control officer presently holds to animal control officer based upon the fact that he doesn't have any form of training to handle animals with rabies. In terms of what happens to the animal, what the mechanism is for transport, based on the memo he just read he has questions, specifically if there is a question as to whether the animal is rabied. There should be some method to contain or transport or preserve that animal or have it tested. He's not sure if that was properly addressed or if the chief was even asked to address that issue.

Manager Kelly stated that he didn't ask the chief to address that other than to say there have been two instances that he is aware of where there was a concern that an animal was rabied and the animal was taken to a vetinarian where it was decapitated.

Trustee Ozman asked who the transporting agency was?

Manager Kelly stated that he doesn't know if the parents of the child who they thought came into contact with the animal assumed the responsibility of transport or if the dog control officer transported.

Trustee Ozman suggested ^a ~~some sort of basis of rule~~ be created in terms of what type of protocol be followed. If for example you leave it up to the homeowner or resident to dispose of the animal, perhaps they can have a palm card that they can be handed in terms of who to call or what they do from this point forward. ^{the resident}

Can be given

Trustee Ozman stated that he would like to go on record as saying, while he understands the Mayor's desire to maintain an orderly public portion and he understands the Mayor's motification to maintain a public portion, he respectfully disagrees with the method that is employed in limiting the speech of the residents.

REPORTS-MAYOR-

Mayor Uszenski reminded the board about the Rotary dinner at Spruce Lodge on Friday night honoring Harry Brown.

ADJOURNMENT

Trustee Besdesky moved to adjourn. Seconded by Trustee Ryan. All ayes. Meeting adjourned at 10:15 P.M.

Respectfully submitted,



NOVEMBER BILL LIST -NOVEMBER 14,1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-550	ADVANCE TESTING CO.,INC.	105.00
A-551	AIR PRODUCTS & CHEMICALS	13.50
A-552	AL VALK'S GARAGE,LTD	50.00
A-553	AMTHOR'S WELDING	31.40
A-554	AMTHOR'S WELDING	224.18
A-555	AMERICAN ALARM CO.,INC	36.00
A-556	ANACONDA-KAYE SPORTS,INC.	18.40
A-557	ARDEL MOTORS,INC.	40.35
A-558	AUTOMOTIVE BRAKE CO.	23.57
A-559	AUTOMOTIVE BRAKE CO.	325.81
A-560	CAPITOL HIGHWAY	550.00
A-561	COUNTRY HARDWARE	121.32
A-562	COUNTRY HARDWARE	27.89
A-563	CHERRY TIRE SERVICES	69.95
A-564	DRAKE,SOMMERS,LOEB,TARSHIS & CATANIA	3,166.66
A-565	DRAKE,SOMMERS,LOEB,TARSHIS & CATANIA	3,166.66
A-566	ENVIRONMENTAL PAPER TOWEL SERVICE	157.90
A-567	FEDERAL BLOCK	213.72
A-568	FEDERAL BLOCK	337.20
A-569	FLICKENSCHILD CONRAD	461.00
A-570	GALL'S	62.91
A-571	GEORGE'S AUTO PARTS	74.10
A-572	GROSSO MATERIALS,INC	428.54
A-573	HERMAN RALPH	90.73
A-574	HERMAN RALPH	91.43
A-575	HUMANE SOCIETY OF WALDEN	18.00
A-576	IRA D CONKLIN & SONS,INC.	45.36
A-577	JIM SMITH CHEVY	494.89
A-578	JOHN QUALITY CLOTHIER	120.00
A-579	LOOSELEAF LAW PUBLICATIONS,INC	321.00
A-580	LYNN PEAVEY CO.	27.00
A-581	M.S.A.	223.72
A-582	MAYBROOK MATERIALS INC.	262.63
A-583	MID HUDSON COMMUNICATIONS	167.50
A-584	MID HUDSON COMMUNICATIONS	126.12
A-585	MOORE MEDICAL CORP	73.65
A-586	NATIONAL CASUALTY CO.	185.79
A-587	NYCOMCO	125.00
A-588	NEWBURGH STEEL PRODUCTS,INC.	38.20
A-589	NEWBURGH TRUCK CENTER	99.00
A-590	NEWBURGH TRUCK CENTER	80.00
A-591	ORANGE BLUEPRINT,INC.	25.00
A-592	OR CO.SANITARY LANDFILL	480.35
A-593	PINE BUSH EQUIPMENT	52.25
A-594	PINE BUSH EQUIPMENT	67.50
A-595	PROTECTIVE APPARELL OF AMERICAN	27.50
A-596	QUANTEX MICROSYSTEMS,INC.	2,075.00
A-597	QUILL	263.58

NOVEMBER BILL LIST - NOVEMBER 14, 1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-598	RAMADA INN	195.00
A-599	RAMSCO	220.00
A-600	SANWA LEASING	135.00
A-601	SHOWCASE OF AWARDS	21.00
A-602	STANDARD FUSEE	204.96
A-603	SWEED WALTER	51.76
A-604	SWEED WALTER	65.94
A-605	TED'S CLEANING SERVICE	70.00
A-606	THRUWAY SHOPPING CENTER	88.56
A-607	TIMES HERALD RECORD	396.00
A-608	TUXALL	133.70
A-609	UNISOURCE	434.20
A-610	WALDEN AUTO SUPPLY	21.49
A-611	WALDEN AUTO SUPPLY	87.43
A-612	WALDEN AUTO SUPPLY	53.05
A-613	WALDEN AUTO SUPPLY	41.48
A-614	WICKS	543.48
A-615	WOODARDS CONCRETE	270.00
A-616	COUNTRY HARDWARE	47.18
A-617	COUNTRY HARDWARE	499.50
A-618	DON HUME	95.40
A-619	OFFICE SUPPLY STORE	30.35
	CL & EJ GRIDLEY	2,464.44
A-620	PAGE NY	57.00
A-621	LIEBMAN-HURWITZ & ASSOCIATES	1,000.00
		<u>20,049.74</u>

NOVEMBER BILL LIST - NOVEMBER 14, 1995

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
F-54	ADCO ELECTRIC	665.00
F-55	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	416.67
F-56	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	416.67
F-57	COUNTRY HARDWARE	126.96
F-58	AMERICAN ALARM	28.00
F-59	NEWBURGH WINNELSON	78.53
F-60	RAMSCO	4,100.00
F-61	RAMSCO	150.00
F-62	RAMSCO	86.00
F-63	SCHMIDT'S WHOLESALE	122.06
F-64	ORANGE COUNTY LAB	120.00
F-65	CAIN CONTROL SYSTEMS	120.00
F-66	HYDRA STOP INC	108.31
F-67	PAGE	15.00
		<u>6,553.20</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
G-60	ADCO ELECTRIC	385.00
G-61	ADCO ELECTRIC	222.00
G-62	ADCO ELECTRIC	182.00
G-63	AL TURI LANDFILL, INC.	1,507.65
G-64	COUNTRY HARDWARE	128.82
G-65	DRAKE, SOMMERS, LOEB, TARSHIS & CANTANIA	416.67
G-66	DRAKE, SOMMERS, LOEB, TARSHIS & CANTANIA	416.67
G-67	CHAMPION SUPPLIES	58.25
G-68	GRAPHIC CONTROLS	59.23
G-69	ZEP MFG	107.90
G-70	WALDEN ANIMAL DELI	252.00
		<u>3,736.19</u>

NOVEMBER BILL LIST - NOVEMBER 14, 1995

CAPITAL ACCOUNTS

CAPITAL ACCOUNT # 37	COUNTRY READI MIX ROAD PROGRAMS	985.25
CAPITAL ACCOUNT # 37	COUNTRY READI MIX ROAD PROGRAMS	588.25
CAPITAL ACCOUNT # 37	MAYBROOK MATERIALS ROAD PROGRAMS	3,619.16
CAPITAL ACCOUNT # 37	COUNTRY HARDWARE ROAD PROGRAM	20.00
CAPITAL ACCOUNT # 37	COUNTRY READI MIX ROAD PROGRAM	572.00
CAPITAL ACCOUNT # 82	CANALE MUNICIPAL BLDG	2,280.00
CAPITAL ACCOUNT # 82	DEMBERG MUNICIPAL BLDG	4,500.00
CAPITAL ACCOUNT # 82	RBI MUNICIPAL BLDG	11,400.00
CAPITAL ACCOUNT # 37	COUNTRY HARDWARE	15.37
COMMUNITY DEV 92	GOODSPEEDY 90 ORCHARD	7,570.00
COMMUNITY DEV 93	RW MECHANICAL	3,565.00
COMMUNITY DEV 92 SMALL CITIES	RW MECHANICAL 48 ULSTER AVE	6,325.00

NOVEMBER BILL LIST - NOVEMBER 14, 1995

PREPAID BILLS

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	FRONTIER COMMUNICATION	359.44
	FRONTIER COMMUNICATION	84.50
	FRONTIER COMMUNICATION	314.34
	FRONTIER COMMUNICATION	242.88
		<u>1,001.16</u>

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	AGWAY ENERGY PRODUCTS	74.16
	FRONTIER COMMUNICATION	82.81
		<u>156.97</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	FRONTIER COMMUNICATIONS	50.76
	NYSEG	1,345.09
		<u>1,395.85</u>

RESOLUTION

NO. 11-95-96

WHEREAS, the Village of Walden is the beneficiary of Letter of Credit No. 9086 drawn on First Fidelity Bank, N.A., in the amount of \$165,355.00, which Letter of Credit expires on November 23, 1995;

WHEREAS, said Letter of Credit constitutes a maintenance bond for public improvements installed in the Walden Estates Subdivision by the owner thereof, Tin Brook Associates, L.P.;

WHEREAS, the purpose of the Letter of Credit was to guarantee the integrity of the public improvements installed by Tin Brook Associates for a period of one year from the date the Village accepted dedication of said public improvements;

WHEREAS, Tin Brook Associates has been notified by the Village that various defects exist in the public improvements which need to be corrected prior to the expiration of the one year maintenance period;

WHEREAS, Tin Brook Associates has failed to take remedial action to correct said defects;

WHEREAS, the Village consulting engineers by letter dated November 14, 1995 have certified to the Village that the cost to correct defects in the improvements installed by Tin Brook Associates is \$63,240.00;

WHEREAS, the Village now wishes to declare Tin Brook Associates in default on the maintenance bond and to authorize the Village Manager to take all steps necessary to draw down on

the Letter of Credit in the amount certified by the Village consulting engineers.

NOW, THEREFORE, be it resolved by the Board of Trustees of the Village of Walden as follows:

1. That Tin Brook Associates, L.P. has failed to correct defects in the public improvements installed in the Walden Estates Subdivision and is thereby in default of its obligations under the maintenance bond.

2. That the Village Manager is hereby authorized to execute all necessary sight drafts and related documents in the name of the Village and to take all necessary steps to draw down on Letter of Credit No. 9086 drawn on First fidelity Bank, N.A.

3. That the draw down on said Letter of Credit shall not exceed \$63,240.00 as certified by the Village consulting engineers.

4. That the Village Manager is authorized to use all monies acquired from the Letter of Credit to correct the defects in the public improvements installed by Tin Brook Associates in the Walden Estates Subdivision.

Upon motion by Louise McBeckin, seconded by Louise Forman, the Resolution was adopted as follows:

Mayor Andrew Uszenski	<u>Aye</u>	Nay
Trustee John McGuckin	<u>Aye</u>	Nay
Trustee Ray Ozman	<u>Aye</u>	Nay
Trustee John Ryan	<u>Aye</u>	Nay

Trustee Chris Forman

Aye

Nay

Trustee Tony Garcia

Aye

Nay

Trustee Martin Besdesky

Aye

Nay

Dated: November 14, 1995

STATE OF NEW YORK)
COUNTY OF ORANGE)
VILLAGE OF WALDEN)
KTD/123793

THIS IS TO CERTIFY THAT I, Nancy Mitchell, Clerk of the Board of Trustees of the Village of Walden, have compared the foregoing copy of a resolution with the original resolution in the minutes book on file in my office and which was passed by the Board of Trustees of the Village of Walden on the 14th day of November , 1995, and that the same is a correct and true transcript of such original resolution and the whole thereof.

IN WITNESS THEREOF, I have hereunto set my hand and the official seal of said Village of Walden this 15th day of November , 1995.

(seal)

Nancy Mitchell, Village Clerk

NOTICE OF MEETING

PLEASE TAKE NOTICE that the Village of Walden Board of Trustees will hold a regular meeting on Tuesday, October 24th, 1995 at 7:30 P.M. at the Village Offices, 8 Scofield Street, Walden, New York.

AGENDA

1. PLEDGE/ROLL CALL
2. APPROVAL OF MINUTES
3. BOARD'S BUSINESS
 - A. ACTION ITEMS
 - A.1 Resolution No. 10-95-96 Changing Certain Street Addresses
 - A.2 Consideration of Bids for Maple Street Parking Lot
 - A.3 Agreement With Wesley Hall Senior Citizen Center
 - A.4 Municipal Building Boiler Replacement
 - A.5 Authorization to Exceed \$10,000 for Small Cities Projects (4)
 - A.6 Payment of Audited Bills for October 24th, 1995
 - B. DISCUSSION ITEMS
 - B.1 Rental Properties
 - B.2 Vehicle & Traffic Code Revisions
 - C. INFORMATIONAL ITEMS
 - D. CORRESPONDENCE
4. PUBLIC PORTION
5. COMMUNICATIONS
6. REPORTS
7. EXECUTIVE SESSION
8. ADJOURNMENT

APPROVED

VILLAGE OF WALDEN
BOARD OF TRUSTEES MEETING
OCTOBER 24, 1995

Mayor Andrew Uszenski called the regular meeting of the Village of Walden Board of Trustees to order at 7:30 P.M.

On roll call the following were:

Present: Mayor Andrew Uszenski
Trustees John McGuckin
John Ryan
Antonio Garcia
Martin Besdesky
Chris Forman
Raynard Ozman

Also Present: John Kelly, Village Manager
Kevin Dowd, Village Attorney

Recording Secretary: Nancy Mitchell, Village Clerk

PRESENTATION

Mayor Uszenski presented J. R. Masztalics with a certificate in recognition of his hard work for the Eagle Scout Project, building the gazebo at Walden Community Park.

APPROVAL OF MINUTES

Trustee Ryan moved to adopt the minutes of October 10, 1995. Seconded by Trustee Forman. All ayes. Motion carried.

RESOLUTION NO. 10-95-96, CHANGING CERTAIN STREET ADDRESSES

Mayor Uszenski stated that this resolution is in regard to the 911 request. One letter was received from Mr. Gulamerian who has talked to the manager and he is satisfied with the change of 154 Ulster Avenue for the main house and 152 Ulster Avenue for the carriage house.

Steven O'Connell stated that he is presently at 178 Ulster Avenue and the village wants to change him to 176, which he is not satisfied with.

Manager Kelly explained that the reason for his address change is because of the property behind him, which was numbered 184 Ulster Avenue. That address is out of sequence and in order to make the sequence correct the recommendation was to change Mr. O'Connell's house

to 176 and the McKinstrie house 178.

Mr. O'Connell further stated that it would be expensive to notify everyone of the change.

Mayor Uszenski stated that McKinstrie's house was 184 Ulster Avenue and there is another 184 Ulster Avenue down the road. This was a double number.

Mr. O'Connell suggested that McKinstrie's be 176 and he stay 178. They will have to be changed anyway, so change it to 176.

Mr. Raymondo stated that he received a letter stating that he will be changed to 200 Orange Avenue. He asked who will be getting 241 Orange Avenue?

Mayor Uszenski stated that Mr. Raymondo is on the wrong side of the road for 241 Orange Avenue. There will be no 241.

Mr. Raymondo also stated that it is very expensive to notify everyone of an address change. He is going to leave his mailing address as 241 Orange Avenue.

Trustee Ryan moved to adopt Resolution No. 10-95-96, Changing Certain Street Addresses, (attached), with the following changes: Gulamerian property being 154 and 152 Ulster Avenue, O'Connell, 178 Ulster Avenue and McKinstrie, 176 Ulster Avenue. Seconded by Trustee Forman. All ayes. Motion carried.

CONSIDERATION OF BIDS FOR MAPLE STREET PARKING LOT

Mayor Uszenski stated that the bids for the Maple Street parking lot lighting and landscaping came in higher than what was budgeted. The low bid was \$23,800 and we budgeted \$20,072.00. The engineer suggested two options, either down scale the project or add money to this and rebid in the spring. The board could also reject the bids.

Manager Kelly stated that the possibility of splitting the contracts into two contracts as a way of reducing the cost was originally discussed, because you would have an electric contractor subcontracting for the landscaping and fencing which didn't seem to be the best way to go about it. The engineer discussed the matter with the two low bidders and found that there would be very little savings. The \$20,000 is what is left over from the bond that is sitting in the bank. We can only spend it on that parking lot.

Trustee Ozman stated that he would like to see the project completed as quickly as possible. You are looking at a difference of \$3,700. It is in the village's best interest to find the \$3,700, then you will have a project that is done properly with the second alternate lighting that was discussed.

Trustee Ryan agreed with that. He further stated that the proposal for the living barrier is also acceptable.

Manager Kelly stated that the alternate for the goose neck is \$25,000, so it is \$5,000 more than the village has. The lower bid, alternate B was the upright fixture.

Mayor Uszenski asked if UDAG money could be used for this project?

Manager Kelly stated that he believes the village could.

Trustee Ryan moved to accept Pantel Electric's base bid with alternate B of \$23,800 for the Maple Street parking lot lighting and landscaping and to use UDAG funds for the balance. Seconded by Trustee Ozman.

Trustee McGuckin asked if this can be done now?

Manager Kelly stated that you can award now and if it looks like it couldn't happen before the first freeze could we negotiate an extension of the contract so that the landscaping can be done in the spring.

All ayes. Motion carried.

AGREEMENT WITH WESLEY HALL SENIOR CITIZEN CENTER

Mayor Uszenski stated that this is an annual agreement where the village authorizes the \$2,000 payment to Wesley Hall for their senior citizen program.

Trustee Garcia stated that he hasn't received his answers yet? He further asked if the AARP got ironed out?

Manager Kelly stated yes, its not being run there because the person that ran the program is deceased. He was told they only ran the program there twice. It also became a scheduling problem.

Trustee Ryan stated that someone told him that AARP pulled out.

Trustee Garcia stated that his sister runs the course and he also spoke to a woman in Middletown who runs the course and she applied to have it at Wesley Hall and was told they couldn't have it there anymore. He wants to know why this was turned down.

Trustee Ryan suggested a letter be sent from the village to Wesley Hall asking for a response.

Manager Kelly stated that the answer he received from Audrey D'Angelo, Director of Wesley Hall, is that this is not a problem, and has never been a problem.

Trustee McGuckin moved to authorize the payment of \$2,000.00 to Wesley Hall Senior Citizen Center for fiscal year beginning June 1, 1995 and

that the manager write a letter to Wesley Hall asking for an explanation as to why AARP has been denied use of the facility. Seconded by Trustee Forman.

Trustee Ryan stated that he has disclosure, he has done work in the past and will probably do work in the future for the director of Wesley Hall. He's never done work for Wesley Hall. He did sign the voucher.

All ayes. Motion carried.

MUNICIPAL BUILDING BOILER REPLACEMENT

Mayor Uszenski stated that there is a \$10,389.50 change order to completely replace the boiler in the municipal building.

Trustee McGuckin asked, who gave us the impression that the boiler could be rebuilt?

Manager Kelly stated that the engineer and the architect had discussed the boiler with Bill Offerman who had been repairing it. One of the alternates was to replace the seals and gaskets. The alternates were billed in to do the refurbishing, but when they dismantled the boiler and observed the gaskets the head gasket was so badly pitted that they don't believe the boiler will function properly when put back together. It doesn't make sense to spend \$5,000 to put a boiler back together that may not work properly. The net increase over the previously approved amount to fix the boiler is \$10,389.50.

Trustee Ryan moved to approve the change order for the municipal building boiler. Seconded by Trustee Besdesky. All ayes. Motion carried.

AUTHORIZATION TO EXCEED \$10,000 FOR SMALL CITIES PROJECTS

Trustee Forman moved to authorize Small Cities Project #94-17. to exceed \$10,000. Seconded by Trustee McGuckin. All ayes. Motion carried.

Trustee Besdesky moved to authorize Small Cities Project #92-109 to exceed \$10,000. Seconded by Trustee Garcia. All ayes. Motion carried.

Trustee Besdesky moved to authorize Small Cities Project #92-10 to exceed \$10,000. Seconded by Trustee Ozman. All ayes. Motion carried.

Trustee Forman moved to authorize Small Cities Project #94-42 to exceed \$10,000. Seconded by Trustee McGuckin. All ayes. Motion carried.

Trustee Ryan stated that a neighbor of his called and asked about using Small Cities for a fix up. His area was the first and second target areas and those funds have dwindled down. When this first started those two areas, the board policy was amended half way through for

rentals. He wasn't in favor of it then and he still isn't in favor of it. There was also a policy of when the payments came back in they are used to pay back into the program and not into the targeted area.

Mr. Barnes stated that the payments they receive from the 1991 grant were all applied to 1991 expenditures. The 1991 grant is closed out. When monies come in they apply it to 1992. The payments that are coming in are being applied to the target area in which Trustee Ryan's neighbor is located.

Trustee Ryan asked if those funds will build up to the point where other grants can be given out in that target area?

Mr. Barnes stated that it is possible. When the cash comes in they use it right away to off set current expenditures. He can't hold the cash and let it build up. The appropriation off sets the cost that was there, so there should be some money left over. They are trying to close out 1992 within three or four months. There are three people who have applied and he has advised them that he doesn't know if there will be enough money to get to them. He didn't want to promise them. He will check with HUD to see what mechanism would the village have to spend the money in the same target area.

Trustee Ryan stated that he does have a problem with giving money to rentals because you are giving low interest loans to a business. He would like, in new areas, the primary targets would be the homeowners and that starts to dwindle down then go to the rentals.

Trustee Ryan further stated that a homeowner will take care of their home. He can show you a couple homes on Pleasant Avenue where you pumped money into them and they are starting to look similar to what they did two years ago and they are rental property.

AUDITED BILLS

Trustee Ozman moved to approve the audited bills of October 24, 1995. Seconded by Trustee Forman. All ayes. Motion carried.

STREET LIGHTING AGREEMENT

Mayor Uszenski stated that there is a request for a street lighting agreement for Selena Courts. Annual charges are \$157.79 for a light at the intersection of Selena Courts and Walker Street and \$349.00 for five lights in Selena Courts.

Trustee McGuckin moved to approve the street light agreement for Selena Courts. Seconded by Trustee Forman. All ayes. Motion carried.

RELATED MANAGEMENT

Mayor Uszenski stated that Related Management is requesting the use of the Orchard Street parking lot on October 27th because they will be

resealing and striping their parking lot.

Trustee Ryan moved to suspend parking at the Orchard Street parking lot on October 27th, should it rain on that date they can chose a rain date. Seconded by Trustee Ozman. All ayes. Motion carried.

Trustee Ryan asked that the manager respond to them in writing.

RENTAL PROPERTIES

Mayor Uszenski stated that this is in response to Trustee Ryan's request. The manager is recommending a work session be set and invite the building inspector to it.

Manager Kelly stated that he can contact General Code Publishers and NYCOM if the board has an idea of what direction the board wants to go.

Trustee Ozman moved to hold a work session on Tuesday, November 7th. Seconded by Trustee McGuckin. All ayes. Motion carried.

Trustee Ryan stated that he is interested in making sure renters have the proper insurance. He would put the responsibility for the insurance on the property owner. He also suggested upgrading the building when they go for a permit.

Manager Kelly stated that the building inspector has talked about having an annual inspection requirement with a corresponding fee.

Trustee McGuckin asked if it can be put in the code to have inspections of two family residences?

Mr. Dowd stated that the question he would have to research is whether or not the law you're trying to pass would be superseding a preemptory state law that forbids you from superseding it.

Trustee Ryan stated that there would also be documentation of square footage of the building, so the landlord knows how many people he can rent it out to.

Trustee Ryan further stated that the Hudson Valley Fishermens Association came into effect by, they took what was then New York Central, they were discharging fuel oil into the Hudson River. There is a clean waters act from 1800's that stated, if you find anybody polluting the Hudson or any of its tributaries, any of the fines you collect one half. There are a whole bunch of safe guards out there, of people that will safe guard the water. Maybe we could write something along those lines.

VEHICLE AND TRAFFIC CODE REVISIONS

Mayor Uszenski stated that the following are requests for vehicle and traffic code revisions: a stop sign on the corner of Princeton and Harvard Drives, no parking on Scofield Street between Gladstone Avenue and Ridge Avenue on the southwest side of the street, no parking on South Montgomery Street between South Street and First Street on the west side, no parking on South Montgomery Street between Cross Street and Route 52 on the east side, designating the intersection of Cross and South Montgomery Streets as a stop intersection and creating a no parking/no standing zone on Route 52 between the high bridge and Oak Street on the east side.

Trustee Ozman suggested that where the streets can be widened to widen them. He also stated that he doesn't know if the stop sign on Cross and South Montgomery Streets will help.

Trustee Ozman further stated that he would like to try and enforce what we have in terms of signage. If the village could avoid signage throughout the village, its a benefit. He would like a clarification from DOT in terms of parking on pavement in a business district and whether or not standing would be allowed on West Main Street.

Manager Kelly stated that the state recited back to him what their interpretation of the section of the vehicles and traffic law that Chief Holmes cited for the manager to give to them and they stated that the village was citing the wrong section. They claim that without a code the village could not issue a ticket if someone stopped in a lane of traffic.

Trustee Ozman stated that he doesn't agree with that, because there are other sections of ^{the vehicle & traffic} ~~that~~ code, ^{Vehicle & Traffic} ~~impeding~~ the flow of traffic on a highway that can be used to cite a motorist ^{Vehicle & Traffic} ~~that~~ is blocking a lane of traffic.

Manager Kelly stated that DOT had a consultant review statistics of accident reports on state roads and it kicked out that section of Route 52 as being a problem, not only for the parking, but because there were a tremendous number of accidents. The one thing they asked the village to recognize and to address was the people who were standing in the lane of traffic that they claimed the village needed to pass an ordinance to prevent it from happening. The village responded that they didn't believe it would help and we don't believe its required and the State is appealing his letter. The manager asked the board if they wanted him to write back thanking them or accept what they want the village to do.

Trustee Ozman asked if the village could research the accident reports from those four accidents and make a determination of what the mechanism of the accident was.

It was the consensus of the board to have a local law drafted for the recommended vehicle and traffic code revisions.

PUBLIC PORTION

Mayor Uszenski stated that due to last meetings public portion problem Mr. Sager who was using inappropriate language, if he was here tonight he would not have been recognized and before he will be recognized the mayor is going to request either a written or public apology to the board for the improper use of language before he will be recognized.

Bob Lamancuso, 33 Gladstone Avenue stated that at the last meeting he stated that he would volunteer to put the fire proof wall board up in the Girl Scout Cabin. He will need at least three sheets. There is one problem, in front of the cage is wire mesh, he asked if the village wanted that covered up, you do need air flow. He will also need joint compound, and a roll of tape. You will also need to put a piece of fire proof board over the hole to the crawl space.

Mr. Lamancuso stated that a tree was cut down on Gladstone Avenue, there is an eight to twelve inch stump left, will that be removed?

Manager Kelly stated that the village will rent a stump grinder and grind it down.

Greg Raymondo asked if the village has come up with an agreement with the fire department in regard to the piece of property on Pond Road?

Mayor Uszenski stated that the village did talk to the commissioners and it will be a spring project.

Manager Kelly stated that the fire department is required to restore the property.

Mr. Raymondo stated that there is still large pieces of equipment there.

REPORTS - COMMITTEE

Trustee Ryan asked if the village entered into an agreement with Mr. Cox to allow him to nail his sign to the Girl Scout Cabin?

Manager Kelly stated that he's not aware that Mr. Cox asked to have that done. He will ask him to move it.

Trustee Ozman asked about the bonding for the Municipal Building, is it likely that the bonds will be bought institutionally or individual sales?

Manager Kelly stated that he believes they are a \$5,000 minimum denomination.

Trustee Ozman stated that he would like the manager to look into is whether or not we could have registered securities rather than book entry bonds.

Manager Kelly stated that these are book entry bonds only, there are no printed bonds.

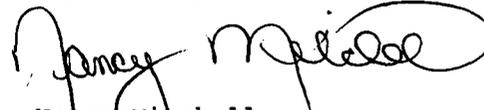
Trustee Ozman asked why it would be a book entry and not a registered issuance of the security? The reason he brings the issue up is when a non institutional investor purchases a bond there are some non institutional investors who prefer registered securities not withstanding the fact that book entry securities are more common today.

Manager Kelly stated that the printing cost was a substantial amount of money that the village won't have you spend now. He was told that paper is no longer generated when bonds are sold, that the depository that is listed as the receiver of the bonds is actually more of a brokerage house that will sell these over the electronic air waves. He doesn't know if it's even an option for the village to have any paper. The issue has already been published in the newspaper and the bonds are being returned on November 1st.

ADJOURNMENT

Trustee Ozman moved to adjourn. Seconded by Trustee McGuckin. All ayes. Motion carried.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Nancy Mitchell". The signature is written in black ink and is positioned above the typed name.

Nancy Mitchell
Village Clerk

VILLAGE OF WALDEN
RESOLUTION NO. 10-95-96

CHANGING CERTAIN STREET ADDRESSES IN THE VILLAGE OF WALDEN

WHEREAS, in order to effectively implement the Orange County Enhanced 911 System, it has become necessary for municipalities to readdress certain streets within their respective localities, and

WHEREAS, the Village of Walden has designated an Enhanced 911 Area Coordinator to develop said changes to certain street addresses in this municipality, in support of the County Enhanced 911 System, and

WHEREAS, our E-911 Area Coordinator has developed the attached list of address changes and presented same to this Board, and

WHEREAS, after careful review the Board has decided to accept the address changes as presented.

NOW, THEREFORE, BE IT RESOLVED, that the address changes developed by the Village of Walden E-911 Area Coordinator are hereby adopted, and be it further

RESOLVED, that the changes made herein shall be filed with the Orange County Sheriff's Department, the Town of Montgomery Assessor, the Walden Police Department, the Walden Fire District, the Walden Building Department and the Orange County Clerk by the Village Clerk within ten (10) days.

Motion to adopt made by Trustee Ryan and seconded by Trustee

Forman. By a vote of 7 ayes to 0 nays, the Mayor declared the motion

Adopted on October 24th, 1995.

VILLAGE OF WALDEN
RESOLUTION NO. 10-95-96

CHANGING CERTAIN STREET ADDRESSES IN THE VILLAGE OF WALDEN

<u>Property Location</u>	<u>Owner's Name</u>	<u>Old Street Address</u>	<u>New Street Address</u>
305-14-36.21	Christian, Claude	50 Sunset Drive	51 Sunset Drive
305-14-37	Wheat, Earl	51 Sunset Drive	53 Sunset Drive
305-14-38	Caltvuturo, Salvatore	52 Sunset Drive	55 Sunset Drive
305-14-39	Glass, Douglas	53 Sunset Drive	57 Sunset Drive
309-7-5	Kurtz, Dr.	57 Main Street	57 Main Street, Suite 1
306-3-2	Coulter, Marion	94 Capron Street	95 Bergen Avenue
306-2-33	Hadden, David	59 Pleasant Avenue	57 Pleasant Avenue
306-2-33	Melendez, John	57 Pleasant Avenue	59 Pleasant Avenue
309-20-21	Kelly, Michael	16 Riverview Street	14 Riverview Street
309-20-20	Bailey, Carl	16 ½ Riverview Street	16 Riverview Street
309-14-14	Murray, Vincent	47 & 49 Orange Ave (2 family home) 49 ½ Orange Ave (Garage Apt.)	NO CHANGE 1 Cherry Street
309-14-16	DeGroodt, LeRoy	1 Cherry Street	3 Cherry Street
310-2-13.1	Lennon, Gerald	6 Union Street	7 Union Street
310-3-1	McLaughlin, Harry	20 Union Street	15 Union Street
309-14-4	Hilzen, Hy	29-41 Grant Street	29 Grant Street
310-4-7.4	Dagnone, Nicholas	79 Sherman Avenue	65 Sherman Avenue
305-18-3	Selfridge, Fred, Jr.	136 Wait Street	137 Wait Street
305-18-2	Selfridge, Fred, Jr.	138 Wait Street	139 Wait Street

VILLAGE OF WALDEN
RESOLUTION NO. 10-95-96

CHANGING CERTAIN STREET ADDRESSES IN THE VILLAGE OF WALDEN

<u>Property Location</u>	<u>Owner's Name</u>	<u>Old Street Address</u>	<u>New Street Address</u>
315-3-7	Arciero, Denise	254 Old Orange Avenue	253 Old Orange Ave
315-3-5.2	Raymondo, Gregory	241 Old Orange Avenue	200 Orange Avenue
303-1-8	Gulamerian, Simon	154 Ulster Ave (Main House) 154 ½ Ulster Ave (Carriage House)	NO CHANGE 152 Ulster Avenue
303-1-5	Marl, Lorraine	176 Ulster Avenue	174 Ulster Avenue
303-1-3	McKinstry, Diane	184 Ulster Avenue	176 Ulster Avenue
310-4-9.22	Interstate Packaging	Coldenham Road	30 Coldenham Road
306-18-44	Greene, Jeremy	13 ½ S. Montgomery Street	13 S. Montgomery St.
314-1-21	Green, Gale	11 ½ Westwood Drive	13 Westwood Drive
309-22-2.1	Donovan, Terence	201 Orchard Street	121 Orchard Street

OCTOBER BILL LIST - OCTOBER 24, 1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-511	ALFI'S UNIFORMS, INC	779.99
A-512	ALL CITIES UNIFORM	49.35
A-513	AMERICAN RIBBONS	137.50
A-514	ATLANTIC IRRIGATION	2,795.00
A-515	CHAMBER OF COMMERCE	22.00
A-516	COUNTRY HARDWARE	19.79
A-517	COUNTRY HARDWARE	383.45
A-518	DIVISION OF CRIMINAL JUSTICE SERVICES	160.00
A-519	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	119.40
A-520	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	369.30
A-521	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	469.74
A-522	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	825.40
A-523	HART MARC	51.75
A-524	J & S SERVICENTER	11.50
A-525	JOHN TRUCK PARTS	2,175.00
A-526	LAWYERS COOPERATIVE PUBLISHING	29.35
A-527	ORANGE COUNTY CLERK	4.50
A-528	PITNEY BOWES	62.25
A-529	PROTECTIVE APPARELL OF AMERICAN	517.86
A-530	QUAKER STATE CORP	219.20
A-531	RISK MANAGEMENT	20.00
A-532	SANWA LEASING CORP	135.00
A-533	STANDARD COPY	320.90
A-534	THRUWAY SHOPPING CENTER	61.54
A-535	WALDEN AUTO SUPPLY	43.05
A-536	WALDEN BAPTIST CHURCH	550.00
A-537	WALLKILL VALLEY TIMES	36.00
A-538	WILLIAMSON LAW BOOK CO.	321.28
A-539	HOWLAND JOHN	119.47
A-540	DAN THE TREE MAN	1,216.00
A-541	DEMPSEY SALES, INC	87.91
A-542	BRIAN JARVIS	411.87
A-543	JOHN KELLY	49.99
A-544	LIEBMAN -- HURWUTZ & ASSOCIATES	1,000.00
A-545	WALDEN PLUMBING & HEATING	758.25
A-546	WALDEN PLUMBING & HEATING	324.90
A-547	TIMES HERALD RECORD	51.30
A-548	WESLEY HALL SERIOR CITIZEN CENTER	2,000.00
A-549	MEISEL WILLIAM	442.06

17,151.85

OCTOBER BILL LIST - OCTOBER 24, 1995

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
F-54	COUNTRY HARDWARE	127.04
F-55	DUSO CHEMICAL	627.00
F-56	ENVIROTEST LAB	2,545.00
F-57	RAMSCO	918.13
F-58	STANDARD FUSEE CORP.	51.24
F-59	THRUWAY SHOPPING CENTER	9.51
		<u>4,277.92</u>

SEWER FUNF

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
G-60	ENVIROTEST LAB	655.00
G-61	NORLAB, INC.	94.00
G-62	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	535.80
G-63	PEAK POWER SYSTEM	946.15
G-64	WATER ENVIRONMENT FEDERATION	135.00
G-65	WECHSLER CONTRACTING CO., INC.	371.85
		88.95
		<u>2,737.80</u>

OCTOBER BILL LIST - OCTOBER 27, 1995

CAPITAL ACCOUNTS

CAPITAL ACCOUNT #87	GAINER-WILBUR CONSULTING ENGINEERS, P.C. WATER SYSTEM	1,475.38
CAPITAL ACCOUNT #86	GAINER-WILBUR CONSULTING ENGINEERS, P.C. MUNICIPAL PARKING LOT	982.79
CAPITAL ACCOUNT #88	GAINER-WILBUR CONSULTING ENGINEERS, P.C. SEWER SYSTEM	451.65

T & A	GAINER-WILBUR CONSULTING ENGINEERS, P.C. WINDING BROOK	665.50
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COMMUNITY DEVELOPMENT	KEN VALK HODAG	19,457.00
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SMALL CITIES 93	R.W.MECHANICAL, INC. 82 LIBERTY ST	12,705.00
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SMALL CITIES 94	R.W.MECHANICAL, INC. 26 CLINTON ST	7,188.00
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COMMUNITY DEVELOPMENT 1991	KERRON BARNES ASSOCIATES PROFESSIONAL SERVICES	192.50
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COMMUNITY DEVELOPMENT UDAG	KERRON BARNES ASSOCIATES PROFESSIONAL SERVICES	70.00
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COMMUNITY DEVELOPMENT 1992	KERRON BARNES PROFESSIONS SERVICES	1,560.00
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CONNUNITY DEVELOPMENT	KERRON BARNES 1994	2,065.00
	KERRON BARNES 1995	1,585.00

COMMUNITY DEVELOPMENT	KERRON BARNES 1993	1,382.50
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COMMUNITY DEVELOPMENT	RAY COX CONTRACTING SCOUT CABIN	3,280.00
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OCTOBER BILL LIST - OCTOBER 24, 1995

PREPAID BILLS

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	COASTAL REFINING & MARKETING, INC.	157.93
	FRONTIER COMMUNICATIONS	44.53
	FRONTIER COMMUNICATIONS	345.79
	FRONTIER COMMUNICATIONS	139.49
	FRONTIER COMMUNICATIONS	279.61
	FRONTIER COMMUNICATIONS	415.59
	POSTMASTER	600.00
	PETTY CASH (POLICE DEPT)	17.50
	PETTY CASH (POLICE DEPT)	16.50
	WAREX TERMINAL CORP	976.76
	WAREX TERMINAL CORP	643.77
		<u>3,637.47</u>

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	COASTAL REFINING & MARKETING, INC	61.57
	FRONTIER COMMUNICATIONS	159.45
	NYSEG	25.99
		<u>247.01</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	FRONTIER COMMUNICATIONS	55.52
	NYSEG	277.53
		<u>333.05</u>

NOTICE OF MEETING

PLEASE TAKE NOTICE that the Village of Walden Board of Trustees will hold a regular meeting on Tuesday, October 10th, 1995 at 7:30 P.M. at the Village Offices, 8 Scofield Street, Walden, New York.

AGENDA

1. PLEDGE/ROLL CALL
2. APPROVAL OF MINUTES
3. BOARD'S BUSINESS
 - A. ACTION ITEMS
 - A.1 Res. No. 8-95-96 Tax Exemption on Village Water Supply Facilites
 - A.2 Res. No. 9-95-96 NYS Mandated Interest Penalty For Municipalities
 - A.3 Res. No. 10-95-96 Surplus Equipment
 - A.4 Payment of Audited Bills For October 10th, 1995
 - B. DISCUSSION ITEMS
 - B.1 Girl Scout Cabin Windows & Insulation
 - B.2 Revision of Unlicensed Vehicle Ordinance
 - C. INFORMATIONAL ITEMS
 - D. CORRESPONDENCE
 - D.1 Letter RE: Gazebo at Walden Community Park
 - D.2 Letter RE: Annual Chamber of Commerce Dinner
4. PUBLIC PORTION
5. COMMUNICATIONS
6. REPORTS
7. EXECUTIVE SESSION
8. ADJOURNMENT

APPROVED

VILLAGE OF WALDEN
BOARD OF TRUSTEES MEETING
OCTOBER 10, 1995

Mayor Andrew Uszenski called the regular meeting of the Board of Trustees to order at 7:30 P.M.

On roll call the following were:

Present: Mayor Andrew Uszenski
Trustees John McGuckin
Raynard Ozman
Chris Forman
Antonio Garcia
Martin Besdesky
John Ryan

Also Present: John Kelly, Village Manager
Kevin Dowd, Village Attorney

Recording Secretary: Vicki Kurtz, Deputy Clerk

APPROVAL OF MINUTES

Trustee Ozman moved to adopt the minutes of September 26, 1995 with the following correction: Resolution No. 7-95-96, Wooster Grove Entrance Drive and Parking, omit Trustee Sperry and add Trustee Forman. Seconded by Trustee Besdesky. All ayes. Motion carried.

RESOLUTION NO. 8-95-96 TAX EXEMPTION ON VILLAGE WATER SUPPLY FACILITIES

Trustee Ryan moved to adopt Resolution No. 8-95-96, Tax Exemption on Village Water Supply Facilities, (attached). Seconded by Trustee Ozman. All ayes. Motion carried.

RESOLUTION NO. 9-95-96 NYS MANDATED INTEREST PENALTY FOR MUNICIPALITIES

Trustee Forman moved to adopt Resolution No. 9-95-96, NYS Mandated Interest Penalty for Municipalities, (attached). Seconded by Trustee McGuckin. All ayes. Motion carried.

RESOLUTION NO. 10-95-96, SURPLUS EQUIPMENT

Trustee Ozman moved to adopt Resolution No. 10-95-96, Surplus Equipment, (attached). Seconded by Trustee Forman. All ayes. Motion carried.

PRESENTATIONS

Mayor Uszenski presented Spence Engineering with a certificate of recognition in appreciation for keeping an attractive appearance of their buildings and grounds which conveys a positive benefit to the entire community. Millspaugh Furniture will also be presented with a certificate.

PAYMENT OF AUDITED BILLS

Trustee Ozman moved to approve the audited bills of October 10, 1995. Seconded by Trustee Garcia. All ayes. Motion carried.

MUNICIPAL BUILDING GAS CONVERSION

Mayor Uszenski stated that this is to have Demberg Brothers do the gas conversion at the municipal building for \$6,250.00.

Manager Kelly stated that all but \$850.00 of that will be paid by NYSE&G as a program to entice the village to convert to gas.

Trustee Besdesky moved to approve the municipal building gas conversion. Seconded by Trustee Garcia. All ayes. Motion carried.

HALLOWEEN-

Trustee Ozman moved to hold Halloween Trick or Treat on October 31, 1995 from 6:00 PM to 8:00 PM and to hold the parade on October 30, 1995. Seconded by Trustee McGuckin. All ayes. Motion carried.

GIRL SCOUT CABIN-

Mayor Uszenski stated that there is a proposal from Ray Cox to insulate the outside walls of the Girl Scout Cabin for \$1300.00, insulate the floor \$990.00 and insulation on the ceiling \$990.00. There are two different types of windows to chose from. All the windows would cost \$6570.00 and for windows with sash replacements \$7170.00 and if the village wanted to do the basement units another \$290.00. If the village is going to do any work on the cabin there should be a fire rated room for the boiler. Also an emergency exit light and signal should be done.

Manager Kelly stated that regardless of whether the windows are done the building should be insulated. The project could be done over a two year period if the board wants to. To do the windows and not the insulation would achieve the goal you're looking for.

Mayor Uszenski asked if there was money in the UDAG fund for this?

Manager Kelly advised him yes.

Trustee Ozman asked what the effect would be using the UDAG funds for

this?

Manager Kelly stated that right now they are not being used for anything. The money in there now is being used for the code enforcement officers salary. All commitments to the fund have been made.

Trustee Ozman asked for an approximation as to how much is in the account?

Manager Kelly stated that he will check with the treasurer.

Trustee Ozman stated that his ultimate question is whether or not it is going to impact on having a code enforcement officer in the village.

Manager Kelly stated no, the way the account is funded is an ongoing account funded by the repayments of the loans that are being made monthly. Four times a year the Thruway Market pays the village \$15,000 as required under the UDAG Grant Agreement. He certainly feels there is enough money to cover this work. The only item they were proposing to use any of that money for was for the Walden View sewer line replacement. The village is waiting for the final design and they originally budgeted \$15,000 to do a portion of that replacement and they want to do the entire replacement for \$30,000. UDAG money can only be used for capital improvements of which are a benefit to the community.

Trustee Ryan moved to insulate the Girl Scout Cabin immediately and forward the window proposals to the Women's Club and Girl Scout's and ask them which plan would be to their best interest and authorize the fire rated enclosure for the boiler, which can be a volunteer project and to authorize the village electrician do the lighting and signage. Seconded by Trustee Forman.

Trustee Ozman asked at what point was it decided that the old storm windows were not usable?

Trustee Garcia stated that they are the old wooden storm windows and you can't make them tight.

Manager Kelly stated that the last time he was there he saw metal storm windows.

Trustee Besdesky stated that he is concerned about volunteers installing the windows. If they are not done right they will leak around.

Manager Kelly stated that this will be done by Ray Cox.

All ayes. Motion carried.

Trustee Ryan stated that his motion was that if any of this could be

done by volunteers to have them do it, including the windows.

Manager Kelly stated that he asked the building inspector for a comparison. He doesn't have that tonight.

Trustee Ryan stated that you have very good tradesmen in the village

Trustee McGuckin asked if there was a purchase option only?

Manager Kelly stated that he would have to have the building inspector measure the windows and order them directly.

Trustee Ryan stated lets get the insulation done right a way.

Manager Kelly stated that he will do separate agreements with Ray Cox, one for the insulation and he will wait to come back to the board in two weeks to give better information on the numbers for window replacement and whether or not you can get the volunteers.

Trustee Besdesky stated that now you're talking six to eight weeks after that.

Trustee Garcia stated that he can get an answer in two or three days.

Trustee Ryan asked if the board felt confident in the manager to leave the decision in his hands?

The consensus of the board was yes.

Manager Kelly asked Trustee Garcia if he would be willing to coordinate the efforts?

Trustee Garcia stated yes. He will know by the end of the week if he has the volunteers.

Manager Kelly stated that if he doesn't have resolution by the end of the day on Friday he'll sign the agreement with Ray Cox.

Trustee Ryan amended his motion to include Trustee Garcia as liaison between the Women's Club, Girl Scouts and Village manager and that if he doesn't have an answer to the manager by the end of the day on Friday that the manager is authorized to sign the agreement with Ray Cox. Seconded by Trustee Forman.

All ayes. Motion carried.

REVISION OF UNLICENSED VEHICLE ORDINANCE

Mayor Uszenski stated that the building inspector and code enforcement officer would like the board to revise the village code regarding unlicensed vehicles, to allow for one unlicensed vehicle and its to be contained in a garage or an enclosed structure.

Manager Kelly stated that there is an interpretation problem where the village has attempted to take people to court in the past for having one or more unlicensed vehicles on their property and the explanation has been given to the judge that they are restoring the vehicle, or its an antique.

Trustee Ozman stated that his concern is it will create a proliferation of temporary structures for these vehicles. If that happens then those structures are going to be more unsightly then the vehicle itself.

Manager Kelly stated that there would have to be some kind of approval to construct it.

Trustee Ozman stated that the code says that the vehicle cannot be in a dismantled condition. A picture of a vehicle and testimony of the building inspector or code enforcement officer indicating the date, time and place that a vehicle was sited on private property in a dismantled condition is enough to sustain the villages burden and win that case. A vehicle that is not completely equipped should not pose a problem. He would like to talk to the building inspector and address the problem he has when he goes to court.

Manager Kelly stated that he will have the building inspector elaborate on the circumstances in which he's having trouble with the existing code. If the board would like he will invite him to the next meeting.

MUNICIPAL BUILDING

Manager Kelly stated that as of last Wednesday there is no longer an operational fire horn at the municipal building. Its uncertain as to why the horn stopped functioning. He spoke to Jim Ryan to let him know that there is a problem with the horn and we're not sure of how to proceed. The manager asked Mr. Ryan who was responsible for the fire alarm system in the building as far as the relay and he advised him that the village owns the alarm system. He suggested that the village would be happy to work with him, but we needed direction as to whether or not it could even be repaired or if it needed to be replaced. The manager has no word back. There was concern that if the system was disconnected it would interrupt fire service, that has not happened. He has no answer as to when or whether the horn will be fixed.

Trustee McGuckin asked if the horn is a civil defense necessity?

Manager Kelly stated that the protocol for civil defense has not been realized. He would think now with cable tv access you have a better opportunity for protocol then you will ever have with the horn. The fire district wanted to keep the horn because it does alert people when there is a problem. From a functional standpoint everything now is done over the plectron and the scanners, so they have instant access.

CORRESPONDENCE-

Mayor Uszenski stated that a letter was received from Linda Cook in reference to the gazebo in the Walden Community Park. In the villages defense the village had nothing to do with the organization of that day. The village didn't know the gazebo was going to be dedicated that day.

Manager Kelly stated that the village tried to find out exactly what they wanted to do and wasn't able to find out, otherwise the village would have made arrangements.

Mayor Uszenski stated that the village will be inviting J.R. Masztales and his family and the scout troop to the October 24th meeting.

Trustee Garcia asked if the gazebo was in the wrong area?

Manager Kelly stated that when this was first discussed they wanted to locate it right near the parking lot, which created a problem, not only with dust but with traffic. The other area that was discussed was the area right where the guard sits to take money to go into the beach, which would be in the middle of where the playground area was. The area that was selected ultimately was an area that was more tranquil, and not in the middle of the program areas and that was a very suitable location for a passive activity such as the gazebo. Once that area was selected there were no more concerns raised until this letter.

Mayor Uszenski stated that an invitation was received to the Chamber of Commerce dinner on Wednesday, October 11, 1995 at Lake Osiris. He asked if any of the board members would like to attend. The mayor will attend.

PUBLIC PORTION

Mayor Uszenski stated that public portion is meant for village residents to comment to the board in a positive manner. After last meetings public portion some of the board members were not happy with the way some of the questions or statements were addressed to the board. The board is here for comments and criticisms, but he feels they should be done in the right way. Derogatory comments or remarks don't have to be tolerated by the board. If that continues he will close public portion at that point. He doesn't want to infringe on anyones rights, but he asks that it be done in the proper manner.

Bob Lamancuso asked what kind of windows the village plans on purchasing for the Girl Scout Cabin?

Manager Kelly stated that plan one is solid vinyl replacement windows, dark brown, welded frame and full screens. The second one was better energy tilt system sash replacement kits, aluminum clad exterior, royal brown.

Mr. Lamancuso stated that the village could save money if they bought the mechanical cladded windows. They last just as long because the weather doesn't get to them. He asked if anyone has sat down and looked over what the cost factor for a vinyl cladded window verses a mechanical window.

Manager Kelly stated that the only problem he has with that is the quality of the window.

Mr. Lamancuso stated that the quality of the window is the same.

Manager Kelly stated that the village has had an instance in the rehab program where the requirements called for welded frame windows, which is in the county spec and the contractor installed mechanical windows and they proceeded not to work very well in a short period of time.

Mr. Lamancuso stated that there seems to be a problem with finances and Mr. Kelly stated that there are monies in the UDAG account, which the Thruway Market drops \$60,000 a year into. There are other monies from other sources?

Manager Kelly stated that the loan repayments are part of the IDA fund. The Community Development fund they split. The primary funding source for that account is the UDAG loan repayments from the Thruway.

Mr. Lamancuso stated that it was stated that there are no applications for loans recently, so there should be some kind of build up of the funds?

Manager Kelly stated yes.

Mr. Lamancuso stated that other than the \$15,000 going out to the code enforcer.

Manager Kelly stated that it is \$20,000 with benefits.

Mr. Lamancuso stated that there is \$40,000 still sitting there, but no one is taking money out of that account. If some of these monies can be used for a capital project in the village such as the park building or whatever in the park, why is it so difficult to come up with \$7,000?

Manager Kelly stated that not only was the money used for loans it was used to fund \$40,000 for the health care coalition, it was used for other various projects including master plan studies, so that when you ask for an accounting the treasurer goes back through the account and lists what current liabilities are for the fund. That hasn't been done recently.

Mr. Lamancuso stated that if no one is applying for the loans why don't we take the money or the \$7,000 and use it to rehab an asset of the village. He volunteered to do the sheetrock.

Larry Sager, 78 Orchard Street stated that in reference to the comment the Mayor had to make, maybe the public doesn't like how they get treated either. We pay your ___ ___ salaries.

Mayor Uszenski closed the public portion.

REPORTS - COMMITTEE

Trustee Garcia stated that in regard to cars, he was under the impression that when someone had an apartment they had to provide for parking. There are six or seven cars in the driveway on Walnut Street and tenants in the back have two cars and they park them on the street.

Mayor Uszenski stated that they are all licensed.

Trustee Garcia asked if the plates have been checked?

Manager Kelly stated that he will ask if they ran the plates. The building inspector checked into that. With existing housing there is no requirement to go back and update the parking facilities on a property.

Trustee Forman asked if the date has been set when the Hill Street bridge will be started?

Manager Kelly stated that he hasn't heard anything. He did ask for seven day notice.

Trustee Forman asked about the Wooster Building?

Manager Kelly stated that they are very close to having the plans finalized for submission for their land use approvals, which is a necessary requirement prior to applying for any of the federal programs. As soon as he has anymore information he'll bring it to the board.

Trustee Forman stated that he is concerned with the roof going through another winter.

Trustee Ryan stated that there is a off premise sign for the new deli on Cherry Street.

Trustee Ryan asked that rental regulations be put on the agenda for the next meeting as a discussion.

Trustee Ryan stated that since the last meeting he asked the village clerk to research the minutes for any discussion on slate sidewalks. There is no mention in the minutes that the slate could be made as a gift to anyone outside the Village of Walden. It states village residents. He would like the village manager to look further into this to find out how it they the village.

Manager Kelly stated that according to Walt Sweed permission had been given to Mr. Phelps to take the slate, not only from the DPW yard, but while it was being removed from streets. He will have the clerk search further.

Trustee Ryan stated that there was a policy when concerns were brought up here at the board they would be enumerated and the department heads would respond. He hasn't seen that happening recently.

Manager Kelly stated that probably because the past couple meetings there wasn't much to be referred. He will start that again.

Trustee Ryan stated that it was never discussed on how to approach the people on Orchard Street about the sidewalk.

Manager Kelly stated that he will be mailing out a survey.

Trustee Ozman asked if there is a mechanism by which the board can hear anyone else from the public tonight?

Mayor Uszenski stated not tonight. He received flack from some of the trustees about the abuse the trustees have been taking in the past from some of the public. If we can get this straightened out then we can continue in the proper manner. When someone uses improper language in a meeting he's not going to take anymore.

Trustee McGuckin asked about the situation on the west side of town?

Manager Kelly stated that the building inspector wrote a letter and said he copied Trustee McGuckin. He will check on that.

Trustee McGuckin asked about the sidewalk problem on Oak Street?

Manager Kelly stated that he checked it and he asked that blacktop be put in there. He asked the superintendent if there is any way of grinding down the concrete. It's a shame to match it with asphalt.

REPORTS - MAYOR-

Mayor Uszenski stated that the stop sign on East Main Street and Walden Estates Road has been twisted.

Mayor Uszenski stated that in regard to public portion when somebody is out of order they will not be recognized at the next meeting or the meeting thereafter, if their hand is up, due to the improper proceedings at this meeting.

ADJOURNMENT

Trustee Ozman moved to adjourn. Seconded by Trustee Forman. All ayes. Motion carried.

Respectfully submitted,



Nancy Mitchell
Village Clerk

RESOLUTION NO. 8-95-96

REQUEST FOR REAL PROPERTY TAX EXEMPTION OF THE
VILLAGE OWNED PROPERTY DEVOTED TO WATER SUPPLY FACILITIES

WHEREAS, the Village of Walden is the owner of real property in the Town of Montgomery, County of Orange, identified on the tax map as follows:

SECTION	BLOCK	LOT
10	1	4.21
2	1	24.1

AND, WHEREAS, the above real property is devoted solely to public use and is part of the village owned water system as the sites for water wells, necessary connections and appurtenances, and

WHEREAS, the Real Property Tax Law, Section 406 (3), provides the authority for each taxing district in which municipally owned property used in such manner is located to grant a whole exemption from real property taxes levied by that taxing district, and

WHEREAS, such exemption for the Village of Walden water supply site real property would provide a direct and immediate benefit for the taxpayers and water users of the Village of Walden which would enhance real property ownership, encourage industrial and commercial development, and exemplify a spirit of inter municipal cooperation between the County of Orange and this Village.

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Walden on behalf of the Village of Walden, its taxpayers, water users and citizens hereby petition the County of Orange to grant a whole exemption from Orange County real property taxes commencing for calendar year 1997 for the parcels of real property identified as follows in the Town of Montgomery:

SECTION	BLOCK	LOT
10	1	4.21
2	1	24.1

AND IT IS FURTHER RESOLVED that a copy of this resolution and application be forwarded to each of the following to request their attention to this petition, processing of the same and affirmative action:

Hon. Roberta K. Murphy, Chairwoman, Orange County Legislature
Hon. David L. Russell, Chairman, Finance Commissioner
Hon. Ernest Green, Majority Leader
Hon. Richard Baum, Minority Leader
Hon. L. Stephen Brescia, County Legislator

AND IT IS FURTHER RESOLVED, that the Mayor and Village Attorney are authorized to attend such meetings for the Orange County Legislature and Committees thereof as may be appropriate to aid and assist in the deliberations on this petition by that body.

Motion to adopt by Trustee Ryan and seconded by
Trustee McBuckin The vote was 7 ayes to 0 nays with
0 abstentions. The Mayor declared the resolution adopted on October
10, 1995

**VILLAGE OF WALDEN
RESOLUTION**

RESOLUTION NO. 9-95-96

WHEREAS, the General Municipal Law was Amended in 1982 to increase the interest on Judgments or accrued claims against municipal corporations from 3% to 9%, and

WHEREAS, the aforesaid interest rate far exceeds the interest rates payable by banking and financial institutions in recent years, and

WHEREAS, said interest rate has discouraged claimants from seeking to promptly resolve outstanding claims against Towns, Cities or Villages and has resulted in an extreme hardship to municipal corporations,

NOW, THEREFORE, BE IT RESOLVED, that the Village of Walden Board of Trustees urges the New York State Legislature and the Governor to take immediate steps to amend Section 3-a of the General Municipal Law to change the interest rate for Judgments or accrued Claims to be paid by municipal corporations from 9% to 3% per annum, to reflect current economic conditions in the State of New York and to eliminate the added financial hardship that this requirement has created for our communities.

Motion to adopt by Trustee Forman and seconded by Trustee McGuckin.

The Mayor declared the resolution adopted after a vote of seven (7) ayes to zero (0) naves.

OCTOBER BILL LIST - OCTOBER 10,1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-459	AMTHOR'S WELDING	109.97
A-460	ANACONDA-KAYE SPORTS,INC.	228.33
A-461	CITY PUBLISHING	95.37
A-462	DAN THE TREE MAN	2,559.00
A-463	E.A.MORSE & CO.	79.56
A-464	ENCORE, INC.	300.00
A-465	GALLAGHER TRUCK CENTER	5.40
A-466	GENERAL CODE PUBLISHERS	207.74
A-467	GROSSO MATERIALS, INC.	727.23
A-468	J.E. SAWYER & CO., INC.	87.50
A-469	JOHN QUALITY CLOTHIER	45.50
A-470	LYNN PEAVEY CO.	52.25
A-471	MAYBROOK MATERIALS INC.	481.86
A-472	MID HUDSON OFFICE SUPPLY	75.33
A-473	NEWBURGH STEEL PRODUCTS	98.16
A-474	NYCOMCO	125.00
A-475	OR CO.SANITARY LANDFILL	546.65
A-476	PAGE NEW YORK	57.00
A-477	QUARTERMASTER	101.65
A-478	QUILL	23.00
A-479	SIRCHIE FINGER PRINT LAB	39.75
A-480	SLATER'S POWER EQUIPMENT	34.00
A-481	THRUWAY SHOPPING CENTER	56.88
A-482	THRUWAY SHOPPING CENTER	21.19
A-483	THRUWAY SHOPPING CENTER	25.98
A-484	THRUWAY SHOPPING CENTER	20.43
A-485	THRUWAY SHOPPING CENTER	104.05
A-486	THRUWAY SPORTING GOODS	8.97
A-487	TIMES HERALD RECORD	49.95
A-488	WALDEN ANIMAL DELI	46.91
A-489	WALDEN AUTO SUPPLY	75.56
A-490	WALDEN AUTO SUPPLY	47.89
A-491	WALDEN AUTO SUPPLY	31.19
A-492	WALDEN AUTO SUPPLY	14.57
A-493	WALDEN AUTO SUPPLY	31.68
A-494	NYCAL INDUSTRIES	50.91
A-495	NYCAL INDUSTRIES	59.66
A-496	CHAMBER FORD TRACTOR SALES	86.00
A-497	GORDON SILBER, P.C.	441.30
A-498	PINE BUSH EQUIPMENT	2,500.00
A-499	PINE BUSH EQUIPMENT	1,057.00
A-500	PINE BUSH EQUIPMENT	225.00
A-501	PINE BUSH EQUIPMENT	20.09
A-502	CHAMBERS FORD TRACTOR SALES	14.40
A-503	TRIAD PRODUCTS, INC.	31.72
A-504	CHERRY TIRE SERVICE, INC.	230.06
A-505	CANALE ELECTRIC	15,295.00
A-506	DEMBERG BROTHERS, INC.	8,100.00
A-507	RBI CONSTRUCTION CORP.	16,150.00
A-508	VINCENT TOOMEY	212.50
A-509	JOHN T REARDON AGENCY	1,203.96
A-510	DELONG	6.00

TOTAL GENERAL FUND

52,299.10

OCTOBER BILL LIST -OCTOBER 10,1995

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
F-45	CAIN CONTROL SYSTEMS	509.90 ✓
F-46	J.E.SAWER & CO., INC.	87.50 ✓
F-47	McBEE SYSTEM	214.43 ✓
F-48	NEWBURGH WIN WATER	164.00 ✓
F-49	NEWBURGH WIN WATER	641.40 ✓
F-50	ORANGE COUNTY LAB	415.00 ✓
F-51	ORANGE COUNTY LAB	170.00 ✓
F-52	SCHMIDT'S WHOLESALE	570.12 ✓
F-53	PAGE NY	15.00
	<u>TOTAL WATER FUND</u>	<u>2,787.35</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
G-55	ALLIED UNIVERSAL CORP.	356.00 ✓
G-56	NEWBURGH WINWATER	9.50 ✓
G-57	McBEE SYSTEM	214.42 ✓
G-58	SLATER'S POWER EQUIPMENT, INC.	14.95 ✓
G-59	STRANCO, INC.	94.83 ✓
	<u>TOTAL SEWER FUND</u>	<u>689.70</u>

OCTOBER BILL LIST - OCTOBER 10, 1995

CAPITAL ACCOUNTS

CAPITAL ACCOUNT #37	COUNTRY READI MIX CORP. ROAD PROGRAM	929.50
CAPITAL ACCOUNT #37	COUNTRY READI MIX CORP. ROAD PROGRAM	822.25
CAPITAL ACCOUNT #37	COUNTRY READI MIX CORP. ROAD PROGRAM	1,358.50
CAPITAL ACCOUNT #37	FEDERAL BLOCK ROAD PROGRAM	300.00
CAPITAL ACCOUNT #53	EXPANDED SUPPLY PRODUCTS, INC. SIGNS & SIDEWALKS	94.49
COMMUNITY DEVELOPMENT 92	SAFE ELECTRICAL FUEL PAYMENT	1,400.00
SMALL CITIES 92	R W MECHANICAL 60 OAK STREET	14,532.75
COMMUNITY DEVELOPMENT	HODAG	652.00
COMMUNITY DEVELOPMENT SMALL CITIES 92	DAVID NANOUM CONSTRUCTION	9,975.00
SMALL CITIES 94	R.W.MECHANICAL, INC. 26 CLINTON ST	5,970.00
SMALL CITIES 93	GOODSPEEDY CONSTRUCTION 9 WAIT ST	9,524.00
COMMUNITY DEVELOPMENT 93 SMALL CITIES	STRIDER CONSTRUCTION 74 WAIT ST	2,050.00

NOTICE OF MEETING

PLEASE TAKE NOTICE that the Village of Walden Board of Trustees will hold a regular meeting on Tuesday, September 26th, 1995 at 7:30 P.M. at the Village Offices, 8 Scofield Street, Walden, New York.

AGENDA

1. PLEDGE/ROLL CALL
2. APPROVAL OF MINUTES
3. BOARD'S BUSINESS
 - A. ACTION ITEMS
 - A.1 Hill Street Bridge Replacement and Road Closing
 - A.2 Wooster's Grove Access Drive and Parking Area
 - A.3 Resolution No. 6-95-96 Surplus Equipment
 - A.4 Payment of Audited Bills For September 26th, 1995
 - B. DISCUSSION ITEMS
 - B.1 Adult Recreation Program
 - B.2 Slate Sidewalk Replacement
 - C. INFORMATIONAL ITEMS
 - D. CORRESPONDENCE
 - D.1 Request For Review of Sewer Repair Responsibility
 - D.2 Letter RE: State Mandated Interest Penalty For Municipalities
4. PUBLIC PORTION
5. COMMUNICATIONS
6. REPORTS
7. EXECUTIVE SESSION
8. ADJOURNMENT

APPROVED

VILLAGE OF WALDEN
BOARD OF TRUSTEES MEETING
SEPTEMBER 26, 1995

Mayor Andrew Uszenski called the regular meeting of the Village of Walden Board of Trustees to order at 7:30 P.M.

On roll call the following were:

Present: Mayor Andrew Uszenski
Trustees Raynard Ozman
Chris Forman
John Ryan
Antonio Garcia
Martin Besdesky

Absent: Trustee John McGuckin

Also Present: John Kelly, Village Manager
Kevin Dowd, Village Attorney

Recording Secretary: Nancy Mitchell, Village Clerk

APPROVAL OF MINUTES

Trustee Ryan moved to adopt the minutes of September 12, 1995. Seconded by Trustee Besdesky. All ayes. Motion carried.

HILL STREET BRIDGE REPLACEMENT AND ROAD CLOSING

Mayor Uszenski stated that the Town of Montgomery has awarded the contract to replace the Hill Street bridge adjacent to NELCO for \$106,000 and Mr. Helstrom is asking for authorization to close Hill Street from Union Street to Elm Street, with seven day prior notice.

Trustee Ozman moved to approve the closing of Hill Street from Union Street to Elm Street upon seven days prior notice to facilitate the removal of the old bridge. Seconded by Trustee Forman. All ayes. Motion carried

WOOSTER'S GROVE ACCESS DRIVE AND PARKING AREA

Mayor Uszenski stated that the engineer has supplied the village with a project cost. Phase I will cost approximately \$20,000. The engineers are suggesting this be done this year. The second phase would be \$11,000. The total cost of the project would be \$31,000.

Trustee Ozman asked if the village would do the roadway if they knew

they wouldn't be going forward with the building?

Manager Kelly stated that it has been a long standing request of the recreation coordinator to do some permanent fix of that road regardless whether or not the new building is built this year or next year.

Trustee Ozman moved to adopt Resolution No. 7-95-96, Wooster's Grove Entrance Drive and Parking, SEQR Negative Declaration, Notice of Determination of Non-Significance, (attached). Seconded by Trustee Garcia. All ayes. Motion carried.

Trustee Ozman moved to go forward with Phase I of the Wooster's Grove access drive and parking area for an approximate cost of \$20,000. Seconded by Trustee Forman.

Trustee Ryan asked if there was any further discussion of his suggestion for the viaduct?

Manager Kelly stated that he doesn't have a report back from the engineer. He will coordinate a field visit.

All ayes. Motion carried.

RESOLUTION NO. 6-95-96 SURPLUS EQUIPMENT

Trustee Besdesky moved to adopt Resolution No. 6-95-96, Surplusing Equipment, (attached). Seconded by Trustee Garcia. All ayes. Motion carried.

AUDITED BILLS

Trustee Ozman moved to approve the audited bills of September 26, 1995.

Trustee Ryan asked that RBI Construction provide the village with their invoice of what their bonds cost and what their insurance cost is.

Seconded by Trustee Garcia. All ayes. Motion carried.

ADULT RECREATION PROGRAM

Mayor Uzenski stated that the recreation coordinator has a request that when the senior citizens go on their trips the village residents travel for free and the out of town residents pay \$10.00. This would bring everything into conformance with all the other recreation policies.

Trustee Ozman moved to reaffirm the recreation policy regarding non--resident participation in Village programs to also apply to the adult recreation program as well. Seconded by Trustee Forman. All ayes. Motion carried.

SLATE SIDEWALK REPLACEMENT

Mayor Uzenski stated that this is a follow up to the last meeting.

Manager Kelly stated that it is harder to lay slate. It is time consuming because you don't want to break it putting it down.

Mayor Uzenski stated that his suggestion is to pull the slate up and store it and go with concrete.

Trustee Ozman suggested the village advertise and ask people who have slate stored in their back yards or barns to return it and use it on Orchard Street next year.

Trustee Garcia stated that he would like to see the old back hoe painted.

Manager Kelly stated the he mentioned to the highway superintendent the comment that was made at the last meeting about the slate that was dumped over the bank, the concern that a lot of it was wasted. Mr. Sweed advised him that Mr. Sam Phelps was given almost all the slate the village had at the barn. He took it away with the permission of the board.

Trustee Ryan suggested doing one side of the street with slate sidewalks, the high side. He suggested this be suggested to the residents for their opinion.

It was the consensus of the board to canvass the residents.

REQUEST FOR REVIEW OF SEWER REPAIR RESPONSIBILITY

Mayor Uzenski stated that there is a request from Ernie Davis Jr. regarding the problem he had with his sewer lateral. The village insurance company denied the claim in the amount of \$986.70.

Manager Kelly stated that the insurance company requested copies of the village code dealing with our tree ordinance, sewer ordinance and the prior written notice provision of the code. Based upon all the information they received they felt the village had no legal obligation to pay that.

Trustee Garcia asked what has been past practice?

Manager Kelly stated that the village has a new insurance company. When a main has plugged and backed up into someones basement the insurance companies have always paid. In a situation similar to this the insurance company has paid for a lateral that clogged a year earlier and it clogged again. The manager did advise the insurance company that previous insurance companies have paid these. The only conflict here is that the tree ordinance says you can't plant any trees between the sidewalk and the street. The village is responsible for their maintenance. The question is whether or not the maintenance also

includes the tree roots that could possibly grow into a sewer lateral. The insurance company feels the fact that there are thousands of trees in the village that that is an unreasonable expectation for the village to assume that responsibility.

Trustee Garcia stated that he would like this looked into to see if this could be paid.

Trustee Ryan moved to authorize the manager write to the insurance company on Mr. Davis's behalf asking them to reconsider their position and copy Mr. Davis. Seconded by Trustee Besdesky. All ayes.

LETTER RE: STATE MANDATED INTEREST PENALTY FOR MUNICIPALITIES

Mayor Uszenski stated that a letter was received from Howard Mills in regard to the interest rate on judgments and settlements. The interest rate is up to 9% and he is asking the village to join them to recommend to the State of New York to put it back down to 3%.

It was the consensus of the board to have a resolution drawn up for the next meeting in regard to state mandated interest penalties for municipalities.

PUBLIC PORTION

Bob Lamancuso stated that there are trees in front of 25 Gladstone Avenue that have broken branches that need to be trimmed.

Mr. Lamancuso asked about the window replacements at the Girl Scout cabin?

Manager Kelly stated that there are storm windows in the basement. The village contacted a contractor about putting new windows in and they have to be a custom made window. The board hasn't authorized the purchase of them. At that point the focus was on what the obligations were for use of the cabin and if the village was turning the cabin back over to the Women's Club, whether the village was going to upgrade the windows prior to that happening. He will get a proposal for the next board meeting.

Larry Sager suggested the village see how much use the cabin gets in the winter time.

Trustee Garcia stated every day.

Mr. Sager stated that he would like to know if its feasible to get the new windows or feasible to close the cabin down for the winter.

Mr. Lamancuso suggested the village get the windows and then look for volunteers to put them in. He will be volunteer number one.

Mr. Sager asked how many of the trustees walked Orchard Street?

Mr. Sager stated that in regard to Mr. Davis's sewer the village paid for Mr. Meisel's sewer problem.

Manager Kelly stated that a year earlier the village paid for the sewer rodder and a year later when it clogged up again the insurance company paid.

Mr. Sager asked if the position in the office that Cathi McIntyre had was filled yet?

Manager Kelly stated that her position has been filled. The vacancy that was created with the promotion has not been filled. We will be canvassing and hiring a replacement.

Mr. Sager asked who runs the HUD Program? Does Mr. Barnes run it?

Mayor Uszenski stated that he runs the Small Cities Program.

Mr. Sager stated that when someone files a F.O.I.L. request and asks where money is shouldn't they be able to be told?

Manager Kelly stated that when you file a freedom of information request its to access records that exists, it does not require the village to generate the documents to answer questions.

Mr. Sager asked if specs were left out of a bid would you think that would be an important subject for someone to bid on a job?

Trustee Ryan asked if it was an incomplete document?

Mr. Sager stated yes and it took six weeks to get them.

Mr. Lamancuso asked if there is a cut off date for the Gladstone Avenue section for the HUD grant?

Manager Kelly stated that you can still apply for that area.

Dorothy Weisblatt asked when the Wooster's Grove project was going to be started?

Mayor Uszenski stated that the State of New York is doing the project and a start date hasn't been set.

Mrs. Weisblatt asked about the buildings next to Dr. Nabagiez's office, do they belong to someone?

Mayor Uszenski stated that they do belong to someone.

Mrs. Weisblatt stated that next door to those buildings is such an eye sore, can anything be done?

Mayor Uszenski stated that the building inspector has been in touch with the owner and he has done some things to clean it up.

REPORTS - COMMITTEE

Trustee Ryan asked about the Fowler Building, are they going to paint it?

Manager Kelly stated that he doesn't know if the building inspector has issued anything.

Trustee Ryan asked about the two properties on Ulster Avenue that received variances?

Manager Kelly stated that he informed the board at the last meeting that he doesn't know if the village could do the repairs and then charge the owner. He doesn't believe you can barricade that off. They would have to be brought to court.

REPORTS - MAYOR

Mayor Uszenski stated that Halloween night has to be designated.

ADJOURNMENT

Trustee Ozman moved to adjourn. Seconded by Trustee Forman. All ayes. Motion carried.

Respectfully submitted,



Nancy Mitchell
Village Clerk

SEPTEMBER BILL LIST - SEPTEMBER 26, 1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-394	A & A AMERICAN ALARM	36.00
A-395	AIR PRODUCTS & CHEMICALS, INC.	13.50
A-396	AMTHOR'S WELDING	265.25
A-397	ANACONDA -KAYE SPORTS, INC.	212.57
A-398	ANNESE & ASSOCIATES, INC	178.00
A-399	COUNTRY HARDWARE	391.73
A-400	COMMISSIONER OF FINANCE	34.00
A-401	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	3,166.66
A-402	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	406.40
A-403	ENVIRONMENTAL PAPER TOWEL SERVICE	110.40
A-404	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	621.33
A-405	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	1,664.50
A-406	GAINER-WILBUR CONSULTING ENGINEERS, P.C	363.60
A-407	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	36.15
A-408	GEO ELECTRONICS	150.00
A-409	HOLIDAY INN	116.00
A-410	HOLIDAY INN CONFERENCE	1,182.62
A-411	HOLMES JEFFRY	89.67
A-412	METROPOLITAN SALES CO.	125.57
A-413	MID HUDSON COMMUNICATIONS	126.12
A-414	MID HUDSON COMMUNICATIONS	167.50
A-415	MID HUDSON COMMUNICATIONS	45.00
A-416	MID HUDSON COMMUNICATIONS	172.25
A-417	MID HUDSON COMMUNICATIONS	95.00
A-418	MOHAWK METAL PRODUCTS	2,320.00
A-419	NY TECH SUPPLY	68.70
A-420	NYS DIVISION OF CRIMINAL JUSTICE SERVICES	175.00
A-421	NATIONAL FIRE PROTECTION ASSOCIATION	407.50
A-422	ORANGE COUNTY CLERK	6.50
A-423	PAGE NY	31.00
A-424	PINE BUSH EQUIPMENT	247.50
A-425	QUAKER STATE CORP.	404.25
A-426	QUILL	54.74
A-427	QUILL	96.65
A-428	SHARE CORP	105.13
A-429	SOHNS MUSIC SHOP & APPLIANCE	14.40
A-430	THRUWAY SHOPPING CENTER	199.28
A-431	TIMES HEALD RECORD	49.95

SEPTEMBER BILL LIST - SEPTEMBER 26, 1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-432	WALDEN AUTO SUPPLY	89.47
A-433	WALDEN AUTO SUPPLY	113.65
A-434	WALDEN AUTO SUPPLY	113.65
A-435	WALDEN AUTO SUPPLY	38.42
A-436	WALDEN AUTO SUPPLY	74.22
A-437	WALDEN AUTO SUPPLY	25.34
A-438	WALDEN AUTO SUPPLY	91.69
A-439	WALDEN AUTO SUPPLY	21.00
A-440	WALDEN AUTO SUPPLY	85.43
A-441	WALDEN AUTO SUPPLY	52.92
A-442	WALLKILL AUTO SALES	29.80
A-443	WALLKILL AUTO SALES	33.50
A-444	WICKES LUMBER	5.44
A-445	WEST POINT TOURS	440.00
A-446	QUILL	60.80
A-447	QUILL	132.80
A-448	QUILL	64.87
A-449	ALKIT PRO 1 CAMERA	598.35
A-450	WICKES	124.40
A-451	NEWBURGH GMC TRUCK CENTER	9.00
A-452	J-S SERVICENTER	26.00
A-453	KIMBA TRANSMISSIONS	1,450.00
A-454	AMTHOR'S WELDING	50.00
A-455	BARRY S.J.	42.50
A-456	JOHN'S LTD	16.50
A-457	RBI CONSTRUCTION CORP.	(16,150.00) NOT APPROVED
A-457	NYCOM	95.00
A-458	SWEED WALTER	262.41
A-459	ULSTER COUNTY FAIR	426.00
		34,673.58
		<u>18,523.58</u>

SEPTEMBER BILL LIST - SEPTEMBER 26,1995

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
F-41	A & A AMERICAN ALARM	28.00
F-42	COUNTRY HARDWARE	165.29
A-43	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	416.67
A-44	PAGE NY	11.00
		<u>620.96</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
G-49	AL TURI LANDFILL, INC.	2,041.02
G-50	COUNTRY HARDWARE	124.52
G-51	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	416.67
G-52	ENVIROTEST LABORATORIES	1,025.00
G-53	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	1,261.75
G-54	RAMSCO, INC.	130.00
		<u>4,998.96</u>

SEPTEMBER BILL LIST - SEPTEMBER 26, 1995

CAPITAL ACCOUNTS

CAPITAL ACCOUNT #37	WICKES LUMBER ROAD PROGRAMS	44.51 ✓
CAPITAL ACCOUNT #37	COUNTRY READI-MIX ROAD PROGRAMS	842.25 ✓
CAPITAL ACCOUNT #87	GAINER-WILBUR CONSULTING ENGINEERS, P.C. WATER SYSTEM	1,381.17 ✓
CAPITAL ACCOUNT #86	GAINER-WILBUR CONSULTING ENGINEERS, P.C. MUNICIPAL PARKING LOT	511.50
CAPITAL ACCOUNT #88	GAINER-WILBUR CONSULTING ENGINEERS, P.C. SEWER SYSTEM	315.00
CAPITAL ACCOUNT #88	GAINER-WILBUR CONSULTING ENGINEERS, P.C. SEWER SYSTEM	316.88
SMALL CITIES C D - 95	KERRON BARNES ASSOCIATES	3,366.25
SMALL CITIES CD-93	KERRON BARNES ASSOCIATES	1,067.50 ✓
SMALL CITIES CD-95	KERRON BARNES ASSOCIATES	785.00 ✓
CD-94 PROFESSIONAL SERVICES	KERRON BARNES	3,020.00 ✓
T & A INSPECTION SERVICES	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	146.00 ✓
CD-UDAG PROFESSIONAL SERVICES FOR AUGUST	KERRON BARNES ASSOCIATES	198.75 ✓

SEPTEMBER BILL LIST - SEPTEMBER 26,1995

PREPAID BILLS

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	FRONTIER COMMUNICATIONS	450.71
	FRONTIER COMMUNICATIONS	295.05
	FRONTIER COMMUNICATIONS	329.87
	FRONTIER COMMUNICATIONS	96.87
	NYSEG	187.79
	NYSEG	5,330.99
	OR CO.SANITARY LANDFILL	386.75
	POSTMASTER	600.00
	WAREX	602.00
	WAREX	536.91
	NYNEX	57.48
		<u>8,874.42</u>

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	FRONTIER COMMUNICATIONS	87.20
	FRONTIER COMMUNICATIONS	86.50
	NYSEG	390.47
	NYSEG	22.80
	CENTRAL HUDSON	429.79
		<u>1,016.76</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	FRONTIER COMMUNICATIONS	52.54
	FRONTIER COMMUNICATIONS	12.10
	NYSEG	251.55
		<u>316.19</u>

NOTICE OF MEETING

PLEASE TAKE NOTICE that the Village of Walden Board of Trustees will hold a regular meeting on Tuesday, September 12th, 1995 at 7:30 P.M. at the Village Offices, 8 Scofield Street, Walden, New York.

AGENDA

1. PLEDGE/ROLL CALL
2. APPROVAL OF MINUTES
3. BOARD'S BUSINESS
 - A. ACTION ITEMS
 - A.1 Authorization For Small Cities Rehab Project to Exceed \$10,000
 - A.2 Street Closure For Conrail Rail Crossing Repairs on Grant Street
 - A.3 Authorization to Attend Annual NYCOM Public Works School
 - A.4 Payment of Audited Bills For September 12th, 1995
 - B. DISCUSSION ITEMS
 - B.1 Proposed Amendment to Rehab Guidelines
 - C. INFORMATIONAL ITEMS
 - D. CORRESPONDENCE
 - D.1 Request For Waiver of Late Water and Sewer Charges
 - D.2 Request For Slate Sidewalks
 - D.3 Request For Proclamation For Joel Cook Day
 - D.4 Conference of Mayors Meeting on September 28, 1995
4. PUBLIC PORTION
5. COMMUNICATIONS
6. REPORTS
7. EXECUTIVE SESSION
8. ADJOURNMENT

APPROVED

VILLAGE OF WALDEN
BOARD OF TRUSTEES MEETING
SEPTEMBER 12, 1995

Mayor Andrew Uszenski called the regular meeting of the Village of Walden Board of Trustees to order at 7:30 P.M.

On roll call the following were:

Present: Mayor Andrew Uszenski
Trustees John McGuckin
Chris Forman
John Ryan
Antonio Garcia
Martin Besdesky

Absent: Trustee Raynard Ozman, later present

Also Present: John Kelly, Village Manager
Kevin Dowd, Village Attorney

Recording Secretary: Nancy Mitchell, Village Clerk

APPROVAL OF MINUTES

Trustee Forman moved to adopt the minutes of August 22, 1995. Seconded by Trustee Garcia. All ayes. Motion carried.

AUTHORIZATION FOR SMALL CITIES REHAB PROJECT TO EXCEED \$10,000

Trustee Besdesky moved to authorize the Small Cities Projects #93-13 and #92-117 to exceed \$10,000. Seconded by Trustee Forman. All ayes. Motion carried.

STREET CLOSURE FOR CONRAIL RAIL CROSSING REPAIRS ON GRANT STREET

Mayor Uszenski stated that Conrail is requesting the closing of Grant Street the week of September 24th for five days to do the repairs to the rail crossing.

Trustee Ozman moved to authorize the closing of Grant Street for Conrail rail crossing repairs. Seconded by Trustee Besdesky. All ayes. Motion carried.

AUTHORIZATION TO ATTEND NYCOM PUBLIC WORKS SCHOOL

Trustee Garcia moved to authorize Walt Sweed attend NYCOM Public Works School in Niagra Falls from October 16-19 at a cost of \$610.00. Seconded by Trustee McGuckin.

Trustee Ryan asked about the request from Mr. Sweed to allow his companion to accompany him in the village car.

Manager Kelly stated that he will check with the insurance company, but he doesn't believe it poses a problem.

All ayes. Motion carried.

AUDITED BILLS

Trustee Forman moved to pay the audited bills of September 12, 1995. Seconded by Trustee Ozman.

Trustee Ryan proposed that any of the charges that comes through for having the community service people work for the village be switched to the judicial end of the budget line.

Manager Kelly stated that the village does not distribute the cost of any of the benefits, including worker's compensation. He will supply the board with a tally at the end of the year.

All ayes. Motion carried.

PROPOSED AMENDMENT TO REHAB GUIDELINES

Mr. Barnes stated that what they are trying to do is find a way to eliminate a low ball bidder at the homeowners discretion.

Trustee Ozman moved to adopt the proposed amendment to the rehab guidelines into the villages own guidelines. Seconded by Trustee Forman. All ayes. Motion carried.

WOOSTER'S GROVE

Manager Kelly stated that in July he advised the board that the village was looking to make improvements to the entrance way at Wooster's Grove. As part of the project for the new youth center was to make improvements to the road. The plan would be to remove the existing materials from E. Main Street and take it down three inches and put four inches of good bank run gravel back in. The cost would be \$3,000 just for materials. The goal would be to have a five inch bituminous asphalt, three inches of binder and two inches of top. They could do the binder this year and the top next year. The entire area could be black topped including the parking spaces. The first year they would install two hundred feet of fencing. This work will be done in-house. The costs estimates are, to do the entrance from East Main Street into the cul-de-sac, using a bull dozer, they would then do test pits to measure the gravel, if okay they would add a four inch bank run subbase and they estimate 400 cubic yards at \$7.00 a ton at a cost of \$3,000. They would put 200 feet of railing on the Tinbrook side of the road at \$6.00 a foot at an estimate of \$1200. The paving would require 2,500 square yards, at a five inch depth, at \$28.50 a ton for a total of \$20,000. This could be done in two phases, the binder this year and the top course next year. We have currently \$16,000 in the park land account. We recently received another \$4,000 from the old Spencer subdivision.

Right now we have \$20,000. We can use UDAG money because this is a park land. The financing is there, the question is does the board want to go forward with the layout and improve the road. The ultimate goal would be to abandon the road on the right as you go into the grove, so you would not be able to drive all the way around the grove. The other thing they would look to do is to block that road and block it off beyond the cul-de-sac and put up post and chain for fire apparatus to get around. They would like to do this this fall.

Trustee Ozman asked if the manager was aware of the time table on the construction of the new building?

Manager Kelly stated that as of today John Howland was attempting to contact the person who is coordinating the project. We've not been able to get any commitment on dates.

Trustee Ozman stated that if that building goes forward you might want to wait until the building is up prior to doing the roadway.

Manager Kelly suggested just not doing the top course. The question is whether or not the state will go forward if there is no road at all. He's not certain why this is not going forward as promised. We have the commitment of Senator Larkin to have this go forward. The money is in the state budget. He doesn't know where it is in the time table for the Division for Youth.

Trustee Ryan asked if the plans were finalized?

Manager Kelly stated that the village has never seen plans.

Trustee Ozman stated that he will speak to John Howland and maybe they can put a call into the Division for Youth and see what the time table is.

Manager Kelly stated that Mr. Howland talked to the Division for Youth and the answer was to the effect that they had no knowledge of the project. He then was working through Larkin's office in Albany.

Trustee Ozman stated that if the manager supplies him with Mr. Larkin's letter he will contact the Division for Youth.

Trustee Ryan stated that if the village is going to put all this money into the roadway you wouldn't want to dig it up later if they are still considering putting the viaduct and dam system in.

Manager Kelly stated that the recommendation from the engineer if the village was to proceed in stages would be to do the binder course this year and the top course next year.

Trustee Ozman moved to go forward up to and including the binder for the Wooster's Grove roadway. Seconded by Trustee McGuckin.

Mr. Dowd stated that SEQRA determination has to be done.

This was tabled until the next meeting on September 26, 1995.

LIBRARY BOARD/VILLAGE BOARD MEETING

Mayor Uszenski stated that the joint meeting between the library board and village board is at 7:00 P.M. September 13, 1995 at the library.

REQUEST FOR WAIVER OF LATE WATER AND SEWER CHARGES

Mayor Uszenski stated that there is a request for a waiver for late water and sewer charges. In the past the board has not accepted this as an excuse for any form of missed payment.

Manager Kelly stated that the village code specifically states that failure to receive a notice does not constitute a waiver of the requirement. In this instance they actually sent the village a receipt for a canceled check which doesn't prove that the check was ever mailed or dated properly, but to spend fifteen dollars for a stopped payment doesn't sound like they would have done that just to circumvent six dollars. Its up to the village board to determine if the request has merit and to rule accordingly.

Trustee Ozman moved to grant the request for a waiver of late water and sewer charges based upon the incredible evidence presented to this board. Seconded by Trustee Forman.

Trustee Ryan stated that you are not sure how it was handled on their side, if it was given to a second party to be paid. The fear on their part is that it didn't get here because it got somewhere else, hence the reason to stop payment.

On roll call Trustees Ozman, Garcia, Forman and Besdesky voted yes. Trustees McGuckin, Ryan and Mayor Uszenski voted no. Motion carried.

REQUEST FOR SLATE SIDEWALKS

Mayor Uszenski stated that there is a request for the slate sidewalks on the remainder of Orchard Street. The manager is asking the board to take a look at the sidewalk.

Trustee Garcia stated when the sidewalk program was started that was the intent. He wanted all the slate piled and if the street had slate sidewalks we'd use them to replace the broken ones. That has never been done.

Manager Kelly stated that where all the big trees were all the slates were cut out and there are a number of missing slates and asphalt was put in to make the surface even. It would be a major project regardless whether you do slate or concrete.

Trustee Besdesky asked if there were any sidewalks to be done that the slate could be used on Orchard Street?

Manager Kelly stated that he is not aware of any right now, but he will look and come up with an inventory.

Trustee Besdesky stated that he would like to see the slate kept in this area. He

doesn't want to mix it or buy it, so he would like to borrow it from other streets.

Trustee Garcia stated that the slate sidewalks were nice in its day when you didn't have the weight. We have heavier vehicles.

Manager Kelly stated that he will put this on the agenda for the next meeting so the board will have time to look at the sidewalk.

REQUEST FOR PROCLAMATION FOR JOEL COOK DAY

Trustee McGuckin moved that the village prepare a proclamation for Joel Cook Day. Seconded by Trustee Garcia. All ayes. Motion carried.

CONFERENCE OF MAYORS MEETING ON SEPTEMBER 28, 1995

Mayor Uszenski stated that the meeting for the Conference of Mayors is September 28, 1995.

PUBLIC PORTION

Dorothy Weisblatt, 28 Gladstone Avenue stated that she would like to have Mrs. Wooster's deed read in public regarding Wooster's Grove. If she requires this to be a park and is it to be left in a natural state. If so she doesn't think the village can build on it.

Manager Kelly stated that he read the deed some time ago and it was dedicated to the village as park land. It could be used for park purposes, for recreation.

Mrs. Weisblatt asked if this was a definite thing?

Manager Kelly that this was applied for two years ago and funding just became available. That was the only place we had to put such a facility.

Mrs. Weisblatt asked about using the municipal building for this?

Mayor Uszenski stated that the municipal building is going to be renovated for library expansion, government use and police department.

Steve Reihl asked if this was to be a youth center?

Trustee Ryan stated that its coming from the Division for Youth. The money is being appropriated by the State of New York and the building is being built by the State of New York and it will be owned by the State of New York to be turned over to the village after a ten year period.

Mr. Reihl asked if the center will be policed better then what it is now?

Manager Kelly stated that every night the teen center is open there is a supervisor there and it is monitored and patrolled regularly.

Larry Sager, 78 Orchard Street asked, how long does the village expect sidewalks to last when they just set them on top of dirt?

Trustee Garcia stated that if down underneath isn't solid, it doesn't matter what you put on top, you're going to damage it.

Mr. Sager stated that the sidewalks on Orchard Street are cracking.

Mr. Lamancuso, 33 Gladstone Avenue asked if when the sidewalk crew does the sidewalks, do they compact the base, if not why?

Manager Kelly stated that he has seen them compact the base, but he doesn't see them every time they pour.

Doug Vantran, Westwood Drive stated that if the village is going to put in curbing this year they do the south side of Westwood Drive.

Mr. Vantran stated that you can't blame the sidewalk crew entirely. For three years since they've done Walnut Street he's watched people parking their cars on the brand new sidewalks during snow storms.

Larry Sager stated that he was at the planning board meeting and Mr. Kelly is the new secretary. What happened to the old secretary?

Mayor Uszenski stated that the village is doing it in house now.

Mr. Sager stated that back in July he asked the board to consider asking the planning board if they would like to do the minutes and pay them. Were they asked?

Mayor Uszenski stated no.

Mr. Sager stated that he feels it would be a common courtesy to ask them.

Mr. Sager asked if the village has received a letter from the health department regarding the circus?

Mr. Kelly stated yes.

Mr. Sager asked if it was a fact that they were very concerned about the well water?

Mr. Kelly stated that the letter was addressed to the applicants engineer and the planning board has a copy as well. The superintendent has supplied a letter to the planning board chairman with his concerns regarding the well. The request of the planning board during review of the project for the circus would be to implement the necessary safeguards to protect that well.

Mr. Sager stated that the Big Apple Circus is tax exempt, their people are not. He thinks the board owes it to the people to make a surcharge for the trailers going in there and the zoning board should make certain that the zoning for those lots are correct.

Doug Vantran stated that he has watched cars go in and out of the circus, they are not cheap automobiles. Somebody is making money in that circus. This is a non

profit organization. If he goes to the circus do they let him in for nothing. They want to come here for nothing.

Mr. Vantran further stated that in regard to the planning board secretary, if no one else was canvassed to be the secretary, someone in town that needed a job, he feels that is wrong.

Mr. Sager asked what money the village gets back from NYSE&G?

Manager Kelly stated that the village gets a utilities gross receipts tax.

Greg Raymondo, Orange Avenue stated that its been said what good neighbors the circus has been. Has the village asked the police department to patrol their trailer park?

Mayor Uszenski stated no.

Mr. Raymondo stated then we must be having a lot of trouble with their people, because the police car is there three or four times a day.

Mr. Raymondo stated that the circus has applied to the county IDA, can they use this money for housing?

Mr. Dowd stated that its meant to be for economic development in the community.

Trustee Ryan stated that he attended the Big Apple Circus open house. They expected between thirty and sixty people and they got twelve hundred. He thought it was an excellent opportunity for the public to get in to see the facility. The tour guide he had told him that most of the people in the troupe were ecstatic about having a permanent home here.

Trustee Ryan stated that the circus's non profit status is outside the villages realm. The state is the one who sets the guidelines for non profit status.

REPORTS-COMMITTEES

Trustee Ryan asked if a walk-through could be arranged at the municipal building on a weekly basis?

Manager Kelly stated that he will arrange for walk-throughs.

Trustee Ryan stated that on Ulster Avenue there were two rentals that asked for a zoning change and never complied.

Manager Kelly stated that he asked the building inspector to follow up on that.

Trustee Ryan asked if in the meantime could the driveways be barricaded so they are not used, have the DPW repair the sidewalks and send the bill to the property owners.

Manager Kelly stated that the village can fix the sidewalks, but he doesn't know if we can bill the property owner.

Trustee Ryan stated that two or three meetings ago he asked for the nuisance laws to be enforced. He still sees kids jaywalking.

Trustee Ryan asked that the police department supply the board with the results of enforcing the nuisance law.

Manager Kelly stated that he will ask the chief.

Trustee Ryan stated that he would like to see the workers compensation charges for the community service people come out of the judicial budget.

Trustee McGuckin asked if the manager had a discussion with the building inspector about the property on the west side, did he issue any kind of note to the other homeowner? If he has he would like to see a copy of the note.

EXECUTIVE SESSION

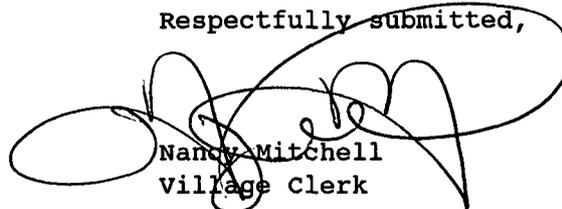
Trustee McGuckin moved to hold an Executive Session pursuant to 105-(d) of the Public Officers Law. Seconded by Trustee Ozman. All ayes. Motion carried.

Trustee Forman moved to reconvene the regular meeting. Seconded by Trustee Ozman. All ayes. Motion carried.

ADJOURNMENT

Trustee Garcia moved to adjourn. Seconded by Trustee Ryan. All ayes. Motion carried.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to be 'Nancy Mitchell', is written over the typed name and title.

Nancy Mitchell
Village Clerk

SEPTEMBER BILL LIST - SEPTEMBER 12, 1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-319	ACCESS	469.50
A-320	ADCO	72.00
A-321	ADCO	59.80
A-322	AL VALK'S GARAGE	84.95
A-323	AUTOMOTIVE BRAKE CO.	65.11
A-324	AUTOMOTIVE BRAKE CO.	306.96
A-325	BARTON CHEVY	37.20
A-326	BARTON CHEVY	148.92
A-327	BECKER BUSINESS SYSTEMS, INC.	65.57
A-328	BELL HERRING , INC	147.65
A-329	BERG CHRISTIAN ENTERPRISES	96.25
A-330	CAPITOL HIGHWAY	756.00
A-331	CHARLES MERRILL	49.90
A-332	COMMISSIONER OF FINANCE	34.00
A-333	DANIELS AGENCY, INC.	1,775.00
A-334	GALL'S, INC.	66.94
A-335	GODEFFROY CAR CO., INC.	2,700.00
A-336	HUNTER MOUNTAIN FESTIVALS	181.50
A-337	JOHN QUALITY CLOTHIER	62.00
A-338	K. C. CANARY	47.39
A-339	KENNETT SCHOOL OF GYMNASICA	263.00
A-340	MAYBROOK MATERIALS, INC.	977.03
A-341	NEWBURGH WINWATER	125.00
A-342	ORANGE COUNTY CLERK	3.75
A-343	OUTDOOR AFFAIR, INC.	200.00
A-344	PINE BUSH EQUIPMENT	53.95
A-345	PINE BUSH EQUIPMENT	425.00
A-346	PROTECTIVE APPAREL CORP. OF AMERICA	2,330.37
A-347	QUAKER STATE CORP.	622.05
A-348	QUILL CORP	228.73
A-349	QUILL CORP	67.89
A-350	QUILL CORP	138.64
A-351	QUINLAN PUBLISHING CO., INC.	83.81
A-352	SANWA LEASING CORR.	135.00
A-353	SLATER'S POWER	99.00
A-354	SLATER'S POWER	26.60
A-355	STANDARD COPY	1,208.37
A-356	STIEFEL RESEARCH INSTITUTE	10.50
A-357	THRUWAY MARKET	10.07
A-358	TIMES HERALD RECORD	23.04
A-359	TIMES HERALD RECORD	71.28
A-360	TIMES HERALD RECORD	8.64
A-361	VEN MAR SALES	99.56

A-

SEPTEMBER BILL LIST - SEPTEMBER 12, 1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-362	WALDEN AUTO SUPPLY	24.08
A-363	WALDEN AUTO SUPPLY	24.77
A-364	WALDEN AUTO SUPPLY	34.45
A-365	WALDEN AUTO SUPPLY	34.37
A-366	WALDEN AUTO SUPPLY	36.43
A-367	WALDEN AUTO SUPPLY	41.71
A-368	WALDEN AUTO SUPPLY	45.41
A-369	WALDEN LIQUIDATORS	30.00
A-370	WALDEN PLUMBING & HEATING	208.50
A-371	WICKES LUMBER	41.54
A-372	WILLIAMSON LAW CO.	123.48
A-373	GEORGE'S AUTO PARTS	28.43
A-374	NYCAL INDUSTRIES	35.38
A-375	SPECIAL EVENTS	118.90
A-376	BELL-HERRING, INC.	90.00
A-377	ADCO ELECTRIC	125.00
A-378	NYCOMCO	125.00
A-379	EXPANDED SUPPLY PRODUCTS	310.00
A-380	GROSSO MATERIALS	996.98
A-381	HOLMES, JEFFRY	28.19
A-382	PISANO BROS.	309.04
A-383	WOODARDS CONCRETE	460.00
A-384	WALDEN SENIOR CITIZENS	600.00
A-385	GALLS	296.88
A-386	GALLS	90.87
A-387	HOWLAND, JOHN	98.75
A-388	THRUWAY SPORTING GOODS	20.94
A-389	COUNTRY HARDWARE	462.10
A-390	NYS SOCIETY OF MUNICIPAL FINANCE OFFICE	65.00
A-391	KEY TRUST COMPANY	457.04
A-392	WILLIAMSON LAW BOOK	84.29
A-393	MID HUDSON OFFICE PRODUCTS	745.00

TOTAL GENERAL FUND

20,630.45

SEPTEMBER BILL LIST - SEPTEMBER 12,1995

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
F-36	JONES CHEMICALS	1,212.25
F-37	RAMSCO	80.00
F-38	RAMSCO	665.00
F-39	RAMSCO	2,160.00
F-40	COUNTRY HARDWARE	92.36
		<hr/>
	TOTAL WATER FUND	4,209.61

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
G-41	COUNTRY HARDWARE	58.00
G-42	ENVIROTEST LABORATORIES, INC.	1,965.00
G-43	IRA D. CONKLIN & SON	44.32
G-44	NYS ENVIRONMENTAL CONSERVATION	7,500.00
G-45	SCHMIDT'S WHOLESALE	99.06
G-46	ZEP	20.05
G-47	COUNTRY HARDWARE	57.28
G-48	PEAK POWER HOUSE	3,180.69
		<hr/>
	TOTAL SEWER FUND	12,924.40

SEPTEMBER BILL LIST - SEPTEMBER 12, 1995

CAPITAL ACCOUNTS

CAPITAL ACCOUNT 37	WICKES LUMBER ROAD PROGRAM	73.34
CAPITAL ACCOUNT 37	COUNTRY READI MIX ROAD PROGRAM	244.50
CAPITAL ACCOUNT 37	COUNTRY READI MIX ROAD PROGRAM	566.25
CAPITAL ACCOUNT 53	WICKES LUMBER SIGNS & SIDEWALKS	55.16
CAPITAL ACCOUNT 37	COUNTRY READI MIX ROAD PROGRAM	858.00
CAPITAL ACCOUNT 37	MAYBROOK MATERIALS	661.86
SMALL CITIES - 93	R.W.MECHANICAL, INC. 14 WALKER ST	6,420.00
COMMUNITY DEVELOPMENT -94-	KERRON BARNES	2,145.00
COMMUNITY DEVELOPMENT -93-	KERRON BARNES PROFESSIONAL SERVICES	1,190.00
COMMUNITY DEVELOPMENT =92-	KERRON BARNES	2,807.50
COMMUNITY DEVELOPMENT U D A G	KERRON BARNES PROFESSIONAL SERVICES	1,101.25
SMALL CITIES - 94	RAY COX	1,886.00
SMALL CITIES - 92	GOODSPEEDY	855.00
SMALL CITIES - 92	SAFT ELECTRICAL	2,700.00
SMALL CITIES - 92	MICHAEL STANCO	5,544.44
SMALL CITIES - 92	R.W. MECHANICAL	7,967.25
SMALL CITIES - 93	MASTER CARPENTER	2,775.00
SMALL CITIES - 93	STRIDER CONSTRUCTION	4,140.00

SEPTEMBER BILL LIST - SEPTEMBER 12, 1995

PREPAID BILLS

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	AT & T	23.68
	NYSEG	1,046.52
	NYSEG	404.45
	NYSEG	102.68
	NYNEX MOBILE	26.76
	WALDEN POLICE DEPT	19.60
	POSTMASTER	600.00
	ORANGE CO LANDFILL	386.75

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	CENTRAL HUDSON	347.44
	NYSEG	2,191.67

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	NYSEG	1.05
	NYSEG	2,613.68

NOTICE OF MEETING

PLEASE TAKE NOTICE that the Village of Walden Board of Trustees will hold a regular meeting on Tuesday, August 22nd, 1995 at 7:30 P.M. at the Village Offices, 8 Scofield Street, Walden, New York.

AGENDA

1. PLEDGE/ROLL CALL
2. APPROVAL OF MINUTES
3. BOARD'S BUSINESS
 - A. ACTION ITEMS
 - A.1 Authorization to Use Walden Firing Range
 - A.2 NYSEG Street Lighting Authorization
 - A.3 Surplus Property Conveyance to Fire District
 - A.4 Payment of Audited Bills For August 22nd, 1995
 - B. DISCUSSION ITEMS
 - C. INFORMATIONAL ITEMS
 - D. CORRESPONDENCE
4. PUBLIC PORTION
5. COMMUNICATIONS
6. REPORTS
7. EXECUTIVE SESSION
8. ADJOURNMENT

APPROVED

VILLAGE OF WALDEN
BOARD OF TRUSTEES MEETING
AUGUST 22, 1995

Mayor Andrew Uszenski called the regular meeting of the village of Walden Board of Trustees to order at 7:30 P.M.

On roll call the following were:

Present: Mayor Andrew Uszenski
 Trustees John Ryan
 Raynard Ozman
 Antonio Garcia
 Martin Besdesky
 Chris Forman

Absent: Trustee John McGuckin

Also Present: John Kelly, Village Manager
 Kevin Dowd, Village Attorney

Recording Secretary: Nancy Mitchell, Village Clerk

PRESENTATION

Mayor Uszenski presented the Walden Baptist Church with a plaque thanking them for the use of their basement for court.

APPROVAL OF MINUTES

Trustee Forman moved to adopt the minutes of August 8, 1995. Seconded by Trustee Ryan. On roll call Trustees Ryan, Forman, Garcia, Besdesky and Mayor Uszenski voted yes. Trustee Ozman abstained. Motion carried.

AUTHORIZATION TO USE WALDEN FIRING RANGE

Mayor Uszenski stated that Orange County BOCES is asking permission to use the police range. The police chief recommends this and the necessary insurance is in place.

Trustee Ozman moved to authorize Orange County BOCES to use the Walden Firing Range. Seconded by Trustee Besdesky. All ayes. Motion carried.

NYSEG STREET LIGHTING AUTHORIZATION

Trustee Besdesky moved to authorize a credit from NYSEG for work that was already done. Seconded by Trustee Garcia. All ayes. Motion carried.

SURPLUS PROPERTY CONVEYANCE TO FIRE DISTRICT

Trustee Forman moved to declare the board lead agency under SEQRA and to declare a negative declaration regarding the conveyance of the fire stations on the west side. Seconded by Trustee Garcia. All ayes. Motion carried.

Trustee Besdesky moved to adopt Resolution No. 5-95-96, Conveying the Fire Stations on the West Side of the Village to the Fire District, (attached). Seconded by Trustee Forman. All ayes. Motion carried.

AUDITED BILLS

Trustee Ozman moved to pay the audited bills of August 22, 1995. Seconded by Trustee Forman. All ayes. Motion carried.

SMALL CITIES EXCEEDING \$10,000

Trustee Ryan moved to approve the Small Cities Profile No. 94-44 to exceed \$10,000. Seconded by Trustee Garcia. All ayes. Motion carried.

INFORMATIONAL ITEMS

Manager Kelly stated that he received a call from Sam Liebman who advised him that the general contractor had submitted a revised construction schedule following a meeting that Mr. Liebman and the general contractor had on Friday. The next step is once the owner approves the schedule it is then circulated to the other three prime contractors who in turn must submit a schedule based on the general contractors work schedule and then the notices to proceed will be issued. The work is tentatively scheduled to begin the end of this month or early September.

Trustee Ryan asked if there has been any more information from Conrail?

Manager Kelly stated that he is still waiting for a response.

CORRESPONDENCE

Mayor Uszenski stated that a letter was received from Kerron Barnes Associates expressing his thanks for the selection of his firm to do the 1995 Small Cities Project.

Mayor Uszenski read the attached letter which was received from Mrs.

BOARD OF TRUSTEES MEETING
AUGUST 22, 1995-Page 3

Johannes regarding the condition of the municipal square after Walden Day.

Mayor Uszenski further stated that a memo was received from the manager in response to Mrs. Johannes's letter. The memo stated that the littered condition of the square was not the fault of the Department of Public Works, but rather was caused by vandalism and mischief which occurred sometime during the early morning hours on Sunday, August 20th. In regard to the flowers that were destroyed, the Walden Day Committee will be replacing them. The Mayor felt the Department of Public Works people did a good job cleaning up. He feels a letter of appreciation should go out to the men of the Department of Public Works, Police Department and Dean Stickles.

Mayor Uszenski advised the board that there will be one more Walden Day meeting next month. One of the ideas for next year is to change Walden Day from August to late September early October.

PUBLIC PORTION

Bob Lamancuso, 33 Gladstone Avenue stated that setting the curb back at the top of Scofield Street worked out very well.

Larry Sager, 78 Orchard Street asked about the storm drain on Orchard Street by the school?

Manager Kelly stated that he did speak to Mr. Sweed about that. It is on his list. He doesn't know if he's committed to doing it, because there is a question as to if the drainage is required to be there.

Mr. Sager asked if it would have been hard to put horses around the monument during Walden Day?

Mayor Uszenski stated that he feels the kids would have climbed over them. Next year they might try that.

Mr. Sager stated that he called the manager and specifically asked about Walden Day, because he ran into the same problem last year. He's not doing it again for this village. He feels it was done out of ignorance for him and that is why nothing was done to protect the flowers.

Trustee Besdesky stated that it wasn't that way at all.

Mr. Sager stated that he never even asked the village for a drop of water for the flowers. He walked the water from his house and did it.

REPORTS - COMMITTEE-

Trustee Forman stated that the block dance for Walden Day went very well.

BOARD OF TRUSTEES MEETING
AUGUST 22, 1995-Page 4

Trustee Ryan asked if the trustees got a chance to review the two businesses for businesses of distinction?

Trustee Ryan suggested that Spence Engineering and Millspaugh Furniture be nominated for businesses of distinction.

Mayor Uszenski stated that the board will be presenting the two businesses with plaques at the September board meeting.

Trustee Ryan asked about the burnt out buildings at 50 Pleasant Avenue and Capron Street?

Manager Kelly stated that they have a building permit for the house on Capron Street. He doesn't know the status of the time frame. As far as 50 Pleasant Avenue the village hasn't had any further communications from Mr. Wagner. The manager asked the attorney to prepare an opinion for this board as a follow up to the request that the village execute an administrative search warrant. There is some sense as to whether or not the village has proper grounds to request such a warrant. The case here is much different than Mr. Rose's case where there was a visible deterioration from the outside which was verified by field inspection and the search warrant was requested to confirm what was known at the time. In the case of 50 Pleasant Avenue we do not have the same confirmation of either the conditions in the garage that anyone can attest to or the condition of the structure, other than the building inspector who did not find anything wrong.

Mr. Dowd stated that he is a little concerned from a legal standpoint of the basis that the village will be going in on a search warrant. He will be getting a legal opinion to the board as to the legal sufficiency of that warrant and his hesitation in trying to process this. He hasn't completed the review and he's looking at it from every conceivable angle. There is clearly a requirement of affidavits in getting a search warrant and they've always had the ability because they've had a building inspector who has inspected the premises and if he thought there was an imminent danger or at least a question in his mind as to whether something was safe or not and that is why they got the search warrant to get the engineer in and do the physical and structural inspection. We don't have that in this particular matter. There is a gap as to what the knowledge is of this structure. Without probable cause the judge can't sign the warrant. He will have a report back to the board by the next meeting.

Trustee Ozman requested that the village pinpoint a species of tree that is as least intrusive as possible into the community that requires the least amount of maintenance and replace trees throughout the village in areas where there were trees in the past.

Manager Kelly stated that the board did adopt a policy not to plant trees within the public right of way along streets. The village code prohibits the planting of trees within the right of way, but encourages an agreement between private property owners and the village. The

village would buy the tree, plant it on private property, and the owner would then be responsible for care and maintenance.

Trustee Ozman suggested that the village recognize Carl Monte for the work he has done for the village.

Trustee Besdesky suggested that mums be planted to replace the damaged flowers around the monument.

Trustee Besdesky asked about the Walden Liquidators building, when are they going to repaint the building?

Manager Kelly stated that the owner posted a cash bond to insure that the site plan items that were deemed required would be done. As he does each one of those he's entitled to a portion of his money back.

Trustee Besdesky asked what was happening with the Walnut House?

Manager Kelly stated that the owner has renewed his building permits. He is working with an architect on several different plans.

Trustee Besdesky asked about the Smitty's Produce building?

Manager Kelly stated that he has no update. Last he heard they were in the process of foreclosure.

Trustee Besdesky suggested that that monument in the Municipal Square be given to the Town of Montgomery and do some beautification and parking arrangements, so maybe we can get some more parking spaces out front.

Manager Kelly stated that diagonal parking was looked into and Slayton did a layout and they found that the intersection could not accommodate diagonal parking. He doesn't know if it would change with the monument out. The problem in with the school buses and the size of the vehicles using the square.

Trustee Garcia stated that he doesn't want to see that monument moved.

REPORTS - MAYOR

Mayor Uszenski stated that on the East Main Street foot bridge there is a board sticking up and someone might get hurt.

Mayor Uszenski suggested that from Memorial Day until Labor Day, once a month the recreation department consider holding teen dances. The Walden Day teen dance went over very well.

Mayor Uszenski stated that the sidewalk across Pine Street has to be cut out. Too many people are walking by that street with the cars going up and down.

BOARD OF TRUSTEES MEETING
AUGUST 22, 1995-Page 6

Manager Kelly stated that he asked Mr. Sweed to look at that.

Mayor Uszenski also stated that the American Legion will be holding a ceremony on September 24th renaming their building. The gazebo at Walden Community Park will be dedicated on that date too.

Mayor Uszenski stated that the sidewalk in front of Sassy's is very bad. If they don't fix the sidewalk and brick area he would like to revoke their sidewalk encroachment.

Mayor Uszenski stated that the village may have to move the McKinley monument.

Trustee Garcia stated that there has been some talk about the fire district moving the firemen's monument to their new location. Then the village could move the McKinley monument in that spot.

EXECUTIVE SESSION

Trustee Ozman moved to hold an Executive Session pursuant to 105-(f) of the Public Officers Law. Seconded by Trustee Besdesky. All ayes. Motion carried.

Trustee Garcia moved to reconvene the regular meeting. Seconded by Trustee Forman. All ayes. Motion carried.

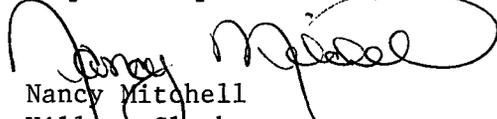
Trustee Forman moved to eliminate the position and use of an outside stenographer for the Planning and Zoning Board meetings and instead assign the duties of secretary to boards to the Village Manager effective immediately. As compensation for the additional duties, a stipend of \$3,000 will be paid to the Village Manager for the balance of 1995-96 fiscal year and said stipend will increase to \$4,000 per year commencing on June 1, 1996. Seconded by Trustee Besdesky. All ayes. Motion carried.

Trustee Besdesky moved to authorize the Mayor to execute the agreement with the Village Manager dated August 22, 1995, regarding the terms and conditions of his employment with the Village of Walden which provides for a two year contract and contains a provision covering the additional duties as Board Secretary and corresponding stipend. All other provision to remain unchanged from the March 9, 1992 agreement. Seconded by Trustee Forman. All ayes. Motion carried.

ADJOURNMENT

Trustee Ryan moved to adjourn. Seconded by Trustee Forman. All ayes. Meeting adjourned.

Respectfully submitted,


Nancy Mitchell
Village Clerk

R E S O L U T I O N

WHEREAS, the Village of Walden is the owner of two properties in the Village which were used to house firefighting apparatus previously owned by the Village Fire Department;

WHEREAS, said properties are now leased to the Walden Fire District for Firematic purposes;

WHEREAS, the Walden Fire District has expressed its interest in acquiring said properties from the Village;

WHEREAS, the Village has no foreseeable need for said properties and is willing to transfer title to said properties to the Walden Fire District;

WHEREAS, Section 72-h of the General Municipal Law permits the Village to transfer said properties to the Fire District with or without consideration.

NOW, THEREFORE, be it resolved by the Board of Trustees of the Village of Walden as follows:

1. That the properties designated on the Village tax map as Section 305, Block 8, Lot 5, and Section 306, Block 1, Lot 8 are no longer needed for Village purposes and are to be transferred to the Walden Fire District as set forth herein pursuant to General Municipal Law, Section 72-h.

2. That, upon receipt of a resolution of the Board of Fire Commissioners of the Walden Fire District accepting title to the aforesaid properties and the conditions set forth in this resolution, the attorney for the Village is hereby authorized to prepare the necessary documents to effectuate such transfer of

title and the Mayor is hereby authorized to execute such documents on behalf of the Village.

3. That the transfer of title shall be for nominal consideration.

4. That the Walden Fire District shall incur all expenses in relation to the transfer, including survey, title insurance and recording fees.

5. That the deed shall contain a reverter clause to the effect that if the Fire District fails to use the properties for Firematic purposes then right, title and interest shall vest back to the Village of Walden.

Upon motion by Trustee Besdesky, seconded by Trustee Forman, the Resolution was adopted as follows:

Mayor Andrew Uszenski

Aye

Nay

Trustee Ray Ozman

Aye

Nay

Trustee John Ryan

Aye

Nay

Trustee Chris Forman

Aye

Nay

Trustee Tony Garcia

Aye

Nay

Trustee Martin Besdesky

Aye

Nay

Dated: August 22, 1995

KTD/115753

8/20/95

(Please read this letter at your board meeting
I will ask someone I know if it was read.)

Manager Kelly, Mayor Uszenki,

After a beautiful day like Walden Day, you should be ashamed to allow this square to look the way it does! So go to church this morning, seeing this mess disgusts me and many others I spoke to at church. The DPW crew was at the block dance on Saturday night standing around their truck. Is this what they were paid to do? They could have swept the area Saturday night or Sunday morning.

I am also very disappointed to see that you did nothing at all to keep people off the monument circle. A little snow fencing or horses would have done the job. I am sure that man and woman I have seen planting, watering and weeding those flowers many evenings are infuriated to see all their hard work go down the drain in one day! I'm sure you didn't think about it, it wasn't your sweat

making sure it was a pleasant sight for anyone driving by.

I think it's time you show a little pride in this Village and appreciate what people do to give community a better appearance.

Concerned 45 year resident
Mrs. Johannes

AUGUST BILL LIST - AUGUST 22, 1995GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-252	AL VALK'S GARAGE	168.95
A-253	AL VALK'S GARAGE	94.00
A-254	AMTHOR'S WELDING	4,120.00
A-255	ANACONDA -KAYE SPORTS, INC.	90.01
A-256	ANACONDA -KAYE SPORTS, INC.	24.47
A-257	ANNESE & ASSOCIATES, INC.	178.00
A-258	AIR PRODUCTS & CHEMICALS, INC.	13.50
A-259	ARKEL MOTORS, INC.	26.50
A-260	BARTON CHEVY	24.80
A-261	BECKER BUSINESS SYSTEMS, INC	134.00
A-262	HERMAN RALPH	390.60
A-263	BIGELOW WASTE CO., INC.	58.07
A-264	CHAMBERS FORD TRACTOR SALES	13.65
A-265	CHERRY TIRE SERVICE, INC.	632.98
A-266	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	367.50
A-267	ENVIRONMENTAL PAPER TOWEL SERVICE	151.80
A-268	GALLS, INC.	119.83
A-269	GEORGE'S AUTO PARTS	57.94
A-270	GEORGE'S AUTO PARTS	57.94
A-271	HART MARC	40.75
A-272	HORTON HOSPITAL	1,070.00
A-273	A. E. MOORE	15.35
A-274	MID HUDSON COMMUNICATION	126.12
A-275	MID HUDSON COMMUNICATION	167.50
A-276	MID HUDSON COMMUNICATION	12.95
A-277	MID HUDSON OFFICE SUPPLY	74.92
A-278	MID HUDSON OFFICE SUPPLY	323.70
A-279	MID HUDSON OFFICE SUPPLY	75.00
A-280	MID HUDSON OFFICE SUPPLY	45.00
A-281	MID HUDSON OFFICE SUPPLY	77.60
A-282	MIDWEST MICRO	539.15
A-283	NYS ASSOC OF CITY & VILLAGE CLERKS	35.00
A-284	NY COMMUNICATION CO., INC.	125.00
A-285	NYCAL INDUSTRIES	39.45
A-286	ORANGE COUNTY CLERK	8.25
A-287	PAGE NY	57.00
A-288	PALM PRINT SYMPOSIUM	200.00
A-289	PATELLA ADVERTISING PRODUCTS	214.93
A-290	PINE BUSH EQUIPMENT	58.50
A-291	PLAYLAND	339.00
A-292	ROBERT GREEN TRUCK DIVISION	13.50
A-293	SHOWCASE OF AWARDS	155.50
A-294	STATE OF NY JOA	345.00
A-295	SWANK MOTION PICTURES	222.00
A-296	THRUWAY SHOPPING CENTER	22.49
A-297	THRUWAY SHOPPING CENTER	145.76

AUGUST BILL LIST - AUGUST 22, 1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-298	THRUWAY SHOPPING CENTER	90.00
A-299	THRUWAY SHOPPING CENTER	107.65
A-300	THRUWAY SHOPPING CENTER	21.78
A-301	THRUWAY SPORTING GOODS, INC.	18.93
A-302	TOP SPEED	450.00
A-303	TOWN TINKER TUBE RENTAL	522.09
A-304	TUXALL, INC.	268.45
A-305	UNITED STATES TENNIS ASSOCIATION	25.00
A-306	VEN-MAR SALES, INC.	22.95
A-307	VIKING JACKETS & ATHLETIC WEAR	285.00
A-308	VINCENT TOOMEY, ESQ.	1,015.60
A-309	WALDEN AUTO SUPPLY	76.13
A-310	WALDEN AUTO SUPPLY	43.78
A-311	WALDEN AUTO SUPPLY	29.15
A-312	WALDEN AUTO SUPPLY	53.08
A-313	WALDEN ANIMAL DELI	7.50
A-314	WATER SAFETY PRODUCTS, INC.	155.48
A-315	MAYBROOK MATERIALS, INC.	1,486.21
A-316	TIMES HERALD RECORD	51.30
A-317	TIMES HERALD RECORD	14.40
A-318	MICRON ELECTRONCS	2,518.00
		<u>18,536.44</u>

GL & EJ GRIDLEY

2,646.44

AUGUST BILL LIST - AUGUST 22, 1995

WATER BILLS

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
F-32	AGWAY ENERGY PRODUCTS	41.00
F-33	PAGE NY	15.00
F-34	PRINTABLE SERVICE	332.14
F-35	RAMSCO	906.96
		<u>1,295.10</u>

SEWER BILLS

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
G-35	ALLIED UNIVERSAL CORP	2,445.00
G-36	F & G ELECTRIC MOTOR	3,995.00
G-37	NORLAB, INC.	660.00
G-38	PRINTABLE SERVICE	332.14
G-39	THRUWAY SHOPPING CENTER	16.83
G-40	T.W.G. MACHINE, INC.	2,731.63
		<u>8,180.60</u>

AUGUST BILL LIST - AUGUST 22,1995

CAPITAL ACCOUNTS

CAPITAL ACCOUNT #37	COUNTRY READI MIX SIGNS & SIDEWALKS	500.50
CAPITAL ACCOUNT #37	COUNTRY READI MIX SIGNS & SIDEWALKS	572.00
CAPITAL ACCOUNT #37	COUNTRY READI MIX SIGNS & SIDEWALKS	464.75

COMMUNITY DEVELOPMENT (UDAG)	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA	776.10
COMMUNITY DEVELOPMENT (UDAG)	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA,	1,074.00
SMALL CITIES 93	GOODSPEEDY CONSTRUCTION 45 SECOND ST	4,147.50
SMALL CITIES 93	ROBINSONS CONSTRUCTION 59 WAIT ST	1,600.00
SMALL CITIES 93	MASTER CARPENTER 46 SEELEY ST	4,918.40

AUGUST BILL LIST - AUGUST 22, 1995

PREPAID BILLS GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	AT & T	7.48
	FRONTIER COMMUNICATIONS	46.82
	FRONTIER COMMUNICATIONS	57.96
	FRONTIER COMMUNICATIONS	317.59
	FRONTIER COMMUNICATIONS	38.91
	FRONTIER COMMUNICATIONS	71.44
	FRONTIER COMMUNICATIONS	117.44
	FRONTIER COMMUNICATIONS	309.75
	NYSEG	83.11
	NYSEG	5,472.74
	NYSEG	1,748.83
	NYNEX	60.89
	NYNEX MOBILE COMMUNICATION	26.76
	ORANGE COUNTY SANITAY LANDFILL	678.60
	PETTY CASH	24.96
	PETTY CASH	11.47
	PETTY CASH	10.08
	POSTMASTER	600.00
	WAREX	1,120.60
		<u>10,805.43</u>

WATER FUND--

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	CENTRAL HUDSON	480.27
	FRONTIER COMMUNICATIONS	886.50
P.	FRONTIER COMMUNICATIONS	73.29
	NYSEG	2,259.58
	POSTMASTER	79.33
		<u>22,978.97</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	FRONTIER COMMUNICATIONS	12.10
	FRONTIER COMMUNICATIONS	3,242.57
	NYSE&G	3,222.25
	POSTMASTER	79.32
		<u>3,356.24</u>

NOTICE OF MEETING

PLEASE TAKE NOTICE that the Village of Walden Board of Trustees will hold a regular meeting on Tuesday, August 8th, 1995 at 7:30 P.M. at the Village Offices, 8 Scofield Street, Walden, New York.

AGENDA

1. PLEDGE/ROLL CALL
2. APPROVAL OF MINUTES
3. BOARD'S BUSINESS
 - A. ACTION ITEMS
 - A.1 Consideration of Proposals to Administer 1995 Small Cities Grant
 - A.2 Public Hearing on Local Law I-4 Amending Chapter 148 of the Code
 - A.3 NYCOMCO Lease Agreement for Police Dispatch Equipment
 - A.4 Authorization to Exceed \$10,000 for Small Cities Projects (2)
 - A.5 Consideration of Bids for Purchase of Sewage Grinder
 - A.6 Snow Removal License Agreement
 - A.7 Payment of Audited Bills For August 8th, 1995
 - B. DISCUSSION ITEMS
 - C. INFORMATIONAL ITEMS
 - D. CORRESPONDENCE
 - D.1 Letter Re: Quarterly Meeting With Library Board on September 13th
 - D.2 Letter Re: Recognition of Larry Schaffer for 50 Years of Fire Service
4. PUBLIC PORTION
5. COMMUNICATIONS
6. REPORTS
7. EXECUTIVE SESSION
8. ADJOURNMENT

APPROVED

VILLAGE OF WALDEN
BOARD OF TRUSTEES MEETING
AUGUST 8, 1995

Mayor Andrew Uszenski called the regular meeting of the Village of Walden Board of Trustees to order at 7:30 P.M.

On roll call the following were:

Present: Mayor Andrew Uszenski
Trustees John McGuckin
John Ryan
Chris Forman
Martin Besdesky
Antonio Garcia

Absent: Trustee Raynard Ozman

Also Present: John Kelly, Village Manager
Kevin Dowd, Village Attorney

Recording Secretary: Nancy Mitchell, Village Clerk

APPROVAL OF MINUTES

Trustee Ryan moved to adopt the minutes of July 25, 1995. Seconded by Trustee McGuckin. All ayes. Motion carried.

PRESENTATIONS

Mayor Uszenski presented certificates to David and Nancy Ohlmer and William Blair in recognition of their homes. The village's program identifies those residents who take pride in their homes, which in turn has positive benefits to the entire community.

CONSIDERATION OF PROPOSALS TO ADMINISTER 1995 SMALL CITIES GRANT

Mayor Uszenski stated that the RFP Committee met. There were two proposals for administering the 1995 Small Cities grant before them, Mathew Ruddikoff and Kerron Barnes Associates. Saccardi and Schiff wrote back that they were not interested. The two applicants were reviewed and the recommendation from the committee is that Kerron Barnes Associates administer the 1995 Small Cities Grant.

Trustee McGuckin moved to approve the committees recommendation to retain Kerron Barnes Associates to administer the 1995 Small Cities Grant. Seconded by Trustee Besdesky. All ayes. Motion carried.

NYCOMCO LEASE AGREEMENT FOR POLICE DISPATCH EQUIPMENT

Trustee Ryan moved to approve the lease agreement with NYCOMCO for police dispatch equipment at \$1375.00 per month. Seconded by Trustee Forman. All ayes. Motion carried.

SMALL CITIES PROJECTS EXCEEDING \$10,000

Trustee Besdesky moved to approve the Small Cities projects, 92-125 and 93-57, to exceed \$10,000. Seconded by Trustee Garcia. All ayes. Motion carried.

SEWAGE GRINDER

Mayor Uszenski stated that two bids were received for the purchase of a sewage grinder, Franklin Miller \$20,072.00 and JWC Environmental \$19,976.00. The engineer has reviewed the bids and recommends the low bidder.

Trustee McGuckin moved to approve the bid from JWC Environmental for the sewage grinder at \$19,976.00. Seconded by Trustee Forman. All ayes. Motion carried.

SNOW REMOVAL LICENSE AGREEMENT-

Trustee Forman moved to authorize the manager to sign the license agreement with Mr. LaBaron for snow removal at the end of Pine Street. Seconded by Trustee McGuckin. All ayes. Motion carried.

PUBLIC HEARING ON LOCAL LAW I-4 OF 1995 AMENDING CHAPTER 148 OF THE CODE

Mayor Uszenski presented the affidavit of publication, affidavit of posting notice and notice of hearing, which he read.

Mayor Uszenski further stated that what is before the board tonight are three factors, the previous local law had a five year limit on the renewable lease, the circus is requesting a permanent lease, permanent caretakers residence and having horses on the property year round.

Peter Grauer, President of the Big Apple Circus gave a brief background of the circus. He stated that they are now in the midst of a very large six and a half million dollar capital campaign, the proceeds of which will largely go for the permanent creative center in Walden. They have determined that a creative center such as the one being proposed in Walden is an absolute corner stone to the circus going forward. It will allow them to not only rehearse their new performances, but it will also allow them to store the very valuable costumes and equipment they have assembled over the years.

Peter Cawley, Executive Director reviewed the request and summarized the history and economic impact the circus has had the last three years

on Walden. He stated that the Big Apple Circus has participated annually in Walden Day. They would like and are very able to participate in the education at Walden Elementary School. They teach circus arts in New York City and they can do that in Walden. They would like elementary children to come to the circus for their annual field trip. They would also like to do something with the library. Mr. Cawley further stated that they are a tax exempt organization, they are chartered by the State of New York and the IRS allows the donors to have their donations deducted from their taxes. They raise over two million dollars a year in donations. You can't have an economic benefit and improve the quality of life and create the reputation that is known internationally that Walden is the home of the Big Apple Circus. As they recruit artists from around the world they bring them to Walden. That all in the end has an economic benefit. They have proposed that at least through the year 1999 that the village taxes will be paid by the circus, whether they obtain tax exempt status in Orange County or not.

Michael DiTullo, Orange County Partnership stated that Orange County wanted the Big Apple Circus's business three years ago and continues to want their business. They see a tremendous opportunity for the circus to grow and prosper here in Orange County and Walden. The Big Apple Circus is an internationally known performing arts amenity. Walden is a community in terms of its economic development of small businesses. The Big Apple Circus, although its big business, does most of its business with small businesses. Mr. DiTullo would like to encourage the village board to support this project. In terms of the site that they are proposing to purchase, its an industrial facility that has been empty now for two years. He has had approximately a dozen customers look at that site and for many reasons it hasn't worked out for them.

Mr. Cawley stated that there was a time two years ago when the village and the circus didn't know each other and they said they would do things, they said they would bring payroll, they said they would bring a world class circus to the village and they said they would participate. They have spent over two million dollars in Walden since they first met.

Mayor Uszenski stated that a report was received from the planning board stating that the planning board recommends to the village board passage of Introductory Local Law I-4 of 1995. This local law was also referred to the Orange County Planning Department and the report back was to keep the approvals local, they are satisfied.

The attached correspondence has been received from Helen McKay, Lewis Worrad Corporation, Mt. Ellis Paper Company, Inc., Thomas O. Miller and Co., Inc., Wheeler's Backhoe, Inc., Orange County Partnership, and Valley Central School District.

Larry Sager, 78 Orchard Street asked what that county was going to make on the Big Apple Circus buying this property, for the bond issue?

Mr. Ditullo stated that he can't speak for the county or the IDA, but they are considering doing a bond resolution. They qualify as a tax exempt organization. The IDA does charge a small fee when they do a bond resolution. It wouldn't in any way effectuate the IDA's desire. There are laws that they have to pertain to so that they qualify. If they qualify and they are eligible they use the bonds.

Mr. Sager asked if that was brought before Walden's IDA?

Mr. Ditullo stated that the policy of the county IDA is if the local IDA chooses to issue the bonds then the county IDA would back off.

Joseph Masztalics, 42 Coldenham Road stated that he lives across the street from the Big Apple Circus and he is very pleased to have them for neighbors and he can't see why they can't just move up the street. He feels that if the village doesn't allow them to move up the street that there will be a discriminatory action by the village against the circus.

Tom Quinity, TCT Collision, 1022 Route 52 stated that he is in favor of the circus. They are very pleasant to work with.

David C. Lustig, 54 Oakland Avenue stated that in light of whatever opposition might be heard to the passage of local law I-4 he feels responsible and feels he should add a few things to his identity. He is the third of four Lustig's that have lived and carried on business in the Village of Walden for 112 years. As far as children are concerned there's been some perception that he is against children and the elderly, entertainment of them, they couldn't be more wrong. He's served in many capacities in the village. He was a charter member of the Walden Day Care and he served on that board for many years. He was president of the Walden Christmas lighting fund and originated the Christmas party for children, which has carried on for many many years. He served as chairman of the planning board and was a charter member and served on the planning board for twenty six years, half was served as chairman. During that time they added a great many properties to the tax rolls, the Hudson Wire property in particular, NELCO, Fabrican, Pierce Industries, Spence Engineering, Champion International, Thruway Market expansion and many others. In the course of all those years he doesn't regret one action that his board took even though there were a few disappointments. In all of the time he's served this village, in any capacity that he was able, he has never requested or received one cent in compensation. Mr. Lustig read the attached statement.

Charles Frank, Berea Road stated that he's more responsible for this than anyone else here because a couple years ago he had the first meetings with the Big Apple Circus and asked them to locate in Walden. When the board did that they passed temporary laws that allowed them to move into their Coldenham site. They did that with the knowledge that there was very much the intention of the circus to move here permanently. The board understood that and hoped for it. His concern

is the reputation of the village. Walden has undergone a couple of major problems with its reputation that came from sources outside the village. He would think it would be very harmful to the village if it were to go on and perpetuate those kind of problems by itself. The board made a commitment two years ago to the Big Apple Circus that if they fulfill their obligation and maintain a good presence here that the village would consider them for permanent residency. If the village board turns around now and says that for no other reason other than we just didn't think of things to the depth that maybe we should have or that we're going to react to bad public opinion we're going to change that direction, what opportunity does the village have for any business to want and come here. If the village board can make a commitment and in two years or three years down the road reverse itself no business should feel comfortable to come here. Therefore, Mr. Frank feels its very important that the village should maintain a direction that was set two years ago and allow the circus to become a permanent resident of the village.

Tony Marengo, 3 Hillcrest Avenue stated that the speech that Mr. Frank made was very good, but he doesn't think it enriches the pockets or the treasury of the village since the village is in no financial shape to be giving away \$55,000 a year and have the residents of the village pick up the tab. He doesn't feel its right for the young, the old, the ones that are coming up and the ones that are going out. He also feels that this is a situation that the village should have had the master plan look into. As a member of the master plan committee he had spoken with two of the senior members and they both are sorry they are not here this evening. They also felt that they would strongly recommend against such a move, especially giving away important industrial land that we don't have for the conversion into agricultural to take care of the situation. We're not like the Town of Montgomery who have thousands and thousands of acres to give to people that come who want to establish here. He feels the master plan should have been taken into consideration on this situation, which they weren't. It just points out that the village doesn't have the money and yet we are willing to sacrifice tax exempt money and that shows up in the fact that here is the master plan, we've been kicking around for four years off and on, its only happened that way because there isn't the money to support it to see the project through. It should all have been done within a year and a half at the very most. Right now its stalled, because there isn't any money to go ahead with the next step and yet the village is willing to sit there and say lets have the circus come in. What the board has to consider is not the fact that the circus will bring a lot of culture, but it isn't going to enrichen the treasury of the village.

Ted Eisenhut, 43 Sunset Drive stated that it seems all the arguments that are being used against the circus locating here are really for them to locate here. We are looking at short term for a building that has been vacant for a few years, in a string of many other open buildings in this village that seem to grow by the year. He feels its a big assumption to think that we are going to put an industry in there

and employ local village people. To him the issue is that you're in effect temporarily taking that money off the tax roll. You get a good neighbor and they have proven that they have been. He feels this would attract business, and attract a positive attitude. Mr. DiTullo can't be accused of not being pro-business, his record speaks for itself. Mr. DiTullo is for it and that brings some weight to the argument. If you're looking at this one building being taken off the tax rolls and the \$55,000 that represents the annual budget, he thinks that if you look a few years down the road that you will find that you've attracted that and then some many times over.

June Garcia, 5 Westwood Drive stated that she is in favor of the Big Apple Circus being in Walden as a cultural asset. Everyone has to realize that as soon as Hudson Wire pulls out all of their distribution pieces that they have in there they will have to have their assessment lowered, and lowered and lowered. No one made any effort to get another business in where they are presently on the site on Coldenham Road.

Becky McNally, 52 Oakland Avenue stated that she is from the midwest and one of the disappointing things they found when they came here was that this village had potential, but it didn't really go in any direction, and it didn't have an image of its own. She thinks that small towns are important. Its important to have a positive personality. She is from Battlecreek, Michigan and they had the ability to latch onto the international balloon festival. There were more people against this than for it. It has put that city on the map. She hopes the circus can come to the village permanently.

Joe Masciola, 19 John Street stated that he was one of the first businesses to approach Big Apple Circus. He is an industrial fabricator. He has worked hand and hand with these people for the last three years. He has been called on to go as far as New York City to perform his services for these people. He feels they would be an asset to this village.

Greg Raymondo, 241 Orange Avenue stated that he is the closest neighbor to the circus and they have been a good neighbor, but they do have problems. They do have people hanging around Main Street. The whole thing tonight is taxes. How much taxes the circus is willing to pay? They can live next door to him as long as the pay taxes like he does. Forget how good they are and what they are going to do for the village. They are here six weeks and then they are gone. You're not going to see them again until August. What are they going to do for the school? School starts in September, they go down the road. Do you think they are going to come back here or deprive New York City hospitals to bring their clowns to Walden? We don't have any hospitals in Walden. The school will never benefit from that. Why didn't the town attract them to the town, tax exempt? The question to the board is, do we want them to move to Walden, yes. Do we want them to be tax exempt, no.

Marcus Millspaugh, 86 Ulster Avenue stated that his comment is, its the loss of potential payroll and its the loss of taxes. It boils down to

those two things. If they can come to some accommodation where at least the taxes are compensated for, perhaps it deserves a close look. With two negatives, he's not so sure.

Kevin Mulqueen, President of the Valley Central School Board stated that there have good arguments on both sides. He's concerned how this impacts the school. He's concerned about tax exempt status. Mr. Cawley stated that until 1999 he will continue to pay the village taxes. He hopes what Mr. Cawley meant to say that until 1999 he will continue to pay the village and the school taxes. He doesn't want to see the school cut out. If they are going to cut any deals the village should have an agreement with the Big Apple Circus or its assignees of the industrial development agency agreeing not to until after the 1999 taxes grieved or file any tax certiorari proceedings. If there is an assessment they should pay on that assessment.

Tom McQuire, 144 St. Andrews Road stated that he is employed by the United States Government and they have removed a lot of tax land from the tax rolls. He's not sure what the taxable value of the land was where the air base now occupies, but they contribute over \$60,000,000 to the local economy of Orange County. If the village uses the multiplier effect economically what the circus could bring to us, it would be very similar as to what the air base brought to Orange County.

Ken Smith, 53 Wileman Avenue asked what effect the actual \$17,000 have on our own individual properties?

Mayor Uszenski stated that on a typical \$100,000 assessment home it would be \$8.00 to \$10.00 per year.

Mr. Smith asked why the circus can't stay on the five year agreement and if they prove themselves extend it for another five years, put the proof on them.

Joe Fraccolossi, 108 Coldenham Road stated that he has lived down street from the circus for two years now and he has no qualms at all about them being a good neighbor or the cultural value the circus creates. He's concerned about the eroding tax base, jobs and the fact we will not be generating jobs from the industry. He'd like the question about school taxes answered. Would school taxes be paid through 1999? Has any consideration been given to what would happen to the current site on Coldenham Road?

Mayor Uszenski stated that at this point the circus has only considered the agreement with the village for the payment in lieu of taxes. As far as further development of the site they are at now, no, we haven't started a search of a new renter or purchaser.

Mr. Cawley stated that in regard to school taxes since they were first permitted to locate in Walden, Mr. Marengo planning board member approved their presence. They said they don't have school kids attending the local schools, they have their own accredited school,

which the parents pay tuition. They have always felt that since the on set they don't create a burden for school taxes, and that continues to be their view. As far as the building on Coldenham Road he thinks its an improved property.

Thelma Jenkins, 20 Coldenham Road stated that this is really all about taxes. She is a volunteer for the Meals on Wheels for the senior citizens and it is a sad story out there. They are concerned about their homes that they worked for all their lives. There are people in this village that have their children in private schools, parochial schools, and Christian schools that have to pay tuition and also have to pay the school taxes.

Bob Lamancuso, Gladstone Avenue stated that he is concerned about the wetlands on the property. What is going to be done about it? Has the circus applied for permission to change them?

Bill Squires, Engineer Big Apple Circus, stated that he met with DEC and the only impact on the wetlands is the sewer and water piping that will pass through it. The wetlands have been mapped by the DEC already. DEC says its not going to be a major issue.

Mr. Lamancuso asked if there are going to be any roads through the wetlands or bordering it?

Mr. Squires stated that there is an existing trail going through there and it will be widened.

Mr. Lamancuso stated that when you widen a road or make any changes to a wetland you must create a wetland somewhere else.

Mr. Squires stated not necessarily.

Mr. Lamancuso stated that the State of New York has to do it, you have to do it. Do the people realize that the wetland empties into the villages swimming pond, and the wetlands are a filter? The circus will have their animals and trailers there, there will be runoff of all kinds of chemicals.

Mr. Cawley asked what kind of chemicals Mr. Lamancuso was talking about?

Mr. Lamancuso stated cleaning chemicals from cleaning the trailers, and washing vehicles.

Mr. Cawley stated this will be part of the planning board approval process.

Larry Sager asked if July 11th was the first time the village heard from the circus regarding their intentions?

Mayor Uszenski stated that he didn't remember the date.

Mr. Sager stated that wouldn't you think the village board would have been the first people they would have come to and asked your opinion. This is 30.5 acres and it can't be replaced. There is no parcel of land in this village that is as big as that industrial lot there.

Kevin Mulqueen stated that he would like to get back to the issue of village taxes verses school taxes. As he heard Mr. Lustig talk he thought he was recounting some of his history in this village. Some of the people on this board served with him when he was chairman of the Industrial Development Agency, president of the Housing and Development Corporation, several tax exempt finances, never would they consider allowing any developer, any financing, pay village taxes and not pay taxes to the other jurisdictions. They would even consider it. He feels its incumbent on the board to deal fairly with neighboring jurisdictions. They have no leverage and the village has a lot of leverage, they need the villages help. It would be unfair treatment for the village board to consider getting village taxes and not at the same time seeing to it that the school taxes are paid.

Marcus Millspaugh asked if the covenant that goes with the village passed through Hudson Wire will pass with any change now? The stream is not impacted?

Mayor Uszenski stated that there is the right of way with the well. What ever was on the deed will continue on the deed.

Mr. Dowd stated that this will all before the planning board for site plan approval. There will be a public hearing and all of these concerns will have to be addressed.

Bob Sherry, McBride Corporate Real Estate stated that in regard to other vacant industrial land within the village, there is five different parcels with about 50 acres along Edmunds Lane. If you apply the current zoning and coverage ratios to that that will allow a potential build out of 650,000 square feet, 11 buildings the size of the Hudson Wire building.

Thelma Jenkins asked if the board passes the law, and the circus is allowed to move to Hudson Wire, is there anything stopping another non profit organization from coming in there?

Mayor Uszenski stated that there is nothing stopping any non profit organization from coming into the village.

Mr. Lustig stated that he sincerely hopes that this board will not chose to vote on this resolution tonight. He feels the board needs a great deal more time to think about this. The one thing Mr. Mulqueen mentioned, you have to consider the residents of the Village of Maybrook, Village of Montgomery and the Town of Montgomery. He feels they should be notified and have some input. He feels it would be a travesty if the village votes favorable on this.

Mike DiTullo stated that he understands and he appreciates everyone's concerns regarding ratables. The fact that the Big Apple Circus has volunteered to negotiate a payment in lieu of taxes he feels there is an opportunity there. He feels it is also important to understand that we are talking about \$17,000 of village taxes, \$26,000 of school taxes. At the same time you are talking about 1.5 million dollars in annual cash flow to the community. The \$8.00 situation is based on the assumption that the pie is going to stay the same, that another new ratable is going to come into the village this given year and he doesn't think that is the case. The Ajayem Lumber building was mentioned, a customer is interested in that and there will be 60 to 80 new jobs. There is also interest in the facility of the present location of the Big Apple Circus.

Charles Frank asked, specifically the introductory law that is in front of the board tonight deals with environmental impact of the properties and the issue being raised here is the tax issue. He doesn't see them tying in together. His question is, can the village or any of the entities prevent a non profit organization from buying a piece of property by using legislation that is for different purposes or by not passing the legislation that is being introduced?

Mr. Dowd stated that one of the direct answers is you cannot stop a not for profit from purchasing property in the Village of Walden and then applying for their right to be tax exempt from real property taxes. In this particular case this property is presently zoned just as the Coldenham property is zoned. The circus could come in buy that property get a five year permit for it, operate the circus for five years and be totally tax exempt and not pay any taxes and there is not a thing the village can do about it. The circus is looking for a longer term commitment because they are making a substantial investment in the property and the construction on the property. If the planning board were to approve a permit for the property for five years and they apply for a renewal of that and be in compliance of all the terms and conditions of that permit, the planning board would be very hard pressed not to renew the permit for another five years, and another five years after that without making a challenge in court. What the circus is asking for is to remove that condition of five years so they can purchase the property and they won't have to come back every five years, that at the same time you can do it right now. Remove the property and promise nothing to the village, get the property off the rolls and proceed as they have at the last site at Coldenham Road and ask for renewals of their permits. The impact is essentially the same as far as taxes or it could be very easily.

Mr. Frank stated that if the village uses this legislation as a hammer to prevent tax exempt status of the property, what are the implications?

Mr. Dowd stated that if the board were to reject this amendment he doesn't believe there would be any recourse of the circus that they

would be successful. This is a zoning amendment that they are asking for to be changed. They are not prohibiting them from coming in, they are just saying they're coming for a five year permit. He doesn't think in that case it would be a hammer that the village would be using illegally.

Mr. Frank stated that his point is what's before the board tonight is not tax exempt status. He feels the circus has made a good faith offer to make a payment in lieu of taxes over the next several years. He's concerned that legislation that is not meant to address that issue is used to then arbitrarily decide what type of exempt organizations the village will allow or will not allow.

Mr. Dowd stated that the village could say to them we want you to move here but we want you to pay your taxes, all your taxes, that would be using a sword that would be impermissible legally. If they want to make a voluntary donation to the village that is their prerogative, but they don't have to do that and the village would be acting improperly to try to force them to pay taxes that they are legally entitled to an exemption from.

Mrs. McNally stated that there is a group of businessmen that meet and they are advisors of a state employee who gives them direction as how the village can improve the businesses. If this village had this non for profit organization in it wouldn't that be something that the state could grant some sort of a loan at a low rate, that this village has this position thing, that the village is open minded enough to have this and therefore it would look good for the village getting state grants?

Mayor Uszenski stated that it depends what kind of grants are out there. It probably wouldn't apply.

Larry Sager asked if the board thought it was fair that the Big Apple Circus should come before the board and say that this whole deal depends on what the village does? Mr. Sager also asked about the well water.

Mayor Uszenski stated that the well was considered when it was originally transferred in the 1980's.

Greg Raymondo asked why it so important to have the circus want this law changed to be indefinite rather than being reviewed every five years? They are only temporary tenants.

Peter Grauer stated that its not fair to say the circus is only here six weeks. They will make almost a four million dollar investment in this community on top of the two million dollar investment they've already made. If someone says to you put your \$100,000 down now, but in five years we're not sure your ever going to get it back because we review this law again in five years. No logical business person, whether its a non profit or profit organization is going to put his or

her resources on the line. They are prepared to become long term residents of this community and in return for that large capital investment the multiplier effect, which the gentlemen raised, they think there is a little give and take. They will be as good of citizen as they've been the last two years. They will review and conform to every environmental restriction before they put any building on that piece of property. They have to have some assurance that the long term value of their investment is protected the same way the village wants the long term value of their investment protected and that is what they are trying to accomplish.

Jacqueline Martin asked who will make the determination about this building after five years?

Mayor Uszenski stated that board.

Mrs. Martin asked what the village board basis its determination on?

Mayor Uszenski stated that its based on public input, and the information supplied to the board by the circus.

Mrs. Martin asked if the board was going to do as Mr. Lustig suggested, get the input of the surrounding communities?

Mayor Uszenski stated that the board hasn't discussed that, but he doubts it.

Mrs. Martin asked about the wetlands?

Mayor Uszenski stated that is before the planning board and DEC.

Kathleen Masciola stated that her husband works on the circus's vehicles on a year round basis.

Anthony Russo, Southway stated that he just currently moved here. The town where he grew up was too expensive to live in. He doesn't work in Walden, he works in New York City and every day he commutes. The money the circus spends in town does not come to him. The tax money that will be additional he can't afford. He asked if the water at the swimming hole is periodically checked?

Mayor Uszenski stated that the water is checked on a regular basis by the county.

June Garcia stated that the circus people bent over backwards to follow every law. They improved the site and it is gorgeous. The Walden Women's Club was invited there and the site was as clean as a whistle. She sees no way an outfit like this would move in and contaminate Wanderling Park, the DEC would never allow it.

Mr. Lustig stated that the figure of four million dollars that would be spent there he has to assume that a substantial part of that, probably

half or more, would be for the acquisition of the property itself, which immediately becomes tax exempt. He asked Mr. Cawley if they are spending four million dollars why couldn't they find another site? He's been told that they have to make considerable alterations to this building to suit their purpose. For four million dollars they could have built something exactly to their specifications any place. Why that building?

Mr. Cawley stated that for the large part it was the welcome they received in Walden. It is also a very good building for their purposes.

Mr. Lustig asked if they did seek property some other place, and can he assume that they weren't welcomed with open arms? Is this the only village that welcomed them?

Mr. Cawley stated if Walden wants to make the position of unwelcoming and drive away organizations such as themselves, so be it. Until this point it has been a welcoming village to invest in.

Mr. Lustig stated that from the outset concerning the Coldenham Road property he doesn't recall it ever being a question of being tax exempt. We all understood the circus would be there six months or eight weeks out of the year, then the other ten months it would be empty. He thinks it would be a travesty to take our best industrial site, pull it off the market, have it occupied two months out of the year, and the rest of the year have it occupied by one person. Let no one here foolishly think that building won't be occupied eventually. There isn't a person here that isn't aware that the economy is miserable now, and especially in this area. The economic figures that are wonderful are retailing. Retailing produces minimum wage jobs and hard time jobs, we need full time jobs year round. He would welcome the circus even in the Town of Montgomery. Buy thirty acres of farm land for two or three thousand dollars an acre and put up your four million dollar project. He would admire them for it. For them to have forty mobile home sites in the Town of Montgomery would be a real fight. When he was on the planning board they fought hard to restrict mobile homes to the Old Orchard Trailer Park on the west side. Now in one swoop we're going to approve a mobile home park that will only be occupied two months a year. He feels its dead wrong. The Big Apple Circus is a wonderful organization and they do wonderful work, but it doesn't have to be based here. This is not the home of the Big Apple Circus. We are the Big Apple Circus rehearsal area and warehouse, that is all. Their home is in New York City. Why don't they offer to move there executive offices to Walden.

Mayor Uszenski stated that initially when the circus came to the village all of these things were brought up and the village knew they had the right to go tax exempt.

Mrs. Jenkins stated that two years ago when the village had a meeting about the circus she specifically asked the board, what if after five years they decide to buy that piece of property, and they are exempted,

who will get those taxes? She never received an answer.

Joe Masztalics stated that he's lived in Walden for fifteen years and he saw Fabrican go out. He's seen the building being used by a lumber manufacturer. He saw the building used by Worrad. No one here can say that is permanent. Hudson Wire left. Are we going to have the same situation at Hudson Wire as what happened at this warehouse across from the Methodist Church? He doesn't see any businesses coming into this village, they are all leaving.

Ken Smith stated that he can understand the five year thing now. Has anyone really tied down the figure of a million and a half to four million that will be spent there. Has the board gotten any input on how they are going to spend this money? Is there any guarantee they will be spending this money here?

Mr. Grauer stated that the figure that he cited and the line he was pursuing was the level of capital investment that they are making in this project. Part of that is the acquisition cost. The rest is the improvement that goes into this village for the permanent improvement of the facility. He expects that a vast majority of that money will be spent at local trades people here, who will do the work for them.

Mr. Cawley stated that he has documented the information for the village.

Tom McGuire stated that he doesn't know how many people that are here tonight have been to the Big Apple Circus, its as close to a world class act as he's ever seen. He feels the village should fight to get this world class operation on our resume, and letter head.

June Garcia stated that someone is putting the onness on the companies that have moved out. When those companies came in they got their tax break. She's been here forty six years and she has seen people chased out of Walden. They have gone on to other communities and done very well. She feels the Big Apple Circus will be a wonderful asset.

Trustee McGuckin moved to close the public hearing. Seconded by Trustee Garcia. All ayes. Motion carried.

Trustee Ryan stated that the only reason this is before the board is because its a zoning change. Anybody that would have fit the zone could have moved in and when the tax rolls came along we could have received a note indicating that no monies would be coming to the village. Maybe all tax exempt properties should be handled this way so the community knows what is going on.

Trustee McGuckin stated that he would also like to state that this approval is for a zoning change and the fact is that regardless if the Big Apple Circus was able to get their funding they could still purchase the property we would lose the tax base anyway. He does feel that they would be an asset to this community.

Mayor Uszenski stated that he's spoken to a lot of the village residents and the board is in an unusual circumstance. If the board votes no it might make it difficult to buy the property. On the other hand they could still buy the property and go tax exempt. You sometimes have to look at the overall picture. You can't always look at taxes even though we don't want taxes to increase. He feels the raise in taxes would be an insignificant amount. The circus is a plus to the village. The assessment on the Hudson Wire property has gone from 2.4 million to 1.7 million. We've already lost tax dollars on that property. Industry is not running to Walden. We don't want empty buildings.

Trustee Forman moved to declare the Village of Walden Board of Trustees lead agency under SEQRA for this local law. Seconded by Trustee Garcia. All ayes. Motion carried.

Trustee McGuckin moved to declare a negative declaration under SEQRA regarding Introductory Local Law I-4 of 1995, Amending Chapter 148 of the Code of the Village of Walden. Seconded by Trustee Forman. all ayes. Motion carried.

Trustee Ryan moved to adopt Introductory Local Law I-4 of 1995, Amending Chapter 148 of the Code of the Village of Walden as Local Law 4 of 1995. Seconded by Trustee Forman. On roll call Trustees McGuckin, Ryan, Forman, Garcia and Mayor Uszenski voted yes. Trustee Besdesky voted no. Motion carried.

PAYMENT OF AUDITED BILLS FOR AUGUST 8TH, 1995

Trustee Forman moved to pay the audited bills of August 8, 1995. Seconded by Trustee McGuckin. All ayes. Motion carried.

QUARTERLY MEETING WITH LIBRARY BOARD ON SEPTEMBER 13TH

Trustee Garcia moved to hold a special meeting on September 13, 1995 at 7:00 PM at the Josephine-Louise Library. Seconded by Trustee Forman. All ayes. Motion carried.

RECOGNITION OF LARRY SCHAFFER FOR 50 YEARS OF FIRE SERVICE

Mayor Uszenski stated that the Walden Fire Department would like the village to recognize Larry Schaffer for fifty years of service.

Manager Kelly stated that he will attend the dinner and make the presentation.

PUBLIC PORTION

Becky McNally, 52 Oakland Avenue asked where the village is on hiring a beautification person?

Manager Kelly stated that someone was hired three weeks ago.

REPORTS - COMMITTEE

Trustee Garcia stated that on Westwood Drive the trees hang over and hit your car.

Trustee Ryan stated that he doesn't want to take credit for the homes of distinction. That was a board decision. He would like to name Spence Engineering and Millspaugh Furniture for businesses for certificates for their appearance.

Trustee McGuckin stated that at the end of Cross Street there is a major pot hole.

Mayor Uszenski requested that the dpw stay on top of the water leaks.

Manager Kelly stated that when the county came through and did the leak detection survey as part of the Orange County Water Authority of the county. They identified three leaks and they've all been fixed.

ADJOURNMENT

Trustee McGuckin moved to adjourn. Seconded by Trustee Besdesky. All ayes. Meeting adjourned.

Respectfully submitted,


Nancy Mitchell
Village Clerk

Board of Trustees, Village of Walden, N Y
Hearing on Introductory Local Law I-4, August 8, 1995
(Comments by David C. Lustig, Jr.)

First of all I want to clarify my position in regard to the Big Apple Circus: Three years ago, I was as enthusiastic as any other resident of the Village of Walden that the Big Apple Circus had chosen to locate here. I had always enjoyed circuses since my early childhood in Walden and can vividly recall the circus parade down Main Street on the summer Saturday afternoon preceding the performances. Two years ago, my wife and I were privileged to attend the Moscow Circus in Moscow and it was one of the highlights of our tour.

Why then my seeming inconsistency in being apposed to the approval of Local Law I-4 which would allow the circus to use the Hudson Wire property in perpetuity? Why then would I be willing to subject myself to abuse from erstwhile friends and a do-gooder non resident of Walden? The reason stems from my intimate knowledge of the Hudson Wire property. I served as chairman of the Walden Planning Board all through the approval process, when the 30.5 acres of village land on Edmonds Lane was rezoned for a non nuisance industry. I followed the steps as the Walden Industrial Development Agency floated an \$8,700,000 bond issue to enable the Hudson Wire Company to secure favorable financing to purchase the land and construct a 58,000 sq. ft. facility which was, and is, perhaps the finest industrial building in Walden. I was at the ribbon cutting ceremony when Hudson Wire president, Mr. Akins, prophesied that they would be a major presence in Walden for the foreseeable future. I was proud as I could be to have had a part in making it possible to add \$2,360,000 to our tax base with 100 to 200 jobs in the offing!

Now, of course, we all know what happened to Hudson Wire - unfair foreign competition and New York's burdensome taxes forced them to remove their wire drawing machinery and limit operations to warehousing - and it was common knowledge that the property was up for sale. But hope always springs eternal - with Gov. Pataki's efforts to improve New York's business climate - next week, next month, or next year, the plant would be providing a substantial payroll again and the over 252 "For Sale" signs would start disappearing off Town of Montgomery lawns. In the meantime, even with a reduced assessment of \$1,689,000, the property continues to provide a total of \$55,576 in tax revenues - almost \$26,000 in school tax alone. The significance of this revenue becomes more apparent when you realize that only \$16,500 was whittled out of the budget after an agonizing effort by the School Board between the 2nd and 3rd referendum.

So therein lies another answer to my critics - The Big Apple Circus may be tax exempt, but both the former Fibrican and the Hudson Wire properties are not tax exempt and tax

revenues are being collected from both - badly needed tax revenue, I might add, as this Board, the Town Council, and the School Board well know - not to mention many local homeowners struggling to pay their taxes and keep their heads above water! Adoption of Local Law I-4 would change all that. Hudson Wire would be snapped up by the Big Apple Circus and, within ~~two~~ ^{A FEW} years, the tax revenue would dry up and the potential for over a hundred year around jobs would be lost forever!

At this point, I want to dispel a persistent rumor concerning the Hudson Wire Building. 1. That it was custom designed for Hudson Wire and thus is not suitable for any other operation. 2. The floors are too weak to support heavy loads. and 3. The ceilings are too high for the average industry. In the first place, the 58,500 sq. ft. building is of superior state of the art construction - heavily insulated and with a roof that is virtually life time leak proof. The layout would be adaptable to practically any manufacturing operation within its space limitations. 2, The floors are 1/3 thicker than normal industrial floors and the concrete lies on two layers of wire mesh - not the usual one layer. Any existing cracks in the floor are shrinkage cracks, not compression cracks, and would not in any way impair its weight bearing capabilities. and 3. The 23 ft. high ceilings in the open areas is ideal for most manufacturing or warehousing purposes and the 12 ft. high ceilings in the office area is pretty much standard. The building plans are available to anyone wishing to study them.

Any new owner would expect to have a one time set up expense. The Big Apple's estimated 1.5 million in one time construction costs could be attributed in part to the need to complete road, water, sewer, electric, and site preparations for the fifty plus trailer stands along with alterations to the main building. Mr. DiTullo informed me that the Hudson Wire property had been marketed aggressively without success and that the Big Apple Circus would be an ideal owner and would be a much better alternative than leaving it empty. That, of course, is simply a matter of opinion, despite all the admittedly fine and charitable work the circus performs. The very recently proposed workshops and educational programs might be fine for six weeks, more or less, but what on-going benefits will the hard pressed local taxpayers receive the other 46 or so weeks in the year? It is readily apparent that the executive staff of the circus is employed in a 5,000 sq. ft. office on the 9th floor of an office building on West 35th Street in N Y City. It is there that they undoubtedly pay substantial rents and then take their salaries home to spend in some place other than Walden. All we can expect is a surge in business for the short time the circus is in its Walden base and, for some of us, the benefit of any entertainment they care to provide during that time.

So, then, what makes our village officials so nervous about an idle industrial property? It's not demanding any services

and the potential always exists for it to produce gainful employment for residents of Walden and the township. And, lest we lose sight of it, the tax revenue will continue to be collected. At some point the economy will improve, or Hudson Wire will market their property even more aggressively, and a buyer will be found.

One would have to be hardhearted indeed not to be sympathetic toward the Big Apple Circus's quest for permanent quarters. No one can dispute the advantages that this very worth while enterprise would gain from owning their own permanent facility. The question I pose is - why Walden? Within a 70 mile radius of New York City there must be many other acceptable sites. In all the time spent searching for a site, as delineated in the Big Apple brochure, why wasn't one found - especially in light of all the cultural and economic advantages that are purportedly part and parcel of the circus? My guess is that most communities would not be interested in sacrificing prime industrial land to a tax exempt enterprise for dubious economic gain.

Mike DiTullo, Director of the Orange County Partnership, is a person whom I admire and respect and one who has been a dynamo for attracting business to Orange County. He is a strong advocate of locating the Big Apple Circus on the Hudson Wire property. Of course, Mike DiTullo does not live in the Town of Montgomery and acquiring the Big Apple Circus would look very good in his resume. Based on its assessment, it is probably safe to assume that the selling price of Hudson Wire is in excess of one million dollars. Assuming again, safely, that the sales commission would be at least 5%, it would appear that the broker, McBride of Harriman, N Y, would walk away with in excess of \$50,000 while leaving Walden with tax exempt property. Charles Frank, former mayor and former resident of Walden, and my most vitriolic detractor, claims that there are many other communities "waiting to pounce on the opportunity to be the home of the Big Apple Circus" - to that I say amen! For the million plus dollars that the Big Apple Circus would be spending on Hudson Wire, they could secure at least as much acreage and build a more suitable building almost anywhere in Orange County - so once again I ask the question - why Walden? The answer, of course, is very obvious - it just got lost in all the hype! Hudson Wire's 30.5 acres has sewer and water - the Big Apple Circus struck gold and they have carefully orchestrated influential support to secure it!

In conclusion I am compelled to reveal my greatest concern in going public with my opposition to Local Law I-4: If my position is right for the Village of Walden, and I am sure it is, how could it be possible that so many others might be wrong? The answer lies in the mystique of a circus and, perhaps, the Big Apple Circus in particular. The circus cast some kind of spell over us and made us all feel good inside - a kind of reversion to the carefree days of our childhood. The awakening

(4)

for me came when I heard the Big Apple Circus, Hudson Wire, and tax exempt all in the same breath. As this Walden Board of Trustees ponders the possible transition of the Big Apple Circus from rent payers on the Coldenham Road to tax exempt owners on Edmonds Lane, I hope that you will remain open minded and do what is best for all of the taxpayers in Walden and the Town of Montgomery and not for just a privileged few. That best, of course, will be to reject Introductory Local Law I-4! For all its charm, beauty, and magnetism, the Big Apple Circus is a luxury that your constituents can not afford!



LEWIS H. WORRAD CORPORATION

Utility Contractor — Electric • Gas • Telephone — Since 1955

55 Coldenham Road • P.O. Box 423 • Walden, New York 12586 • (914) 778-2100

August 3, 1995

Attention: Mr. Adrew Uszenski
Mayor, Village of Walden
8 Scofield Street
Walden, New York 12586

RE: The Big Apple Circus

Dear Mr. Uszenski:

As you are aware, the Big Apple Circus has leased our facility at 55 Coldenham Road since March of 1993. Since that time they have proved to be an excellent tenant. They have met their obligations on a consistent and timely basis and maintained the property in a conscientious and professional manor. In all our dealings with the Big Apple Circus they have always been as good as their word.

Sincerely,
LEWIS H. WORRAD CORPORATION


Steven Nielsen, President

SEN/pc

CC: Mr. Peter Cawley, The Big Apple Circus

CORPORATE OFFICE

55 Coldenham Road
P.O. Box 423
Walden, NY 12586
(914) 778-2100

DIVISION OFFICES:

Long Island, NY
P.O. Box 619
Medford, NY 11763
(516) 654-5507

New Jersey
P.O. Box 1235
Jackson, NJ 08527
(201) 928-5760

Connecticut
P.O. Box 119
Somers, CT 06071
(203) 763-2592

Ohio
5888 Executive Blvd.
Huber Heights, OH 45424
(513) 233-8264

Oklahoma
P.O. Box 226
Broken Arrow, OK 74013
(918) 251-8343

Utah
1244 E. State St.
Lehi, UT 84043
(801) 768-4459



**MT.
ELLIS
PAPER**
COMPANY, INC.

Gateway International Park
Wembly Road
P.O. Box 4083
New Windsor, New York 12553
Telephone (914) 567-1100
Fax (914) 567-1146

A Mountain Of Goods At Your Service

August 1, 1995

Andrew Uszenski
8 Scottsfield St.
Walden, NY 12586

Dear sir:

I am the Vice President of Mt. Ellis Paper Co., Inc. We currently employ ninety people in Orange county. A number of our employees are from the Walden area. As a member of the business community the Big Apple Circus has had a positive effect on the local economy. They are a major customer of ours that pay their bills timely and operate in a professional manner. Their business also has a impact on other businesses such as restaurants, deli's, and grocery stores. We should do everything we can to keep a thriving business organization in our community.

Sincerely,



Howard Broadhead





THOMAS O. MILLER & CO., INC.

20 RIVERVIEW DRIVE • RIVERVIEW INDUSTRIAL PARK

P.O. BOX 636

MARLBORO, NEW YORK 12542-0636

(914) 236-3090 • FAX (914) 236-3096



August 1, 1995

The Honorable Andrew Uszenski
Mayor of the Village of Walden
8 Scofield Street
Walden, NY 12586

Dear Mr. Mayor,

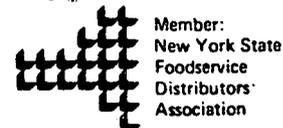
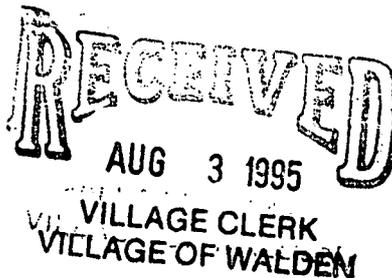
This letter supports the permanent residence of the Big Apple Circus in the Village of Walden. Our experience of the Circus shows great beneficial financial impact on the region, and benefit for the residents of the village.

Our company annually sells to the Circus more than \$38,000 in supplies for meals served to its performers and crew. Though our company address is not Walden, five Walden residents are among our employees. In this way, spending by the Circus benefits the town's residents even when spent outside the village limits, and the broader benefits to the region can further contribute back to the village economy.

We heartily urge you and other members of the Village council to make possible the permanent addition of the Circus to our employees' community and to the region. They are a good neighbor and a good customer.

Sincerely,

Bruce M. Miller
President
Thomas O. Miller & Co.



Member:
New York State
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WHEELER'S BACKHOE, INC.
2459 ALBANY POST ROAD
WALDEN, NEW YORK 12586
914-778-5169

AUGUST 5, 1995

VILLAGE OF WALDEN
8 SCOLFIED STREET
WALDEN, NEW YORK 12586

ATT: MAYOR ANDREW USZENSKE:

IN THE MATTER OF THE BIG APPLE CIRCUS BUYING THE PROPERTY IN THE VILLAGE OF WALDEN I DON'T SEE WHAT THE PROBLEM IS. THEY HAVE ALREADY OBTAIN RESIDENCY ON COLDENHAM ROAD AND IN DOING SO HAVE NOT CREATED ANY DISTURBANCES. THE AREA IS ALWAYS KEPT CLEAN AND THE PEOPLE ARE NOT TROUBLESOME.

BESIDES THE FACT THAT THEY HAVE BROUGHT JOBS INTO THE AREA FOR MANY COMPANIES THEY HAVE CREATED ECONOMIC REVENUE TO THE TOWN. THEY OBTAIN THE SERVICES OF THE UTILITY COMPANIES, GROCERY STORES, GAS STATIONS AND CLOTHING STORES.

I PERSONALLY FEEL THEY HAVE PROVED THEMSELVES TO BE GOOD NEIGHBORS WHILE STAYING OUT ON COLDENHAM ROAD SO WHY NOT LET THEM OWN THEIR PROPERTY TO COME TO EACH YEAR.

SINCERELY,

Margie Wheeler

PRESIDENT

Walden, N.Y. 10/95

Re: Meeting 8/8/95
Recd Article: D. Lutz Jr. 8/5/95

To:
Walden Board of Trustees

Gentlemen:

As a taxpayer in our Village for 50 years I am in favor of the "Big Apple Circus" staying in Walden, but I am not in favor of their tax exempt status as a "Non for Profit" Circus with a regular stand at beautiful & Cultural "Lincoln Center" in N.Y.C. & other locations

Referring to their present location on Coldenham Rd. I believe it to be taxable property.

I find it difficult to classify the "Big Apple Circus" as a snake oil Carnival with its professional & non-professional personnel (same as any other business)

Just look at their present location always next to Chen whether they are at home base or away.

We should be proud to house the "Big Apple" but let them pay their share of taxes - Water & Sewer rents the same as all the Residents of the Village of Walden - we are proud of our Village!

Allen McRay

PARTNERSHIP

August 4, 1995

DIRECTORS:

Ralph Martucci
Chairman

William Vacca
Vice Chairman

Joseph Blando
2nd Vice Chairman

Robert DeValentino

Robert Hannan

Louis Heimbech

James Hoffman

Woody Levitan

Richard O'Beirne

Paula Orosni

David MacFarland

Hon. Roberts Murphy

Hon. Joseph Rampe

Carl Schreyer

Valerie Stahl

Janice Stewart

Richard Struck

Howard Tarrubiano

Barry Worth

DIRECTOR EMERITUS:

David DeWilde

Daniel J. Leo

John Szeft

Donna Werner

ALLIANCE OF BUSINESS PARK DEVELOPERS:

James Albert

Arthur Anthonisen

Irving Zuckerman

ATTENTION EXPANSION SPECIALIST:

Deborah Magee

Mr. Stan Plato, Chairman and
Members of the Planning Board
Village of Walden
8 Scofield Street
Walden, New York 12586

Dear Stan:

The Orange County Partnership very much supports the decision of the Big Apple Circus to locate in Walden, New York.

For several years, a keystone of our strategy for Orange County's growth has been the addition of cultural assets to the region. Cultural organizations undeniably contribute to economic strength and health in the following way: arts, theatrical or educational organizations increase the daily pleasure, aesthetic opportunities and quality of life of Orange County residents and prospective companies, and by their presence and prestige, they can enhance our international reputation as a center of growth and industry.

The Big Apple Circus succeeds on both counts. The Big Apple is the nation's pre-eminent classical one-ring circus. It's reputation for excellence in the presentation and preservation of the highest standard of circus arts extends across this country and to Europe. It is a jewel in the crown of the County.

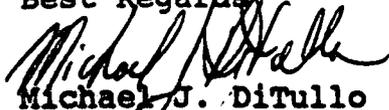
Moreover, since this office recruited the Circus to Walden three summers ago, its performers have participated in community life through appearances at summer recreation programs, and the annual Walden Day fair. Our discussions with them about their current plans for a permanent residence have yielded proposals to expand educational programs in Walden and support field trips to its New York performance center as part of the Circus's Walden cultural benefits.

page 2
August 4, 1995

Aside from its cultural value, the Circus has direct economic benefits. It has payroll and spending of more than \$700,000 while in Walden and a proposed \$1.5 million construction project on its new site. And, though tax exempt, the Circus has agreed to protect Walden Village taxes on its proposed purchase through the fiscal year ending 1999. That has considerable value considering other employers often compete for tax difficult to market, and likely to decline in assessment.

For two years, we have gotten to know the Circus and its people. It is a neighborly operation, a world-class arts management, and a good employer and customer. The Partnership strongly supports the Bigple Circus as an asset to our region and an enhancement to our reputation. Walden approved its presence two years ago, and the returns have been uniformly positive. I urge you to continue to extend your warm welcome to this beloved institution.

Best Regards



Michael J. DiTullo
President and CEO
The Orange County Partnership

MJD:kr

CC: Honorable Joseph Rampe, County Executive
Andrew Uszenski, Village Mayor
~~Jenn Kelly, Village Manager~~



VALLEY CENTRAL SCHOOL DISTRICT
ADMINISTRATION OFFICES
944 ROUTE 17K
MONTGOMERY, NY 12549-2240
TELEPHONE: (914) 457-3030 FAX: (914) 457-4254

OFFICE OF THE
SUPERINTENDENT

BEVERLY L. OUDERKIRK

VIA FAX

August 8, 1995

Mayor Andrew Uszenski
Village of Walden
8 Scofield Street
Walden, NY 12586

Post-it™ Fax Note	7671	Date	8/8/95	# of pages	2
To	MAYOR USZENSKI	From	BL OUDERKIRK		
Co./Dept.	VILLAGE OF WALDEN	Co.	SUPERINTENDENT-VCSD		
Phone #	778-2177	Phone #	457-3030		
Fax #	778-2170	Fax #	457-4254		

Dear Mayor Uszenski:

It is my understanding that the Trustees of the Village of Walden will be dealing with the Big Apple Circus request at its meeting this evening. I would like to offer my thoughts on this matter from the perspective of Superintendent of Schools, resident of Walden, and Rotarian.

When Big Apple first "came to town," the District contacted their management offices to determine whether the children of the circus would be attending Valley Central for their education. We quickly learned that Big Apple runs its own (mobile) education program; thus, no impact would be felt on local educational services.

As a resident of Walden, I have come to observe no negative impact from having Big Apple as a neighbor. They, in fact, participate in community events, thus serving as a contributor to the quality of life.

At yesterday's Rotary meeting, I learned more about Big Apple, its non-profit status, and its Clown Care efforts. I was impressed with their purpose of preserving the artistry of the circus, its concern for humankind, and its strategic plan.

Lastly, I must return to my responsibilities as Superintendent and note that in this time of budget defeat and tax issues, I must remain cognizant of any activity which has the effect of eroding the tax base, such as the non-profit status of the circus. However, I turn to those of you elected by the citizens to determine whether the collective good of Big Apple Circus balances the loss of revenue.

Please feel free to share my letter publicly with those involved in the decision-making process. Best of luck to all!

Sincerely,



Beverly L. Ouder Kirk
Superintendent of Schools

/sr

pc: Peter Roden, Assistant Superintendent for Business
Members of the Board of Education

AUGUST BILL LIST - AUGUST 8, 1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-199	ADCO ELECTRIC	1,500.00
A-200	ADCO ELECTRIC	563.00
A-201	AMTHOR'S WELDING	37.48
A-202	BELL HERRING, INC.	51.50
A-203	BUDOFF CORPORATION	139.63
A-204	CHERRY TIRE SERVICE	88.45
A-205	CHERRY TIRE SERVICE	137.88
A-206	COUNTRY HARDWARE	33.59
A-207	COUNTRY HARDWARE	89.99
A-208	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	166.66
A-209	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA	188.90
A-210	ECKERT ETHEL	75.42
A-211	EXECUTIVE OFFICE PRODUCTS	2,288.40
A-212	EXPANDED SUPPLY PRODUCTS, INC.	290.72
A-213	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	300.00
A-214	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	1,437.50
A-215	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	606.00
A-216	GARCIA MAX	150.00
A-217	GEORGE'S AUTO PARTS	24.34
A-218	GEORGE'S AUTO PARTS	45.07
A-219	GEORGE'S AUTO PARTS	80.01
A-220	GEORGE'S AUTO PARTS	20.00
A-221	GEORGE'S AUTO PARTS	21.13
A-222	GEORGE'S AUTO PARTS	20.00
A-223	GEORGE'S AUTO PARTS	93.27
A-224	GEORGE'S AUTO PARTS	104.54
A-225	GEORGE'S AUTO PARTS	77.55
A-226	IRA D CONKLIN & SONS	3,553.00
A-227	KIMBA TRANSMISSIONS	760.00
A-228	MCDONALD & McDONALD	544.80
A-229	MAYBROOK MATERIALS	1,170.29
A-230	MID HUDSON COMMUNICATIONS	2.95
A-231	MID HUDSON OFFICE SUPPLY	118.00
A-232	MOBIL MEDIA PAGING	294.30
A-233	OEC CORPORATION	56.84
A-234	PISANO BROTHERS	30.00
A-235	QUILL CORPORATION	149.98
A-236	SANWA LEASING CENTER	270.00
A-237	SHOWCASE OF AWARDS	477.30
A-238	SHOWCASE OF AWARDS	50.55
A-239	STANDARD COPY	1,223.64
A-240	THRUWAY SPORTS	1.59
A-241	THRUWAY SHOPPING CENTER	21.73
A-242	TIMES HERALD RECORD	24.48
A-243	TIMES HERALD RECORD	28.08
A-244	TIMES HERALD RECORD	24.48
A-245	TIMES HERALD RECORD	79.20

AUGUST BILL LIST - AUGUST 8,1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-246	TRIAD PRODUCTS, INC.	15.60
A-247	WALDEN AUTO SUPPLY	24.65
A-248	WALDEN AUTO SUPPLY	80.46
A-249	WALDEN DAY CARE CENTER, INC.	3,500.00
A-250	WICKES LUMBER	416.32
A-251	ZELTMANN JOHN	42.00
A-252	DRAKE, SOMMERS, LOEB, TARSHIS & CANTANIA	2,066.60
		<hr/>
		26,657.88
		<hr/> <hr/>

AUGUST BILL LIST - AUGUST 9, 1995

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
F-24	ADCO ELECTRIC	170.00
F-25	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	416.67
F-26	DUSO CHEMICALS	567.00
F-27	MID HUDSON OFFICE SUPPLY	118.00
F-28	RAMSCO	174.94
F-29	RAMSCO	90.00
F-30	SENSUS	7,062.00
F-31	SWEED WALTER	6.92
		<u>8,605.53</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
G-30	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	416.67
G-31	MID HUDSON OFFICE SUPPLY	118.00
G-32	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	309.22
G-33	PEAK POWER	333.10
G-34	SHARE CORP.	78.97
		<u>1,255.96</u>

AUGUST BILL LIST - AUGUST 8,1995

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
F-24	ADCO ELECTRIC	170.00
F-25	DRAKE, SOMMERS, LOEB, TARSHIS & CANTANIA	416.67
F-26 DUSO CHEM	DUSO CHEMICALS CO	567.00
F-27	MID HUDSON OFFICE SUPPLY	118.00
F-28	PEAK POWER SYSTEMS	333.10
F-29	RAMSCO	174.94
F-30	RAMSCO	90.00
F-31	SENSUS	7,062.00
F-32	SHARE CORP	78.97
F-33	SWEED WALTER	6.92
		<u>9,017.60</u>

SEWER RUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
G-30	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P	416.67
G-31	MID HUDSON OFFICE SUPPLY	118.00
G-32	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	309.22
		<u>843.89</u>

AUGUST BILL LIST - AUGUST 8, 1995

CAPITAL ACCOUNTS

CAPITAL ACCOUNT #53	COUNTRY READI MIX SIGNS & SIDEWALKS	203.00
CAPITAL ACCOUNT #53	WICKES LUMBER SIGNS & SIDEWALKS	87.04
CAPITAL ACCOUNT #53	COUNTRY READI MIX SIGNS & SIDEWALKS	715.00
CAPITAL ACCOUNT #53	WICKES LUMBER SIGNS & SIDEWALKS	73.79
CAPITAL ACCOUNT #53	COUNTRY READI MIX SIGNS & SIDEWALKS	316.00
CAPITAL ACCOUNT #87	GAINER-WILBUR CONSULTING ENGINEERS, P.C. WATER SYSTEMS	2,753.77
CAPITAL ACCOUNT #88	GAINER-WILBUR CONSULTING ENGINEERS, SEWER SYSTEMS	111.000

SMALL CITIES-92	CHESSARI CONSTRUCTION CORP 32 PLEASANT AVE	930.00
SMALL CITIES-93	KEN VALK 44 SEELEY ST	6,759.00
SMALL CITIES-93	STRIDER CONSTRUCTION 74 WAIT ST	1,650.00
SMALL CITIES-94	RAY COX 26 RIDGE AVE	8,021.00
COMMUNITY DEVELOPMENT	GOODSPEEDY 91 MAPLE ST	1,700.00

AUGUST BILL LIST - AUGUST 8, 1995

PREPAID BILLS

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	POSTMASTER	600.00

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	POSTMASTER	79.33

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	POSTMASTER	79.33

NOTICE OF MEETING

PLEASE TAKE NOTICE that the Village of Walden Board of Trustees will hold a regular meeting on Tuesday, July 25th, 1995 at 7:30 P.M. at the Village Offices, 8 Scofield Street, Walden, New York.

AGENDA

1. PLEDGE/ROLL CALL
2. APPROVAL OF MINUTES
3. BOARD'S BUSINESS
 - A. ACTION ITEMS
 - A.1 Request For Controlled Traffic For Walden Day Celebration
 - A.2 Annual Agreement With Walden Area Day Care Center
 - A.3 Authorization to Attend Police Training Conferences
 - A.4 NYSEG Agreement to Install Street Light on North Street
 - A.5 Resolution No. 4-95-96 Budget Transfer
 - A.6 Payment of Audited Bills For July 25th, 1995
 - B. DISCUSSION ITEMS
 - B.1 Surplus Property Conveyance to Fire District
 - B.2 Maple Street Parking Lot - Fencing, Plantings, Street Lighting Options
 - C. INFORMATIONAL ITEMS
 - D. CORRESPONDENCE
 - D.1 Letter Re: Youth Center Phase II Funding Restoration
4. PUBLIC PORTION
5. COMMUNICATIONS
6. REPORTS
7. EXECUTIVE SESSION
8. ADJOURNMENT

APPROVED

VILLAGE OF WALDEN
BOARD OF TRUSTEES MEETING
JULY 25, 1995

Mayor Andrew Uszenski called the regular meeting of the Village of Walden Board of Trustees to order at 7:30 PM.

On roll call the following were:

Present: Mayor Andrew Uszenski
Trustees John McGuckin
Raynard Ozman
Chris Forman
Antonio Garcia
John Ryan

Absent: Trustee Martin Besdesky, later present

Also Present: John Kelly, Village Manager
Kevin Dowd, Village Attorney

Recording Secretary: Nancy Mitchell, Village Clerk

APPROVAL OF MINUTES

Trustee Ozman moved to adopt the minutes of July 11, 1995, with the following correction, page 3, fourth paragraph, seconded by Trustee Besdesky. Seconded by Trustee Forman. All ayes. Motion carried.

REQUEST FOR CONTROLLED TRAFFIC FOR WALDEN DAY CELEBRATION

Trustee Forman moved to approve the Walden Day Parade, to close off one-half of Orchard Street parking lot, to hold a block dance on August 19th and to permit the Little Miss Walden pageant and teen dance on Friday evening, August 18th. Seconded by Trustee Ozman.

Mayor Uszenski asked that the Short Line Bus Co. be notified, so they can reroute the bus.

All ayes. Motion carried.

ANNUAL AGREEMENT WITH WALDEN AREA DAY CARE CENTER

Trustee McGuckin moved to approve the annual agreement with Walden Area Day Care Center and to authorize the manager to sign the annual agreement to convey \$3,500 to the center. Seconded by Trustee Forman. All ayes. Motion carried.

AUTHORIZATION TO ATTEND POLICE TRAINING CONFERENCES

Trustee Ozman stated that it is beneficial when one of the officers can obtain instructors status. That way you don't have to go out of town and take time away and have the added expense.

Trustee Forman moved to approve the three police training conferences, NYS Juvenile Officers Conference August 27th - September 1st at a cost of \$1,462.62, Police Accreditation conference September 12th-14th at a cost of \$291.00 and Palm Print Symposium September 25th - 27th at a cost of \$395.00. Seconded by Trustee Garcia. All ayes. Motion carried.

NYSE&G AGREEMENT TO INSTALL STREET LIGHT ON NORTH STREET

Manager Kelly stated that the annual cost for the street light on North Street is \$127.17 and there is an increase of 1.8% in August, which would bring the cost to \$130.00 per year.

Trustee Ryan moved to approve the street light agreement with NYSE&G for a street light on North Street. Seconded by Trustee Ozman. All ayes. Motion carried.

RESOLUTION NO. 4-95-96, BUDGET TRANSFER

Trustee Ozman moved to adopt Resolution No. 4-95-96, Budget Transfer (attached). Seconded by Trustee Forman. All ayes. Motion carried.

PAYMENT OF AUDITED BILLS

Trustee Ozman moved to pay the audited bills of July 25, 1995. Seconded by Trustee Ryan. All ayes. Motion carried.

RFP COMMITTEE - SMALL CITIES ADMINISTRATOR

Trustee Besdesky moved that Trustees Garcia, McGuckin and Mayor Uszenski serve on the committee for RFP reviews for the Small Cities administrator and set Monday, August 7, 1995 for a meeting. Seconded McGuckin. All ayes. Motion carried.

SURPLUS PROPERTY CONVEYANCE TO FIRE DISTRICT

Mayor Uszenski stated that after the work session with the fire district they are in agreement that they would like to purchase the properties on the west side of the village.

Mr. Dowd stated that it appears to be no problem transferring the property to the fire district and there would be no problem in putting in a condition that as long it remains for firematic purposes it will stay in their possession and revert back to the village if that ceases to happen. The deeds still have to be researched to see if there are

any restrictive covenants when the village took the property. If there aren't any he will have the resolutions prepared for the next board meeting. Under the General Municipal Law you can transfer without any consideration at all.

Trustee Ryan stated that he's sorry he missed the work session and asked if anything else was discussed?

Manager Kelly stated that the fire district will work with the village on any restoration at the Pond Road park. If the village plans to do anything in terms of passive recreation, what they will do will complement that. If the village chooses to do nothing they are willing to go up and grade around the manhole to make it a smooth surface to avoid a tripping hazard and install a field drain again. The other issue they are looking at is whether or not an alternative cog for the mutual aid alarm system can be obtain. Instead of ringing four rounds of three, maybe ringing four rounds of two.

Trustee Ryan asked if reimbursement for employees was brought up?

Mayor Uszenski stated that the board said they would let it go the way it was for now. They do reimburse the village for the electric.

Trustee Ryan asked about the housing of the carnival workers?

Manager Kelly stated that wasn't discussed. The other issue is the fireworks and the problems they had this year. Due to the humidity and heaviness of the air the fireworks were exploding close to the ground.

Mayor Uszenski suggested that next year when the fire district puts their request in, the board ask for a meeting.

MAPLE STREET PARKING LOT - FENCING, PLANTINGS, STREET LIGHTING OPTIONS

Mayor Uszenski stated that there is only two sections of wood fencing in the Maple Street parking lot.

Manager Kelly stated that there is a detail shown on the plan that gave you a cross section for each of the fences. The bottom of the fence is solid and the top is picket. The one question that remains is the type of street lighting that will be installed. The gooseneck fixture is \$700.00 more than the straight fixture. The manager recommended that this be bid with the base straight and have an alternate for the goose neck. There is \$20,000 to spend and the engineers estimate for the job, without their services, is \$18,000. There is a total of three lights. Mr. Monte would like to stay with the theme of colors, burgundy and green.

Trustee Ozman asked that it be bid the way Mr. Monte has it laid out and put in the alternates discussed tonight.

Manager Kelly stated then the other alternate would be a goose neck

pedestrian light as well.

Trustee Ozman moved to go out to bid for the lighting of the Maple Street parking lot. Seconded by Trustee McGuckin. All ayes. Motion carried.

MUNICIPAL BUILDING RENOVATIONS PRECONSTRUCTION MEETING

Manager Kelly stated that there was a preconstruction meeting regarding the municipal building. They have not signed the agreements yet. They are waiting for one of the contractors to supply the village with a certificate of insurance. The notices to proceed can not be issued until the project sequencing and schedule have been submitted and approved from the general contractor. Once that is approved by the architect and the owner then the other prime contractors also have to submit their schedule. The earliest the construction can start is the end of August, beginning of September.

Mayor Uszenski suggested that the interview process of the clerk of the works should be started.

Trustee Ryan suggested a preliminary meeting be held.

A preliminary meeting was scheduled for Friday, July 28th at 4:00 PM.

YOUTH CENTER PHASE II FUNDING RESTORATION

Manager Kelly stated that the village received a letter from Senator Larkin indicating that the State Senate was able to restore the funding for the youth center phase II funding. The village has a preliminary layout for a new driveway and parking area at Wooster's Grove. With the permission of the board the manager will get cost estimates from the engineer. He'd like to do that with the trust and agency money.

Trustee Ryan stated that years ago at the entrance to Wooster's Grove there was a tunnel where the water would pass back and forth. There is still the remnant of an old dam. It would prevent flooding in the park. The tube is still there. It needs to be rebuilt and it may be money well spent to keep the area dry.

Manager Kelly stated that he will look into that.

GENERAL MONTGOMERY DAY

Mayor Uszenski stated that the board has been invited to participate in the General Montgomery Day parade on September 9th.

Trustee Ozman stated that Mayor Brescia was one of the few officials that helped the village out in terms of getting the youth center phase II funding restored.

PUBLIC PORTION

Larry Sager asked who the secretary of the planning board was?

He was advised it was Deanna Sibley.

Mr. Sager stated that she doesn't attend the meetings. The village budgets \$5,000. a year for a secretary. He suggested that the money get divided equally for the planning board members and they do their own minutes.

Manager Kelly stated that the secretary gets paid \$8.00 per hour and she only gets paid for the hours she works.

Diane Munister, 93 W. Main Street stated that she is for the Walden Liquidators coming into the area. She wanted to know how they were proceeding?

Mayor Uszenski stated that they are before the planning board tomorrow night. They are hoping for approvals. The public portion will be reopened.

Mrs. Cooper, Cliff Street asked about bringing a movie theater into the village?

Trustee Ozman stated that it would be a private enterprise and what they would be looking for is if it would be a profit making enterprise.

Mrs. Cooper asked about having a stop light at the intersection of Routes 52 and 208?

Mayor Uszenski stated that the State is in the process of doing a study. They will be redoing Route 208 in 1999. They have been asked to look at that intersection.

Mrs. Cooper stated that the recreation committee used to have entertainment in the park and they don't do that anymore and they miss that.

Mayor Uszenski stated that part of the problem in the summer time was rain and bugs. The new youth center would be good for that. Sam Wright has been talking about having entertainment in Bradley Park.

Larry Sager asked what the total amount of taxes Hudson Wire pays?

Mayor Uszenski stated that the property was reassessed for just under 1.7 million.

Manager Kelly stated that their taxes are approximately \$17,000.

Mr. Sager stated that we will also be losing the school, state, town

and county taxes. He asked the village take a good look at what they're doing.

Mr. Sager asked how far the planning board should be able to stretch the codes for anybody?

Mayor Uszenski stated that they should be within the law.

Mr. Sager stated that when the Methodist Church wanted to build a parking lot on Pine Street the planning board wouldn't look the other way, because it wasn't black topped and the drain wasn't put in place, but they are going to look the other way for this guy over here. They are saying put in parking spaces and pebbles down and we're going to let you do it as you go along.

Mayor Uszenski stated that the sewer line has to be repaired and they are giving the same consideration, because why should you put in a brand new black topped parking lot and then the village goes in and cuts it up.

Mr. Sager stated that the owner of Walden Liquidators violated the village code by opening up, why isn't he being prosecuted?

Manager Kelly stated that the village is planning on prosecuting in local court as well. He was cited four times and this board passed a resolution to prosecute him in local court. We have not gotten to that next step yet. There is a temporary restraining order and he can't open until that has been lifted.

Mr. Sager stated the Trustee Ozman did a terrific job bringing the funds back to Walden.

Mr. Sager asked if the managers' looked at the drain by the school fence?

Manager Kelly stated that he will check with the superintendent.

Mr. Raymondo asked if the manager has met with Conrail?

Manager Kelly informed him that he will be meeting with Conrail tomorrow morning.

REPORTS-COMMITTEE

Trustee Garcia asked if the manager has heard anything from Wesley Hall?

Manager Kelly stated that he will call again tomorrow.

Trustee Garcia asked why everything is always done with one printer in town?

BOARD OF TRUSTEES MEETING

JULY 25, 1995 - PAGE 7

Trustee Ryan asked if any board members have looked at the two houses that he asked for plaques for homes of distinction?

Manager Kelly stated that he will invite the homeowners to the next meeting and present them with a certificate.

Trustee Ryan stated that a couple of years ago he read an article where the reporter asked what happened in New York City that made it take such a nose dive. This guy indicated that they got a directive to give up on the nuisance law. It began to snowball. He sees people throwing things out their window in Walden. There was a helmet law passed last year, if you can find one out of ten kids that is wearing one, which means their parents are sending them out without it on. What is the directive from our chief to the officers for keeping up on the nuisance laws? When was the last time someone was arrested for littering?

Manager Kelly stated that he would have to ask the chief. A lot of the problem is that it has to be witnessed and when there are two officers in a two and half square mile village they don't always see it. He has spoken to the chief and dpw superintendent about this.

Trustee Ryan stated that the Fowler Building on Main Street is over due for a paint job.

Trustee Ryan stated that he was down at the Walden Community Park and the air pump was pumping diligently. He was surprised at the location. It was in a small pocket. He thought it should be in a more central location.

Manager Kelly stated that you can't have it in an area where there's swimming. We have a sixty two foot cord and that is as close to the area as they can get.

Trustee Ozman stated that the recreation committee does not meet over the summer months, because of members being out of town. If anything comes up they can give it to Trustee Ozman or John Howland.

Trustee Ozman stated that the parks maintenance worker has started working throughout the village. He is using the gray cruiser. He needs to get a hitch on the car and a trailer to transport his equipment. He asked the board to give him a needs assessment for the maintenance worker.

Mayor Uszenski stated that he has noticed that at the top of Scofield Street the street is out about five feet and it runs diagonally. That could be cut back.

Manager Kelly stated that he will talk to Mr. Sweed tomorrow.

Trustee McGuckin stated that some of the people on Scofield Street spoke to him about the sidewalk project. Some were concerned about the length of time it took them, and they had no notification. He

BOARD OF TRUSTEES MEETING
JULY 25, 1995 - PAGE 8

suggested that this be put on the television.

EXECUTIVE SESSION

Trustee Ozman moved to hold an executive session pursuant to 105-(d) of the Public Officers Law. Seconded by Trustee Ryan. All ayes. Motion carried.

Trustee Ozman moved to reconvene the regular meeting. Seconded by Trustee Besdesky. All ayes. Motion carried.

ADJOURNMENT

Trustee Ryan moved to adjourn. Seconded by Trustee McGuckin. All ayes. Meeting adjourned.

Respectfully submitted,



Nancy Mitchell
Village Clerk

**RESOLUTION NO. 4-95-96
BUDGET TRANSFER**

WHEREAS, it is necessary from time to time to amend certain expenditure accounts to accommodate departmental needs, and

WHEREAS, money is available to transfer into said accounts.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Walden that the following transfers be approved:

<u>DECREASE</u>	<u>AMOUNT</u>	<u>AMENDED TOTAL</u>
A1325.100 Deputy Treasurer	\$3,000.00	\$81,425.00
<u>INCREASE</u>	<u>AMOUNT</u>	<u>AMENDED TOTAL</u>
A1230.201 Office Equipment	\$3,000.00	\$3,000.00

Motion to adopt by Trustee Ozman and seconded by Trustee Forman.

The vote was 7 ayes to 0 nays with 0 abstentions. The Mayor declared the the resolution adopted on July 15, 1995.

JULY BILL LIST - JULY 25,1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A138	A.C. MOORE	\$ 514.11
A139	ACTION PARK	792.00
A140	AIR PRODUCTS AND CHEMICALS	13.50
A141	AL VALK'S GARAGE	10.00
A142	AL VALK'S GARAGE	85.00
A143	ANNESE AND ASSOCIATES	178.00
A144	AUGUST C. STIEFEL	10.50
A145	C & H SALVAGE	120.00
A146	CHERRY TIRE SERVICE	257.88
A147	CIARDULLO PRINTING	105.05
A148	CIARDULLO PRINTING	145.00
A149	CIARDULLO PRINTING	80.00
A150	COMMISSIONER OF FINANCE	18.00
A151	COUNTRY HARDWARE	54.80
A152	COUNTRY HARDWARE	285.53
A153	CRONATRON WELDING SYSTEMS	69.57
A154	E.A. MORSE	168.35
A155	ELECTRO-TERM	46.01
A156	GAINER-WILBUR ENGINEERS	73.88
A157	GAINER-WILBUR ENGINEERS	482.00
A158	GENERAL CODE PUBLISHERS	127.18
A159	HOLMES, JEFFRY	75.00
A160	HUMANE SOCIETY OF WALDEN	18.00
A161	IRA D. CONKLIN	10.13
A162	JIM SMITH CHEVY	233.55
A163	JOHN T. REARDON AGENCY	1,188.72
A164	MT. ELLIS PAPER	167.69
A165	MAYBROOK MATERIALS	686.00
A166	MID HUDSON COMMUNICATIONS	126.12
A167	MID HUDSON COMMUNICATIONS	126.12
A168	MID HUDSON COMMUNICATIONS	11.00
A169	MID HUDSON COMMUNICATIONS	167.50
A170	MID HUDSON COMMUNICATIONS	167.50
A171	MID HUDSON OFFICE SUPPLIES	23.75
A172	MID HUDSON OFFICE SUPPLY	111.14
A173	NYCOMCO	120.00
A174	NYS MAGISTRATES ASSOC.	40.00
A175	NYS RECREATION & PARK SOCIETY	50.00
A176	NEWBURGH-ELECTRIC-SUPPLY	54.90
A177	PEAVY CO.	116.55
A178	PINE BUSH EQUIPMENT	400.00
A179	PINE BUSH EQUIPMENT	72.02
A180	PITNEY BOWES	254.00
A181	POWER PHONE INC.	69.95
A182	QUILL CORPORATION	326.08
A183	SANWA LEASING	135.00
A184	SLATER	39.25
A185	SLATER'S POWER EQUIPMENT	32.00

JULY BILL LIST - JULY 25, 1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A186	SPLASHDOWN	\$ 862.50
A187	SPORTS WORLD	960.00
A188	THRUWAY SHOPPING CENTER	62.82
A189	THRUWAY SHOPPING CENTER	144.90
A190	THRUWAY SHOPPING CENTER	63.28
A191	TIMES HERALD RECORD	55.35
A192	TIMES HERALD RECORD	75.60
A193	WALDEN ANIMAL DELI	177.00
A194	WALDEN AUTO SUPPLY	40.23
A195	WALDEN AUTO SUPPLY	22.97
A196	WEINERT T SHIRTS	1,641.50
A197	ZEE SERVICE CO.	39.45
A198	PAGE NEW YORK	57.00
		<u>12,660.93</u>

JULY BILL LIST - JULY 25,1995

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
F-18	COUNTRY HARDWARE	74.43
F-19	PAGE NY	15.00
F-20	ORANGE COUNTY LABORATORY	200.00
F-21	SCHMIDT'S WHOLESALE	200.00
F-22	L & C	797.50
F-23	ENVIROTEST LABORATORIES	2,850.00
		<u>4,136.93</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
G-19	AIR POWER HOUSE	60.70
G-20	AL TURI LANDFILL	2,391.54
G-21	COUNTRY HARDWARE	71.99
G-22	ENVIROTEST LABORATORIES, INC.	765.00
G-23	MIDDLETOWN ELECTRIC MOTORS, INC.	2,495.00
G-24	PAGE NY	15.00
G-25	WALDEN ANIMAL DELI	252.00
G-26	WEINERT T SHIRTS, INC.	620.00
G-27	ZEE	87.75
G-28	UTILITY SUPPLY OF AMERICA	64.57
G-29	GAINER-WILBUR ENGINEERS	124.00
		<u>6,947.55</u>

JULY BILL LIST - JULY 25, 1995

COMMUNITY DEVELOPMENT 1992	KERRON BARNES (JUNE)	572.50
COMMUNITY DEVELOPMENT 1993	KERRON BARNES (JUNE)	1,312.50
COMMUNITY DEVELOPMENT 1994	KERRON BARNES (JUNE)	1,285.34
COMMUNITY DEVELOPMENT UDAG	KERRON BARNES (JUNE)	202.50
SMALL CITIES - 93 61 SECOND ST	RAY COX	3,640.00 ✓
SMALL CITIES - 92 32 PLEASANT AVE	CHESSARI CONSTRUCTION CORP	5,705.00 ✓
SMALL CITIES - 92 91 MAPLE ST	GOODSPEEDY CONSTRUCTION	7,956.00 ✓
SMALL CITIES - 93 69 N MONTGOMERY ST	TRIPLE CROWN CONTRACTORS	5,325.00 ✓
SMALL CITIES - 93 45 SECOND ST	GOODSPEEDY CONSTRUCTION	6,800.00

JULY BILL LIST - JULY 25, 1995

PREPAID BILLS

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	FRONTIER COMMUNICATIONS	416.37 ✓
	FRONTIER COMMUNICATIONS	254.06 ✓
	FRONTIER COMMUNICATIONS	436.23 ✓
	NYSEG	465.80 ✓
	NYSEG	846.75 ✓
	NYSEG	5,449.62 ✓
	NYNEX	31.98 ✓
	SAM E. FAST & SON, INC.	919.23 ✓
	WAREX	1,676.28 ✓
	NYSEG	139.12 ✓
		<u>10,635.44</u>

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	FRONTIER COMMUNICATIONS	178.97 ✓
	NYSEG	2,115.81 ✓
	NYSEG	29.78 ✓
		<u>2,324.56</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	FRONTIER COMMUNICATIONS	61.33 ✓
	NYSEG	170.88 ✓
	NYSEG	3,082.05 ✓
		<u>3,314.26</u>

CAPITAL ACCOUNTS

CAPITAL ACCOUNT #86	DRAKE, SOMMERS, LOEB, TARSHIS & CANTANIA MUNICIPAL PARKING	459.00
CAPITAL ACCOUNT #87	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA WATER SYSTEM	5,166.13
CAPITAL ACCOUNT #88	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA SEWER SYSTEM	335.70
CAPITAL ACCOUNT #53	COUNTRY READI MIX SIGNS & SIDEWALKS	321.75
CAPITAL ACCOUNT #53	COUNTRY READI MIX SIGNS & SIDEWALKS	1,394.25

NOTICE OF MEETING

PLEASE TAKE NOTICE that the Village of Walden Board of Trustees will hold a regular meeting on Tuesday, July 11th, 1995 at 7:30 P.M. at the Village Offices, 8 Scofield Street, Walden, New York.

AGENDA

1. PLEDGE/ROLL CALL
2. APPROVAL OF MINUTES
3. BOARD'S BUSINESS
 - A. ACTION ITEMS
 - A.1 Audit Proposal From Nugent & Haussler For FY 1994-95
 - A.2 Authorization to Exceed \$10,000 For A Small Cities Rehab Project
 - A.3 Consideration of Bids For Installation of Anerobic Digester Mixers
 - A.6 Payment of Audited Bills For July 11th, 1995
 - B. DISCUSSION ITEMS
 - B.1 Intro L.L.I-4 Amending Chapter 148 - Temporary Circus Headquarters
 - B.2 Maple Street Parking Lot - Fencing, Plantings, Street Lighting Options
 - C. INFORMATIONAL ITEMS
 - D. CORRESPONDENCE
 - D.1 Letter Re: Municipal Building Bid Document Refund Request
 - D.2 Letter Re: Icecream Truck Route Request
4. PUBLIC PORTION
5. COMMUNICATIONS
6. REPORTS
7. EXECUTIVE SESSION
8. ADJOURNMENT

APPROVED

VILLAGE OF WALDEN
BOARD OF TRUSTEES MEETING
JULY 11, 1995

Mayor Andrew Uszenski called the regular meeting of the Village of Walden Board of Trustees to order at 7:30 P.M.

On roll call the following were:

Present: Mayor Andrew Uszenski
Trustees John McGuckin
John Ryan
Antonio Garcia
Martin Besdesky
Chris Forman

Absent: Trustee Raynard Ozman, later present

Also Present: John Kelly, Village Manager
James Loeb, Village Attorney

Recording Secretary: Nancy Mitchell, Village Clerk

APPROVAL OF MINUTES

Trustee Ryan moved to adopt the minutes of June 27, 1995. Seconded by Trustee Forman. All ayes. Motion carried.

AUDIT PROPOSAL FROM NUGENT AND HAUSSLER FOR FY 1994-95

Mayor Uszenski stated that the village has received a proposal from Nugent and Haussler for the FY 1994-95 audit at an estimated cost of \$7,300.00.

Trustee McGuckin moved to retain Nugent and Haussler for the FY 1994-95 Audit at a cost of \$7,300.00. Seconded by Trustee Besdesky.

Trustee Ryan asked if Nugent and Haussler was ever asked to look at the Thruway Market's books?

Manager Kelly stated that the board never asked for a formal audit proposal for the Thruway Market.

Trustee Ryan asked if it would be prudent to ask Nugent and Haussler what the cost would be?

Manager Kelly stated that he will discuss the cost with the auditor.

All ayes. Motion carried.

AUTHORIZATION TO EXCEED \$10,000 FOR A SMALL CITIES REHAB PROJECT

Mayor Uszenski stated that this Small Cities Project is a three family house on Oak Street. All three tenants qualify. The low bidder was \$24,277.00 and the in house estimate was \$18,800.

Manager Kelly stated that the break out of funding is eligible under the Small Cities for \$7500 per unit. HUD did give the village approval to use units in lieu of structures. The balance is \$1777., which will be provided out of the HODAG fund. There is a question as to if this homeowner has more than one HODAG loan out.

Trustee Besdesky moved to approve the Small Cities rehab project to exceed \$10,000, and that this is the last HODAG loan until the other loans are substantially paid off.

Trustee Ozman asked if its been discussed as to whether this is a legal three family?

Manager Kelly stated that he asked Mr. Barnes and Mr. Barnes assured him it was a valid three family.

Seconded by Trustee Garcia. All ayes. Motion carried.

ANAEROBIC DIGESTER MIXERS BID

Mayor Uszenski stated that one bid was received from Industrial Furnace Co. Inc. for the anaerobic digester mixers for an amount of \$114,640.00. The village budgeted \$60,000 for this project. The recommendation is to reject this bid and the engineer is coming up with a different plan using an air compressor and air lines.

Trustee Ozman moved to reject the bid for the anaerobic digester mixers from Industrial Furnace Co., Inc. Seconded by Trustee McGuckin. All ayes. Motion carried.

AUDITED BILLS

Trustee Forman moved to pay the audited bills of July 11, 1995. Seconded by Trustee Ozman. All ayes. Motion carried.

INTRODUCTORY LOCAL LAW I-4 OF 1995, AMENDING CHAPTER 148 - TEMPORARY CIRCUS HEADQUARTERS

Trustee Ozman asked if there would be rv's, mobile homes or both located on the site of the Big Apple Circus?

Mr. Cawley stated that they are primarily camper type, fifth wheel trailers.

Trustee Ozman asked about the density ratio?

Mr. Cawley stated that as far as density of sites, they are looking at more sites, but on a thirty acre piece of land, verses a ten acre piece of land. Each site has the same footage.

Trustee McGuckin introduced Introductory Local Law I-4 of 1995, Amending Chapter 148, Temporary Circus Headquarters.

Trustee Besdesky moved to hold a public hearing on Introductory Local Law I-4 of 1995, Amending Chapter 148, Temporary Circus Headquarters on August 8, 1995 at 7:45 P.M. at the Village Offices. Seconded by Trustee. All ayes. Motion carried.

Trustee McGuckin moved to refer Introductory Local Law I-4 to the Planning Board and asked for a report back by August 8, 1995. Seconded by Trustee Besdesky. All ayes. Motion carried.

MAPLE STREET PARKING LOT

Manager Kelly stated that the original construction of the parking lot did not provide for completion. There is currently \$20,000 left in that account that has to be used for the Maple Street parking lot. The balance of Carl Monte's original design plan called for a planting schedule, street lighting and a fence. The street lighting proved the most time consuming of the components because he tried to work with Carl on a theme of old world design as well as a color. They sent to several manufacturers because the inverted light was prone to condensation and other difficulties. The upright is very close to what is in the Maplebrook and Streamside subdivisions. Since there is about a \$700.00 difference per light between the goose neck and the straight light you may want to bid it both ways as a alternative so you would have the final design choice. The fencing design is finalized. We can go out to bid and have this ready for the fall.

Trustee Ryan asked about the style of fence?

Manager Kelly stated that it is a stockade fence that was stepped in intervals.

Trustee Ozman asked if NYSE&G would maintain the other style?

Manager Kelly stated that the only thing they maintain at Streamside is the fixture and the head. They don't maintain the pole.

This was tabled until the second meeting in July until more information is received.

MEETING WITH ORANGE COUNTY DEPARTMENT OF PUBLIC WORKS-

Manager Kelly stated that he has a meeting with the Orange County Department of Public Works regarding Conrail on July 26, 1995. They

will be looking at the Coldenham railroad crossing as well as Grant Street.

SIDEWALK ON NORTH MONTGOMERY STREET

Mayor Uszenski asked Trustee Garcia if he's had a chance to talk to Senator Larkin about the sidewalk on North Montgomery Street?

Trustee Garcia stated that he did talk to him and Senator Larkin is working on it.

MUNICIPAL BUILDING BID DOCUMENT REFUND REQUEST

Mayor Uszenski stated that there is a request from a cabinet maker for a refund on his bid documents.

Trustee Ozman asked if there was a policy that goes out with bid documents or is it verbal?

Manager Kelly stated that the information for bidders states that non bidders and unsuccessful bidders will have their deposits dealt with in accordance with General Municipal Law Section 102.

Trustee Ozman moved to deny the request of The Cabinet Shop to refund their bid document fee and that a letter go out to them with an explanation. Seconded by Trustee McGuckin. All ayes. Motion carried.

ICE CREAM TRUCK ROUTE REQUEST

Mayor Uszenski read a letter from the kids from Northgate Drive, Ivy Hill Rd. and Northern Avenue asking that the ice cream truck come to their neighborhood.

PUBLIC PORTION

Larry Sager, 78 Orchard Street stated that he thinks the Big Apple Circus is under the influence that this local law will pass and they will be able to move forward and purchase the property. He asked if it would be advisable for the village attorney to say to them that any action they take the village is not held responsible?

Mr. Loeb stated that they are represented by council who were present at the meeting. The village is under no obligation to adopt the local law until it hears from the public. Nothing he's heard tonight would lead him to believe that he would go out and bet the ranch one way or the other. He doesn't feel the village is exposed.

Mr. Sager asked if it would be advisable to see what kind of an impact it would have on industrial property in the village?

Mayor Uszenski stated that there is vacant industrial land on Coldenham Road and Edmunds Lane that is sitting idle.

Mr. Sager asked if a beautification person was hired?

Manager Kelly stated that he's been hired contingent upon passing his physical.

Mr. Sager asked when the village was going to start karate and gymnastics up again?

Manager Kelly stated that the program was taken out of the budget this year because there is no facility to use.

Mr. Sager thanked the village for fixing the water leak on West Main Street.

Paul Vermilyea, Pleasant Avenue stated that in regards to the water leak on West Main Street, that was Wagner property and that was village employees that were fixing it. The village again took care of Mr. Wagner and here we sit with an eyesore on Pleasant Avenue waiting for Mr. Wagner to come in and do something. He asked if the village was going to do anything with the house on Pleasant Avenue? People in Mr. Wagner's other house have been helping themselves to Mr. Vermilyea's water and yard. He can't rent his house because of the condition around it. He would appreciate the village going back to their zoning books on one family residence living with one family in it. When the other house it was a two family house and when it burnt down we found five families.

Manager Kelly stated that he will speak to the building inspector.

Trustee McGuckin asked Mr. Vermilyea what he wanted the village to do?

Mr. Vermilyea stated that he wants the village to clean it up. Take action against Mr. Wagner.

Manager Kelly stated that this is an absentee owner.

Trustee McGuckin stated that there are certain things you can do within the law and certain things you can't. You can't just go in and take someones property away from them.

Trustee Ryan stated that the rent from that building is coming from social services, can the village put a request into social services to monitor their clients better? If they place their clients they should share the burden of responsibility.

Larry Sager asked if social services was responsible to follow the code of the village?

Mayor Uzenski stated that the village can put a request into social services and asked them to do an investigation, but that is as far as the village can go.

Mr. Sager asked about the location of the water leak on West Main Street?

Manager Kelly stated that the leak was inside the curb box. They think the building has a defective ground. That line will have to be replaced from the curb stop to the house, once the bank forecloses on that property.

Mr. Sager asked for an explanation as to why the village is not having the building inspector check on the reconstruction of the municipal building, since he was capable of shutting it down?

Mayor Uszenski stated that the building inspector does not have the time to do the job.

Doug Vantran asked if other communities are having the same problem of multi families living in single family homes? It seems that they don't have the problem to the degree the Village of Walden does. Maybe they are doing something we should be doing.

Mr. Loeb stated that every community has the same problem. The definition of family in courts across the country has expanded beyond what we all think of as a mother, a father, children, aunt or uncle. The more urban the community the greater the problem.

Mr. Vantran stated that there is a problem in the area of the Wooster Building on Main Street after five o'clock. When he thinks of twenty four apartments in that building he just sees the problem compounding.

Gil Torres and Oscar Garcia of Sunny Place requested that the village waive the requirement for sidewalks on Sunny Place.

Mayor Uszenski stated that its part of the subdivision approval.

Manager Kelly stated that the village code requires sidewalks on both sides of the street, but they have the right to waive sidewalks on one side, which has been done for that subdivision.

Mr. Torres stated that no one on the block wants the sidewalk.

Manager Kelly suggested the residents write a letter to the planning board requesting that the sidewalk requirement be waived.

Bob Lamancuso, 33 Gladstone Avenue asked if there is anything in the village code book that says when an apartment complex is constructed they must have a certain amount of parking?

Mayor Uszenski stated yes.

Mr. Lamancuso asked where they will find parking for the twenty four apartments in the Wooster Building?

Mayor Uszenski stated that they haven't come before the planning or zoning boards.

Manager Kelly stated that for that to happen it would take a variety of variances, and waivers from parking requirements. In that zone you can't have residential over commercial. You can't have multi family. You have to have a parking formula, which depends on the number of one or two bedroom apartments. They wanted to have retail downstairs, some forty plus spaces would have been required. Under the plan they have thirteen on site, so it would require a waiver. Because its within five hundred feet of a municipal parking lot they are entitled to consideration as part of the review for a waiver.

Mr. Vermilyea stated that since sidewalks are so important to the village maybe the village should install them where there are none.

Mr. Sager stated that there is no signal for trains at the Coldenham Road railroad crossing. His wife almost got hit.

The manager will speak to Conrail.

Mr. Torres asked if it was possible to get a school bus route to Maplebrook Estates?

Mayor Uszenski stated that is a school board request.

REPORTS - COMMITTEE

Trustee Garcia asked about the light on North Street?

Manager Kelly stated that he hasn't heard from NYSE&G.

Trustee Ryan stated that they had a problem with the building and a water leak at the ball field. There is a maintenance worker working there, he's surprised he didn't see it and report it. The locks and hardware installed on the building were poor. Because the panic hardware on the men's bathroom door wasn't able to be locked the security system wasn't able to be engaged. The building was without security for three days. When he called the village office John Howland was not on duty because he was running the road race on the following day. The facility had no back up. When the scope of description for work comes up he asked that this be remembered.

Trustee Ryan suggested that awards be given to people who keep up their homes and show evidence of pride. Forty three Maple Street and eighty one Ulster Avenue have very sharp looking homes. He feels they should be presented with a plaque.

Trustee Ryan asked if there was an update on 50 Pleasant Avenue?

Manager Kelly stated that there's been no further contact.

BOARD OF TRUSTEES MEETING
JULY 11, 1995 - PAGE 8

Trustee Ryan asked if the village has asked for an administrative search warrant?

Manager Kelly stated that the board did not request that.

Trustee Ryan moved that the board find that the condition of an unsafe building still exists at 50 Pleasant Avenue and they want a follow up to determine if in fact the balance of the work required to secure the property has been completed, this is further proceedings under Chapter 63. Seconded by Trustee Besdesky. All ayes. Motion carried.

REPORTS - MAYOR

Mayor Uszenski stated that everything is going along well for Walden Day. The schedule is just about ready. They will be closing only the square, part of Orchard Street and part of the Orchard Street parking lot.

ADJOURNMENT

Trustee Besdesky moved to adjourn. Seconded by Trustee Ozman. All ayes. Meeting adjourned at 9:13 P.M.

Respectfully submitted,



Nancy Mitchell
Village Clerk

JULY BILL LIST - JULY 11, 1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-89	A & A AMERICAN ALARM	36.00
A-90	ANACONDA -KAYE SPORTS, INC.	37.44
A-91	ANNESE & ASSOCIATES, INC.	178.00
A-92	BARTLETT & BARTLETT	367.00
A-93	CIARDULLO PRINTING	50.00
A-94	COMMISSIONER OF FINANCE	1.78
A-95	COMMISSIONER OF FINANCE	37,578.00
A-96	COUNTRY HARDWARE	32.00
A-97	COUNTRY HARDWARE	80.86
A-98	DANIELS AGENCY	4,189.00
A-99	DANIELS AGENCY	27.00
A-100	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA	3,166.66
A-101	DUSO CHEMICAL CO., INC.	265.50
A-102	GEORGE'S AUTO PARTS	57.94
A-103	GEORGE'S AUTO PARTS	56.90
A-104	HART MARC	29.50
A-105	MCCOSKERY TOM	25.97
A-106	MCDONALD & MCDONALD, INC.	24.10
A-107	MID HUDSON OFFICE SUPPLY	234.33
A-108	NY TECH SUPPLY	102.00
A-109	ORANGE COUNTY CLERK	7.75
A-110	OR CO. SANITARY LANDFILL	571.40
A-111	NUGENT & HAEUSSLER	5,500.00
A-112	PAGE NY	57.00
A-113	PITNEY BOWES	62.25
A-114	QUILL	46.78
A-115	ROBERT GREEN TRUCK DIVISION	27.20
A-116	THRUWAY SHOPPING CENTER	21.16
A-117	THRUWAY SHOPPING CENTER	30.46
A-118	WALDEN AUTO SUPPLY	54.08
A-119	WALDEN AUTO SUPPLY	54.08
A-120	WALDEN AUTO SUPPLY	46.60
A-121	WALDEN AUTO SUPPLY	60.15
A0122	WALLKILL VALLEY TIMES	4.50
A-123	NYCOMCO	125.00
A-124	AL VALK'S GARAGE	96.80
A-125	ANACONDA - KAYE SPORTS, INC.	228.37
A-126	DAN THE TREE MAN	650.00
A-127	GROSSO MATERIALS	793.85
A-128	LIEBMAN - HURWITZ	3,875.00
A-129	NYCOMCO (MOBILE RADIO)	495.00
A-130	HAIGHT FIRE EQUIPMENT SUPPLY	100.00
A-132	RAY COX CONTRACTING	150.00
A-131	HOWLAND JOHN	71.73

59,669.14

JULY BILL LIST - JULY 11, 1995

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
F-12	A & A AMERICAN ALARM	28.00
F-13	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	416.00
F-14	RAMSCO	784.00
F-15	PAGE NY	15.00
		<u>1,244.00</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
G-12	ALLIED UNIVERSAL CORP	445.00
G-13	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	416.67
G-14	GEORGE'S AUTO PARTS	137.30
G015	SECODYNE, INC.	3,116.00
G-16	STRANCO, INC.	6,489.66
G-17	WALDEN AUTO SUPPLY	164.95
G-18	PAGE NY	15.00
		<u>10,784.58</u>

CAPITAL ACCOUNTS

CAPITAL ACCOUNT #53	FEDERAL BLOCK CORP SIGNS & SIDEWALKS	150.00
CAPITAL ACCOUNT #53	COUNTRY READI MIX SIGNS & SIDEWALKS	1,855.75
COMMUNITY DEVELOPMENT SMALL CITIES 92	KERRON BARNES ASSOCIATES	1,337.50
COMMUNITY DEVELOPMENT SMALL CITIES 93	KERRON BARNES ASSOCIATES	1,705.00
COMMUNITY DEVELOPMENT SMALL CITIES 94	KERRON BARNES	2,730.00
COMMUNITY DEVELOPMENT UDAG	KERRON BARNES ASSOCIATES	175.00
SMALL CITIES 92	CHESSARI CONSTRUCTION	5,750.00
SMALL CITIES 92	KEN VALK	2,600.00
CAPITAL ACCOUNT #87	ROEHRS CONSTRUCTION, INC. WATER SYSTEM IMPROVEMENTS	81,903.30
COMMUNITY DEVELOPMENT	NUGENT & HAEUSSLER	1,500.00

JULY BILL LIST - JULY 11, 1995

SPECIAL BILL LIST

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-132	ACE FINGERPRINT, INC	73.23
A-133	CHERRY TIRE	611.00
A-134	ENVIRONMENTAL PAPER TOWEL SERVICE	320.00
A-135	GALL'S	76.91
A-136	MONTAGUE TOOL'S	349.00
A-137	STARR BLOCK	223.20
		<u>1,653.34</u>

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
F-16	R. L. STONE	324.78
F-17	RAMSCO	311.04
		<u>635.82</u>

NOTICE OF MEETING

PLEASE TAKE NOTICE that the Village of Walden Board of Trustees will hold a regular meeting on Tuesday, June 27th, 1995 at 7:30 P.M. at the Village Offices, 8 Scofield Street, Walden, New York.

AGENDA

1. PLEDGE/ROLL CALL
2. APPROVAL OF MINUTES
3. BOARD'S BUSINESS
 - A. ACTION ITEMS
 - A.1 Petition to Amend Zoning Ordinance for Temporary Circus Quarters
 - A.2 Award of Bids for Municipal Building Renovation Project
 - A.3 Resolution No. 2-95-96 Municipal Building Renovation Funding
 - A.4 Walden IDA Commercial Loan Program Default
 - A.5 Request for Controlled Traffic to Hold July 4th Road Race
 - A.6 Payment of Audited Bills for June 27th, 1995
 - B. DISCUSSION ITEMS
 - B.1 Corridor Study Proposal for East Main Street and PID
 - B.2 Unsafe Buildings Update - 50 Pleasant Avenue
 - C. INFORMATIONAL ITEMS
 - C.1 Revised Listing of Proposed E-911 Address Changes
 - D. CORRESPONDENCE
 - D.1 Letter Re: Facade Alternatives for Municipal Building
 - D.2 Request for Permission to Hold Wedding Ceremony at Woosters Grove
 - D.3 Letter Re: American Cancer Society Activities
4. PUBLIC PORTION
5. COMMUNICATIONS
6. REPORTS
7. EXECUTIVE SESSION
8. ADJOURNMENT

APPROVED

VILLAGE OF WALDEN
BOARD OF TRUSTEES MEETING
JUNE 27, 1995

Mayor Andrew Uszenski called the regular meeting of the Village of Walden Board of Trustees to order at 7:30 P.M.

On roll call the following were:

Present: Mayor Andrew Uszenski
Trustees John Ryan
Antonio Garcia
Martin Besdesky
Chris Forman

Absent: Trustees Raynard Ozman, later present
John McGuckin

Also Present: John Kelly, Village Manager
Kevin Dowd, Village Attorney

Recording Secretary: Nancy Mitchell, Village Clerk

APPROVAL OF MINUTES

Trustee Ryan moved to adopt the minutes of June 13, 1995 and June 20, 1995. Seconded by Trustee Forman. All ayes. Motion carried.

PETITION TO AMEND ZONING ORDINANCE FOR TEMPORARY CIRCUS QUARTERS

Peter Cawley, Big Apple Circus stated that the Big Apple Circus currently resides in Walden under a special permit that the village has awarded them over two years ago. They now would like to make Walden a permanent home and are now looking at another building on Edmunds Lane. They would like to purchase this building. This building is twice the size of the building they have now. They need a larger maintenance facility and they also would like an indoor rehearsal area, which the Hudson Wire building will afford them. There is also a lot more land, which they do need. They can't make the four million dollar investment under the current ordinance, which only allows for a five year permit and then they would have to seek renewal and permission to stay. They would like the board to consider giving the planning board the authority to give the circus a permit as a permanent use.

Ron Kossar, Attorney for Big Apple Circus stated that its hard to get any type of financing under a short term permit, so that makes the project economically difficult at best. He feels the Big Apple Circus has built a good tract record and have been good neighbors. What they

are asking for tonight is to have the board entertain a motion, subject to counsel, to such an amendment as they are recommending. They are under serious time constraints with respect to their contract vendor.

Trustee Ryan asked what their intent was for the land?

Mr. Cawley stated that the camp ground area will be kept as they did at their last site and there will be a pasture for their horses.

Trustee Ryan asked how crucial it was to house their employees on the property, now that it will be a permanent spot. The Coldenham area was temporary and you wouldn't want to ask your employees to make an investment in the community, because your window was only for five years.

Mr. Cawley stated that motor homes are their homes.

Manager Kelly asked if they would be consolidating their headquarters as well at this facility?

Mr. Cawley stated no, they will remain in New York City.

Manager Kelly asked if it would be the same type of operation, six weeks for the performances as well as a permanent maintenance facility?

Mr. Cawley stated that there might also be one or two horses stabled here on a year round basis. It will be a seasonal facility for them.

Trustee Ryan asked how many permanent employees will be on site?

Mr. Cawley stated three or four.

Trustee Ryan asked if they would be living out of trailers or mobile homes?

Mr. Cawley stated that is not being done right now. That is an eventuality, that there would be people in the year round maintenance facility.

Mayor Uszenski asked if there would be any permanent on site living quarters?

Mr. Cawley stated that there might be a full time maintenance person or someone taking care of the horses who would be living in or around the building. Those are possibilities they would like to have.

Mayor Uszenski asked if horses were allowed to be in the village on a year round basis?

Mr. Dowd further stated that the amended local law would have to be referred to the planning board for their report. Then it would come back to the board and they would have a public hearing and take action.

Trustee Ozman asked Mr. Dowd, regarding the corporate structure on this type of corporation, can a corporation be conceivably transferred to another entity and have the special exception live on with the new owner?

Mr. Dowd stated that he would have to know what their intent is, before he drafts the local law. Mr. Kossar suggested the permittee and its successors are assigned to an interest.

Mr. Cawley stated that it couldn't be an industrial user, it would have to be a not for profit circus.

Mayor Uszenski stated that if the circus got to big for this site and had to move out of the area to a new site the village would want the permit to stop at that point.

Trustee Ryan asked how long the site fits them?

Mr. Cawley stated that the only possible expansion they might need is more vehicle storage space and then they would look around town for storage.

Mr. Dowd stated that there is no ordinance that prohibits horses from being on site all year round. They just can't run loose on village property.

Mr. Kossar asked if there was any prohibition within an industrial zone to keep a year round security person on site?

Manager Kelly asked if the circus was proposing to do the grading and clearing for their pastures as part of their initial plan or are they proposing to come back and amend their site plan?

Mr. Cawley stated they would do that at the initial site plan.

Trustee Ryan asked if there was a window they could keep open while they are moving from facility to facility?

Manager Kelly stated that stays with the property.

Trustee Ryan asked if it can die a natural death?

Manager Kelly stated yes.

Mayor Uszenski asked when they planned to be on the new site and using it?

Mr. Cawley stated that he would move a lot of gear over in the winter

and start work on the camp sites in the spring and the circus would be there in July, 1996.

Mr. Dowd stated that in an industrial zone a caretaker dwelling unit is a permitted accessory use. Also, the amendment can be written which would modify the definition of the temporary circus headquarters so it will not effect any existing permit as of the date of the amendments.

Mayor Uszenski asked if a caretakers dwelling would be a permanent structure?

Mr. Dowd stated that the definition doesn't state that.

Trustee Ozman asked if this would further the intent of the special exception use in the village, in terms of controlling these types of things.

Mr. Dowd stated that the temporary circus quarters that they originally wrote set up a very specific special permit condition that a particular circus quarters had to meet and that will still stay. There are guiding principals and general standards which are in the beginning section of the special permit section. You are saying you are making the determination as a village board that those special conditions also meet the general conditions that is consistent with special permits throughout the village.

Trustee Ozman asked how the village attorney would handle the infinite life of a corporate status in terms of a change in ownership. It seems you should be able to insure the type of business that is operating, the type of circus and the quality of the circus.

Mr. Dowd stated that most of the time when you grant special permit uses they usually run with the land indefinitely. Its the initial determination of the planning board that its suitable for the locations, it shouldn't change. He suggested that the village make sure that only the permittee can use the premises for the permitted purposes. If in ten or fifteen years there is a change in the corporate structure of the Big Apple Circus that would be a means OF triggering them coming back to at least have the not for profit circus corporation that now exists to come back and get the permit in their name.

Trustee Ozman stated that one of the concerns he would like to bring up to the board is the fact they would be using an area of industrial nature, and in this type of economy we are hard pressed to bring in industry. That could be one of the reasons why the consideration would be to grant a special exception on Edmunds Lane. You have to take into account that would put a facility in an industrial zone that is well suited to an industrial zone, keep into account that that industrial zone has been empty for some time. All these things will weigh into the decision when we act here.

Trustee Besdesky stated that you have to worry about down the road and that can be put in clear terms, so that when the time comes that it is spelled out very clearly.

Mr. Dowd asked if the board wanted the conditions modified to permit the year round boarding of horses or other animals as long as there is a maintenance person on the site.

It was the consensus of the board to have the conditions modified to permit the year round boarding of horses or other animals as long as there is a maintenance person on the site.

Trustee Forman moved to authorize the attorney draft an amendment to the zoning ordinance for Temporary Circus Quarters and to refer the local law to the planning board. Seconded by Trustee Besdesky. All ayes. Motion carried.

AWARD BIDS FOR MUNICIPAL BUILDING RENOVATION PROJECT

Mayor Uszenski asked for the latest update on the general contractor.

Mr. Dowd stated that the apparent lowest responsible bidder is RBI Construction on the general construction of the municipal building renovations. In the course of reviewing there was a question he had about the surety company that RBI submitted as far as its capacity to adequately bond the project. Not so much for the bid bond as for the performance and labor and materials bond. Mr. Kelly checked out through the villages insurance agent the insurance rating for that company and it came back a little bit different than you normally see in companies, NR2, which indicated that it was somehow underfunded. That lead him to write directly to the state department of insurance and he received a response that indicated that this firm, Contractors Casualty Insurance Company is in fact a licensed to do business surety company and that it does fall within the purview in the licensing of the State Department of Insurance. It is backed by a security fund that the State of New York has for all insurance companies that are licensed to do business here. In the event of an insolvency on the part of an insurer that there is money that the state will make available up to one million dollars per claim. The attorney's letter is designed to tell you of those funds and as he reads the insurance law would require in any event of default by the contractor, you would then look to the surety and if you have a solvent surety company you usually end up in litigation anyway, because you're fighting over what had to be paid and what is the actual amount of work left undone. In the event of the fact you go to the surety and they have either filed for bankruptcy or have insufficient reserve that is when the general security fund in the State of New York kicks in. That fund has \$150,000,000 in it. Every insurance company in New York has to contribute to it. If you run into a situation where the surety company isn't solvent or cannot make its payments to you, you will end up in litigation. The State Insurance Fund will not just pay out any claim. All along there are these pit falls that can happen to anyone.

He had a conversation with the president of Contractors' Casualty and Surety Company and he has provided Mr. Dowd with a series of documents which indicate while their corporate assets appear to be quite low they have various agreements with three excess insurers including Lloyds of London that will guarantee up to four million dollars of it in insurances for any particular project. They do have backing that seems to be sufficient and appropriate. The board has to make a policy decision as to whether or not this particular casualty and this bidder are who they want doing the municipal building. You do have good references on the part of the general contractor.

Trustee Ryan moved to award the bid for general construction to RBI Construction Corporation, Scarsdale, New York. Base bid lump sum amount of contract to be fixed at \$499,000, including alternates GC-6, GC-7, GC-10, GC-11, add \$24,100, alternates reserved, GC-5, GC-8, GC-9 and GC-12, add \$40,700 and anticipated change order for facade alternative add \$17,890. Total of award and reserved funds \$581,690. Seconded by Trustee Besdesky. All ayes. Motion carried.

Trustee Ryan moved to award the bid for electrical work to Canale Electric, Poughkeepsie, New York. Base bid lump sum amount of contract fixed at \$145,999, alternates chosen as part of award, E-2, add \$3,500. Total award and reserved funds, \$149,999. Seconded by Trustee Besdesky. All ayes. Motion carried.

Trustee Ryan moved to award the bid for plumbing and sprinkler work to Jeff Lowe Plumbing, Heating and A/C, Kingston. Base bid lump sum amount of contract fixed at \$121,311, no alternates chosen, alternates reserved at this time P-3, add \$4,087, total of award and reserved funds \$125,398. Seconded by Trustee Besdesky. All ayes. Motion carried.

Trustee Ryan moved to award the bid for HVAC work to Demberg Brothers, Middletown, New York. Base bid lump sum amount of contract fixed at \$166,875, alternates chosen as part of the award, M-1, M-2, M-3, M-4, M-6, M-7, add \$6,503, total of award and reserved funds, \$173,378.

Mayor Uszenski stated that the grant total of the bids and reserves tonight is \$1,029,965.00.

RESOLUTION NO. 2-95-96, MUNICIPAL BUILDING RENOVATION FUNDING

Trustee Besdesky moved to adopt Resolution No. 2-95-96, Municipal Building Renovation Funding, (attached). Seconded by Trustee Forman. All ayes. Motion carried.

CLERK OF THE WORKS COMMITTEE

Trustees Garcia, Ryan and Mayor Uszenski will be on the committee to select a clerk of the works for the municipal building project.

WALDEN IDA COMMERCIAL LOAN PROGRAM DEFAULT

Trustee Ozman moved to authorize the village attorney commence default proceedings against Mr. Tom Nicholson, owner of the Talk of the Town, 1 Main Street, Walden. Seconded by Trustee Forman. All ayes. Motion carried.

REQUEST FOR CONTROLLED TRAFFIC - JULY 4TH ROAD RACE

Trustee Besdesky moved to approve the request for controlled traffic for the July 4th road race. Seconded by Trustee Garcia. All ayes. Motion carried.

AUDITED BILLS

Trustee Forman moved to pay the audited bills of June 27, 1995. Seconded by Trustee Garcia. All ayes. Motion carried.

RESOLUTION NO. 3-95-96, RESOLUTION - WALDEN LIQUIDATORS

Trustee Forman moved to adopt Resolution 3-95-96, Walden Liquidators, (attached). Seconded by Trustee Ryan. On roll call Trustees Ryan, Ozman, Forman, Garcia and Besdesky voted yes. Motion carried.

CORRIDOR STUDY PROPOSAL FOR EAST MAIN STREET AND PID

Mayor Uszenski stated that the majority of the residents on East Main Street were against the zone change.

Manager Kelly stated that a letter was received in regard to the zone change on Coldenham Road, which showed he was in support of it with the change he made.

Trustee Forman stated that he agrees with the people on East Main Street. He is not in favor of the change because of the traffic flow.

Trustee Besdesky moved that the board take no action on the zone change for the MX Zone on East Main Street, at this time. Seconded by Trustee Ozman. All ayes. Motion carried.

Trustee Kelly stated that he had no other response from the property owners on Coldenham Road.

Trustee Ryan stated that he is not crazy about using that area on Coldenham Road, because of the topography, for industry. He is leaning towards residents.

Trustee Besdesky stated that he doesn't want the boards thinking to go toward housing and forget the need for industry, which we don't have enough of.

Trustee Besdesky moved to table the decision for the zone change on Coldenham Road at this time. Seconded by Trustee Forman. All ayes. Motion carried.

UNSAFE BUILDINGS UPDATE - 50 PLEASANT AVENUE

Mayor Uszenski stated that the building inspector mailed out letters to the owner of 50 Pleasant Avenue and the caretaker. He wanted the glass in the driveway cleaned up, all the garbage and debris out of the garage and all existing plywood that has been put over the windows and doors to be painted. As of today nothing has been done.

Manager Kelly stated that Mr. Wagner has acknowledged service by mail by copy of the return receipt. Mr. Williams has not.

The manager further stated that the board could authorize the department of public works clean up the driveway and assess the charges. They could also paint the plywood without getting up on ladders. The issue of the garage is one he asked the attorney, since its been nailed shut and secured. We do not know what has been left in the garage. Its a question as to whether they could forcibly open the garage to make an inspection without a search warrant. He believes Mr. Williams should be served and brought to village court on July 19th or 20th. Mr. Williams and Mr. Wagner have been sited for the water leak on Main Street with no avail. Mr. Williams and Mr. Wagner were also sited under the property maintenance code to remove the debris on the porches.

Trustee Garcia asked if the building could be condemned?

Manager Kelly stated that in order to condemn it you would have to have the village engineer perform a structural inspection on the site. Right now you cannot live in that house until you've made all the necessary repairs.

Trustee Garcia suggested the village look into condemning the property.

Trustee Ryan stated that he's heard reports of rats coming up the back hill. If refuse is inside the garage and its nailed shut so someone couldn't get in it, there are holes and ways of other things getting in and out. There are a lot of children in the area and he wouldn't want to see one of them get bit by anything. He thinks the village has to get access to the garage.

Mr. Dowd asked if anyone from the village have personal knowledge of what is in the garage.

Manager Kelly stated he stuck his head in the garage and saw three, maybe four kitchen size white trash bags. The rest of the garage is full of debris.

Mr. Dowd stated, how can a judge sign a search warrant to let you get

in if you have no personal knowledge of what is inside.

Manager Kelly stated that there is also the likelihood that there is refuse in the house itself.

Manager Kelly stated that the building inspector went through the building initially following the fire, and at that point did not feel that further investigation was warranted based on the damage he saw. His expertise would stop at whether or not the board wanted to certify whether the building is structurally sound, at which time you would call the village engineer in and ask for structural analysis of the building.

Trustee Garcia stated that it doesn't seem right that someone can come into an area and devalue the other properties.

Trustee Ryan asked about the hole in the roof?

Manager Kelly stated that dpw could not repair the hole in the roof. He would recommend the board get an estimate from a contractor and do that.

Trustee Ozman moved to authorize the department of public works clean up the driveway and paint the boards that were put over the windows and doors, and if they are not able to reach the upper windows without a ladder they not do them. Seconded by Trustee Besdesky. All ayes. Motion carried.

REVISED LISTING OF PROPOSE E-911 ADDRESS CHANGES

Mayor Uszenski stated that there were a number of questions in regard to the 911 address changes. A lot of them were acceptable and Mr. Hart has made some changes. There are a lot of homes in the village that have dual numbers, but that seems to be acceptable.

Manager Kelly stated that he will notify the residents who will be effected by this and ask for feedback.

LETTER RE: FACADE ALTERNATIVES FOR MUNICIPAL BUILDING

Mayor Uszenski stated that a letter was received from Mr. Lustig regarding the changes to the facade on the municipal building. He feels the village should wait until the village receives the change order prices before any changes are done.

REQUEST FOR PERMISSION TO HOLD WEDDING CEREMONY AT WOOSTERS GROVE

Mayor Uszenski stated that there is a request to hold a wedding ceremony at Woosters Grove.

Manager Kelly stated that the problem is more of an interpretation and policy. Looking at the village code, which deals with use of parks,

the language is such that it says organized use of parks requires permission of the manager or the village board. The village has always interpreted that to mean if an organization wants to hold a class outing they give the village a certificate of insurance and the village gives them a permit for the day and everything is fine. The question that is now raised is what is the definition of organized and there is no definition of organized in the code. This resident wants to have fifteen people participate in a wedding ceremony in Woosters Grove, which will take twenty minutes and the question is whether or not that is an organized use of the park requiring reservations of the facility.

Mr. Dowd stated that organized use means by an organization in which certain activities will be undertaken that could of been a result in an increase of liability for the village. He's not too sure that a wedding ceremony or family picnic is organized or even controlled by the village. If they wanted a specific building then you would need a permit.

Manager Kelly stated that the problem was that they asked if they could use the facility and once they ask they are providing notice that they are going to do it and the question gets to be if I know about it and you're not suppose to I need to have clarification. He asked for the attorney to clarify.

Trustee Ryan moved to approve the request for permission to hold a wedding ceremony at Wooster's Grove on August 12, 1995. Seconded by Trustee Ozman. All ayes. Motion carried.

LETTER RE: AMERICAN CANCER SOCIETY ACTIVITIES

Mayor Uszenski stated that a letter was received from the American Cancer Society advising the village that they will be kicking off a door to door campaign against cancer during the months of June and July.

PUBLIC PORTION

Larry Sager, 78 Orchard Street asked about the water leak on W. Main Street, what is the village going to do if the owner doesn't respond to the letter?

Manager Kelly stated that the village will be digging that up on Thursday, with the hope that the leak is somewhere close to the valve box and repair it.

Rebecca McNally, 52 Oakland Avenue asked about Pat's Body Shop, where do we stand on that property?

Manager Kelly stated that after her petition was delivered to the board he showed it to the building inspector and the building inspector sent a letter to Mr. Suo and met with him. He was told by Mr. Suo that he would attempt to take things inside the building at night to try and

alleviate some of the concerns that were raised. There is no village code that requires merchandise be brought in at night. There is very little space inside to put anymore merchandise and that is a problem as well.

Ms. McNally asked if there is a double standard in the village. Can a new guy come in and do things or not do things to a property that devalues or is offensive to the people around him. The mayor may have concerns about living next to such a bright building that it might have some sort of aesthetic effect on his life or property. We have someone new on one end of town coming in and someone old here.

Mayor Uszenski stated that these are two separate situations. This is someone new coming in who is before the planning board for site plan approval. The village has control over him. Mr. Suo has been in business for forty years, and that is before the zoning laws went through.

Manager Kelly stated that the problem gets to be when you start to change the zoning and change the requirements as to whether or not they have some type of grandfathered status, which allows them to continue to operate as long as they don't make substantially more changes than the new code would permit. If a new operation similar to Mr. Suo's came into the village they would be required to conform to the current zoning.

Ms. McNally stated that when she came to the village she was very pleased to see the new signs and plantings. She asked why the village has invested in the plantings and have no follow up in weeding, and trimming?

Manager Kelly stated that there is money in the budget this year to hire someone. We have advertised for someone and he will speak to Mr. Howland to see where we stand with that.

Trustee Ozman asked Ms. McNally about the entrance sign to Wooster's Grove, if they can still work together to put together the sign?

Ms. McNally stated that she hopes so.

Trustee Ryan asked if the Women's Club was contacted? He recommended the village manager send correspondence to the Walden Women's Club.

Manager Kelly stated that he spoke to the recreation coordinator who said the recreation committee was working on this project. The manager advised him that when they get to the point of having their detail finalized, his board makes a recommendation to the village board that they pursue it, so that we don't have organizations going in several different directions. Once it comes to the village board we can go forward.

Greg Raymondo stated that there is a large pot hole on Cross Street and

the trees are overgrown and you can't see the stop sign. He also requested that the police monitor the speed limit on Orange Avenue coming into the village. There was another accident there two weeks ago.

Manager Kelly stated that if Conrail has limited plans or no plans for that line DOT is willing to take that bridge out and correct that grade.

Trustee Ryan asked if the village speed limit sign can be put out where the Northeast Hub is?

Mr. Dowd stated the DOT controls where the speed limit starts.

Bob Lamancuso stated that cars coming up Scofield Street hug the center of the road instead of staying to the right.

Mayor Uzenski stated that the village does not put lines on their streets.

Manager Kelly stated that once you start that you're going to have to eliminate parking. The streets don't meet DOT standards.

Larry Sager asked if the interest on the municipal building was charged on the \$1,250,000?

Manager Kelly stated that the money in the budget was based on 1.25 million at a 6% rate. Since we haven't borrowed any money yet and he doesn't know what the rate of interest is, if its 6% on a million, one seventy then it would be \$5,000 less.

Mr. Sager stated that the residents asked for a reduction in their taxes, you said you couldn't afford to reduce the taxes, but yet according to this plan tonight you had \$116,000 from the 1994-95 budget.

Manager Kelly stated that is money that the village used from the engineering account and they raided all of the operating budgets and whatever insurance money we got and didn't spend, we put it all into the building. He doesn't know how Mr. Sager can say we would have raised the taxes to borrow the additional money.

Mr. Sager asked why the sidewalk crew can't run equipment? DPW has to go and run the backhoe for them and the dump truck.

Manager Kelly stated that the village hired two laborers. We are using an existing employee to run the backhoe.

Mr. Sager asked why the foreman is getting all the overtime?

Manager Kelly stated that he doesn't know what Mr. Sager is talking about.

Mr. Sager asked why the building inspector can't do the work of the clerk of the works for the municipal building?

Mayor Uszenski stated that Mr. Stickles feels he can't do the job.

Mr. Sager stated that he should be able to do the inspections.

REPORTS-COMMITTEE

Trustee Garcia stated that in regard to the garbage on Ulster Avenue, he had two people call him on that. He thinks the police should observe those things. Its been taken care of and he was thanked for that.

Manager Kelly stated that the board needs to amend their garbage code. There is nothing that says you can't leave garbage out in your front yard for weeks.

Trustee Garcia stated that the DPW superintendent goes up and down Ulster Avenue every day, he should see that.

Manager Kelly stated that its a code enforcement problem.

Trustee Forman asked if anything is going on with the Wooster's building?

Manager Kelly stated that the village hasn't heard anything.

Trustee Forman asked about the roof on that building.

Manager Kelly stated that its a temporary roof and it wasn't suppose to go past last winter. The village's understanding was they were going to come before the planning board and get all their approvals in place to allow them to go forward with financing applications. The village is still waiting to hear from HUD.

Trustee Forman asked for a traffic study on East Main Street and the boulevard section.

Manager Kelly stated that the only thing he seen on that is when Streamside came for approval, the matter was to be referred to DOT for a study and he doesn't know if that was ever done. He could write to our DOT contact.

Trustee Ryan asked about the house on River Road across from Mr. Casper, its starting to look like a bonafide car repair shop. There are multiple vehicles with no license plates.

Trustee Ryan stated that on Ulster Avenue there were two buildings that came before the zoning board for variances. The conditions were that they do the work necessary for the curb cuts and to maintain the slate

sidewalk. No modifications to the sidewalk were ever done. The sidewalks are cracked.

Mayor Uszenski stated that 44 Ulster needs the sidewalks fixed.

Trustee Ryan stated that on the corner of Bank Street and Capron Street the catch basin needs the grass cut or take the catch basin out. Its been that way for two years.

Manager Kelly stated that he has a list of catch basins that have to be rebuilt.

Trustee Ryan asked about South Montgomery Street, has the manager heard from the county?

Manager Kelly stated that he gave the board copies of the letters from the county. The commissioner came to Walden and road the road and agrees it needs to be resurfaced. It is not on his schedule this year. He's agreed to resurface the problem area and put it on the top of the list next year. Regarding the Conrail situation, he wrote a letter and sent it certified to Conrail in support of the manager's letter.

EXECUTIVE SESSION

Trustee Forman moved to hold an executive session pursuant to 105-(d) of the Public Officers Law. Seconded by Trustee Ryan. All ayes. Motion carried.

Trustee Ozman moved to reconvene the regular meeting. Seconded by Trustee Garcia. All ayes. Motion carried.

ADJOURNMENT

Trustee Ryan moved to adjourn. Seconded by Trustee Forman. All ayes. Meeting adjourned.

Respectfully submitted,


Nancy Mitchell
Village Clerk

**RESOLUTION NO. 2-95-96
MUNICIPAL BUILDING RENOVATION PROJECT
APPROPRIATING RESOLUTION**

WHEREAS, on December 14, 1993, the Village of Walden Board of Trustees adopted a bond resolution authorizing the issuance of \$1,250,000 serial bonds of the Village of Walden, to pay the cost of the reconstruction of the Municipal Building in and for said Village, and

WHEREAS, as required by the Local Finance Law the bond resolution contained a provision which determined that the maximum estimated cost of the reconstruction project to be \$1,250,000, and

WHEREAS, the Village Board of Trustees has determined that the actual cost of the reconstruction project will exceed the stated maximum estimated cost contained in the bond resolution, and

WHEREAS, the Village Board of Trustees has been advised by its Bond Counsel, Willkie Farr & Gallagher, that an appropriating resolution must be adopted reciting the adoption of the bond resolution, the increase in the cost of the project over that determined as the maximum estimated cost in the bond resolution and that the appropriating resolution appropriate specified funds to the project and provide a new plan for the financing of the project supplemental to that contained in the bond resolution, and

WHEREAS, the Village Board of Trustees has considered the actual bids for the work required under the reconstruction project and awarded or reserved a grand total of \$1,029,965 as specified in the attached memo entitled Municipal Building Renovation Project Contracts Awarded June 27, 1995, and

WHEREAS, the Village Board of Trustees has approved the following additional expenditures in the amount of \$376,500 to be included in the total cost of the project, and

Expenditures Approved:

Asbestos Abatement Project Cost	80,000
Construction Contingency Fund	100,000
Architectural Services Contract	77,500
Legal & Bonding Costs	20,000
Full Time Clerk of Works Position	40,000
Library Furniture For Expansion	33,000
Communications Equipment Installation	11,000
Furniture - Police, Offices, Assembly Rooms	15,000

WHEREAS, the Village Board of Trustees has now determined that the actual cost of the reconstruction project will be \$1,406,465.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Walden has adopted a financing plan in the amount of \$1,406,465 to cover the actual cost of the reconstruction project and appropriates funds from the following sources:

Funding Sources:

General Fund (1993-94)	\$ 18,399
General Fund (1994-95)	116,066
1991 Bond Issue - Capital Account #82	72,000
1995 State Grant (Member Item)	30,000
1995 Bond Issue	1,170,000

Motion to adopt by Trustee Bosdeok and seconded by Trustee Folman. The vote was 6 ayes to 0 nays with 0 abstentions. The Mayor declared the resolution adopted on June 27th, 1995.

R E S O L U T I O N

WHEREAS, Walden Liquidators, Inc. has applied to the Village Planning Board for site plan approval and a special exception use permit to establish a retail liquidation business at premises located at 110-116 West Main Street;

WHEREAS, the Planning Board is considering said application and has adjourned the public hearing on said application until July 26, 1995;

WHEREAS, on June 23, 1995, Walden Liquidators, Inc. opened its doors for business without acquiring the necessary Planning Board approvals and without the issuance of a certificate of occupancy;

WHEREAS, the Building Inspector has issued Notices to Remedy violations and has ordered Walden Liquidators, Inc. to close its doors and not conduct business until all approvals have been acquired;

WHEREAS, Walden Liquidators, Inc. has refused to obey the order of the Building Inspector and continues to operate without said Planning Board approvals;

WHEREAS, the Village Manager has authorized the attorneys for the Village to seek relief from the courts to force Walden Liquidators, Inc. into compliance with the Village Zoning Law;

WHEREAS, the Village Board does wish to ratify the Village Manager's decision to authorize the attorneys for the Village to commence appropriate legal proceedings in Orange County Supreme

Court and the Village Justice Court to force Walden Liquidators, Inc. into compliance with the Village Zoning Law.

NOW, THEREFORE, be it resolved by the Board of Trustees of the Village of Walden as follows:

1. That the attorneys for the Village, Drake, Sommers Loeb, Tarshis & Catania, P.C. are hereby authorized to commence and prosecute enforcement proceedings against Walden Liquidators, Inc. in the Supreme Court and Village Justice Court.

2. That the Village Manager is hereby authorized to enter into such agreements with the attorneys as is deemed appropriate and to coordinate all activities of Village staff in assisting the attorneys with the enforcement proceedings.

Upon motion by Forman, seconded by

Timothy Ryan, the Resolution was adopted as follows:

Mayor Andrew Uszenski

Aye

Nay

Trustee Raynard Ozman

Aye

Nay

Trustee John Ryan

Aye

Nay

Trustee Chris Forman

Aye

Nay

Trustee Tony Garcia

Aye

Nay

Trustee Martin Besdesky

Aye

Nay

Dated: June 27, 1995

110835

JUNE BILL LIST - JUNE 27,1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-52	AIR PRODUCTS & CHEMICALS	51.74
A-53	AMTHOR'S WELDING	9.80
A-54	ANACONDA -KAYE SPORTS, INC.	88.37
A-55	BELL HERRING, INC.	548.00
A-56	CHERRY TIRE	1,026.70
A-57	DANIELS AGENCY, INC.	715.70
A-58	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	3,166.74
A-59	ETC DATA PROCESSING SERVICE	666.14
A-60	EMERSON ROSS	699.78
A-61	GEORGE'S AUTO PARTS	80.25
A-62	HUMANE SOCIETY OF WALDEN	42.00
A-63	I C M A	375.37
A-64	J & J RADIATOR	35.00
A-65	JOHN C BLAUVELT GUNSMITH, INC.	500.00
A-66	MAYBROOK MATERIALS, INC.	198.39
A-67	NYCOMCO	1,800.00
A-68	QUILL	457.61
A-69	SARJO INDUSTRIES	72.84
A-70	SCOTT JENNINGS	170.00
A-71	SUNSET SPORTING GOODS	429.95
A-72	THRUWAY SHOPPING CENTER	29.95
A-73	THRUWAY SPORTING GOODS	43.85
A-74	TIMES HERALD RECORD	24.48
A-75	TIMES HERALD RECORD	74.88
A-76	TIMES HERALD RECORD	15.12
A-77	TIMES HERALD RECORD	90.00
A-78	VINCENT TOOMEY, ESQ.	1,067.05
A-79	WALDEN BAPTIST CHURCH	750.00
A-80	CIARDULLO PRINTING	94.00
A-81	COUNTRY HARDWARE	299.76
A-82	COUNTRY HARDWARE	102.10
A-83	ENVIRONMENTAL PAPER TOWEL SERVICE	151.80
A-84	WALDEN AUTO SUPPLY	137.57
A-85	MID HUDSON OFFICE SUPPLY	261.66
A-86	COUNTRY HARDWARE	26.99
A-87	TIMES HERALD RECORD	72.80
A-88	WALOR AUTO BODY	50.00

14,426.39

JUNE BILL LIST - JUNE 27,1995

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
F-10	DRAKE, SOMMERS, LOEB, TARSHIS & CANTANIA	416.63
F-11	ORANGE COUNTY LABORATORY	140.00
		<u>556.63</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
G-7	ENVIROTEST	575.00
G-8	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	416.63
G-9	GRAPHIC CONTROLS	93.96
G-10	METRO WATER	363.00
G-11	NYCAL INDUSTRIES	52.18
		<u>1,500.77</u>

JUNE BILL LIST - JUNE 27,1995

PREPAID BILLS

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	CENTRAL HUDSON	584.65

JUNE BILL LIST - JUNE 27, 1995

CAPITAL ACCOUNTS

CAPITAL ACCOUNT #53 SIGNS & SIDEWALKS	COUNTRY HARDWARE	91.16
CAPITAL ACCOUNT #53 SIGNS & SIDEWALKS	COUNTRY READI MIX CORP	429.00
CAPITAL ACCOUNT #53 SIGNS & SIDEWALKS	STARR BLOCK	67.60
CAPITAL ACCOUNT #53 SIGNS & SIDEWALKS	MEHLON TRUCKING, INC.	280.00
HODAG	CHESSARI CONSTRUCTION	7,290.00
SMALL CITIES - 93	RAY COX	6,800.00
SMALL CITIES - 92	B & C FUEL OIL CO.	3,340.00
SMALL CITIES - 92	PIROG & GARVEY EXCAVATION	1,400.00

APPROVED

VILLAGE OF WALDEN
BOARD OF TRUSTEES
SPECIAL MEETING
JUNE 20, 1995

Mayor Andrew Uszenski called the special meeting of the Village of Walden Board of Trustees to order at 7:30 P.M.

On roll call the following were:

Present: Mayor Andrew Uszenski
Trustees John McGuckin
John Ryan
Chris Forman
Antonio Garcia
Martin Besdesky

Absent: Trustee Raynard Ozman, later present

Also Present: John Kelly, Village Manager
Sam Liebman, Architect

Recording Secretary: Nancy Mitchell, Village Clerk

MUNICIPAL RENOVATIONS/ALTERATIONS

Manager Kelly stated that the board has in front of them a memo from himself dated June 20, 1995 advising them that they are still evaluating the low bidder for the general construction. The attorney is reviewing the bid bond that was submitted. That review should be completed by the end of the week and the board should be in a position to award contracts at next Tuesdays regular meeting. There will be an opinion letter from the village attorney by the end of the week regarding the qualifications of the low bidder. The purpose of the meeting tonight is to have Mr. Liebman provide additional information on the alternate bids that were received in addition to the base bids. There were \$128,000 in alternate bids that were not part of the base bids. The manager gave the board a list of the prioritized alternates by trade that Mr. Liebman and the manager reviewed. He has also provided the board with a source of funding and expenditures for the renovation project, which indicates the total amount of money available as well as the total amount spent to date and advising that whatever the total cost is that the board resolves to spend they will need to adopt a resolution, which will amend the maximum estimated cost to reflect what the actual cost of construction will be. There is also a letter from bond counsel saying that you can do it. You don't need to amend the bond resolution, you simply need to have a resolution identifying the total cost as well as the source of the fund. Since

the village will be using bond money from a previous bond as well as they have used money from the general fund and they also have the state grant as well as the 1995 bond issue that they've yet to set a total amount. The other purpose for Mr. Liebman's appearance tonight is to share the rendering he did of the alternate for the facade that he was requested to prepare. There are also three copies of resumes of people who are interested in the clerk of the works position.

Mr. Liebman stated that at last weeks meeting the board received the copy of the references that the four contractors have sent to him. He was requested to contact each of the four contractors and ask them to submit copies of the projects that they have done of similar size and scope. The first company he contacted was the general contractor, RBI. RBI did two local projects, Circleville Fire Station, \$582,000 and Suffern Volunteer Fire Station, \$960,000. Mr. Leibman contacted the architect for those projects who indicated they did a good job. They also did George Washington Elementary School, \$3,242,000 and Fox Lane High School, \$1,684,000. The architects from these jobs spoke highly of them. Canale Electric, low bidder for the electric also provided a list of projects they have done. They referenced several architects who Mr. Liebman contacted and said that they had no problem with the firm. Demberg Brothers was the HVAC contractor and they gave an equally long list of firms that were contacted and they checked out fine. Jeff Lowe, plumbing contractor also checked out well. With the information he's received the architect feels very comfortable with the apparent low bidders.

Trustee Ryan asked if Mr. Liebman contacted the owners of these projects?

Mr. Liebman stated that he spoke to two of the owners, Circleville Fire Department and George Washington Elementary School and they also complemented them.

Mr. Liebman showed the board the sketches for the front entrances. The first drawing showed a repeat of the entrance on the left on the right side. The second drawing showed the windows lowered to the same height as the top of the door and put two canopies with the same design as the door on the left. There would also be plantings in front of the windows. The cost would be the same for either one. The exact cost would have to be negotiated with the low bidder as a change order.

ELECTRICAL

Mr. Liebman recommended the following alternate for electric, Alternate E-2, Provide Panel EP-D, Associated Receptacles and Data Conduit System, \$3500.00. This is for the libraries new computer system.

Trustee Ryan moved to approve the architects recommendation, Alternate E-2, Provide Panel EP-D, Associated Receptacles and Data Conduit System. Seconded by Trustee Besdesky. All ayes. Motion carried.

PLUMBING

Mr. Liebman stated that in regard to alternate P-3, Install roof drains and piping, the way this came about is the flat roof of the existing building, the left side of the building has a sloped roof to the back. The water runs out through a scupper and runs down a vertical leader.

Trustee Ryan stated that there is a very small drain, which exits into the roof and goes through the attic space and exits the masonry.

Mr. Liebman stated that he's talking about the one in the back. There is another drain that has been roofed over and that has piping that runs down through the building. One suggestion that was made is to open that up. He's not recommending that to be done. That could lead to all sorts of problems. What he is recommending is commercial heat tape on the leader because it freezes up in the winter time. They are suggesting that be the solution to correct that freeze up problem as opposed to exposing that drain in the middle of the roof and taking that down. The cost for doing that was \$4,087. He's saying not to do that and concentrate on keeping the existing leaders that are in the back flowing and not freezing up. He will explain this further when he gets to the general construction.

Trustee Ryan asked for his reason right now.

Mr. Liebman stated that the cost for opening that up in the center, in addition to the plumbers cost, there is a general contractors cost of \$2,700. That would be for openings and flashings. There are alternates for roof repair which the architect is going to recommend, item GC-9, GC-10, GC-11. There is other work on the roof in addition to what they had put in the contract that he is recommending to be done, but not this item.

Trustee Ryan stated that he feels its money well spent for the drains, to be sure you have a flat roof that tapers to the middle over a wood structure that doesn't fill up because its going to get plugged with debris and leak down over top of the newly renovated space two or three floors down.

Mr. Liebman suggested they not make any decisions on the plumbing until they get to the general construction.

HVAC

Mr. Liebman recommended the following alternates for HVAC, Alternates M-1, Replacement of boiler seals and gaskets, \$2,500, M-2 Replacement of boiler controls and trim, \$2,548, M-3 Provide boiler combustion air damper, \$900.00, M-4 Insulation of Steam Piping in Tunnel, \$2,450, and M-6 Provide Night Temperature Setback, \$495. The architect also recommended Deduct M-7, Substitute Two Zone Unit for AC-3, \$2,390.

Trustee Ryan moved to approve the architects recommendations for Alternates M-1 through M-4, M-6 and Deduct M-7. Seconded by Trustee McGuckin. All ayes. Motion carried.

GENERAL CONSTRUCTION

Mr. Liebman made the following recommendations for General Construction alternates, GC-6, Expand Openings in Adult Non-Fiction Room, \$2,700. He further stated that in addition to the cost of expanding the openings in the adult non-fiction room is the cost of the asbestos abatement.

The architect also recommended GC-7, New Attic stairs, GC-10, Inspect and Repair of Exterior Trim Work, GC-11, Inspect and Repair Roofing, 2 yr. warranty, GC-5, Underlayment and Carpet for Assemblyroom, reserve \$15,000 and do not award, GC-8, Countertop and Low Partitions at Assembly Room Dias, reserve full amount, do not award to the general contractor, and GC-9, Inspect and Repair of Exterior Masonry Work, reserve \$20,000, do not award to general contractor. Mr. Liebman stated that if the board decides they want to go with the roof drain in the center of the building then they would accept the plumbing alternates, plus the \$2,700 alternate. He's not recommending they do that. His recommendation is to expand the existing drains that are up there now, do roofing around them and get heat tape in the exterior leader. Then you know the water is going out in the back and you can see it. If you bring it to the center of the building and let it run through the building then you don't know what is happening.

Mr. Millspaugh stated that he would like to see roof drains put at the low point of the roof. He believes ice is very destructive. He likes roof drains to come down into the heated building.

Trustee Ryan stated that most commercial buildings have interior drains. The reason being they stay clear, heated and drained. He feels the \$6700 is money well spent.

Mr. Liebman stated that he would like to reserve decision on P-3 and GC-12 until he has a chance to look at that and talk to the roofers that have looked at this and study the report they will be receiving because as part of the alternate they were asked to submit a report and he would like to review that report and get back to the board with his recommendation.

Trustee Ryan moved to approve the alternates for general construction, as recommended by the architect, GC-6, Expand Openings in Adult Non-Fiction Room, GC-7, New Attic Stairs, GC-10, Inspect and Repair of Exterior Masonry Work, GC-11, Inspect and Repair Roofing, GC-5, Underlayment and Carpet for Assembly Room, reserve full amount, do not award to general contractor, GC-8, Countertop and Low Partitions at Assembly Room Dias, reserve full amount, do not award to general contractor, GC-9, Inspect and Repair of Exterior Masonry Work, reserve

\$20,000, do not award to general contractor and to reserve decision on P-3 and GC-12. Seconded by Trustee Garcia. All ayes. Motion carried.

SOURCE OF FUNDING AND EXPENDITURES

Manager Kelly stated that the furniture for the library addition upstairs was \$33,000. That will have to be bid out as a separate purchase contract. Communications is an estimate of \$11,000 to rewire the third floor for telephones and communications. There is \$5,000 for furniture for the assembly room, \$5,000 for furniture for police department furniture and \$5,000 for the court and offices.

The cost of the furniture for the dispatch center was \$16,000, which would have to be bid out separately. The village asked for numbers to lease the furniture. For a double position will add \$300.00 per month to the lease for a five year lease. If we go with a single position it would add \$250.00 per month. The program with NYSE&G to convert the building to natural gas is still available. They are also considering a waiver of the requirement to line the chimney.

Manager Kelly further stated that the village has spent \$134,465 between 1993-1994, 1994-1995, out of the general fund. You have a bond issue from 1991 that had money for handicapped assessability as well as police department renovations. There is \$72,000 available. Senator Larkin was able to secure \$30,000 member item for the village project. The village has authorization to issue up to \$1,250,000 with the bond issue that was passed last year. The grand total of funding that is available for this project is \$1,486,465. Expenditures required total \$1,210,685. The optional expenditures total \$143,403. Grand total expenditures come to \$1,354,088. If that number stayed the same you would still have \$132,377.00 left. If you chose not to spend that money you could issue bonds in the amount of \$1,117,623. The manager will prepare an appropriating resolution which would recite the adopting of the bond resolution, increase the cost of the project, determine that the maximum estimated cost in the bond resolution and specify the funds for the project and the source of those funds. The board would adopt that resolution and you would be covering all the requirements that you would have to do in order to exceed the \$1,250,000 estimated cost. He will have the resolution prepared for the meeting on June 27, 1995.

CLERK OF THE WORKS

Mayor Uszenski stated that three people have applied for the clerk of the works position.

Trustee Ryan stated that he is familiar with one of the applicants. He was brought in through his union.

Mayor Uszenski suggested these three people be interviewed and a committee be formed to work with the manager.

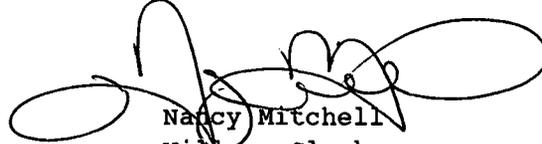
Mr. Liebman stated that he would like to be able to interview the clerk

of the works before they are hired.

ADJOURNMENT

Trustee Ryan moved to adjourn. Seconded by Trustee Ozman. All ayes.
Motion carried.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Nancy Mitchell', is written over the typed name. The signature is stylized with loops and flourishes.

Nancy Mitchell
Village Clerk

NOTICE OF MEETING

PLEASE TAKE NOTICE that the Village of Walden Board of Trustees will hold a regular meeting on Tuesday, June 13th, 1995 at 7:30 P.M. at the Village Offices, 8 Scofield Street, Walden, New York.

AGENDA

1. PLEDGE/ROLL CALL
2. APPROVAL OF MINUTES
3. BOARD'S BUSINESS
 - A. ACTION ITEMS
 - A.1 Public Hearing Under Chapter 63 - Unsafe Building Code
 - A.2 Public Hearing on Local Law I-3 Amending Chapter 148 of the Code
 - A.3 Resolution No. 1-95-96 Budget Transfer
 - A.4 Schedule Work Session with Walden Fire District
 - B. DISCUSSION ITEMS
 - B.1 Municipal Building Renovation Project
 - C. INFORMATIONAL ITEMS
 - D. CORRESPONDENCE
 - D.1 Proposed Facade Changes to Municipal Building
 - D.2 Request for Sidewalks on North Montgomery Street
 - D.3 Request From Sohn's to Hold Truckload Sale
4. PUBLIC PORTION
5. COMMUNICATIONS
6. REPORTS
7. EXECUTIVE SESSION
8. ADJOURNMENT

APPROVED

VILLAGE OF WALDEN
BOARD OF TRUSTEES MEETING
JUNE 13, 1995

Mayor Andrew Uszenski called the regular meeting of the Village of Walden Board of Trustees to order at 7:30 P.M.

On roll call the following were:

Present: Mayor Andrew Uszenski
Trustees John McGuckin
John Ryan
Raynard Ozman
Martin Besdesky
Chris Forman
Antonio Garcia

Also Present: John Kelly, Village Manager
Kevin Dowd, Village Attorney

Recording Secretary: Nancy Mitchell, Village Clerk

APPROVAL OF MINUTES

Trustee Besdesky moved to adopt the minutes of May 23, 1995. Seconded by Trustee Forman. All ayes. Motion carried.

PUBLIC HEARING UNDER CHAPTER 63-UNSAFE BUILDING CODE

Mayor Uszenski stated that the village received a letter from Mr. Wagner.

Manager Kelly stated that he received a phone call from Mr. Wagner regarding 50 Pleasant Avenue. He informed the manager that he was unaware of the process the village had undertaken. Someone faxed him a copy of a newspaper article. He proceeded to tell the manager that Mr. Williams was less than responsible for his actions in terms of the timing, he was required to do this. Mr. Williams still works for Mr. Wagner. He said that over the weekend the rest of the building was boarded up and he was in process of having the garage secured. He wanted to know what else was required. An inspection was done today by the building inspector. The building inspector's memo says that the windows and doors have been boarded up, the siding has been removed, the rear garage has been boarded up completely and the porch still contains debris as well as glass in the driveway. The recommendation to the board would be to advise the owner through Mr. Williams that the additional items need to be completed and suggests you give him a period of time to do the remaining work.

Manager Kelly further stated that Mr. Wagner has informed him that he intends to make further repairs to the property. He is waiting for his insurance company to settle the claim. What has held it up is when he purchased the property some of the closing documents were not recorded at that time, which turned ownership over to him, so that now the insurance company is waiting for the final papers. He says it will take sixty days to settle and provide payment at which time he says he'll come back and do further repairs to the property. The only item that still remains is the glass in the driveway.

Mr. Dowd stated that what he understands is the debris is furniture which may or may not have been there before the fire. A definition of debris in the village code would include the glass, but not necessarily the furniture on the porch. That may be a different property maintenance issue.

Trustee Ryan asked about the painting of the boards and the hole in the roof?

Manager Kelly stated that he will check with the building inspector.

Trustee Ryan stated that he feels the owner has had sufficient time to complete the work.

Trustee Ozman moved to provide the custodian of 50 Pleasant Avenue with a letter listing the items on the building inspectors list and that they are to be completed within ten (10) days. Seconded by Trustee McGuckin. All ayes. Motion carried.

RESOLUTION NO. 1-95-96 BUDGET TRANSFER

Mayor Uszenski stated that this is a parks and recreations transfer, which reflects the increase in the recreation coordinators salary and to purchase an eight foot boat that was stolen and to purchase a ping pong table.

Trustee Ryan asked how an eight foot row boat was stolen?

Manager Kelly stated that someone either put it on a vehicle or got in the boat and rowed it to another part of the lake and proceeded to remove it.

Trustee Ryan asked if it was chained up at the time?

Manager Kelly stated that they never locked it up. They will be purchasing a lock and chain and locking it up now.

Trustee Ozman moved to adopt Resolution No. 1-95-96, Budget Transfer, (attached). Seconded by Trustee Forman. All ayes. Motion carried.

SCHEDULE WORK SESSION WITH WALDEN FIRE DISTRICT

Trustee Besdesky moved to hold a work session with the fire district on Wednesday, July 19, 1995 at 7:30 P.M. Seconded by Trustee McGuckin. All ayes. Motion carried.

PUBLIC HEARING ON INTRODUCTORY LOCAL LAW I-3 AMENDING CHAPTER 148 OF THE CODE

Mayor Uszenski presented the Affidavit of Publication, Affidavit of Posting Notice and Notice of Hearing, which the reading of was waived.

Mayor Uszenski stated that a letter was received from Walor Auto Body stating that he strongly opposes the zone change. He has been advised that this will not effect his property.

Greg Raymondo asked if this will effect his house?

Mayor Uszenski stated no.

Larry Sager asked what effect would this have on the property values?

Mayor Uszenski stated that it should have no effect.

Mayor Uszenski stated that this also went before the planning board for their approval. They have written back and they have accepted to rezone those areas.

Mayor Uszenski further stated that there will be a work session on July 22nd, 1995 for the residents on East Main Street to discuss the zone change in the area of East Main Street.

Marcus Millspaugh stated that he requested a long time ago that the village work over the requirements within the zoning to try and tighten up where he thought it was kind of lose in the non-nuisance industry definition.

Trustee Ryan moved to close the public hearing. Seconded by Trustee McGuckin. All ayes. Motion carried.

Mayor Uszenski stated that notice was received from the County Planning Department stating that this would be for local determination.

Trustee Ozman moved to declare the Board of Trustees lead agency and to declare an unlisted, uncoordinated action under SEQRA with regard to Introductory Local Law I-3, Amending Chapter 148 of the Code. Seconded by Trustee Besdesky. All ayes. Motion carried.

Trustee McGuckin moved to adopt Introductory Local Law I-3 as Local Law No. 3 of 1995, Amending Chapter 148 of the Code. Seconded by Trustee Garcia. All ayes. Motion carried.

MUNICIPAL BUILDING RENOVATION PROJECT

Mayor Uszenski stated that the bids for the municipal building renovations came in and they are within budget. There are a number of alternates that have to be decided upon.

Manager Kelly stated that they still have to check the bond company on one of the low bidders. He has asked Sam Liebman to check the references of the four apparent low bidders. He has checked them and has given a letter to the manager stating that they are satisfied with the qualifications of the four apparent low bidders. His recommendation to the board is to set a special meeting at which time invite the architect to attend and go through the alternates to determine which alternates the village chooses to do. The total of all the alternates is \$128,000.

Trustee McGuckin moved to hold a special meeting to discuss the municipal building renovations on June 20, 1995 at 7:30 P.M. Seconded by Trustee Forman. All ayes. Motion carried.

PROPOSED FACADE CHANGES TO MUNICIPAL BUILDING

Mayor Uszenski stated that Mr. Lustig and other members of the community have not been happy with the bay doors of the municipal building. The project as it is now is to use the door to the left as the main entrance and to make the other two bay doors windows.

Trustee Garcia stated that he would like to hear why the architect didn't see this in the first place.

Mr. Lustig stated that his intentions were constructive not disruptive. He read the attached statement.

Tom Murray stated that he agrees with Mr. Lustig. He believes that when he stands on the road out front the front of the building is facing him, not the side. He doesn't want to see what happened in Goshen happen to the Village of Walden.

Janet Gridley stated that she is very much interested in Mr. Lustig's plan and agrees with him. She suggested that you repeat the pediment across the front of the building. She suggested that the windows remain, but with the same identical pediment as the door.

Larry Sager asked what the difference in cost would be?

Mayor Uszenski stated that they agreed that the door couldn't go in the middle, because of the stairs and the ramping and also the splitting of the police department. The main entrance has to stay where it is.

Mr. Murray asked if there was any great problem in making the changes

that were presented by Mr. Lustig?

Mr. Lustig stated that his first idea was to have three doors. He has no objection to the windows.

Mr. Liebman stated that in looking at the suggestions made by Mr. Lustig it basically comes down to a cost item. The reason the door was located at the left was the plan behind the doors. He is prepared to do whatever the board suggests he does. He doesn't know what the difference in cost would be. He feels the windows with the same type of gable should be looked at, because it would be less expensive than the columns and extension. He stated for the record that he would do that at no additional cost to the village. What he needs is numbers from the contractor that was the apparent low bidder.

Mr. Lustig stated that he received a call today and the caller told him that about a year ago the Josephine-Louise Library applied for a grant and it was turned down because the New York State Historical Preservation deemed the building not historically symmetrical. He asked if the changes that are now proposed to be made qualify the building so the library could get the grant?

Mr. Liebman stated that the list of things the state historical society had requested in order to fund the grant for the library were so extensive that in order to do the things they insisted we do would have cost more than the value of the grant. He further suggested that at the meeting on June 20, 1995 to consider discussions with the apparent low bidder so we can get an idea as to what some of these ideas cost.

Trustee Ryan stated that when they were going through the design stage the two doors to the right were to have some kind of green space, so it wasn't concrete and blacktop.

Mr. Liebman stated that there is a space between the sidewalk and the building for planting.

Trustee Ryan suggested the louvers be put in the soffit and have a linear exhaust.

PUBLIC PORTION-

Larry Sager stated that at the last meeting the board transferred \$57,000 bond money for the lift chair for the municipal building. He asked where the interest is on that money?

Manager Kelly stated that the interest pays the debt on the bond.

Mr. Sager asked if Mr. Wagner was informed of his water leak on W. Main Street?

Manager Kelly stated that a notice of violation/order to remedy was mailed to Mr. Wagner in care of Silas Williams.

Paul Vermilyea stated that there are two houses on Pleasant Avenue owned by Mr. Wagner. The house on the left of him is the one that had the fire. He just got around to finish boarding this up. Mr. Wagner is one of the biggest slum lords to run the face of the earth. He has totally destroyed Pleasant Avenue. You will get no action from Mr. Wagner until you take action against him. There were five families living in that house. He asked that an engineer be brought in there and have the place determined structural sound or unsound. This is a hazard. This house is an illegal three story building, there is no fire escape coming out of the third floor. The garage is full of garbage and rats.

Mayor Uszenski stated that the village has to work within the limits of the law to get them to correct these problems.

Evelyn Churchill stated that the owner boarded up the garage and she wonders if they emptied it before they did, because it was filled.

Larry Sager stated that if that man walks through the door and gets a building permit, we're stuck with the building for life. The village codes have to be reinforced better.

Larry Sager asked if there is anything new on 11-17 Main Street?

Manager Kelly stated that the owner has gotten an application for Small Cities and they are waiting for funding applications to come back and they are also waiting for the owner to come in front of the planning board. There has been no update.

Larry Sager asked if Small Cities has reimbursed the village for the time employees spend on that?

Manager Kelly stated that vouchers were submitted against Small Cities and it will be done on a regular basis.

Mr. Millspaugh asked that the village attorney look into the definition of multiple dwellings. As soon as you get three or more residents or mixed occupancy of a building you come under very stringent building code items. He had the occasion to be in a building on Ulster Avenue and there is a person who is trying to comply. The boiler room in that house had fire proof ceilings and walls, and fire door. Every dwelling unit with three or more dwellings should be to that standard.

CONIKER DRIVE-

Manager Kelly stated that according to the subdivision map dated 1963 which the street sign is Coniker Drive. He was over there this afternoon and it appears to be a shale road. There is one house that uses that road as their access. The original subdivision was from Atilio Ventresca and in 1963 they were given subdivision approval. Originally it was going to be sixteen lots. They were going to be

required to build a road with a temporary turn around until they finished the subdivision. The reason this is in front of the board was approximately two years ago Al Valk Sr. came to the planning board with a question on how he could go about grading and filling the area. There was a liability exposure they were trying to close. Under the village clearing and filling code a performance bond is required to be posted which would guarantee the restoration of any village, county or state owned property that was disturbed by the work. The village engineers quoted a performance bond figure of \$6600.00. That has been challenged and the challenge is on the basis that Coniker Drive is not a village street. The village has been plowing the snow on that road for thirty years. There hasn't been much maintenance done on it. The road isn't shown on the tax map. The question before the board is whether they have any interest in taking that.

Mr. Dowd stated that there is a village water line and village sewer and fire hydrants in that road. The property owners attorney called him up and asked if this was a village street, because if it is they he will have to post a bond and if it isn't he won't have to post a bond. It does not appear as a separate parcel on the tax map, it is a part of the Cinosi parcel. However, for some strange reason the village dpw has been maintaining that road and maintaining the water and sewer lines for thirty some years. He told their attorney that it didn't appear to be a village street at all. The attorney said his client would be willing to give the village the road, or give the village the easements for the water and sewer lines. Mr. Hoyt said if it is his clients property he will not be plowing. If what the village has been doing for years is illegal than they have to stop it.

Mayor Uszenski stated that the legal address of that house is 124 North Montgomery Street.

Trustee Ryan moved to request the easements for the water and sewer lines on Coniker Drive, that the village does not want the street and to discontinue plowing. Seconded by Trustee Besdesky. All ayes. Motion carried.

AWARD OF \$30,000.00

Manager Kelly stated that the newspaper article that indicated the Village of Walden received \$30,000, but didn't indicate which project they received it for. The manager contacted Senator Larkin's office and was informed that is money for the municipal building project.

CERTIFICATE OF APPRECIATION

Manager Kelly asked the board to authorize a certificate of appreciation to the men of DPW for the work they did installing the drains at Bradley Field. There is no more water problem at the girls softball field.

Trustee Forman moved to authorize the manager to do a certificate of

appreciation for the men of the public works for correcting the drainage problem at Bradley Field. Seconded by Trustee McGuckin. All ayes. Motion carried.

REQUEST FOR SIDEWALKS ON NORTH MONTGOMERY STREET

Mayor Uszenski stated that there has been a letter before the board requesting sidewalks on North Montgomery Street. When Winding Brook subdivision was put in they put sidewalks up to the end of there property line and sidewalks don't begin again until the corner of Liberty Street. There is a five hundred foot section that is very dangerous for the public to walk.

Manager Kelly stated that was put on the list in 1993 when the capital projects list was assembled. The village engineers estimated then that it would require 544 square yards of concrete at a cost of \$18,000. On the Winding Brook side of Route 52 there is no drainage. The drainage is a swale and there are also telephone poles and many of the properties are right up on the road. There is not much of a shoulder at all. He doesn't know if you could put sidewalks in on that side of the street without major capital project. The other thing that disuades the village going further was within the past two years the board was more concerned with trying to maintain the sidewalks we have as opposed to moving into areas where there were no sidewalks and creating additional sidewalks.

Trustee Garcia suggested that the people that are asking for the sidewalks write to the state.

Trustee Ryan suggested that the village canvass the residents of the area that would be effected by the sidewalks to get their input. Then maybe making a special assessment for the area.

Trustee Ryan moved to authorize Trustee Garcia to go see Senator Larkin in regard to sidewalks on North Montgomery Street. Seconded by Trustee McGuckin. All ayes. Motion carried.

PANTEL CONTRACTING CORP. REQUEST

Manager Kelly stated that there is a request from Pantel Contract Corp. requesting a refund for the bid document deposit that was not refunded. When the board rejected all the bids letters and bid bonds were mailed back to the bidders. Under the General Municipal Law they have thirty days to return the bid specs in good shape and they get their bid document deposit back. This company is saying they were never notified or they would have returned them sooner.

Trustee Forman moved to deny the request from Pantel Contracting Corp. to refund their bid document deposit. Seconded by Trustee Ryan. All ayes. Motion carried.

REQUEST FROM SOHN'S TO HOLD TRUCKLOAD SALE

Mayor Uszenski stated that Sohn's is requesting permission to hold a truckload sale from June 16-17. The trailer would be located on Orchard Street from June 15-19.

Trustee McGuckin moved to allow Sohn's to hold a truckload sale. Seconded by Trustee Besdesky. All ayes. Motion carried.

STATE OF NEW YORK ROUTE 208 PROJECT-

Manager Kelly stated that he attended a meeting with the NYSDOT regarding the project which is proposed in the Village of Walden in 1999. It was a scopeing session to have feed back. The items he mentioned to DOT that were in need of addressing were the Conrail overpass, which presents site problems. They are trying to determine from Conrail what the future plans are for that line. He also mentioned the Coldenham Road/Route 208 intersection is very bad and needs to have the grade looked at as well as improved. They talked about sidewalks, drainage, curbing along Route 208 from the bridge in. On Orange Avenue they talked about the intersection of Route 208 and Route 52. They will be looking at those intersections and the possibility of the third lane returning with the required width of the lanes. There is some extensive work that they are going to look at being able to do to correct both intersections. On Ulster Avenue they are prepared to put sidewalks, curbing, and drainage to correct a lot of the conditions there. The issue of street trees was raised. They will be going all the way out to Lake Osiris Road, so the issue of sidewalks extending beyond the school was also discussed. They are looking for guidance from the village for trade offs.

Trustee Ryan asked if the state would go for lighting?

Manager Kelly stated that he will find out.

PANTEL CONTRACTING

The Village Clerk stated that after reviewing the records Pantel Contracting was found to be the low bidder and wasn't notified.

NOTICE OF CLAIM

Nancy Mitchell, Village Clerk stated that a Notice of Claim was received, George Jones against Village of Walden.

REPORTS - COMMITTEE

Trustee Garcia asked if the manager looked into the street light on North Street?

Manager Kelly stated that he has a letter going to NYSE&G.

Trustee Ryan asked if it was easier this time with the returning of bid

documents?

The village clerk stated that nothing has been returned yet.

Trustee Ryan asked that the board hold a work session in regard to rentals. Its time the village got a handle on what is going on out there.

Trustee Ozman stated that in regard to Pantel Contracting he came across their letter in which they indicated there was attached correspondence of a letter dated March 23, 1995 from the clerk. He would like to take another look into this there might have been some sort of error on the village's part and to reconsider their request.

Trustee Ozman stated that there are three or four lights in the Orchard Street parking lot that work intermittently and they need some attention.

Trustee Ozman stated that the board should discuss what the villages vehicle purchase policy should be. His suggestion would be after this 1995 cruiser goes to the police department replace it with a vehicle for the manager in the price range of \$8,000 to \$10,000 and that becomes more of a quasi permanent vehicle with a life expectancy of three to four years. Then take the \$8500 plus difference and start a capital reserve account for police vehicles.

Manager Kelly stated that he doesn't think you can establish a reserve account for police cars. The state comptroller has determined the useful life of police cars is not five years, its more like three. In order to have a reserve account the useful life has to be five years. On capital reserve you have to do permissive referendum going in and you have to do permissive referendum coming out and you can't spend the money on anything but what you established it for.

Trustee Ozman stated that he's tried contacting Mr. Porr and hasn't gotten an answer to the 911 question.

Manager Kelly stated that he hasn't tried to call him.

Trustee McGuckin stated that as you enter the top of Scofield Street, if you meet someone coming up the other side it can be dangerous. Cars are allowed to park on the right side of Scofield and people coming up from Orange Avenue there is nothing to guide them and they come up the middle of the road. He feels the village should paint a line in the road to force them to stay on their own side of the road.

Manager Kelly stated that the village does not have a striper. There is a provision in the code which allows the Chief of Police to make any pavement markings required for crosswalks. The problem in the village is the roads are not wide enough to stripe and also allow for parking.

This was referred to the Chief of Police for his comments.

BOARD OF TRUSTEES MEETING
JUNE 13, 1995 - PAGE 11

Trustee McGuckin stated that he was in church on Sunday and you couldn't hear the priest because of the fire horn. Do we need that horn?

Manager Kelly stated that it is part of the villages civil defense. The problem is the system is interconnected to the point where he doesn't know how you can disconnect part of the system. He has talked to Jim Ryan about removing a lot of the old control boxes that will be in the way with the renovations. They were going to get a hold of Dick Tenney to see what can be removed.

REPORTS-MAYOR

Mayor Uszenski stated that the Town of Montgomery open house is Saturday, at 10:00 am.

Mayor Uszenski further stated that in regard to 911 and the address changes. There are a lot of houses with double numbers, and four numbers on the house. Its going to be bigger than we thought.

Mayor Uszenski stated that Walden Day is moving along. They may be asking to use the Orchard Street parking lot. They won't be requesting to close Main Street.

Trustee Ryan asked how the village is doing on the trickle down for the cars, the blue car went to Marc Hart and Dean Stickles.

Manager Kelly stated that he received the new car. They will be taking out the radio in the grey car and the mechanic is looking at it to see what it needs. The other new car is at Jim Smiths with transmission problems.

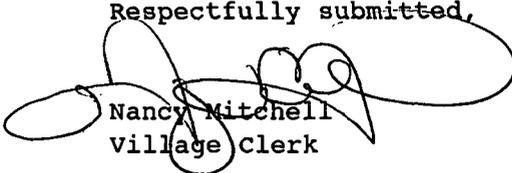
AUDITED BILLS

Trustee McGuckin moved to pay the audited bills of June 13, 1995. Seconded by Trustee Forman. All ayes. Motion carried.

ADJOURNMENT

Trustee McGuckin moved to adjourn. Seconded by Trustee Forman. All ayes. Meeting adjourned.

Respectfully submitted,


Nancy Mitchell
Village Clerk

RESOLUTION NO. 1-95-96
BUDGET TRANSFER

WHEREAS, it is necessary from time to time to amend certain expenditure accounts to accommodate departmental needs, and

WHEREAS, money is available to transfer into said accounts.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Walden that the following transfers be approved:

<u>DECREASE</u>	<u>AMOUNT</u>	<u>AMENDED TOTAL</u>
A7110.452 Park Maintenance	788.00	6,212.00
A7110.453 Park Maintenance	1,189.00	1,811.00
A7310.100 Recreation (Karate)	650.00	0
A7310.403 Karate Program	200.00	0
A7310.435 Teen Center	500.00	1,050.00

<u>INCREASE</u>	<u>AMOUNT</u>	<u>AMENDED TOTAL</u>
A7020.100 Recreation (Coordinator)	2,427.00	24,646.00
A7110.251 Recreation Equipment	400.00	1,900.00
A7310.250 Recreation Equipment	500.00	500.00

Motion to adopt by Trustee Ozman and seconded by Trustee Forman.

The vote was 7 ayes to 0 nays with 0 abstentions. The Mayor declared the the resolution adopted on June 13, 1995.

Statement by D.C.Lustig, Jr., Walden Board of Trustees
meeting June 13, 1995:

On April 11th, when I appeared before you to appeal for a design change in the proposed facade of the Municipal Building, in the course of my presentation, two questions were asked of me: 1. "Why did I wait so long to voice my concerns?" and 2. "If the design was so displeasing, why was I the only person, in all the time since its introduction, to voice an objection?" The first question was answered to your satisfaction, I hope, on April 11th - the answer to the second question had me baffled until just about a week ago.

The reason, of course, is that the November '93 published visual perspective of the building and the large display in the Village Offices showed the library side, the set back original main entrance, and the three truck bay sides all in the same plane. In this context the center point of the three sections is almost exactly half way between the original main entrance and the proposed new main entrance giving the design a somewhat balanced appearance on paper. Although the library side is obviously not at right angles to the facade, giving it varying degrees of visibility depending upon one's vantage point, the only exterior changes proposed to the building is on the facade side. By simply folding back the drawing vertically at the left end of the gable, the imbalance created by the proposed new entrance becomes very apparent. Of the many dozen concerned Walden residents, including many of those present, who viewed the drawing in this context, none found the original proposal acceptable.

It is easy to imagine the quandary of the architect back about 1914 when commissioned by Col. Bradley to design a building to fit on this odd shaped parcel of land with space allotted to the three fire companies, the library, and the village offices on the first floor, the fire company meeting rooms on the second floor, and the community auditorium on the third floor. It became a building of compromises. The highest priority was given to the fire companies, which needed quick access to the square when called, and thus the gable, the clock, and the four columns were added to this most visible side of the building. Second in importance seemed to be the library which was given the most elegant pedestrian entrance. Third in visibility is the elevated main entrance which provided access to the stairwell leading to the second and third floors. Setting this raised entrance in a notch on the library side and parallel to the facade seemed to be the architect's solution to giving it prominence without disturbing the symmetry of the building. Given the great difficulty that all concerned have faced in allotting space and dealing with the elevator, air conditioning, heating, and the cost of a myriad of other concerns, it is very easy to understand how the matter of facade symmetry became

OVER →

obscured.

If you agree with me, and all of the others who have voiced their concern, that this analyses is correct, then it is not too late to preserve the historic integrity of our municipal building.

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~XXXXXX~~

~~City~~ of WALDEN

~~Town~~

Village

Local Law No. 3 of the year 1995.

A local law amending Chapter 148 of the Code of the Village of Walden
(Insert Title)
entitled "Zoning" to re-zone certain lands within the Village

Be it enacted by the BOARD OF TRUSTEES of the
(Name of Legislative Body)

~~County~~

~~City~~ of WALDEN

~~Town~~

Village

SECTION 1.

Section 148-8 of the Code of the Village of Walden entitled "Zoning Map Amendments" is hereby amended to include the following changes in land classifications of the following parcels located in the Village of Walden and identified by Town of Montgomery Tax Map reference (1992/1993) as follows:

1. From the current I-2 district to the R-5 district: 312-5-2; 312-5-3; 312-5-4; 312-5-5; 312-5-6; 312-5-7; 312-5-8; 312-5-9; 312-5-10; 312-5-11; 312-5-12.

2. From the current I-2 district to the R-4 district: 312-3-26; 312-3-27.1; 312-3-27.2; 312-3-29; 309-12-1; 309-12-2; 309-12-3.1; 309-12-3.2; 309-12-4; 309-12-5; 309-12-6; 309-12-7; 309-12-8; 309-12-9; 309-12-10; 309-12-11.

3. From the current I-2 district to the B-4 district: 309-14-18; 309-14-19; 309-14-20; 309-14-21.1; 309-14-21.2; 309-14-22; 309-14-23; 309-14-24; 309-14-25.12; 309-14-29.2; 307-6-2; 307-6-1.1; 307-6-1.2; 307-6-31.

SECTION 2.

This local law shall take effect immediately upon filing in the office of the Secretary of State in Albany.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 1995 of the ~~(County)~~(City)~~(Town)~~(Village) of WALDEN was duly passed by the Board of Trustees on 6/13 1995, in accordance with the applicable provisions of law.
(Name of Legislative Body)

~~**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*~~

~~**3. (Final adoption by referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*~~

~~**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*~~

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

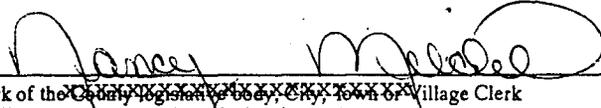
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 19____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____, above.



Clerk of the County Legislative Body, City, Town or Village Clerk
or officer designated by local legislative body
NANCY MITCHELL

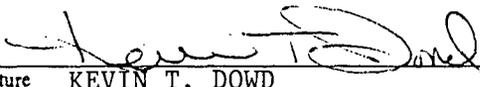
Date: 6.14.95

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF ORANGE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Signature KEVIN T. DOWD

Title ATTORNEY

~~County~~
~~City~~ of WALDEN
~~Town~~
~~Village~~

Date: 6.14.95

JUNE BILL LIST - JUNE 13, 1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A1	A&A AMERICAN ALARM	\$ 36.00
A2	ANNESE & ASSOCIATES	178.00
A3	CL & EJ GRIDLEY	2,464.44
A4	CIARDULLO PRINTING	60.00
A5	COUNTRY HARDWARE	125.46
A6	CUSTOM CLAY	2,320.00
A7	DAN THE TREE MAN	1,100.00
A8	DANIELS AGENCY	60,790.08
A9	DON HUME LEATHERGOODS	81.75
A10	DON HUME LEATHERGOODS	19.25
A11	EAGLE POINT GUN	2,018.46
A12	FRONTIER COMMUNICATION	1,092.03
A13	GAINER-WILBUR	1,489.80
A14	GAINER-WILBUR	27.75
A15	ICMA	65.00
A16	ICMA	148.24
A17	GENERAL CODE PUBLISHERS	1,203.72
A18	HUMANE SOCIETY OF WALDEN	30.00
A19	GEORGE'S AUTO	6.62
A20	HOWLAND, JOHN	30.38
A21	LIFESAVING RESOURCES	160.00
A22	LIFESAVING RESOURCES	231.95
A23	LYNCH, MICHAEL	26.75
A24	MID HUDSON COMMUNICATIONS	20.00
A25	MID HUDSON OFFICE SUPPLY	455.00
A26	MID HUDSON OFFICE SUPPLY	85.54
A27	NYCOMCO	125.00
A28	NEW YORK STATE CONFERENCE OF MAYORS	2,026.00
A29	ORANGE COUNTY SANITARY LANDFILL	492.40
A30	ROYAL TIRE	203.50
A31	SANWA LEASING CORPORATION	135.00
A32	STANDARD COPY	63.15
A33	THRUWAY SHOPPING CENTER	37.25
A34	THRUWAY SHOPPING CENTER	124.26
A35	THRUWAY SPORTING GOODS	12.36
A36	TIMES HERALD RECORD	56.70
A37	TIMES HERALD RECORD	63.45
A38	TIMES HERALD RECORD	86.40
A39	TIMES HERALD RECORD	28.08
A40	VEN MAR SALES	24.87
A41	WALDEN ANIMAL DELI	52.99
A42	WALDEN AUTO SUPPLY	49.99
A43	WARNOCK FLEET LEASING	18,126.00
A44	WEST POINT TOURS	1,170.00
A45	WICKES LUMBER	88.61
A46	WICKES LUMBER	40.98
A47	WICKES LUMBER	105.33
A48	WICKES LUMBER	5.83
A49	WILLIAMSON LAW BOOK	8.92
A50	WOLCOTT, WILLIAM	120.00
A51	MASTER LOCKSHOP	48.00
		<u>97,561.00</u>

JUNE BILL LIST - JUNE 13, 1995

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
F1	COUNTRY HARDWARE	\$ 115.41
F2	FRONTIER COMMUNICATION	70.00
F3	RALPH C. HERMAN	544.36
F4	RALPH C. HERMAN	199.11
F5	ROCHESTER MARRIOTT HOTEL	332.75
F6	TRIAD PRODUCTS	31.46
F7	ZYCHOWICZ, WALTER	2.87
F8	A&A AMERICAN ALARM	28.00
F9	DANIELS AGENCY	10,131.68
		<u>11,455.64</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
G1	FRONTIER COMMUNICATION	43.44
G2	SCHMIDT'S WHOLESALE	37.20
G3	WALDEN ANIMAL DELI	252.00
G4	WECHSLER CONTRACTING	677.91
G5	ZYCHOWICZ, WALTER	2.88
G6	DANIELS AGENCY	7,014.24
		<u>8,027.67</u>

JUNE BILL LIST - JUNE 13, 1995

CAPITAL ACCOUNTS

CAPITAL ACCOUNT #53	MAYBROOK MATERIALS	\$ 74.40
	MAYBROOK MATERIALS	491.33
CAPITAL ACCOUNT #87	GAINER-WILBUR	150.00
	GAINER-WILBUR	1,692.58
COMMUNITY DEVELOPMENT HODAG	CHESSARI CONSTRUCTION	12,851.00
COMMUNITY DEVELOPMENT UDAG	MAYBROOK MATERIALS	171.50
COMMUNITY DEVELOPMENT UDAG	GAINER-WILBUR	240.00
COMMUNITY DEVELOPMENT SMALL CITIES 93	TRIPLE CROWN CONTRACTORS	4,240.00
COMMUNITY DEVELOPMENT SMALL CITIES 93	RAY COX	2,900.00

JUNE BILL LIST - JUNE 13, 1995

PREPAID BILLS

GENERAL FUND

VOUCHER

VENDOR

AMOUNT

AT & T	\$ 5.25
NYNEX	10.27
NYNEX	35.04
NYSEG	1,253.62
NYSEG	5,464.02
POSTMASTER	316.97
	<u>\$7,085.17</u>

WATER FUND

NYSEG	2,235.69
POSTMASTER	69.19
	<u>\$2,304.88</u>

SEWER FUND

NYSEG	3,857.88
POSTMASTER	69.18
	<u>\$3,927.06</u>

NOTICE OF MEETING

PLEASE TAKE NOTICE that the Village of Walden Board of Trustees will hold a regular meeting on Tuesday, May 23rd, 1995 at 7:30 P.M. at the Village Offices, 8 Scofield Street, Walden, New York.

AGENDA

1. PLEDGE/ROLL CALL
2. APPROVAL OF MINUTES
3. BOARD'S BUSINESS
 - A. ACTION ITEMS
 - A.1 Resolution No. 30-94-95 Budget Transfer
 - A.2 Resolution No. 31-94-95 Budget Amendment
 - A.3 Resolution No. 32-94-95 Implementing E-911 Address Changes
 - A.4 Unsafe Building Proceeding Under Chapter 63 of Village Code
 - A.5 In-line Hockey Program Designation of Facility
 - A.6 Payment of Audited Bills For May 23rd, 1995
 - B. DISCUSSION ITEMS
 - B.1 Town of Montgomery Ambulance Service
 - B.2 Review of Handicapped Parking Sign Locations
 - C. INFORMATIONAL ITEMS
 - D. CORRESPONDENCE
4. PUBLIC PORTION
5. COMMUNICATIONS
6. REPORTS
7. EXECUTIVE SESSION
8. ADJOURNMENT

APPROVED

VILLAGE OF WALDEN
BOARD OF TRUSTEES MEETING
MAY 23, 1995

Mayor Andrew Uszenski called the regular meeting of the Village of Walden Board of Trustees to order at 7:30 P.M.

On roll call the following were:

Present: Mayor Andrew Uszenski
Trustees Raynard Ozman
Antonio Garcia
Chris Forman
Martin Besdesky
John McGuckin

Absent: Trustee John Ryan, later present

Also Present: John Kelly, Village Manager
Kevin Dowd, Village Attorney

Recording Secretary: Nancy Mitchell, Village Clerk

APPROVAL OF MINUTES

Trustee Forman moved to adopt the minutes of May 9, 1995. Seconded by Trustee Besdesky. All ayes. Motion carried.

TOWN OF MONTGOMERY AMBULANCE SERVICE

Mayor Uszenski stated that the village has asked for an update from the ambulance corp. They will be dispatching with the sheriffs department as of the end of June.

JoAnne Scheels stated that they have contacted the sheriffs department and they had to send them a copy of a contract and dispatch policy. It went through their legal department and its been signed by both patties. What their hold up is right now is they have to switch dispatching from 473 to 271h, which is the county channel. They had to reprogram their radios that aren't programmed to that. They had to pick up pagers for the people who have no contract at all. They have been guaranteed that they can have everything in place by the end of June.

Trustee Ozman asked if the ambulance corp.. thought going to the sheriffs department would impact services at all?

BOARD OF TRUSTEES MEETING
MAY 23 1995, PAGE 2

Mrs. Scheels stated no, they feel it should improve services.

Mayor Uszenski stated that the only other thing the village needs from h town board is a contract to continue snow plowing.

manager Kelly stated that there is an inter-municipal agreement now between the ambulance corp.. and the Town of Montgomery and what the village has asked of Carl Helstrom is to allow another provision which puts what the village is doing in writing and by agreement allows the village to continue to salt, sand and plow.

Mrs. Scheels asked when the village was sanding, salting and plowing? The village hasn't done it for years. She has a private individual doing it. Mr. Vermilyea has been doing it. The village told her three years ago that they were to buy and that they couldn't get in there and get it done immediately when they needed it done. On numerous occasions they've had ambulance calls and couldn't get out of the bay. They called and were told by the village that they were out and they were sorry.

Trustee Ozman asked, in the event Mr. Vermilyea stops doing that service, what other options would they have?

Mrs. Scheels stated that their first option would be to find another volunteer.

Manager Kelly stated that the DPW crew goes into the ambulance parking lot while they are on their route and do a pass and put salt and sand down when they are done. He further stated that its been his understanding that the village has always performed that function and will continue to do it. The only reason the village has a question now is because under the General Municipal Law we have to have an inter-municipal agreement in order to provide the service. Since we are already a part of the Town of Montgomery, covered under the contract for the town with the ambulance corp., the easiest way was to piggy back onto that agreement with a provision on the bottom that would allow the village to do it and have everything in a contract so that everyone knows who is responsible for what.

Mrs. Scheels stated that they are not against the village doing the plowing. She just knows that for the past three years this gentlemen has been doing it.

Manager Kelly stated that he sent a letter to Mr. Helstrom to consider the agreement and let the manager know what his feelings were on it. He has not been given assurance one way or the other that we could do that. The manager wanted the supervisors feedback before he approached the ambulance corp. Now that the dispatching will be taken away maybe that issue can be addressed in a letter again, asking the town board to consider it.

Manager Kelly asked, when the ambulance corp. goes to the sheriffs department, will the protocol for the sheriffs department be the same as it was for Walden, that if you don't have a crew on they call mobile life?

Mrs. Scheels stated yes.

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Manager Kelly asked if there is anything in the works between the town and the ambulance corp. to supplement the corp. of volunteers during those periods of time that they can't provide coverage? Are they thinking about focusing their effort in a smaller period instead of twenty-four hours, seven days a week?

Mrs. Scheels stated that they are trying to put a package together to address two paid people during the day. That would be full coverage 6am-6pm for five days a week and do volunteers for the 6pm-6am, Monday through Friday and weekends.

Trustee Ozman asked if there would be a change in the telephone number for the ambulance corp?

Mrs. Scheels stated that they are working on keeping the same number.

Bill Schimpf, Mayor of Maybrook stated that he was not aware of any of these changes until tonight. he would like to be kept informed as to what is happening in the corp. for their own knowledge.

Mrs. Scheels asked if the village would still dispatch them until the end of June?

It was the consensus of the board to continue to dispatch for the ambulance corp. until the end of June.

RESOLUTION NO. 30-94-95 BUDGET TRANSFER

Trustee Ozman moved to adopt Resolution No. 30-94-95, Budget Transfer, (attached). Seconded by Trustee McGuckin. All ayes. Motion carried.

RESOLUTION NO. 31-94-95 BUDGET AMENDMENT

Trustee Besdesky moved to adopt Resolution No. 31-94-95, Budget Amendment, (attached). Seconded by Trustee Garcia. All ayes. Motion carried.

RESOLUTION NO. 32-94-95 IMPLEMENTING E-911 ADDRESS CHANGES

Mayor Uszenski stated that Marc Hart did an update of the addresses that needed to be corrected. This will get the village streets in order for the implementation of E-911.

Manager Kelly stated that looking at the memo of May 17th there are seven changes. The post office has signed off on everyone but the seven. The resolution is required to adopt the final address changes of the board. The board can do that conditioned on the post office signing off on the last seven.

Mayor Uszenski stated that the village has two streets that are split, Woodruff and Elm and that hasn't been addressed. Should those be considered at this time?

Manager Kelly stated that he asked Marc about Woodruff Street and his comment was that

BOARD OF TRUSTEES MEETING
MAY 23 1995, PAGE 4

the numbers run sequentially from one to the other, so its not seen as a problem. The county will provide to the village a complete map of all the street addressing, which the village can use later on for the data base to map our infrastructure.

Trustee Ozman asked if anyone could think of any other reason why we would not want to change the addresses? He thinks its interesting to note that the 911 coordinator didn't seem to object that Newburgh didn't change any of their address numbers. he is curious to know why Newburgh refuses to change them.

Mayor Uszenski went through the address changes with the board. He suggested that the people be notified of the possible change in their address.

Manager Kelly stated that if the board would like to table this until the next meeting he could write to the effected homeowners.

Mayor Uszenski stated that there is one house out of order on Pleasant Avenue and there are homes on Wait Street that are missed numbered.

Manager Kelly stated that the next step would be to enact a house numbering law, which would require their house number, certain size numbers, certain design and be in a certain location on the house.

This was tabled until the next meeting on June 13th and to send notices to the people on the list advising them of the possible address change.

UNSAFE BUILDING PROCEEDING UNDER CHAPTER 63 OF VILLAGE CODE

Trustee Forman moved to proceed with the unsafe buildings proceeding for 50 Pleasant Avenue to hold a hearing on June 13, 1995 at 7:30 P.M. Seconded by Trustee Ozman.

Trustee Ryan stated that this property is in very close proximity to his own home and he does have a personal interest, he asked the attorney if he should be voting or abstaining.

Mr. Dowd stated that is a personal preference of a member. If he feels in some way because of his proximity you would have a conflict then he suggest she recuse himself and not just this vote, but all further proceedings involving this house.

On roll call Trustees McGuckin, Ryan, Ozman, Forman, Garcia, Besdesky and Mayor Uszenski voted yes. Motion carried.

IN-LINE HOCKEY PROGRAM DESIGNATION OF FACILITY

Mayor Uszenski stated that it has been decided to go with the Bradley Park development. He asked Mr. Law if they have come up with a name?

Mr. Law stated that the name of the association is the Valley Central In Line Roller Hockey Club.

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Mayor Uszenski stated that what the village has done is given the association permission to develop the old basketball court area at Bradley Park.

Trustee Ozman moved to permit the development of the basketball court area at Bradley Park for the Valley Center In Line Roller Hockey Club. Seconded by Trustee Ryan.

Trustee Ryan stated that he did make the call to the town and spoke to a wonderful lady and that was as far as he got.

Trustee Garcia asked if the board was still going under the assumption that it won't cost the village any money?

Mayor Uszenski stated that at this point there is no spending of any village dollars. That will be up to the board if the board decides at a later date.

All ayes. Motion carried.

PAYMENT OF AUDITED BILLS

Trustee Garcia moved to pay the audited bills of May 23, 1995. Seconded by Trustee Ozman. All ayes. Motion carried.

SMALL CITIES EXCEEDING \$10,000

Trustee Ozman stated that he will be recusing himself from any deliberations on this property and will be abstaining from the vote.

Trustee McGuckin moved to approve the Small Cities Program to exceed \$10,000 contingent upon hearing from HUD in writing verifying they will agree to it. Seconded by Trustee Garcia. On roll call Trustees McGuckin, Ryan, Forman, Garcia, Besdesky and Mayor Uszenski voted yes. Trustee Ozman abstained. Motion carried.

FIRE DEPARTMENT REQUEST

Mayor Uszenski stated that the village has received a letter from the Walden Fire Department asking for exclusive use of Bradley Field for their annual firemens fair, July 9th through July 16th. Seconded by Trustee McGuckin.

Trustee Besdesky moved to approve the request of the fire department to have exclusive use of Bradley Park for their annual fair from July 9th through July 16th. Seconded by Trustee McGuckin.

Chief Holmes stated that it costs his department \$2500 in overtime and regular straight time for the part time officers.

Manager Kelly stated that the fire department has been in the past going in and tying into the

BOARD OF TRUSTEES MEETING
MAY 23 1995, PAGE 6

electrical service by the by ski tow. They do pay the bill. They do have people living in trailers and there is a question as to having approval from the health department or a waiver from this board because its a violation of the zoning code.

Trustee Ryan asked what the funds are used for?

Trustee Garcia stated that its for their social events, bands for their parades and uniforms.

Trustee McGuckin stated that the village may need to start considering a dialog with these folks.

Mayor Uszenski stated that there are a number of things that the board needs to discuss with the fire district and this could be also discussed.

All ayes. Motion carried.

1995 SMALL CITIES GRANT AGREEMENT

Trustee Ozman moved to authorize the mayor to sign the 1995 Small Cities Grant Agreement. Seconded by Trustee McGuckin. All ayes. motion carried.

CHANGING THE VILLAGES INSURANCE CARRIER

Mayor Uszenski stated that this change will save the village \$20,562 on our annual payment and will put all the coverage under one company.

Trustee Ozman moved to authorize the manager change the village's insurance carrier to Coregis. Seconded by Trustee McGuckin. All ayes. Motion carried.

REVIEW OF HANDICAPPED PARKING SIGN LOCATIONS

Mayor Uszenski stated that Chief Holmes has made an updated list of handicapped parking sign locations for review.

There are a couple that could be removed, 66 Capron Street and 49 Gladstone Avenue.

The Chief will report back to the board on 66 Capron Street and 49 Gladstone Avenue.

INFORMATIONAL ITEMS

Mayor Uszenski stated that the Memorial Day Parade is scheduled for May 29th.

CORRESPONDENCE

Mayor Uszenski stated that the Town of Montgomery will be having open house on Saturday, June 17, 1995 for dedication of the new town hall.

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Mayor Uszenski stated that the village has received notice that the State of New York will be resurfacing Route 208 between Neeleytown Road and the Ulster County Line. The start day is March 1998.

Manager Kelly stated that there is an informational meeting on June 13, 1995 and he will attend and report back to the board.

PUBLIC PORTION

Bob Lamancuso, 33 Gladstone Avenue asked if the sidewalk on Scofield Street due for replacement this year?

Manager Kelly stated yes.

Mr. Lamancuso stated that the street sweeper came down his street and tore up the asphalt in front of his house. He would like to chip it out, make a clean cut and have DPW drop off hot patch and he will fill it in.

Manager Kelly stated that DPW could square that off and do it. He doesn't think Mr. Lamancuso should be out in the road doing that.

Mr. Lamancuso asked if there was a set schedule for resurfacing streets in the village or is it a visual inspection?

Manager Kelly stated that its a visual inspection and they try to do the worse street first.

Mr. Lamancuso stated that where NYSE&G dug for gas hookups its now a mud hole and getting larger.

Manager Kelly stated that the village will notify NYSE&G.

Larry Sager, 78 Orchard Street asked if the volunteers of this village mean anything to this village?

Mayor Uszenski stated yes.

Mr. Sager asked why are we going to tax ourselves. Where will the fire department go for money, the fire district and who pays the fire district, the tax payers. Aren't they entitled to something from this village for the services they provide.

Mayor Uszenski stated that is why the village is going to ask for a work session and sit down and discuss it.

Marc Sperry, 11 Westwood Drive asked if there is anything the village can do to change the timber of the fire horn? He suggested the board petition the fire commissioners. The noon whistle isn't needed, because we're no longer a factory village.

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Mayor Uszenski stated that this can be discussed at the work session.

Mr. Sperry stated that Maybrook and Montgomery don't have the blaring blast.

Rebecca McNally presented a petition to the board requesting the village enforce any and all building codes applicable to the business located at 81 East Main Street, known as Pat's Body Junk Shop. She filed a Freedom of Information Request only to find out the file is empty. There have been no communications at all. Its concerning the amount of merchandise that is building up outside the building. According to the code, things can be brought out but they have to be put back in the building. They cannot be left out for a long period of time. There is also some regulations as to the identification of the business. Its in the records as Pat's Body Shop and there's no automobile business or body work going on there.

Manager Kelly stated that he knows the building inspector has sent him letters. There is a variance. He and Star Glass have a common wall between the two businesses. He's not aware of anything in the code that requires him to bring things in at night.

Mrs. McNally stated that there hasn't been any correspondence in writing.

Manager Kelly asked Mrs. McNally what she asked for specifically?

Mrs. McNally stated any communications between the owner of the property and the village office concerning anything to do with the problem she complained about, and there was none. Dean is the one who told her that the village had something in place that said, items may be put out, but they must be put back in.

Mayor Uszenski stated that this will be looked into.

Mrs. McNally stated that there is a sign at Wooster's Grove and there are some people who are willing to donate lumber and time and make a sign that is more suitable. She has been calling Mr. Monte and she hasn't gotten any response from him. She asked what her next step might be in accomplishing that?

Trustee Ozman stated that one of the problems is Mr. Monte is very busy and he donates his time to the village.

Trustee Garcia stated that the sign that is there now was put up by the Walden Women's Club and any changes should be discussed with them.

Trustee Ozman stated that there has been some discussion regarding the replacement of the sign. The recreation committee has undertaken those discussions, but no decision has been reached. He will bring it up for discussion again. Mr. Monte tries to do is keep a central theme throughout the village to the extent that he can do that.

Greg Raymondo stated that at one of the meetings with the fire district, they said once the new fire house was built they were going to disconnect the horn from the municipal building because they don't respond to fires from that alarm. He also feels the fire department should

BOARD OF TRUSTEES MEETING
MAY 23 1995, PAGE 9

reimburse the police department for their services during the fair.

Mr. Raymondo asked if the village has money in the budget for the water department to buy tools. He was talking to one of the water department employees who responded to a call and he didn't have the right tool to cut the pipe. He was a great worker, but he didn't have the tools for the job.

Manager Kelly stated that there is a materials and supply line item.

Larry Sager stated that he's been watching a water leak on W. Main Street for almost three weeks.

Mayor Uszenski stated that there is a problem there and if the village can't get the property owner to repair the property they might have to shut the water off and that would evict five families.

Manager Kelly stated that the building is in foreclosure and there is no provision in the code to let the village make a repair and levy it against the property.

Mr. Sager stated that its public interest to save and conserve village water.

Manager Kelly stated that it is a problem. The village turned the pressure down to try and make it leak less. If the board wants the village will dig it up and replace it up to the property line. If you're not going to replace the entire service its not going to correct the problem. If we do it here then we are setting precedent. The village code requires the property owner to be responsible for the care and maintenance from the curb stop into the house. The village is only responsible from the curb stop out, if there is a leak or something happens to the line and it has to be replaced.

Mr. Dowd stated that he did contact a lawyer and advised him that there was somewhat of an emergency and the answer was that they are just beginning the foreclose and they are trying to figure out how they are going to serve the owner in Mexico. They won't even talk about the responsibility for that.

REPORTS - COMMITTEE

Mayor Uszenski stated that the portable basketball hoops are growing around town. People are putting them in the streets and not putting them back. He feels they should be confiscated.

Chief Holmes stated that they have talked to some of the residents. For a week or two weeks they have been bringing them out and bringing them back in.

Trustee Besdesky stated that he'd like the Pond Road park issue kept alive.

Trustee Garcia stated that his neighbor had someone stop at her house who was looking for

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MAY 23 1995, PAGE 10

rooms for girls.

Chief Holmes stated that these girls come around looking for a place to stay yearly. One of the girls was at the police station yesterday and got a permit to solicit. They are college students selling books.

Chief Holmes further stated that he did check on the ice cream truck and in the village code it states that you can sell milk products, but when they get into other areas then they will need a permit.

Trustee Ryan stated that the speed limit signs on the outside of the village indicate village speed. Would it be possible to just say, speed limit 30mph.

Manager Kelly stated that the only place the state highway is designated 30 mph is within the village. He could write a letter to the state and see if that could be done.

Trustee Ryan asked for an update on the repairs to the county roads?

Manager Kelly stated that he's received no response.

EXECUTIVE SESSION

Trustee Ozman moved to hold an Executive Session pursuant to 105-(f) of the Public Officers Law. Seconded by Trustee Ryan. All ayes. Motion carried.

Trustee Ryan moved to reconvene the regular meeting. Seconded by Trustee Garcia. All ayes. Motion carried.

Trustee McGuckin moved to amend the annual salary of the Recreation Coordinator for 1995-96 as outlined in the May 22, 1995 memorandum, (attached). Seconded by Trustee Besdesky. On roll call Trustees McGuckin, Ozman, Besdesky, Forman and Garcia and Mayor Uszenski voted yes. Trustee Ryan abstained. Motion carried.

ADJOURNMENT

Trustee Ozman moved to adjourn. Seconded by Trustee McGuckin. All ayes. Motion carried.

Respectfully submitted,



Nancy Mitchell
Village Clerk

RESOLUTION NO. 30-94-95

BUDGET TRANSFER

WHEREAS, it is necessary from time to time to amend certain expenditure accounts to accommodate departmental needs, and

WHEREAS, money is available to transfer into said account.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Walden that the following transfer be approved:

<u>DECREASE</u>	<u>AMOUNT</u>	<u>AMENDED TOTAL</u>
A1640.435 Clothing	\$1,800.00	\$ 400.00
A1990.400 Contingent Account	4,639.00	5,830.00
A3120.438 Uniform Allowance	6,400.00	515.00
A3121.438 Uniform Allowance	3,000.00	-0-
A3122.435 Uniforms	400.00	1,100.00

<u>INCREASE</u>	<u>AMOUNT</u>	<u>AMENDED TOTAL</u>
A1325.100 Treasurer-Per.Ser.	3,268.00	81,796.00
A1620.100 Buildings-Per. Ser.	200.00	22,245.00
A1640.100 Central Garage-Per. Ser.	400.00	42,423.00
A1640.201 Miscellaneous Equip.	451.00	951.00
A1640.210 Fuel Storage Tank	20.00	12,320.00
A3120.100 Police-Per. Ser.	6,400.00	349,038.00
A3121.100 Foot Patrol-Per. Ser.	3,000.00	151,700.00
A3122.100 Dispatching-Per. Ser.	400.00	92,761.00
A5110.100 Street Maint.-Per. Ser.	1,200.00	151,130.00
A5110.120 Overtime	900.00	12,900.00

WATER FUND

<u>DECREASE</u>	<u>AMOUNT</u>	<u>AMENDED TOTAL</u>
F8340.433 Material and supplies	\$ 135.00	24,417.00

<u>INCREASE</u>	<u>AMOUNT</u>	<u>AMENDED TOTAL</u>
F8340.206 Water Meter Repair Pts.	135.00	3,385.00

SEWER FUND

<u>DECREASE</u>	<u>AMOUNT</u>	<u>AMENDED TOTAL</u>
G1990.400 Contingent Account	2,590.00	410.00
G8110.100 Sewer Admin.-Per. Ser.	1,000.00	119,819.00

<u>INCREASE</u>	<u>AMOUNT</u>	<u>AMENDED TOTAL</u>
G8110.401 Office Expense	\$ 500.00	\$ 1,500.00
G8110.495 Engineering	1,000.00	5,000.00
G8130.120 Overtime	1,000.00	6,000.00
G8130.291 Miscellaneous Equip.	10.00	810.00
G9060.800 Hospital & Med. Ins.	1,010.00	14,775.00
G9720.700 SIB-Interest	70.00	10,179.00

LIBRARY

<u>DECREASE</u>	<u>AMOUNT</u>	<u>AMENDED TOTAL</u>
L7410.410 Library Books	\$3,361.00	\$30,200.03

<u>INCREASE</u>	<u>AMOUNT</u>	<u>AMENDED TOTAL</u>
L7410.100 Library-Per. Ser.	\$1,500.00	\$70,540.00
L7410.201 Office Equipment	1,861.00	6,119.00

Motion to adopt by Trustee Ozman and seconded by Trustee McBuckin. The vote was 1 ayes to 0 naves with 0 abstentions. The Mayor declared the resolution adopted on May 23, 1995.

**RESOLUTION NO. 31-94-95
BUDGET AMENDMENT**

WHEREAS, on June 12, 1990, the Village Board authorized the borrowing of \$57,000 for the purpose of making the Walden Municipal Building accessible to the handicapped through the installation of a chair lift, and

WHEREAS, on September 8, 1992, the Village Board determined that a chair lift would not comply with the requirements of the Americans with Disabilities Act and determined that the original borrowing was insufficient for its intended use and resolved to use the funds for debt service, and

WHEREAS, the Walden Municipal Building Alteration and Renovation Project will address the issue of accessibility and the Village Board has determined that this would be an appropriate use for the dedicated funds which remain available.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Village of Walden that the Capital Fund Account #82 Municipal Building is hereby increased by \$57,000 with the full amount to be appropriated from the Fund Balance of the General Fund.

Motion to adopt by Trustee Benderky and seconded by Trustee Garcia.

The vote was 1 ayes and 0 nays with 0 abstentions. The Mayor declared the resolution adopted on May 23rd, 1995.

MEMO

To: John Kelly
From: John Howland
Subject: Salary
Date: May 22, 1995

Pursuant to our conversation this morning, I present this plan to bring my salary up to par. This plan would add 3% to \$27,000 for this year and the next two years. This would give the increase in three parts coming to par in the 1997-98 budget year. The plan would be as follows:

\$24,646 in 1995-96
\$27,073 in 1996-97
\$29,500 in 1997-98

The source for funding in the 1995-96 budget would be a budget transfer:

Increase 7020.1
\$2,427.00
Decrease 7110.4.52
\$788.00
Decrease 7110.4.53
\$789.00
Decrease 7310.1
\$650.00
Decrease 731.4.03
\$200.00

MAY BILL LIST - MAY 23, 1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-1201	ADCO ELECTRIC	50.00
A-1202	AIR PRODUCTS & CHEMICALS, INC.	13.50
A-1203	AL VALK'S GARAGE, LTD.	61.00
A-1204	AMTHOR'S WELDING	5.32
A-1205	BELL HERRING, INC.	220.75
A-1206	BELL HERRING, INC.	90.00
A-1207	BELL HERRING, INC.	192.70
A-1208	BELL HERRING, INC.	164.58
A-1209	BELL HERRING, INC.	90.00
A-1210	CHAMBERS FORD TRACTOR SALES INC.	83.95
A-1211	CHAMBERS FORD TRACTOR SALES INC.	53.95
A-1212	CHERRY TIRE SERVICE, INC.	15.00
A-1213	CIARDULLO PRINTING	80.00
A-1214	CJD CARPET CLEANING	125.00
A-1215	COMMISSIONER OF FINANCE	28.00
A-1216	CUSTOM MONITORING	102.00
A-1217	DON HUME, INC.	92.50
A-1218	ENVIRONMENTAL PAPER TOWEL SERVICE	109.70
A-1219	ENVIRONMENTAL PAPER TOWEL SERVICE	122.10
A-1220	GAINER-WILBUR CONSULTING ENGINEERS	179.70
A-1221	GAINER-WILBUR CONSULTING ENGINEERS	1,157.50
A-1222	GAINER-WILBUR CONSULTING ENGINEERS	131.25
A-1223	GALLS	136.79
A-1224	GALLS, INC.	510.29
A-1225	GALLS, INC.	367.64
A-1226	GALLS, INC.	148.85
A-1227	GANNON MUNICIPAL EQUIPMENT, INC.	44.28
A-1228	GOVERING	9.00
A-1229	JOHN'S QUALITY CLOTHIERS	23.60
A-1230	MMI FEDERAL MARKETING SERVICES	1,982.92
A-1231	MARRIOTT'S WIND WATCH HOTEL	245.10
A-1232	MID HUDSON OFFICE SUPPLY	24.00
A-1233	MID HUDSON OFFICE SUPPLY	82.52
A-1234	MID HUDSON OFFICE SUPPLY	22.32
A-1235	MITCHELL, NANCY	100.00
A-1236	NEW YORK STATE RECREATION & PARK	123.00
A-1237	ORANGE BLUEPRINT, INC.	3,035.94
A-1238	ORANGE COUNTY CLERK	8.50
A-1239	PAGE NEW YORK	61.00
A-1240	SIG ARMS, INC.	60.56
A-1241	SPEEDWELL TARGETS	226.50
A-1242	STAPLES DIRECT	54.98
A-1243	THRUWAY SHOPPING CNTR.	92.25
A-1244	TIMES HERALD RECORD	12.96
A-1245	TIMES HERALD RECORD	95.04
A-1246	WALDEN AUTO SUPPLY	22.44
A-1247	WALDEN AUTO SUPPLY	29.48
A-1248	WALDEN AUTO SUPPLY	45.11
A-1249	WALDEN AUTO SUPPLY	25.44
A-1250	WALDEN AUTO SUPPLY	34.43

GENERAL FUND CON'T

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-1251	WEST PUBLISHING	111.00
A-1252	WICKES LUMBER	178.96
A-1253	WICKES LUMBER	25.07
A-1254	WICKES LUMBER	250.00
A-1255	WILLIAMSON LAW BOOK CO.	117.41
A-1256	HART, MARC S.	43.50
A-1257	DUSO CHEMICALS, INC.	309.75
A-1258	WALDEN AUTO SUPPLY	32.96
A-1259	SOME'S UNIFORMS	30.00
A-1260	JOHN'S	122.00
A-1261	JOHN'S	472.00
A-1262	CIARDULLO PRINTING	45.50
A-1263	DEAN STICKLES	100.00
A-1264	WALDEN ANIMAL DELI	5.98
A-1265	MYSTIC SEAPORT	1,078.00
A-1266	GOR-DUM'S	41.44
A-1267	QUILL	71.00
A-1268	CHAMBER OF COMMERCE	25.00
		<u>13,853.01</u>

MAY BILL LIST - MAY 23, 1995

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
F-140	COUNTRY HARDWARE	54.00
F-141	DUSO CHEMICAL CO., INC.	456.00
F-142	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	97.99
F-143	ORANGÈ COUNTY LABORATORY	120.00
F-144	PAGE NY	16.00
F-145	RAMSCO	90.00
F-146	THRUWAY SHOPPING CENTER	59.90
		<u>893.89</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
G-183	ENVIROTEST LABORATORIES	954.00
G-184	SHORTELL JAMES	47.73
G-185	SEWER EQUIPMENT CO. OF AMERICA	145.15
G-186	PAGE NY	16.00
		<u>1,162.88</u>

MAY BILL LIST - MAY 23, 1995

PREPAID BILLS

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	A T & T	12.44
	FRONTIER COMMUNICATIONS	45.26
	FRONTIER COMMUNICATIONS	41.18
	FRONTIER COMMUNICATIONS	7.74
	FRONTIER COMMUNICATIONS	172.59
	FRONTIER COMMUNICATIONS	267.85
	FRONTIER COMMUNICATIONS	499.64
	FRONTIER COMMUNICATIONS	89.13
	FRONTIER COMMUNICATIONS	22.92
	NYNEX	108.72
	NYNEX MOBILE COMMUNICATIONS	21.54
	NYSEG	5,457.87
	NYSEG	454.54
	NYSEG	360.95
	NYSEG	780.55
	ORANGE CO. SANITARY LANDFILL	430.10
	POSTMASTER	300.00
	RAD OIL CO. INC.	723.82
	SAM E. FAST & SON, INC.	181.89
	SAM E. FAST & SON, INC.	272.17
	SAM E. FAST & SON, INC.	228.15
	SAM E. FAST & SON, INC.	136.63
	SAM E. FAST & SON, INC.	349.41
	WALDEN POLICE DEPT.	25.35
	WALDEN POLICE DEPT.	20.75
	WARX TERMINALS CORP.	713.21
	POSTMASTER	500.00
	AT & T	12.98
	NYNEX	71.81
		<u>12,309.19</u>

MAY BILL LIST - MAY 23, 1995

PREPAID BILLS

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	AGWAY ENERGY PRODUCTS	57.40
	AGWAY ENERGY PRODUCTS	71.10
	AGWAY ENERGY PRODUCTS	5.31
	CENTRAL HUDSON	556.09
	FRONTIER COMMUNICATIONS	86.50
	FRONTIER COMMUNICATIONS	69.36
	NYSEG	45.54
	NYSEG	178.96
	NYSEG	2,361.81
	SAM E. FAST & SON, INC.	116.66
	SAM E. FAST & SON, INC.	126.32
	CENTRAL HUDSON	518.91
		<u>4,193.96</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	FRONTIER COMMUNICATIONS	12.10
	FRONTIER COMMUNICATIONS	41.59
	NYSEG	4,435.41
	NYSEG	239.75
	NYSEG	150.40
	NYSEG	229.57
		<u>5,108.82</u>

MAY BILL LIST - MAY 23,1995

CAPITAL ACCOUNTS

CAPITAL ACCOUNT #53	MAYBROOK MATERIALS INC. SIGNS & SIDEWALKS	209.95
CAPITAL ACCOUNT #53	EXPANDED SUPPLY PRODUCTS, INC. SIGNS & SIDEWALKS	105.60
CAPITAL ACCOUNT #53	TRIAD PRODUCTS, INC. SIGNS & SIDEWALKS	41.23
CAPITAL ACCOUNT #53	EXPANDED SUPPLY PRODUCTS, INC. SIGNS & SIDEWALKS	672.50
CAPITAL ACCOUNT #86	GAINER-WILBUR CONSULTING ENGINEERS, P.C. MUNICIPAL PARKING	56.25
CAPITAL ACCOUNT #87	GAINER-WILBUR CONSULTING ENGINEERS, P.C. WATER SYSTEM	399.15
COMMUNITY DEVELOPMENT UDAG	RAMSCO	1,417.00
COMMUNITY DEVELOPMENT UDAG	WALDEN ANIMAL DELI	48.75
COMMUNITY DEVELOPMENT UDAG	KERRON BARNES ASSOCIATES	165.00
COMMUNITY DEVELOPMENT SMALL CITIES 92	CHESSARI CONSTRUCTION	395.00
COMMUNITY DEVELOPMENT SMALL CITIES 92	CHESSARI CONSTRUCTION	10,790.00
		2,359.00
COMMUNITY DEVELOPMENT SMALL CITIES-92	LJM CONSTRUCTION	3,620.00
COMMUNITY DEVELOPMENT SMALL CITIES-92	KERRON BARNES ASSOCIATES	1,530.00
COMMUNITY DEVELOPMENT SMALL CITIES-93	KERRON BARNES ASSOCIATES	420.00
COMMUNITY DEVELOPMENT SMALL CITIES-94	KERRON BARNES ASSOCIATES	2,127.50
SMALL CITIES-94	THRUWAY SHOPPING CENTER	4.66
COMMUNITY DEVELOPMENT SMALL CITIES-92	DSL WOODWORKING	5,365.00
COMMUNITY DEVELOPMENT SMALL CITIES 92	GENERAL	2,717.35
SMALL CITIES 93		3,335.30
SMALL CITIES 94		218.50

MAY BILL LIST - MAY 23, 1995

SPECIAL BILL LIST

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-1269	EXPRESSIONS AUTO BODY	1,988.24
A-1270	MCBEE SYSTEM	171.50
A-1271	OFFICE FOR THE AGING	2,600.00
A-1272	WALDEN PLUMBING & HEATING	97.00
A-1273	WELDING SYSTEMS	104.02
		<hr/>
		4,960.77
		<hr/> <hr/>

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
F-147	RAMSCO	255.00
F-148	RAMSCO	169.00
F-149	RAMSCO	223.00
		<hr/>
		647.00
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NEW YORK STATE CONFERENCE OF MAYORS DUES 1995-1996	2,026.00
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NOTICE OF MEETING

PLEASE TAKE NOTICE that the Village of Walden Board of Trustees will hold a regular meeting on Tuesday, May 9th, 1995 at 7:30 P.M. at the Village Offices, 8 Scofield Street, Walden, New York.

AGENDA

1. PLEDGE/ROLL CALL
2. APPROVAL OF MINUTES
3. BOARD'S BUSINESS
 - A. ACTION ITEMS
 - A.1 Resolution No. 28-94-95 Levying Village Taxes For FY 1995-96
 - A.2 Resolution No. 29-94-95 Adopting 1995-96 Recreation Fee Schedule
 - A.3 FY 1995-96 General Engineering Services Agreement
 - A.4 Authorization to Exceed \$10,000 For Small Cities Project (2)
 - A.5 Application For Annual Sewer Waiver (2)
 - A.6 Application For Renewal of Taxi License
 - A.7 Payment of Audited Bills For May 9th, 1995
 - B. DISCUSSION ITEMS
 - B.1 In-Line Hockey Program - Use of Village Facilities
 - B.2 Intro. Local Law I-3 - Amending Chapter 148 of the Village Code
 - B.3 Amulance Service Dispatching Update
 - B.4 Enactment of a Pooper-Scooper Local Law
 - B.5 Enactment of an Adult Entertainment Uses Local Law
 - C. INFORMATIONAL ITEMS
 - D. CORRESPONDENCE
4. PUBLIC PORTION
5. COMMUNICATIONS
6. REPORTS
7. EXECUTIVE SESSION
8. ADJOURNMENT

APPROVED

VILLAGE OF WALDEN
BOARD OF TRUSTEES MEETING
MAY 9, 1995

Mayor Andrew Uszenski called the regular meeting of the Village of Walden, Board of Trustees to order at 7:30 P.M.

On roll call the following were:

Present: Mayor Andrew Uszenski
Trustees John Ryan
Raynard Ozman
Anthony Garcia
Chris Forman
Martin Besdesky

Absent: Trustee John McGuckin

Also Present: John Kelly, Village Manager
Kevin Dowd, Village Attorney

Recording Secretary: Nancy Mitchell, Village Clerk

APPROVAL OF MINUTES

Trustee Besdesky moved to adopt the minutes of April 25, 1995. Seconded by Trustee Ozman. All ayes. Motion carried.

RESOLUTION NO. 28-94-95, LEVYING VILLAGE TAXES FOR FY 1995-96

Trustee Ryan moved to adopt Resolution No. 28-94-95, Levying Village Taxes for FY 1995-96, (attached). Seconded by Trustee Forman. All ayes. Motion carried.

RESOLUTION NO. 29-94-95, ADOPTING 1995-96 RECREATION FEE SCHEDULE

Trustee Ozman moved to adopt Resolution No. 29-94-95, Adopting 1995-96 Recreation Fee Schedule, (attached). Seconded by Trustee Forman. All ayes. Motion carried.

FY 1995-96 GENERAL ENGINEERING SERVICES AGREEMENT

Trustee Ozman moved to approve the FY 1995-96 general engineering services agreement with Gainer-Wilbur Engineering. Seconded by Trustee Garcia. All ayes. Motion carried.

AUTHORIZATION TO EXCEED \$10,000 FOR SMALL CITIES PROJECT (2)

BOARD OF TRUSTEES MEETING
MAY 9, 1995, PAGE 2

Trustee Besdesky moved to authorize the Small Cities project on Maple Street to exceed \$10,000. Seconded by Trustee Forman. All ayes. Motion carried.

Trustee Besdesky moved to authorize the Small Cities project on Second Street to exceed \$10,000. Seconded by Trustee Ozman. All ayes. Motion carried.

APPLICATION FOR ANNUAL SEWER WAIVER (2)

Trustee Forman moved to approve the sewer waivers for Bidosky and Heitz contingent upon the engineers inspections and inspection fee being paid. Seconded by Trustee Ozman. All ayes. Motion carried.

APPLICATION FOR RENEWAL OF TAXI LICENSE

Trustee Ozman moved to approve the renewal of B & D Taxi's license. Seconded by Trustee Besdesky. All ayes. Motion carried.

PAYMENT OF AUDITED BILLS

Trustee Forman moved to pay the audited bills of May 9, 1995. Seconded by Trustee Garcia. All ayes. Motion carried.

50 PLEASANT AVENUE

Mayor Uszenski stated that the board has a request from the building inspector in reference to the fire at 50 Pleasant Avenue. The owner or his agent has not completed the boarding up of the building. There is also loose siding, garbage, a hole in the roof and the yard and driveway have broken glass that hasn't been cleaned up. The building inspector is recommending the village proceed under Chapter 63 of the village code.

Manager Kelly stated that it appears the owners of the property have abandoned it. The person that took charge of the property has since vanished and his pager has been disconnected. The post office box the realtor was using has since been closed. The village is concerned that the building will remain in its present condition for an extended period of time. If it is to remain in that condition the village wants to make sure it doesn't deteriorate further.

Trustee Besdesky stated that somewhere along the line the village is going to have to come up with some code to have time limits on these properties.

Trustee Besdesky moved to authorize the attorney to start proceedings against 50 Pleasant Avenue, pursuant to Chapter 63-4 of the Village Code.

Trustee Ozman stated that he would like to wait until the certified

letters or receipts are returned.

Trustee Ryan asked if under the resolution is it the villages responsibility to go every ten days and cut the grass. Who will do property maintenance?

Mr. Dowd stated that property maintenance does not fall under the unsafe buildings code.

Manager Kelly stated that there is a provision in the code for grass cutting.

Seconded by Trustee Ozman. All ayes. Motion carried.

SUMMER HOURS

Trustee Ryan moved to authorize summer hours for the village office employees, 7:00 am - 3:30 pm, June 1, 1995 through September 1, 1995. Seconded by Trustee Forman. All ayes. Motion carried.

INTRODUCTORY LOCAL LAW I-3 OF 1995 - AMENDING CHAPTER 148 OF THE VILLAGE CODE

Mayor Uszenski stated that they are not including the proposed Mx zone on the boulevard or the commercial property where the Big Apple Circus is.

It was the consensus of the board to send letters to the residents of those two areas canvassing an invitation to a work session.

Trustee Ryan introduced Introductory Local Law I-3 of 1995, Amending Chapter 148 of the Village Code.

Trustee Besdesky moved to refer Introductory Local Law I-3 of 1995, Amending Chapter 148 of the Village Code to the Planning Board for their recommendation and to hold a public hearing on June 13, 1995 at 7:45 P.M. Seconded by Trustee Forman. All ayes. Motion carried.

A work session was scheduled for May 22, 1995 at 7:00 P.M.

IN-LINE HOCKEY PROGRAM

Mayor Uszenski stated that the board has some questions about the in line hockey. From observations at Wooster's Grove some of the children haven't been wearing the proper padding and helmets. The other concern is the cost of adapting the area. The projected cost is \$12,000.

Trustee Garcia stated that if the village can't keep one program going he's not for starting up another one.

Manager Kelly stated that the village's insurance company does not

recommend the village run this as a program. They recommend you run it similar to the way Little League is run, a private organization with a permit to use the facilities on a specific date and time and the insurance would be borne by the participants. In order for the Village of Walden to have the facility in proper condition to be used for this sport you must put a fence around the facility. A fence around the facility at \$9.00 per foot installed, for a six foot cyclone fence would be \$4500 to \$5000. That would be required by the village's insurance company to protect spectators. Once you put a fence up you then have a second set of requirements, which deal with the participants and the safety of the participants. A padding would have to be installed on the fence itself or some type of padding to break the fall of the participants so they are not injured when they fall. The padding is approximately \$4500. Then you would need a facility to store the padding. Some type of shed would be another couple thousand dollars. The reason this is on the agenda tonight is because this is not working now and there has been no decision on how to proceed. There are games being played every weekend where there are colored tee shirts being issued to the kids, referees with whistles, and organized instruction. Everything that they were not suppose to be doing is being done now. Something needs to be decided upon as to how the program will proceed. If the program is to proceed with an organized sport then there needs to be a facility converted for its use. If the program is not to proceed then the existing and current use of the facility needs to stop, because if kids are not going to use their helmets and face guards and there is no requirement for them to do so then the Village of Walden is exposed to liability that you did not intend to have when you gave permission to use the facility for pick up games. The recommendation from the recreation board is to run it as a facility similar to the Little League.

Trustee Ozman stated that one item they didn't touch on was whether or not the use of the facility at Wooster's Grove exclusively would impact on other uses for that basketball court or skating in the winter.

Trustee Forman stated that the kids are riding on the sidewalks and streets to get to Wooster's Grove, which could be a problem.

Trustee Garcia asked how many out of town kids were going to be using that?

John Law stated that the list he had there was 50% out of towners. As they get started that will lessen, because Pine Bush is starting their own program and Newburgh is starting their own program.

Trustee Ozman stated that he doesn't feel the program would perpetuate itself without out of towners participating.

Trustee Garcia stated that if the village is going to let out of towners in this program he wants the town to tell the village what they are going to give us.

BOARD OF TRUSTEES MEETING
MAY 9, 1995, PAGE 5

Mr. Law stated that he went to the Town of Montgomery and proposed In--Line Hockey and asked for funds. They said there was nothing they could do for him.

Trustee Ryan asked how many teams did they plan?

Mr. Law stated four.

Mr. Howland stated that the main issue is the cost of setting up the facility.

Mr. Law stated that he's come up with a draft of putting boards around the rink without breaking into the blacktop and carrying over the lip.

Mr. Howland stated that putting up boards or plexiglas would make the place look unsightly.

Mayor Uszenski asked if this would be in place of the boarder patrol?

Mr. Law stated yes.

Manager Kelly asked what they would do for spectator safety?

Mr. Law stated that there would be a fence behind.

Manager Kelly asked where they would store seventy pieces of plywood?

Mr. Law stated that they would leave it for the season.

Manager Kelly asked how they would play basketball?

Mr. Law stated that they can still reach the basket.

Manager Kelly stated that there is a problem now when they play basketball and the curb gets in their way and now you're going to make a physical barrier at the edge of the playing area. How would they retrieve the ball?

Trustee Ryan asked Mr. Law what his resources were?

Mr. Law stated that right now they are just a group of people who are proposing this. Once they have a site in place they will become a not for profit agency and hold fund raisers.

Trustee Ryan stated that Little League has their own registration, own equipment, and insurance.

Mr. Law stated that with registration NIHA would cover site insurance. When players register there is a \$25.00 fee that would cover the players for the year. Each player provides their own equipment.

Trustee Ryan asked if they've ever looked at what their budget would

need and what their revenues would have to be?

Trustee Ryan stated that there is an abandoned basketball court at Bradley Park which has the outline of a flat smooth area. If the village would put drainage around it to keep water off the court would they be able to supply the necessary materials to develop that into an In-Line Program?

Mr. Law stated that they would have to study that area.

Trustee Ryan asked if there was any kind of funding available through the village?

Manager Kelly stated that the loan programs the village has is for business development. What you would have to require is that the improvements to that site be constructed and then donated to the village. He doesn't know if the village could loan money to improve its own facilities.

Manager Kelly further suggested making this a more permanent installation. If they take this down in the winter time, where are they going to store seventy, four by eight sheets of plywood? An outdoor rink that is weather resistant may make more sense.

Mayor Uszenski stated that he's heard complaints about the noise at Wooster's Grove. Bradley Park has no neighbors to worry about.

A work session was scheduled for May 18, 1995 at 7:00 pm to further discuss the In-Line Hockey Program.

Trustee Ryan stated that any improvements done on village property are the property of the village.

AMBULANCE SERVICE DISPATCHING UPDATE

Manager Kelly stated that no information was received from the Ambulance Corp.

Mayor Uszenski stated that the village is being faced with similar problems with the Ambulance Corp. Letters have gone out to the Ambulance Corp and they have not responded.

The Town of Montgomery isn't doing anything to help us.

Trustee Besdesky moved to invite Carl Helstrom, Town of Montgomery Supervisor, Steve Brescia, Mayor of Montgomery, William Schimpf, Mayor of Maybrook and the Ambulance Corp. to the next board meeting to discuss the Ambulance Corp. Seconded by Trustee Ozman. All ayes. Motion carried.

ENACTMENT OF A POOPER-SCOOPER LOCAL LAW

Mayor Uszenski stated that we all know this is going to be a hard law to enforce but he feels something should be on the books. He's had a lot of complaints.

The clerk was asked to call General Code Publishers for sample legislation.

ENACTMENT OF AN ADULT ENTERTAINMENT USES LOCAL LAW

Manager Kelly stated the local law would not allow adult entertainment on Route 208 and put it in a more discrete location and the question at that point would be to regulate how many could go in a certain area. They would need a special exception permit before they could open their doors. If a second one applied and was within a certain number of feet of the first one they could go through a hardship mechanism. The zoning board would make the determination. If you read in the paper these things are popping up and they are finding it very difficult to challenge them on constitutional grounds. This would be a way to regulate where they can go. You can't prevent them, but you can regulate them. The two zones that the manager looked at on the zoning map that would be the most appropriate would either be the I-2 or B-4 zone. The most appropriate zone would be the B-4 and that would be his recommendation. There are only two B-4 zones currently in the village. One is the service commercial on Route 52 which each of the four lots are all within 250 feet of a residential zone. The other is B-4 which is currently around the Hepper Street, John Street, Grant Street, which is now extended to Cherry Street. All of the lots that front Route 208 are within 250 feet of a residential zone, so that it would limit it to the back lots that are not fronting Route 208, they would be fronting Hepper Street, John Street or Grant Street. It would remove it from the main corridor of the village.

It was the consensus of the board to proceed with the local law for Adult Entertainment Uses.

INFORMATIONAL ITEMS

Manager Kelly stated that the village received notice from Senator Moynihan's office that the Village of Walden received their HUD Small Cities Grant for 1995 for the full amount of \$400,000. We are now waiting for written confirmation and the other official notice as to when the monies will be available.

PUBLIC PORTION

Bob Lamancuso asked, in regard to the adult entertainment local law a 250 foot buffer was mentioned, is that the minimum or maximum?

Manager Kelly stated that the Town of Islip used 500 feet and there is a question as to whether or not you can go further. The problem is if you make it 500 feet you would effectively prohibit any use in the village. We are trying to regulate, because we can't prohibit.

Larry Sager, 78 Orchard Street asked where the village intends to come up with the money for the In-Line Hockey? The village raised the taxes. They said they didn't have any money. He feels this will be a tax burden. Something should be written up that its proven that the tax people will not bear the expense of this program and show the Town of Montgomery is going to participate in it at a fair share. If the village can raise money for that why can't they cut our taxes?

Mayor Uszenski stated that nothing has been set. They are having a work session. If the board decides that the village is going to participate with funds there would be budget transfers to cover it.

Mr. Sager stated that he will be going out with a petition to make sure the village doesn't spend the taxpayers money on this project. The ski program was cut because the village couldn't afford it.

Mr. Sager asked about the lien on 17 Oak Street and stated that the county pays the village each year for taxes that haven't been paid.

Manager Kelly stated that the county guarantees our tax levy. When the village levies taxes in June and they remain unpaid the county pays them next March. We get 100% payment of our tax levy every year. Seventeen Oak Street is a special lien that you are levying against the property because the village mailed them a bill for \$1500 to cover the cost of the boarding up and cleaning up of the property. The property owner did not pay that bill. If he does not pay it as part of his tax bill the county will pay the village that money and that remains against the property so that when the county sells the property for back taxes that's part of what they sell it for.

Mr. Sager stated that the question is do you calculate that into your budget the following year, the additional money?

Manager Kelly stated that it would get credited against the public works revenue line for liens and special assessment when they do unsafe buildings. There is a budget line in next years budget for \$12500. to cover anything we do with liens.

Mr. Sager asked if the village includes that money in the budget or is that surplus rate.

Manager Kelly stated that if the village estimates \$5,000 in penalties and we collect \$10,000 then the \$5,000 becomes surplus which goes into the fund balance.

REPORTS - COMMITTEE

Trustee Besdesky asked about the Walnut House, what's the status?

Manager Kelly stated that the owner keeps renewing his building permit. He doesn't know what his plans are. Last he knew it was going to be a

bed and breakfast.

Trustee Besdesky stated that he thinks it should be looked into.

Manager Kelly stated that he will have the building inspector give him an update for the next meeting.

Trustee Besdesky stated that Jan Gridley told him that she would like to know ahead of time when the village offices will be moving so they will have renting time.

Trustee Garcia stated that on the list of handicapped parking spaces the one for the town hall doesn't need to be there anymore. The one for the Reformed Church can be removed. He feels the handicapped spaces for the churches should be for drop off.

Manager Kelly stated that he gave the police chief a list of what handicapped parking spaces were on file and to go out and verify what is standing. The next step is, which ones does the board wish to rescind.

Trustee Garcia suggested that handicapped spaces be renewable every year.

Manager Kelly stated that the church spaces are by local law. He will put this on the agenda as a discussion item for the next meeting.

Trustee Ryan asked who the liaison for the planning board was?

Trustee Besdesky informed him he was.

Trustee Ryan stated that there seems to be a lot of repeat business and people aren't getting through quickly, particularly the Northeast Hub.

Manager Kelly stated that one of the residents in the area raised some objections and rather than granting conditional approval they tabled the decision until the engineers could go out and verify if in fact there is a concern. This is also in front of the town planning board and they have set a public hearing for June.

Trustee Ryan asked why one acre was left out when that property was annexed into the village?

Trustee Besdesky stated that acre came about after the annexation.

Trustee Ryan asked that the chief be thanked for the enforcement his department has been doing.

Trustee Ryan stated that the zoning board met and there were two clients, one got a variance for the off set of a swimming pool and the second application, no determination was made, they have to come back with further information.

Trustee Ryan further stated that in regard to rental properties in the village, we have to start to regulate them much better. He suggested that the village require insurance from them and documenting on a yearly basis. The inspection fee should be much higher. If violations or code infractions have been brought against them the following year the requirements for inspection should be more intense making necessary the larger fee. Also, documenting the space capacity of all rental properties being aware of what their capacity of there inhabitants are. The board has talked about redoing the code, one of the codes we need to establish is fair regulation of rental properties.

Trustee Ozman stated that the stairway between West Main Street and the municipal lot on Oak Street, the village might want to look at reclaiming it or rebuilding it.

Manager Kelly stated that he would have to look into the ownership.

Trustee Ozman stated that he would like an update of the bridge repairs and the funding for that.

Manager Kelly stated that the only correspondence the village has received from the town is a one page fax which was a transmittal from the DEC that they had applied for a stream disturbance permit. There are no further details. The governors proposed budget had a 10% reduction in SHIPS funding. Whether that is across the board the elimination of projects that haven't gone forward until the budget is adopted we won't know the outcome. He's not gotten any details. There is no work being done and he's not sure where the town is in terms of their project. Its his understanding that the town was going to do it in house and then the villages efforts would be to replicate that for the second bridge.

Trustee Ozman asked if the manager was recommending that the village wait until the final budget is adopted by the state before we proceed, or can we proceed and do anything prior to that adoption?

Manager Kelly stated that the village applied for the second year of the grant, which would not start until the winter of 1996. Right now the town is in the midst of their application. There is nothing for the village to do until next year. At that point the village should suggest some type of intermunicipal agreement that the village possibly do a pass through of the grant monies to the town and let the town do the job in a cooperative spirit.

EXECUTIVE SESSION

Trustee Forman moved to hold an Executive Session pursuant to 105-(f) of the Public Officers Law. Seconded by Trustee Ozman. All ayes. Motion carried.-

Trustee Garcia moved to reconvene the regular meeting. Seconded by

BOARD OF TRUSTEES MEETING
MAY 9, 1995, PAGE 11

Trustee Ryan. All ayes. Motion carried.

ADJOURNMENT

Trustee Ozman moved to adjourn. Seconded by Trustee Ryan. All ayes.
Meeting adjourned.-

Respectfully submitted,-

Nancy Mitchell-
Village Clerk

RESOLUTION NO. 28-94-95

LEVYING VILLAGE TAXES FOR FISCAL YEAR 1995-1996

WHEREAS, this Board by resolution dated April 25, 1995 has adopted a budget and made appropriations for the conduct of the Village Government for the fiscal year 1995-1996, and

WHEREAS, the Village Clerk has this date presented a certificate to the Collector of water and sewer rents indicating on May 9, 1995 the amount of unpaid water and sewer including penalties thereon and a description of real property affected thereby.

NOW, THEREFORE, on motion by Trustee Ryan and seconded by Trustee Forman be it,

RESOLVED, that to meet the amount of said appropriations this Board hereby determines that the amount to be raised through taxes on real property in the village for 1995-1996 is \$2,003,154 to be levied against each parcel of taxable property at the rate of \$10.6427 per \$1,000 of assessed valuation, and it is

FURTHER RESOLVED, that the amounts shown on the certified list of unpaid water and sewer rents including penalties computed to the first day of the month following the month in which the fiscal year commences, to wit, to July 1, 1995, the total amount of \$15,048.68 and levied upon the real property in default as indicated in the list annexed; and it is

FURTHER RESOLVED, that the Village Clerk is directed to extend and carry out upon the roll the amount to be levied against each parcel of real property shown thereon and to complete the same on or before May 31, 1995, and it is,

FURTHER RESOLVED, that pursuant to Section 1420, Real Property Tax Law, this Board hereby levied upon all the taxable property in the village, the sum of \$2,003,154 at the rate of \$10.6427 per \$1,000 of assessed valuation and it is,

FURTHER RESOLVED, that pursuant to Article 11-1118 Village Law, and the General Municipal Law Article 14F, Section 452, Subsection 4, this Board hereby includes in the village levy for 1995-96 and levies upon each of the real properties is more particularly described in the certified list annexed, and amount to unpaid water and sewer rent and the penalty thereon computed to July 1, 1995 specified in said certified list, in the total amount of \$15,048.68 and it is,

FURTHER RESOLVED, that the certified list of unpaid water and

sewer rents be made part of the minutes of this meeting, and it is

FURTHER RESOLVED, that the amounts shown on the certified list of lien for services performed by the village, said list in the total \$1,505.38 by the same hereby are included in the annual tax levy for 1995-1996 and levied respectively upon the parcels of real property set forth on the list, and it is

FURTHER RESOLVED, that the amount shown on the certified list of special assessments, said list in the total amount of \$31,500.00 be and the same hereby are included in the annual tax levy for 1995-1996 and levied respectively upon the parcels of real property set forth on the list.

FURTHER RESOLVED, that the amount shown on the certified list of omitted taxes, said list in the total amount of \$324.08 be and the same hereby are included in the annual tax levy for 1995-1996 and levied respectively upon the parcels of real property set forth on the list.

The vote was 6 ayes to 0 naves with 0 abstentions.
The Mayor declared the resolution adopted May 9, 1995.

RESOLUTION NO. 29-94-95
ADOPTING 1995-96 RECREATION FEE SCHEDULE

WHEREAS, administrative expenses, maintenance obligations, and general operational costs of the Village of Walden Recreation programs and facilities is provided for in the 1995-96 annual operating budget, and

WHEREAS, the Village recognizes that fees and charges associated with public participation and use of our recreation programs and facilities can subsidize the costs of operations, and that such fees and charges are necessary.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Village of Walden, that the following fee schedule is adopted for the 1995-96 fiscal year.

VILLAGE OF WALDEN RESIDENTS

Basketball Program	Per Player	\$10.00
Soccer Program	Per Player	\$10.00
Karate/Gymnastics	Per Session	\$ 2.00
Beach Fees	Individual Daily Pass (Under 18)	\$ 1.00
	Individual Daily Pass (Over 18)	\$ 2.00
	Individual Season Pass	\$30.00
	Family Season Pass	\$40.00
	Swimming Lessons Per Session	\$20.00

NON-RESIDENTS

Basketball Program	Per Player	\$20.00
Soccer Program	Per Player	\$20.00
Karate/Gymnastics	Per Session	\$ 2.00
Beach Fees	Individual Daily Pass (Under 18)	\$ 1.00
	Individual Daily Pass (Over 18)	\$ 2.00
	Individual Season Pass	\$35.00
	Family Season Pass	\$45.00
	Swimming Lessons Per Session	\$20.00

Motion to adopt by Trustee Dzman and seconded by Trustee Forman

The vote was 6 ayes to 0 nays with 0 abstentions. The Mayor declared the resolution adopted on May 9th, 1995.

MAY BILL LIST - MAY 9, 1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-1163	AIR PRODUCTS & CHEMICALS, INC.	13.50
A-1164	ALKIT PRO 1 CAMERA, INC.	598.35
A-1165	BARTLETT & BARTLETT	735.00
A-1166	BECKER BUSINESS SYSTEMS, INC	134.00
A-1167	BROWN HARRY	612.00
A-1168	CHERRY TIRE SERVICE	43.00
A-1169	CIARDULLO PRINTING	44.00
A-1170	CIARDULLO PRINTING	50.00
A-1171	COUNTRY HARDWARE	152.71
A-1172	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA	3,166.67
A-1173	DIEHL ROLAND	10.67
A-1174	EXPANDED SUPPLY PRODUCTS, INC.	275.00
A-1175	GEORGE'S AUTO PARTS	24.94
A-1176	HOWLAND JOHN	133.75
A-1177	JET VAC, INC.	122.20
A-1178	MID HUDSON OFFICE SUPPLY	3.82
A-1179	MORIE, CO.	664.57
A-1180	NYCOMCO	125.00
A-1181	OEC CORPORATION	56.17
A-1182	OEC CORPORATION	13.30
A-1183	ORANGE AUTO ELECTRIC	125.00
A-1184	ORANGE CO POLICE CHIEF ASSOCIATION	15.00
A-1185	POWER PHONE	358.00
A-1186	QUILL CORPORATION	119.44
A-1187	QUILL CORPORATION	43.77
A-1188	QUILL CORPORATION	134.98
A-1189	QUILL CORPORATION	114.88
A-1190	SAURUS SPORT, INC.	42.65
A-1191	SIRCHE FINGERPRINT	107.62
A-1192	STIEBEL RESEARCH INSTITUTE	10.50
A-1193	SWEED WALTER SR	76.96
A-1194	THRUWAY SPORTING GOODS	69.00
A-1195	THRUWAY SPORTING GOODS	4.38
A-1196	TIMES HERALD RECORD	15.12
A-1197	TOOMEY VINCENT	1,450.05
A-1198	TOWN OF MONTGOMERY	5,166.00
A-1199	WICKES LUMBER	358.87
A-1200	STICKLES DEAN	26.25
		<u>15,217.12</u>

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
F-135	BIGELOW WASTE CO., INC.	58.07
F-136	COUNTRY HARDWARE	53.62
F-137	DRAKE, SOMMERS, LOEB, TARSHIS & CANTANIA	416.67
F-138	NY RURAL WATER ASSOCIATIONS	75.00
F-139	SCHMIDT'S WHOLESALE	56.10
		<u>659.46</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
G-178	COUNTRY HARDWARE	18.88
G-179	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	416.67
G-180	SCHMIDT'S WHOLESALE	842.50
G-181	SCHMIDT'S WHOLESALE	965.40
G-182	SECODYNE, INC	779.00
		<u>3,022.45</u>

CAPITAL ACCOUNT #37	FEDERAL BLOCK ROAD PROGRAM	568.80
CAPITAL ACCOUNT #53	WICKES LUMBER SIGNS & SIDEWALK	188.82
CAPITAL ACCOUNT #53	COUNTRY HARDWARE SIGNS & SIDEWALK	20.00
COMMUNITY DEVELOPMENT U D A G	WALLKILL VALLEY HEALTH COALITION CORP.	9,065.36
COMMUNITY DEVELOPMENT	PINE BUSH EQUIPMENT	1,518.50
COMMUNITY DEVELOPMENT GRANT - 93	CHESSARI CONSTRUCTION	11,220.00

MAY BILL LIST - MAY 9, 1995

PREPAID BILLS

GENERAL FUND

VOUCHER

VENDOR

AMOUNT

AT & T	12.44
NYNEX	108.72
NYNEX MOBILE COMMUNITY	31.17
RAD OIL	968.49
PETTY CASH	25.00
PETTY CASH	41.18
WAREX TERMINALS CORPORATION	713.21

1,900.21

WATER FUND

VOUCHER

VENDOR

AMOUNT

PETTY CASH	1.50
POSTMASTER	77.54

79.04

SEWER FUND

VOUCHER

VENDOR

AMOUNT

PETTY CASH	77.54
NYSEG	239.75

317.29

NOTICE OF MEETING

PLEASE TAKE NOTICE that the Village of Walden Board of Trustees will hold a regular meeting on Tuesday, April 25th, 1995 at 7:30 P.M. at the Village Offices, 8 Scofield Street, Walden, New York.

AGENDA

1. PLEDGE/ROLL CALL
2. APPROVAL OF MINUTES
3. BOARD'S BUSINESS
 - A. ACTION ITEMS
 - A.1 Designation of Terms of Office for Ethics Board Appointments
 - A.2 Resolution No. 25-94-95 Budget Amendment
 - A.3 Resolution No. 26-94-95 Budget Transfer
 - A.4 Resolution No. 27-94-95 Adopting 1995-96 Annual Budget
 - A.5 Public Hearing on Local Law I-2 of 1995 Flood Damage Prevention
 - A.6 Authorization to Attend Rural Water Conference
 - A.7 Payment of Audited Bills For April 25, 1995
 - B. DISCUSSION ITEMS
 - B.1 Posted Signs - Speed Limit and Weight Limit Restrictions
 - B.2 Master Plan Corridor Study Implementation
 - C. INFORMATIONAL ITEMS
 - D. CORRESPONDENCE
 - D1. Letter Re: Village of Walden Grant to Wallkill Valley Health Coalition
4. PUBLIC PORTION
5. COMMUNICATIONS
6. REPORTS
7. EXECUTIVE SESSION
8. ADJOURNMENT

APPROVED

VILLAGE OF WALDEN
BOARD OF TRUSTEES MEETING
APRIL 25, 1995

Mayor Andrew Uszenski called the regular meeting of the Village of Walden Board of Trustees to order at 7:30 P.M.

On roll call the following were:

Present: Mayor Andrew Uszenski
Trustees John Ryan
Martin Besdesky
Raynard Ozman
Antonio Garcia
Chris Forman

Absent: John McGuckin, later present

Also Present: John Kelly, Village Manager
Kevin Dowd, Village Attorney

Recording Secretary: Nancy Mitchell, Village Clerk

APPROVAL OF MINUTES

Trustee Besdesky moved to adopt the minutes of April 11, 1995 regular meeting and special meeting. Seconded by Trustee Forman. All ayes. Motion carried.

DESIGNATION OF TERMS OF OFFICE FOR ETHICS BOARD APPOINTMENTS

Trustee Ozman moved to designate the terms of office for the Ethics Board, Tony Marengelo, 2 years and David O'Connor, one year. Seconded by Trustee Forman. All ayes. Motion carried.

RESOLUTION NO. 25-94-95, BUDGET AMENDMENT

Trustee Forman moved to adopt Resolution No. 25-94-95, Budget Amendment, (attached). Seconded by Trustee Garcia. All ayes. Motion carried.

RESOLUTION NO. 26-94-95, BUDGET TRANSFER

Trustee Besdesky moved to adopt Resolution No. 26-94-95, Budget Transfer, (attached). Seconded by Trustee Ozman. All ayes. Motion carried.

RESOLUTION NO. 27-94-95, ADOPTING THE 1995-96 ANNUAL BUDGET

Mayor Uszenski stated that the board has met some of the salary increase requests that were brought before them. They took the police car out of the budget and they are taking out all the ski program costs. They are abandoning the ski tow project. The board did a salary increase with the library to bring them up as they requested. The library will work with the village to do the automation equipment. The village will be giving Wesley Hall an additional \$500.00. The tax rate will be \$10.6427.

Trustee Ozman stated its his understanding that they need to make some adjustments next month regarding transferring funds, referring to the Recreation Department.

Trustee Ryan moved to adopt Resolution No. 27-94-95, Adopting the 1995-96 Annual Budget, (attached). Seconded by Trustee McGuckin. All ayes. Motion carried.

AUTHORIZATION TO ATTEND RURAL WATER CONFERENCE

Trustee Besdesky moved to authorize Walt Sweed and Tom Wild attend the Rural Water Conference in Rochester, NY from May 22 - 24. Seconded by Trustee Forman. All ayes. Motion carried.

PAYMENT OF AUDITED BILLS

Trustee Ryan stated that the Parks and Recreation Department had some purchases of equipment from Country Hardware, how much of that was duplication of what the village has in DPW?

Manager Kelly stated that he will have to see the items and ask, are they replacing ones they already have or are they brand new.

Trustee Ozman stated that there is a voucher for replacing a signal switch and the vehicle was brought to the dealer. That is something we might want to consider doing in house.

Manager Kelly stated that he will find out if there is a reason it wasn't done in-house. They don't go to Jim Smith if they don't need to.

Trustee Ryan stated that there was a note on the bill that said it was smoking.

Trustee Ozman moved to pay the audited bills. Seconded by Trustee Garcia. All ayes. Motion carried.

POSTED SIGNS - SPEED LIMIT AND WEIGHT LIMIT RESTRICTIONS

Mayor Kelly stated that the law that was repealed to enact the 25 mph speed limits was a 30 mph speed limit. He discussed this with the village attorney, if in fact you haven't properly posted 25 mph, what

can you enforce? You might end up back at the table when there is a problem with enforcing the 25 mph speed limit. The only way to do other than post the entrance to the village is to post every street. The chief has suggested that the village post East Avenue, Sherman Avenue, Gladstone Avenue and Edmunds Lane. This covers the majority of not only the streets that are current entrances, other than state roads. They are trying to do all the routes people use to by-pass some of the traffic areas.

Trustee Ozman stated that he would like to get a handle on whether or not there is an enforcement problem in an effort to curb sign pollution in the village. Regarding the weight limit signs Trustee Ozman asked what is the mechanism by which weight limit is determined.

Manager Kelly stated that every street in the village by local law has been designated five ton weight limit, except for local delivery. It excludes municipal vehicles, garbage collection and oil deliveries.

Trustee Garcia stated that the village doesn't enforce the weight limit law. Its foolish to put the signs up and not enforce it. Mr. Ryan told him that he'd like to see the weight limit law enforced, because the trucks come up Coldenham Road and down Sherman Avenue.

Manager Kelly stated that a lot of those trucks are making local deliveries. Its a hard law to enforce.

Trustee Garcia stated that people run the stop signs on Scofield Street.

Manager Kelly stated that the police do park in front of the municipal building and enforce that stop sign.

Trustee Ryan moved to accept the Police Chief's recommendation for 25 mph speed limit signs and weight limit signs and to further review the situation as warranted for additional speed limit signs. Seconded by Trustee Besdesky. All ayes. Motion carried.

PUBLIC HEARING - INTRODUCTORY LOCAL LAW I-2 OF 1995, FLOOD DAMAGE PREVENTION

Mayor Uszenski presented the Affidavit of Publication, Affidavit of Posting Notice and Notice of Hearing.

Mr. Dowd stated that DEC has notified the village that their existing flood damage prevention local law is inadequate and in order to continue to qualify for federal flood insurance protection for village residents who are in the flood plains the village needs to update the local law.

Larry Sager, 78 Orchard Street asked what areas this local law would effect?

Mayor Uszenski stated that the areas along the Wallkill River. The building inspector has a map that shows the areas.

Greg Raymondo stated that DEC will not do any cleaning of the Wallkill River, particularly down by the Thruway Market, where the debris is blocking the dam. That could be a problem. He asked if the village is going to petition the state or Army Corp of Engineers to clean that portion of the river.

Manager Kelly stated that the Main Street Alliance did discuss this and they wrote to the DEC. DEC won't clean it because its part of the navigable waters of the state. He's not sure who is responsible. The manager will look into contacting the Army Corp of Engineers.

Mr. Sager asked if there were any mandates that would pertain to the village?

Mr. Dowd stated not any more then what is in the present code.

Bob Lamancuso, 33 Gladstone Avenue asked if there is a definition in the local law that states the height of a natural water way to flood stage? The only problem the village has is the two dams.

Mr. Dowd read the definition of a flood plain.

Trustee McGuckin moved to close the public hearing. Seconded by Trustee Forman. All ayes. Motion carried.

Trustee Besdesky moved to declare the Board of Trustees lead agency and to declare and uncoordinated, unlisted action under SEQRA with regard to Introductory Local Law I-2 of 1995, Flood Damage Prevention. Seconded by Trustee McGuckin. All ayes. Motion carried.

Trustee McGuckin moved to adopt Introductory Local Law I-2 of 1995, Flood Damage Prevention as Local Law No. 2 of 1995. Seconded by Trustee Ozman. All ayes. Motion carried.

MASTER PLAN CORRIDOR STUDY IMPLEMENTATION

Mayor Uszenski stated that the Master Plan Committee agreed on five of the seven sites for zone changes, Old Orange Avenue, Orange Avenue, Cherry Street, and East Main Street.

The area of East Main Street would be from Dr. Nabagiez's office through to the auto body shop. That area has been recommended to change from an I-2 to a B-4. The area between Elm Street up to the railroad tracks would also be changed to R-4. Cherry Street areas would be changed to B-4. Old Orange Avenue and Orange Avenue are zoned industrial and they would like to change them to R-4 and R-5. There is a question on the area where the Big Apple Circus is and the recommendation is to change that area to light industrial. The other questioned area is the mixed use, low intensity from Shearer's Nursery up to the entrance of Walden Estates Road. The idea would be to have

quiet type businesses downstairs and residential upstairs. If they did do that they would have to improve the boulevard area to increase parking. The boulevard would also have to be one way traffic.

Trustee McGuckin moved to authorize the village attorney to draft a local law for the five (5) zone changes the Master Plan has recommended. Seconded by Trustee Besdesky. All ayes. Motion carried.

Trustee Ryan suggested the correspondence go out to the residents of the other two areas that have been recommended for zone changes.

VILLAGE OF WALDEN GRANT TO WALLKILL VALLEY HEALTH COALITION

Mayor Uszenski stated that there is a request from the Wallkill Valley Health Coalition to reallocate monies.

Manager Kelly stated that the request was put together in June 1993 and at that time there was a break out of what the eligible activities were. The request now is to take the monies that are remaining in the grant, which is \$9,663.00 and to reallocate that money into two of the five eligible activities that are remaining. The break out is to request the architectural services to go to \$8,775.00 with the balance to be used for fund raising related costs.

Mayor Uszenski stated that the question was raised about the \$598.51 engineering fees, which the village has incurred. That is still owed to the village by the coalition.

Mr. Bojsiuk stated that they were surprised by the bill and they are investigating it. Ms. Jacobowitz had asked for an itemized bill on that.

Manager Kelly stated that the village did provide an itemized bill. This is not a fee that the village is charging the coalition. This is a pass through of the actual costs that the village has incurred. This is not a site plan fee, its a reimbursement of the cost that the village has incurred. The original grant that the village gave them had a \$500.00 amount, which was set aside within the \$20,000 as site plan application fees. Part of the original grant had an amount of \$500.00 as part of the grant to pay for the site plan fee. This is not something that was not contemplated at the time the grant was given.

Shirley Weiner asked if it would be possible for the board to award them the balance of the grant and then they will pay the engineers fee with one of their checks, so they have proper records.

Mayor Uszenski stated that its up to the board.

Trustee McGuckin moved to take the \$598.91 engineering fees out of the grant to pay back the general fund and grant the Wallkill Health Coalition the balance as a reallocation and that they receive a receipt for the engineering fees. Seconded by Trustee Besdesky. All ayes.

Motion carried.

PUBLIC PORTION-

Sam Wright, 25 Albany Avenue stated that they are here to say that they are not giving up on their plans and they will be going forward. They will continue along the lines of developing the property under whatever law that is officially available for the zone. They are looking to open their school in the Walden Mall.

Mr. Wright further stated that there is a section of Bradley Park where they would like to do some outdoor drama during the summer. They would like to start out small with quintets, or quartets, to feel this out before the big event. They would like to have little events during the summer to test this out. He would like the scrub trees, that block the view of the river, cut down. He would like the board to consider that.

Trustee Ryan moved to support Mr. Wright's idea for art in the park. Seconded by Trustee Forman. All ayes. Motion carried.

Larry Sager, 78 Orchard Street asked if the building inspector has ever come up with the hours he spends on Small Cities projects?

Manager Kelly stated yes, 210 hours per year.

Mr. Sager asked if he submitted a bill to Small Cities?

Manager Kelly stated that they will be submitting a bill to Small Cities this year and they will use that as a basis next year.

Bob Lamancuso, 33 Gladstone Avenue stated that it was mentioned that the village will be abandoning the ski program. He asked what guided the board to abandon the project?

Mayor Uszenski stated that it was attributed to the warm weather, and the larger ski slopes losing money.

Trustee McGuckin stated that also the insurance cost made it cost prohibited.

Mr. Lamancuso asked what this saves the village by not having the project?

Manager Kelly stated that \$2700 was taken out for a ski tow supervisor, ski program utilities \$2,000 and a ski tow rope \$1,000 was also taken out.

Greg Raymondo, Orange Avenue stated that the basketball backstops are destroyed at Woosters Grove. He asked if there was money to repair them?

Manager Kelly stated that he wasn't aware that they were in bad shape.

He will look at them.

Mr. Raymondo stated that there are a lot of young children in the Pond Road area and are asking if the village could clean up the area and put in basketball hoops at the Pond Road Park.

Mayor Uszenski stated that the fire district has to make some property repairs there. He asked Trustee Ozman to take the idea back to the recreation committee.

Larry Sager suggested that in lieu of sidewalks on Old Orange Avenue the fire district use that money for the Pond Road Park.

Mr. Sager asked if the budget was passed with intent of hiring three part time officers as suggested by the Chief?

Mayor Uszenski stated that the village won't be hiring any new part time officers, but the grant will pay the two part time officers.

Manager Kelly stated that the grant monies are for eligible activities and what is eligible that the village already does is what they will use the money for. The chief is developing a program which will be staffed using existing part time officers.

REPORTS - COMMITTEE

Trustee Garcia stated that there is an ice cream vendor in the village, and he doesn't have a peddlers permit?

Trustee Garcia asked about a pooper scooper law?

Manager Kelly stated that you can have a pooper scooper law and it will be up to the person to prove the droppings came from a certain dog.

Trustee Ryan stated that the little league was surprised to see the ice cream truck come into the park while games are going on on Sunday. The little league has a concession stand that they run down there. They would prefer not to be in competition with an ice cream truck. If a permit can be issued he asked that certain hours be restricted?

Mr. Dowd stated that there are different kinds of exemptions in the code that he may fall under.

REPORTS - MAYOR

Mayor Uszenski stated that in talking with the manager he feels the need is rising to rethink garbage collection. The village may want to consider bidding out garbage collection.

EXECUTIVE SESSION

BOARD OF TRUSTEES MEETING
APRIL 25, 1995 - PAGE 8

Trustee McGuckin moved to hold an Executive Session pursuant to 105-(d) of the Public Officers Law. Seconded by Trustee Forman. All ayes. Motion carried.

Trustee Garcia moved to reconvene the regular meeting. Seconded by Trustee Ozman. All ayes. Motion carried.

ADJOURNMENT

Trustee Ryan moved to adjourn. Seconded by Trustee McGuckin. All ayes. Motion carried.

Respectfully submitted,



Nancy Mitchell
Village Clerk

RESOLUTION NO. 25-94-95

BUDGET AMENDMENT

WHEREAS, spending patters change as the result of unanticipated needs within the planning department during the current budget year, and

WHEREAS, funds are available from revenue sources to meet the changing demands.

NOW, THEREFORE, BE IT RESOLVED that the following budget amendments to the 1995-94 budget are hereby approved by the Board of Trustees of the Village of Walden:

<u>INCREASE</u>	<u>AMOUNT</u>	<u>AMENDED TOTAL</u>
A1710 Public Works Service	\$10,623.00	\$ 11,623.00
A2410 Rental of Property	7,200.00	13,201.00
A2655 Minor Sales	1,300.00	2,300.00
A2665 Sales of Equipment	9,100.00	9,100.00
A2680 Insurance Recoveries	57,000.00	105,483.00
A3389 Other Public Safety	4,275.00	4,275.00

<u>INCREASE</u>	<u>AMOUNT</u>	<u>AMENDED TOTAL</u>
A1440.459 Engineering Misc.	\$41,358.00	76,358.00
A3120.210 Police Car	18,465.00	34,465.00
A3121.100 Foot Patrol Per. Ser.	25,400.00	109,100.00
A3122.201 Office Equipment	4,275.00	7,575.00

Motion to adopt by Trustee Forman and seconded by Trustee Garcia. The vote was 7 ayes to 0 naves with 0 abstentions. The Mayor declared the resolution adopted on April 25, 1995.

RESOLUTION NO. 26-94-95

BUDGET TRANSFER

WHEREAS, it is necessary from time to time to amend certain expenditure accounts to accommodate departmental needs, and

WHEREAS, money is available to transfer into said account.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Walden that the following transfer be approved:

<u>DECREASE</u>	<u>AMOUNT</u>	<u>AMENDED TOTAL</u>
A1355.610 Other Material/Supplies	\$ 800.00	\$ 2,022.49
A1410.402 Reproducing Expense	1,800.00	200.00
A1410.407 Advertising	1,500.00	2,000.00
A1410.408 Telephone	750.00	4,250.00
A1410.433 General Code Publishers	1,000.00	2,200.00
A1490.460 Education	750.00	200.00
A1620.120 Overtime	400.00	100.00
A1620.471 Electricity	2,000.00	12,800.00
A1640.120 Overtime	1,500.00	500.00
A1640.410 Gas, oil, lube	2,500.00	20,365.25
A1910.400 Unallocated Insurance	2,500.00	87,500.00
A1930.400 Judgments and Claims	1,000.00	1,000.00
A1990.400 Contingent Account	37,505.00	74.00
A1640.201 Misc. Equipment	1,000.00	500.00
A3120.100 Police Per. Ser.	39,600.00	342,638.00
A3120.213 Safety Vests	2,000.00	750.00
A3120.435 Police Uniforms	1,000.00	1,000.00
A3120.460 Education	1,000.00	1,500.00
A3620.495 Engineering Fees	1,000.00	409.00
A3650.120 Overtime	1,900.00	600.00
A3650.416 Demolition of Buildings	6,700.00	10,800.00
A5142.120 Overtime	9,500.00	8,000.00
A5142.215 Snow Removal Equipment	200.00	11,500.00
A5142.419 Equipment Rental	2,900.00	1,000.00
A7310.402 Basketball Program	1,200.00	2,620.00
A7310.403 Karate Program	200.00	-0-
A7310.414 Playground Program	300.00	1,200.00
A8020.100 Planning Per. Ser.	4,500.00	1,500.00
A9060.800 Hospital and Med. ins.	10,000.00	227,474.00
 <u>INCREASE</u>		
A1110.100 Village Justice Per.Ser.	1,041.00	33,838.00
A1620.100 Buildings Per. Ser.	975.00	22,045.00

PAGE 2

A1640.100	Central Garage Per. Ser.	1,817.00	42,023.00
A5110.100	Street Main. Per. Ser.	10,900.00	149,930.00
A3122.100	Dispatching Per. Ser.	7,000.00	92,361.00
A3122.120	Overtime	250.00	2,850.00
A3121.100	Foot Patrol Per. Ser.	39,600.00	148,700.00
A3121.120	Overtime	3,700.00	7,000.00
A3122.201	Office Equipment	105.00	7,680.00
A1325.201	Office Equipment	225.00	625.00
A1420.401	Legal Misc.	4,000.00	17,441.10
A1440.459	Engineering Misc.	49,642.00	126,000.00
A1640.412	Truck Maint.	6,400.00	15,400.00
A3123.100	Crossing Guard Per. Ser.	4,200.00	20,200.00
A5182.471	Street Lighting	3,000.00	65,500.00
A7110.100	Parks Per. Ser.	550.00	9,460.00
A7180.100	Beach Per. Ser.	1,600.00	15,813.00
A8560.412	Tree Removal Services	2,000.00	7,000.00

Motion to adopt by Trustee Besdesky and seconded by Trustee Ozman. The vote was 7 ayes to 0 naves with 0 abstentions. The Mayor declared the resolution adopted on April 25, 1995.

APRIL BILL LIST - APRIL 25, 1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-1123	AMERICAN ALARM CO.	18.00
A-1124	ADCO ELECTRIC	1,846.00
A-1125	AIR PRODUCTS & CHEMICALS, INC.	13.50
A-1126	ALFI'S	655.99
A-1127	AMTHOR'S WELDING	59.38
A-1128	ANNESE & ASSOCIATES, INC.	178.00
A-1129	BJ'S DELI	10.81
A-1130	DANIELS AGENCY, INC.	200.00
A-1131	ELECTRO-TERM, INC.	21.78
A-1132	EXPANDED SUPPLY PRODUCTS, INC.	380.00
A-1133	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	1,790.11
A-1134	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	655.35
A-1135	GANNON MUNICIPAL EQUIPMENT, INC.	62.44
A-1136	GALL'S, INC.	103.93
A-1137	GENERAL CODE PUBLISHERS	708.57
A-1138	GEORGE'S AUTO PARTS	4.33
A-1139	GEORGE'S AUTO PARTS	33.66
A-1140	HUDSON VALLEY CODE ENFORCEMENT ED CONFERENCE	125.00
A-1141	JIM SMITH CHEVY	209.07
A-1142	MARLU COSTUME	55.00
A-1143	NYS DIVISION CRIMINAL JUSTICE	90.00
A-1144	ORANGE COUNTY CLERK	9.00
A-1145	QUARTER MASTER	377.10
A-1146	TOWN OF MONTGOMERY	50.00
A-1147	QUILL CORPORATION	65.72
A-1148	RISK MANAGEMENT	6.00
A-1149	STANDARD COPY	62.00
A-1150	THRUWAY SHOPPING CENTER	68.91
A-1151	THRUWAY SHOPPING CENTER	23.76
A-1152	THRUWAY SHOPPING CENTER	41.21
A-1153	TIMES HERALD RECORD	56.88
A-1154	TIMES HERALD RECORD	28.08
A-1155	TIMES HERALD RECORD	23.76
A-1156	WALDEN AUTO SUPPLY	20.39
A-1157	WALDEN PLUMBING & HEATING	288.00
A-1158	COUNTRY HARDWARE	201.90
A-1159	HAIGHT FIRE EQUIPMENT SUPPLY	36.00
A-1160	NYCOMCO	150.25
A-1161	MASTER'S LOCKSHOP	562.00
A-1162	WALDEN AUTO SUPPLY	43.12

9,335.00

APRIL BILL LIST - APRIL 25, 1995

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
F-125	ADCO ELECTRIC	80.00
F-126	AMERICAN ALARM CO.	114.00
F-127	BELL HERRING, INC.	193.00
F-128	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	287.13
F-129	HACH CO.	73.00
F-130	MCBEE SYSTEM	69.93
F-131	ORANGE COUNTY LABORATORY	150.00
F-132	JONES CHEMICALS, INC.	732.25
F-133	HAIGHT FIRE EQUIPMENT SUPPLY	36.00
F-134	COUNTRY HARDWARE	75.64
		<u>1,710.95</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
G-170	ENVIROTEST LABORATOR	555.00
G-171	GAINER-WILBUR CONSULTING ENGINEERS P.C.	1,037.40
G-172	MCBEE SYSTEM	69.92
G-173	RY RURAL WATER ASSOCIATION	20.00
G-174	SCHMIDT'S WHOLESALE	580.86
G-175	COUNTRY HARDWARE	83.66
G-176	HAIGHT FIRE EQUIPMENT	91.35
G-177	LOWER HUDSON CHAPTER	8.00
		<u>2,446.19</u>

APRIL BILL LIST - APRIL 25, 1995

CAPITAL ACCOUNTS

CAPITAL ACCOUNT#53 SIGNS & SIDEWALKS	CAPITOL HIGHWAY	517.99
CAPITAL ACCOUNT#87 WATER SYSTEM	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	218.13
CAPITAL ACCOUNT#87 WATER SYSTEM	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	82.60
SMALL CITIES - 94	THRUWAY SHOPPING CENTER	3.36
COMMUNITY DEVELOPMENT	RAMSCO	4,953.00
COMMUNITY DEVELOPMENT 92	WILLIAM R FYKE JR	1,242.53
COMMUNITY DEVELOPMENT 92	D.S.L. WOODWORKING	3,300.00
COMMUNITY DEVELOPMENT HODAG	D.S.L. WOODWORKING	3,090.00
COMMUNITY DEVELOPMENT UDAG	KERRONS BARNES ASSOCIATES	206.25
COMMUNITY DEVELOPMENT 92	KERRON BARNES	1,968.75
COMMUNITY DEVELOPMENT 93	KERRON BARNES ASSOCIATES	2,003.75
COMMUNITY DEVELOPMENT 94	KERRON BARNES ASSOCIATES	2,567.50
COMMUNITY DEVELOPMENT 92	DAVE STOCKS CONTRACTING	4,200.00

APRIL BILL LIST - APRIL 25, 1995

PREPAID BILLS

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	FRONTIER COMMUNICATIONS	50.22
	FRONTIER COMMUNICATIONS	7.74
	FRONTIER COMMUNICATIONS	38.91
	OR CO. SANITARY LANDFILL	320.85
	POSTMASTER	600.00
	SAM E FAST & SON, INC.	198.93
	WALDEN POLICE DEPT PETTY CASH	24.55
		<u>1,241.20</u>

WATER FUND

VOUCHER

VENDOR

AMOUNT

	CENTRAL HUDSON	299.95
	FRONTIER COMMUNICATIONS	28.99
	FRONTIER COMMUNICATIONS	57.51
	POSTMASTER	74.53

460.98

SEWER FUND

VOUCHER

VENDOR

AMOUNT

	FRONTIER COMMUNICATIONS	12.10
	POSTMASTER	74.53
	SAM E. FAST & SON, INC.	440.92

527.55

6.5

RESOLUTION NO. 27-94-95
ADOPTING THE 1995-96 BUDGET

WHEREAS, in accordance with Village Law, Section 5-508, the Board of Trustees of the Village of Walden has held a public hearing on the 11th day of April 1995, on the tentative budget as proposed and filed by the Village Manager on the 20th day of March 1995, and

WHEREAS, the Village Board has conducted numerous work sessions to review the tentative budget and has made changes.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Village of Walden, that it does hereby adopt as the 1995-96 Annual Budget of the Village of Walden, the recommended appropriated amounts and schedules shown in the tentative budget, amended as follows:

GENERAL FUND

<u>INCREASE</u>	<u>OBJECT</u>	<u>AMOUNT</u>	<u>AMENDED TOTAL</u>
A5031	Interfund Transfer	\$ 9,000.00	\$ 94,000.00
A9912.9	Transfer to Library	11,585.00	118,902.00
A6772.4	Wessley Hall Center	500.00	8,700.00
A1490.100	Supt. of Public Works	236.00	16,680.00
A1325.100	Village Treasurer (SCG)	600.00	31,466.00
A1325.100	Accounts Clerk	808.00	25,867.00
A1410.100	Village Clerk (SCG)	400.00	32,869.00
A3122.425	Radio Maintenance	750.00	7,080.00
A3122.482	Communications Equipment	400.00	2,700.00
A3620.100	Building Inspector (SCG)	1,000.00	33,422.00
A3620.100	Accounts Clerk	835.00	11,214.00

<u>DECREASE</u>	<u>OBJECT</u>	<u>AMOUNT</u>	<u>AMENDED TOTAL</u>
A1110.100	Acting Village Justice	162.00	3,600.00
A3120.210	Police Car	18,465.00	0.00
A7310.100	Ski Tow Supervisor	2,700.00	0.00
A7310.436	Ski Program	2,000.00	0.00
A7110.251	Ski Tow Rope	1,000.00	0.00

WATER FUND

<u>INCREASE</u>	<u>OBJECT</u>	<u>AMOUNT</u>	<u>AMENDED TOTAL</u>
F8310.100	Supt. of Public Works	236.00	16,680.00
F8310.100	Account Clerk	508.00	11,214.00

<u>DECREASE</u>	<u>OBJECT</u>	<u>AMOUNT</u>	<u>AMENDED TOTAL</u>
F8340.433	Materials and Supplies	744.00	24,256.00

SEWER FUND

<u>INCREASE</u>	<u>OBJECT</u>	<u>AMOUNT</u>	<u>AMENDED TOTAL</u>
G8110.100	Supt. of Public Works	236.00	16,680.00

<u>DECREASE</u>	<u>OBJECT</u>	<u>AMOUNT</u>	<u>AMENDED TOTAL</u>
G8120.401	Supplies	236.00	2,764.00

RESOLUTION NO. 27-94-95

page 2

LIBRARY FUND

<u>INCREASE</u>	<u>OBJECT</u>	<u>AMOUNT</u>	<u>AMENDED TOTAL</u>
L5031	Interfund Transfer	11,585.00	118,902.00
L7410.100	Library Director	939.00	31,078.00
L7410.100	Sr. Library Clerk	2,860.00	20,575.00
L7410.100	Clerk 1/Custodian	784.00	17,305.00
L7410.100	Clerk II	4,365.00	7,082.00
L7410.100	Clerk III	679.00	2,717.00
L7410.100	Clerk IV	2,038.00	2,038.00
<u>DECREASE</u>	<u>OBJECT</u>	<u>AMOUNT</u>	<u>AMENDED TOTAL</u>
L7410.100	Page I,II	80.00	1,783.00

BE IT FURTHER RESOLVED that the Real Property Tax Rate for 1995-96 as a result of the adoption of the annual budget, is hereby fixed at \$10.6427 per \$1,000.00 of assessed valuation.

Motion to adopt by Trustee Ryan and seconded by Trustee McGuckin

The vote was 1 ayes to 0 nayses with 0 abstentions. The Mayor declared resolution adopted on April 25, 1995.

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~

~~City~~

of WALDEN

~~Town~~

Village

Local Law No. 2 of the year 1995.

A local law TO REPEAL CHAPTER 79 OF THE CODE OF THE VILLAGE OF WALDEN
(Insert Title)

ENTITLED FLOOD DAMAGE PREVENTION AND ENACT A NEW CHAPTER 79

ENTITLED FLOOD DAMAGE PREVENTION.

Be it enacted by the BOARD OF TRUSTEES of the
(Name of Legislative Body)

~~County~~

~~City~~

of WALDEN

~~Town~~

Village

as follows:

SECTION 1.

Chapter 79 of the Code of the Village of Walden entitled "Flood Damage Prevention" is hereby repealed and a new Chapter 79 entitled "Flood Damage Prevention" is enacted as follows:

SECTION 79-1. STATUTORY AUTHORIZATION AND PURPOSE

A. FINDINGS

The Board of Trustees of the Village of Walden finds that the potential and/or actual damages from flooding and erosion may be a problem to the residents of the Village of Walden and that such damages may include: destruction or loss of private and public housing, damage to public facilities, both publicly and privately owned, and injury to and loss of human life. In order to minimize the threat of such damages and to achieve the purposes and objectives hereinafter set forth, this Local Law is adopted.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

B. STATEMENT OF PURPOSE

It is the purpose of this Local Law to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

(1) regulate uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;

(2) require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

(3) control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;

(4) control filling, grading, dredging and other development which may increase erosion or flood damages;

(5) regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands, and;

(6) qualify and maintain for participation in the National Flood Insurance Program.

C. OBJECTIVES

The objectives of this Local Law are:

(1) to protect human life and health;

(2) to minimize expenditure of public money for costly flood control projects;

(3) to minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

(4) to minimize prolonged business interruptions;

(5) to minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, sewer lines, streets and bridges located in areas of special flood hazard;

(6) to help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;

(7) to provide that developers are notified that property is in an area of special flood hazard; and,

(8) to ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

SECTION 79-2. DEFINITIONS

Unless specifically defined below, words or phrases used in this Local Law shall be interpreted so as to give them the meaning they have in common usage and to give this Local Law its most reasonable application.

APPEAL - A request for a review of the Local Administrator's interpretation of any provision of this Local Law or a request for a variance.

AREA OF SHALLOW FLOODING - A designated AO, AH or VO Zone on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average annual depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. [Such flooding is characterized by ponding or sheet flow.]

AREA OF SPECIAL FLOOD HAZARD - The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. This area may be designated as Zone A, AE, AH, AO, A1-A30, A99, V, VO, VE, or V1-V30. It is also commonly referred to as the base floodplain or 100-year floodplain.

BASE FLOOD - The flood having a one percent chance of being equalled or exceeded in any given year.

BASEMENT - That portion of a building having its floor subgrade (below ground level) on all sides.

BUILDING - See "Structure".

DEVELOPMENT - Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, paving, excavation or drilling operations or storage of equipment or materials.

ELEVATED BUILDING - A non-basement building (i) built, in the case of a building in Zones A1-A30, AE, A, A99, AO, AH, B, C, X, or D, to have the top of the elevated floor, or in the case of

a building in Zones V1-30, VE or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the flow of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A1-A30, AE, A, A99, AO, AH, B, C, X, or D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In the case of Zones V1-V30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building", even though the lower area is enclosed by means of breakaway walls that meet the federal standards.

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION - A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is complete before the effective date of the floodplain management regulations adopted by the community.

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION - The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FEDERAL EMERGENCY MANAGEMENT AGENCY - The Federal agency that administers the National Flood Insurance Program.

FLOOD OR FLOODING - A general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) the overflow of inland or tidal waters;
- (2) the unusual and rapid accumulation or runoff of surface waters from any source.

"Flood" or "flooding" also means the collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in (1) above.

FLOOD BOUNDARY AND FLOODWAY MAP (FBFM) - An official map of the community published by the Federal Emergency Management Agency as part of a riverine community's Flood Insurance Study. The FBFM delineates a Regulatory Floodway along water course studied in detail in the Flood Insurance Study.

FLOOD ELEVATION STUDY - An examination, evaluation and determination of the flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of flood-related erosion hazards.

FLOOD HAZARD BOUNDARY MAP (FHBM) - An official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been designated as Zone A but no flood elevations are provided.

FLOOD INSURANCE RATE MAP (FIRM) - An official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY - see "flood elevation study".

FLOODPLAIN or FLOOD-PRONE AREA - Any land area susceptible to being inundated by water from any source (see definition of "Flooding").

FLOODPROOFING - Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOODWAY - See "Regulatory Floodway".

FUNCTIONALLY DEPENDENT USE - A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, and ship repair facilities. The term does not include long-term storage, manufacturing, sales, or service facilities.

HIGHEST ADJACENT GRADE - The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

HISTORIC STRUCTURE - Any structure that is:

(1) listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the

Interior as meeting the requirements for individual listing on the National Register;

(2) certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

(3) individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

(4) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

(i) by an approved state program as determined by the Secretary of the Interior or

(ii) directly by the Secretary of the Interior in states without approved programs.

LOCAL ADMINISTRATOR - The person appointed by the community to administer and implement this Local Law by granting or denying development permits in accordance with its provisions.

LOWEST FLOOR - The lowest level of the lowest enclosed area (including basement or cellar). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Local Law.

MANUFACTURED HOME - A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term does not include a "Recreational vehicle".

MANUFACTURED HOME PARK OR SUBDIVISION - A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MEAN SEA LEVEL - For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

MOBILE HOME - See "Manufactured home".

NATIONAL GEODETIC VERTICAL DATUM - As corrected in 1929, is a vertical control used as a reference for establishing varying elevations within the flood plain.

NEW CONSTRUCTION - Structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by the community and includes any subsequent improvements to such structure.

NEW MANUFACTURED HOME PARK OR SUBDIVISION - A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

ONE HUNDRED YEAR FLOOD or 100-YEAR FLOOD - See "Base Flood".

PRINCIPALLY ABOVE GROUND - At least 51 percent of the actual cash value of the structure, excluding land value, is above ground.

RECREATIONAL VEHICLE - A vehicle which is:

- (1) built on a single chassis;
- (2) 400 square feet or less when measured at the largest horizontal projections;
- (3) designed to be self-propelled or permanently towable by a light duty truck; and
- (4) not designed primarily for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

REGULATORY FLOODWAY - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height as determined by the Federal Emergency Management Agency in a Flood Insurance Study or by other agencies as provided in Section 79-4.D.2 of this Local Law.

START OF CONSTRUCTION - The initiation, excluding planning and design, of any phase of a project, physical alteration of the property, and shall include land preparation, such as clearing, grading, and filling; installation of streets and/or walkways; excavation for a basement, footings, piers, or foundations or the erection of temporary forms. It also includes the placement and/or installation on the property of accessory buildings

(garages, sheds), storage trailers, and building materials. For manufactured homes the "actual start" means affixing of the manufactured home to its permanent site.

STRUCTURE - A walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

SUBSTANTIAL DAMAGE - Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT - Any reconstruction rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. The term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

(1) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or

(2) any alteration of a "Historic structure", provided that the alteration will not preclude the structure's continued designation as a "Historic structure".

VARIANCE - A grant of relief from the requirements of this Local Law which permits construction or use in a manner that would otherwise be prohibited by this Local Law.

SECTION 79-3. GENERAL PROVISIONS

A. LANDS TO WHICH THIS LOCAL LAW APPLIES

This Local Law shall apply to all areas of special flood hazard within the jurisdiction of the Village of Walden, Orange County, New York.

B. BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

(1) Flood Insurance Rate Map (single panel) No. 360635 0001B, whose effective date is August 15, 1984.

(2) A scientific and engineering report entitled "Flood Insurance Study, Village of Walden, New York, Orange County" dated February 15, 1984.

The above documents are hereby adopted and declared to be a part of this Local Law. The Flood Insurance Study and/or maps are on file at: the Building Inspector's Office, 8 Scofield Street, Walden, New York.

C. INTERPRETATION AND CONFLICT WITH OTHER LAWS

This Local Law includes all revisions to the National Flood Insurance Program through November 1, 1989 and shall supersede all previous laws adopted for the purpose of flood damage prevention.

In their interpretation and application, the provisions of this Local Law shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and welfare. Whenever the requirements of this Local Law are at variance with the requirements of any other lawfully adopted rules, regulations, or ordinances, the most restrictive, or that imposing the higher standards, shall govern.

D. SEVERABILITY

The invalidity of any section or provision of this Local Law shall not invalidate any other section or provision thereof.

E. PENALTIES FOR NONCOMPLIANCE

No structure in an area of special flood hazard shall hereafter be constructed, located, extended, converted or altered and no land shall be excavated or filled without full compliance with the terms of this Local Law and any other applicable regulations. Any infraction of the provisions of this Local Law by failure to comply with any of its requirements, including infractions of conditions and safeguards established in connection with conditions of the permit, shall constitute a violation. Any person who violates this Local Law or fails to comply with any of its requirements shall, upon conviction thereof, be fined no more than \$250.00 or imprisoned for not more than 15 days or both. Each day of noncompliance shall be considered a separate offense. Nothing herein contained shall prevent the Village of Walden from taking such other lawful action as necessary to prevent or remedy an infraction. Any structure found not compliant with the requirements of this Local Law for which the developer and/or owner has not applied for and received an approved variance under Section 79-6 will be declared noncompliant and notification sent to the Federal Emergency Management Agency.

F. WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this Local Law is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Local Law does not imply that land outside the area of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This Local Law shall not create liability on the part of the Village of Walden, any officer or employee thereof, or the Federal Emergency Management Agency, for any flood damages that result from reliance on this Local Law or any administrative decision lawfully made thereunder.

SECTION 79-4. ADMINISTRATION

A. DESIGNATION OF THE LOCAL ADMINISTRATOR

The Building Inspector is hereby appointed Local Administrator to administer and implement this Local Law by granting or denying floodplain development permits in accordance with its provisions.

B. THE FLOODPLAIN DEVELOPMENT PERMIT

1. PURPOSE. A floodplain development permit is hereby established for all construction and other development to be undertaken in areas of special flood hazard in this community for the purpose of protecting its citizens from increased flood hazards and insuring that new development is constructed in a manner that minimizes its exposure to flooding. It shall be unlawful to undertake any development in an area of special flood hazard, as shown on the Flood Insurance Rate Map enumerated in Section 79-3.B., without a valid floodplain development permit. Application for a permit shall be made on forms furnished by the Local Administrator and may include, but not be limited to: plans, in duplicate, drawn to scale and showing: the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing.

2. FEES. All applications for a floodplain development permit shall be accompanied by an application fee in an amount set by the Board of Trustees. In addition, the applicant shall be responsible for reimbursing the Village of Walden for any additional costs necessary for review, inspection and approval of this project. The Local Administrator may require a deposit of no more than \$500.00 to cover these additional costs.

C. APPLICATION FOR A PERMIT

This applicant shall provide the following information as appropriate. Additional information may be required on the permit application form.

(1) The proposed elevation, in relation to mean sea level, of the lowest floor (including basement or cellar) of any new or substantially improved structure to be located in Zones A1-A30, AE or AH, or Zone A if base flood elevation data are available. Upon completion of the lowest floor, the permittee shall submit to the Local Administrator the as-built elevation, certified by a licensed professional engineer or surveyor.

(2) The proposed elevation, in relation to mean sea level, to which any new or substantially improved non-residential structure will be floodproofed. Upon completion of the floodproofed portion of the structure, the permittee shall submit to the Local Administrator the as-built floodproofed elevation, certified by a professional engineer or surveyor.

(3) A certificate from a licensed professional engineer or architect that any utility floodproofing will meet the criteria in Section 79-5.B.3, UTILITIES.

(4) A certificate from a licensed professional engineer or architect that any non-residential floodproofed structure will meet the floodproofing criteria in Section 79-5.D., NON-RESIDENTIAL STRUCTURES.

(5) A description of the extent to which any watercourse will be altered or relocated as a result of proposed development. Computations by a licensed professional engineer must be submitted that demonstrate that the altered or relocated segment will provide equal or greater conveyance than the original stream segment. The applicant must submit any maps, computations or other material required by the Federal Emergency Management Agency (FEMA) to revise the documents enumerated in Section 79-3.B., when notified by the Local Administrator, and must pay any fees or other costs assessed by FEMA for this purpose. The applicant must also provide assurances that the conveyance capacity of the altered or relocated stream segment will be maintained.

(6) A technical analysis, by a licensed professional engineer, if required by the Local Administrator, which shows whether proposed development to be located in an area of special flood hazard may result in physical damage to any other property.

(7) In Zone A, when no base flood elevation data are available from other sources, base flood elevation data shall be provided by the permit applicant for subdivision proposals and

other proposed developments (including proposals for manufactured home and recreational vehicle parks and subdivisions) that are greater than either 50 lots or 5 acres.

D. DUTIES AND RESPONSIBILITIES OF THE LOCAL ADMINISTRATOR

Duties of the Local Administrator shall include, but not be limited to the following.

1. PERMIT APPLICATION REVIEW

The Local Administrator shall conduct the following permit application review before issuing a floodplain development permit:

(a) Review all applications for completeness, particularly with the requirements of subsection 79-4.C., APPLICATION FOR A PERMIT, and for compliance with the provisions and standards of this Local Law.

(b) Review subdivision and other proposed new development, including manufactured home parks to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is located in an area of special flood hazard, all new construction and substantial improvements shall meet the applicable standards of Section 79-5, CONSTRUCTION STANDARDS and, in particular, subsection 79-5.A.1., SUBDIVISION PROPOSALS.

(c) Determine whether any proposed development in an area of special flood hazard may result in physical damage to any other property (e.g., stream bank erosion and increased flood velocities). The Local Administrator may require the applicant to submit additional technical analyses and data necessary to complete the determination.

If the proposed development may result in physical damage to any other property or fails to meet the requirements of Section 79-5, CONSTRUCTION STANDARDS, no permit shall be issued. The applicant may revise the application to include measures that mitigate or eliminate the adverse effects and re-submit the application.

(d) Determine that all necessary permits have been received from those governmental agencies from which approval is required by State or Federal law.

2. USE OF OTHER FLOOD DATA

(a) When the Federal Emergency Management Agency has designated areas of special flood hazard on the community's Flood Insurance Rate Map (FIRM) but has neither produced water

surface elevation data (these areas are designated Zone A or V on the FIRM) nor identified a floodway, the Local Administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, including data developed pursuant to paragraph 79-4.C.(7), as criteria for requiring that new construction, substantial improvements or other proposed development meet the requirements of this Local Law.

(b) When base flood elevation data are not available, the Local Administrator may use flood information from any other authoritative source, such as historical data, to establish flood elevations within the areas of special flood hazard, for the purposes of this Local Law.

3. ALTERATION OF WATERCOURSES

(a) Notification to adjacent communities and the New York State Department of Environmental Conservation prior to permitting any alteration or relocation of a watercourse, and submittal of evidence of such notification to the Regional Director, Region II, Federal Emergency Management Agency.

(b) Determine that the permit holder has provided for maintenance within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

4. CONSTRUCTION STAGE

(a) In Zones A1-A30, AE and AH, and also Zone A if base flood elevation data are available, upon placement of the lowest floor or completion of floodproofing of a new or substantially improved structure, obtain from the permit holder a certification of the as-built elevation of the lowest floor or floodproofed elevation, in relation to mean sea level. The certificate shall be prepared by or under the direct supervision of a licensed land surveyor or professional engineer and certified by same. For manufactured homes, the permit holder shall submit the certificate of elevation upon placement of the structure on the site. A certificate of elevation must also be submitted for a recreational vehicle if it remains on a site for 180 consecutive days or longer (unless it is fully licensed and ready for highway use).

(b) Any further work undertaken prior to submission and approval of the certification shall be at the permit holder's risk. The Local Administrator shall review all data submitted. Deficiencies detected shall be cause to issue a stop work order for the project unless immediately corrected.

5. INSPECTIONS

The Local Administrator and/or the developer's engineer or architect shall make periodic inspections at appropriate times throughout the period of construction in order to monitor compliance with permit conditions and enable said inspector to certify, if requested, that the development is in compliance with the requirements of the floodplain development permit and/or any variance provisions.

6. STOP WORK ORDERS

(a) The Local Administrator shall issue, or cause to be issued, a stop work order for any floodplain development found ongoing without a development permit. Disregard of a stop work order shall subject the violator to the penalties described in Section 79-3.E. of this Local Law.

(b) The Local Administrator shall issue, or cause to be issued, a stop work order for any floodplain development found noncompliant with the provisions of this Local Law and/or the conditions of the development permit. Disregard of a stop work order shall subject the violator to the penalties described in Section 79-3.E. of this Local Law.

7. CERTIFICATE OF COMPLIANCE

(a) In areas of special flood hazard, as determined by documents enumerated in Section 79-3.B., it shall be unlawful to occupy or to permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, erected, changed, converted or wholly or partly altered or enlarged in its use or structure until a certificate of compliance has been issued by the Local Administrator stating that the building or land conforms to the requirements of this Local Law.

(b) A certificate of compliance shall be issued by the Local Administrator upon satisfactory completion of all development in areas of special flood hazard.

(c) Issuance of the certificate shall be based upon the inspections conducted as prescribed in Section 79-4.D.5., INSPECTIONS, and/or any certified elevations, hydraulic data, floodproofing, anchoring requirements or encroachment analyses which may have been required as a condition of the approved permit.

8. INFORMATION TO BE RETAINED

The Local Administrator shall retain and make available for inspection, copies of the following:

(a) Floodplain development permits and certificates of compliance;

(b) Certifications of as-built lowest floor elevations of structures, required pursuant to subsections 79-4.D.4.(a) and 79-4.D.4.(b), and whether or not the structures contain a basement;

(c) Floodproofing certificates required pursuant to subsection 79-4.D.4.(a), and whether or not the structures contain a basement;

(d) Variances issued pursuant to Section 79-6, VARIANCE PROCEDURES; and,

(e) Notices required under subsection 79-4.D.3. ALTERATION OF WATERCOURSES.

SECTION 79-5. CONSTRUCTION STANDARDS

A. GENERAL STANDARDS

The following standards apply to new development, including new and substantially improved structures, in the areas of special flood hazard shown on the Flood Insurance Rate Map designated in Section 79-3.B.

1. SUBDIVISION PROPOSALS

The following standards apply to all new subdivision proposals and other proposed development in areas of special flood hazard (including proposals for manufactured home and recreational vehicle parks and subdivisions):

(a) Proposals shall be consistent with the need to minimize flood damage;

(b) Public utilities and facilities such as sewer, gas, electrical and water systems shall be located and constructed so as to minimize flood damage; and

(c) Adequate drainage shall be provided to reduce exposure to flood damage.

2. ENCROACHMENTS

(a) Within Zones A1-A30 and AE, on streams without a regulatory floodway, no new construction, substantial improvements or other development (including fill) shall be permitted unless:

(i) the applicant demonstrates that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any location, or,

(ii) the Village of Walden agrees to apply to the Federal Emergency Management Agency (FEMA) for a conditional FIRM revision, FEMA approval is received and the applicant provides all necessary data, analyses and mapping and reimburses the Village of Walden for all fees and other costs in relation to the application. The applicant must also provide all data, analyses and mapping and reimburse the Village of Walden for all costs related to the final map revision.

(b) On streams with a regulatory floodway, as shown on the Flood Boundary and Floodway Map or the Flood Insurance Rate Map adopted in Section 79-3.B. no new construction, substantial improvements or other development in the floodway (including fill) shall be permitted unless:

(i) a technical evaluation by a licensed professional engineer shows that such an encroachment shall not result in any increase in flood levels during occurrence of the base flood, or,

(ii) the Village of Walden agrees to apply to the Federal Emergency Management Agency (FEMA) for a conditional FIRM and floodway revision, FEMA approval is received and the applicant provides all necessary data, analyses and mapping and reimburses the Village of Walden for all fees and other costs in relation to the application. The applicant must also provide all data, analyses and mapping and reimburse the Village of Walden for all costs related to the final map revisions.

B. STANDARDS FOR ALL STRUCTURES

1. ANCHORING

(a) New structures and substantial improvement to structures in areas of special flood hazard shall be anchored to prevent flotation, collapse, or lateral movement during the base flood. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

2. CONSTRUCTION MATERIALS AND METHODS

(a) New construction and substantial improvements to structures shall be constructed with materials and utility equipment resistant to flood damage.

(b) New construction and substantial improvements to structures shall be constructed using methods and practices that minimize flood damage.

(c) For enclosed areas below the lowest floor of a structure within Zones A1-A30, AE or AH, and also Zone A if base flood elevation data are available, new and substantially improved structures shall have fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding, designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood waters. Designs for meeting this requirement must either be certified by a licensed professional engineer or architect or meet or exceed the following minimum criteria:

(i) a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding; and

(ii) the bottom of all such openings no higher than one foot above the lowest adjacent finished grade.

Openings may be equipped with louvers, valves, screens or other coverings or devices provided they permit the automatic entry and exit of floodwaters. Enclosed areas sub-grade on all sides are considered basements and are not permitted.

3. UTILITIES

(a) Machinery and equipment servicing a building must be elevated to or above the base flood level or designed to prevent water from entering or accumulating within the components during a flood. This includes heating, ventilating, and air conditioning equipment, hot water heaters, appliances, elevator lift machinery, and electrical junction and circuit breaker boxes. When located below the base flood elevation, a professional engineer's or architect's certification of the design is required;

(b) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

(c) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters. Sanitary sewer and storm drainage systems for buildings that have openings below the base flood elevation shall be provided with automatic backflow valves or other automatic backflow devices that are installed in each discharge line passing through a building's exterior wall; and

(d) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

C. RESIDENTIAL STRUCTURES

1. **ELEVATION.** The following standards, in addition to the standards in subsections 79-5.A.1., SUBDIVISION PROPOSALS, and 79-5.A.2., ENCROACHMENTS, and Section 79-5.B., STANDARDS FOR ALL STRUCTURES, apply to structures located in areas of special flood hazard as indicated.

(a) Within Zones A1-A30, AE and AH and also Zone A if base flood elevation data are available, new construction and substantial improvements shall have the lowest floor (including basement) elevated to or above the base flood level.

(b) Within Zone A, when no base flood elevation data are available, new and substantially improved structures shall have the lowest floor (including basement) elevated at least three feet above the highest adjacent grade.

(c) Within Zone AO, new and substantially improved structures shall have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's Flood Insurance Rate Map enumerated in Section 79-3.B. (at least two feet if no depth number is specified).

(d) Within Zones AH and AO, adequate drainage paths are required to guide flood waters around and away from proposed structures on slopes.

D. NON-RESIDENTIAL STRUCTURES

The following standards apply to new and substantially improved commercial, industrial and other non-residential structures, in addition to the requirements in subsections 79-5.A.1., SUBDIVISION PROPOSALS, and 79-5.A.2., ENCROACHMENTS, and Section 79-5.B., STANDARDS FOR ALL STRUCTURES.

(1) Within Zones A1-A30, AE and AH, and also Zone A if base flood elevation data are available, new construction and substantial improvements of any non-residential structure, together with attendant utility and sanitary facilities, shall either:

(i) have the lowest floor, including basement and cellar, elevated to or have the base flood elevation; or

(ii) be floodproofed so that the structure is watertight below the base flood level with walls substantially

impermeable to the passage of water. All structural components located below the base flood level must be capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.

(2) With Zone AO, new construction and substantial improvements of non-residential structures shall:

(i) have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified), or

(ii) together with attendant utility and sanitary facilities, be completely floodproofed to that level to meet the floodproofing standard specified in subsection 79-5.D.(1)(ii).

(3) If the structure is to be floodproofed, a licensed professional engineer or architect shall develop and/or review structural design, specifications, and plans for construction. A Floodproofing Certificate or other certification shall be provided to the Local Administrator that certifies the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of Section 79-5.D.(1)(ii), including the specific elevation (in relation to mean seal level) to which the structure is to be floodproofed.

(4) Within Zones AH and AO, adequate drainage paths are required to guide flood waters around and away from proposed structures on slopes.

(5) Within Zone A, when no base flood elevation data are available, the lowest floor (including basement) shall be elevated at least three feet above the highest adjacent grade.

E. MANUFACTURED HOMES AND RECREATIONAL VEHICLES

The following standards in addition to the standards in Section 79-5.A., GENERAL STANDARDS, and Section 79-5.B., STANDARDS FOR ALL STRUCTURES apply, as indicated, in areas of special flood hazard to manufactures homes and to recreational vehicles which are located in areas of special flood hazard.

(1) Recreational vehicles placed on sites within Zones A1-A30, AE and AH shall either:

(i) be on site fewer than 180 consecutive days,

(ii) be fully licensed and ready for highway use, or

(iii) meet the requirements for manufactures homes in paragraph 79-5.E.(2), (4) and (5).

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

(2) A manufactured home that is placed or substantially improved in Zones A1-A30, AE and AH that is on a site either:

(i) outside of any existing manufactured home park or subdivision as herein defined;

(ii) in a new manufactured home park or subdivision as herein defined;

(iii) in an expansion to an existing manufactured home park or subdivision as herein defined; or

(iv) in an existing manufactured home park or subdivision as herein defined on which a manufactured home has incurred substantial damage as the result of a flood; shall be elevated on a permanent foundation such that the lowest floor is elevated to or above the base flood elevation and is securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement. Elevation on piers consisting of dry stacked blocks is prohibited. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.

(3) A manufactured home to be placed or substantially improved in Zone A1-A30, AE and AH in an existing manufactured home park or subdivision that is not to be placed on a site on which a manufactured home has incurred substantial damage shall be:

(i) elevated in a manner such as required in paragraph 79-5.E.(2), or

(ii) elevated such that the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above the lowest adjacent grade and are securely anchored to an adequately anchored foundation system to resist flotation, collapse or lateral movement. Elevation on piers consisting of dry stacked blocks is prohibited.

(4) Within Zone A, when no base flood elevation data are available, new and substantially improved manufactured home shall be elevated such that the manufactured home chassis is

supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above the lowest adjacent grade and are securely anchored to an adequately anchored foundation system to resist flotation, collapse or lateral movement. Elevation on piers consisting of dry stacked blocks is prohibited.

(5) Within Zone AO, the floor shall be elevated above the highest adjacent grade at least as high as the depth number specified on the Flood Insurance Rate Map enumerated in Section 79-3.B. (at least two feet if no depth number is specified). Elevation on piers consisting of dry stacked blocks is prohibited.

SECTION 79-6. VARIANCE PROCEDURE

A. APPEALS BOARD

(1) The Zoning Boards of Appeals as established by the Village of Walden Board of Trustees shall hear and decide appeals and requests for variances from the requirements of this Local Law.

(2) The Zoning Board of Appeals shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Local Administrator in the enforcement or administration of this Local Law.

(3) Those aggrieved by the decision of the Zoning Board of Appeals may appeal such decision to the Supreme Court pursuant to Article 78 of the Civil Practice Law and Rules.

(4) In passing upon applications, the Zoning Board of Appeals shall consider all technical evaluations, all relevant factors, standards specified in other sections of this Local Law and:

(i) the danger that materials may be swept onto other lands to the injury of others;

(ii) the danger to life and property due to flooding or erosion damage;

(iii) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

(iv) the importance of the services provided by the proposed facility to the community;

(v) the necessity to the facility of a waterfront location, where applicable;

(vi) the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

(vii) the compatibility of the proposed use with existing and anticipated development;

(viii) the relationship of the proposed use to the comprehensive plan and floodplain management program of that area;

(ix) the safety of access to the property in times of flood for ordinary and emergency vehicles;

(x) the costs to local governments and the dangers associated with conducting search and rescue operations during periods of flooding;

(xi) the expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and

(xii) the costs of providing governmental services during and after flood conditions, including research and rescue operations, maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems and streets and bridges.

(5) Upon consideration of the factors of Section 79-6.A.(4) and the purposes of this Local Law, the Zoning Board of Appeals may attach such conditions to the granting of variances as it deems necessary to further the purposes of this Local Law.

(6) The Local Administrator shall maintain the records of all appeal actions including technical information and report any variances to the Federal Emergency Management Agency upon request.

B. CONDITIONS FOR VARIANCES

(1) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items (i-xii) in Section 79-6.A.(4) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.

(2) Variances may be issued for the repair or rehabilitation of historic structures upon determination that:

(i) the proposed repair or rehabilitation will not preclude the structure's continued designation as a "Historic structure".

(ii) the variance is the minimum necessary to preserve the historic character and design of the structure.

(3) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:

(i) the criteria of subparagraphs 1, 4, 5, and 6 of this Section are met;

(ii) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threat to public safety.

(4) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(5) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(6) Variances shall only be issued upon receiving written justification of:

(i) a showing of good and sufficient cause;

(ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant; and

(iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.

(7) Any applicant to whom a variance is granted for a building with the lowest floor below the base flood elevation shall be given written notice over the signature of a community official that the cost of flood insurance will be commensurate with the increased risk resulting from lowest floor elevation.

SECTION 2.

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State in Albany.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 19 95 of the ~~(County)(City)(Town)~~(Village) of WALDEN was duly passed by the BOARD OF TRUSTEES on APRIL 25 1995, in accordance with the applicable provisions of law.
(Name of Legislative Body)

~~2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 ____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after (Name of Legislative Body) disapproval) by the _____ and was deemed duly adopted on _____ 19____. (Elective Chief Executive Officer*) in accordance with the applicable provisions of law.~~

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 ____ the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after (Name of Legislative Body) disapproval) by the _____ on _____ 19____. Such local law was (Elective Chief Executive Officer*) submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 19____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 ____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after (Name of Legislative Body) disapproval) by the _____ on _____ 19____. Such local law was subject to (Elective Chief Executive Officer*) permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____, in accordance with the applicable provisions of law.

Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. ~~(City local law concerning Charter revision proposed by petition.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19____, became operative.~~

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____ 19____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph I. 1, above.

~~XXXXXX County Legislative Body, City or Village Clerk~~
or officer designated by local legislative body
NANCY MITCHELL

Date: 11.26.95

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF ORANGE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Kevin T. Dowd
Signature KEVIN T. DOWD

Title ATTORNEY

~~County~~
~~City~~ of WALDEN
~~Town~~
Village

Date: 11.26.95

APPROVED

VILLAGE OF WALDEN
BOARD OF TRUSTEES SPECIAL MEETING
APRIL 11, 1995

Mayor Andrew Uszenski called the special meeting of the Village of Walden, Board of Trustees to order at 7:00 P.M.

On roll call the following were:

Present: Mayor Andrew Uszenski
Trustees John McGuckin
Antonio Garcia
Martin Besdesky
John Ryan
Chris Forman

Absent: Trustee Raynard Ozman, later present

Also Present: John Kelly, Village Manager
Kevin Dowd, Village Attorney

Recording Secretary: Nancy Mitchell, Village Clerk

MUNICIPAL BUILDING RENOVATIONS/ALTERATIONS

Mayor Uszenski stated that the purpose of this special meeting is an update with the architect on the municipal building project. There was concern about the air conditioning.

Mr. Liebman stated that he received a letter from the village regarding the comments the board made at their last meeting and the concerns they had. He asked his engineer to respond to the letter concerning the air conditioning. In addition to the response he asked the engineer to send a brochure. The colored brochure depicts what the units will look like. He passed the brochure around to the board members. That air conditioning unit is not your standard air conditioning unit. The police station will have ceiling tiles, so they would go with duct work. The third floor offices will also have ceiling tile, so that will also have duct work. Where there isn't ceiling tile they are proposing the air conditioning units. The condenser units will be located on the roof. The units are very thin and streamline. The refrigerant lines will be concealed either in the walls or sheet rocked ceiling.

Trustee McGuckin asked how many holes will have to be cut?

Mr. Liebman stated that there won't be any, because where they go on the wall that will be a new partition and where they go on the ceiling

there is no asbestos.

Manager Kelly asked how the assembly room would be handled?

Mr. Liebman stated that there will be four ceiling mounted units. They will punch through the ceiling and put the piping in the crawl space. In the three rooms of the library on the second floor there is wall paneling, so they can't pull that off. What they will do is build new partitions in front of the walls and the unit will be mounted on the wall above the doorway and the piping will be in the metal studs. The efficiency and the fact that you may be using more power was answered in the letter from the engineer. Mr. Liebman read the engineers letter to the board. Mr. Liebman further stated that each unit will have its own control system, so it can go on at certain times and off at certain times and set to a certain temperature. It also has a wireless control.

Trustee Besdesky asked if it would have both controls?

Mr. Liebman stated that you can have either one.

Trustee McGuckin asked if the village would have both?

Mr. Liebman stated that he didn't know the answer to that question.

Mr. Liebman stated that one of the major concerns that was raised dealt with the wood doors, frames and woodworking. What they have done since the last meeting was they had the flush steel doors in all the corridors because they have to maintain a rating in the corridors. They checked out the price of the raised paneled steel doors and the cost is not that much more, it varies from \$25.00 to \$100.00 per door. On the solid door where it was a smooth flush door, they are changing them all to embossed doors. The doors that have the vision lights they are doing that as well. They are putting that in the bid specs as a basic requirement, not an alternate. They have brought the plans and specs, mechanical and architectural to a point where they have two independent cross analysises done and both are within \$20,000 of each other and they are around or at the budget. On the mechanical the HVAC still came in a little high, because you don't save that much money going to these units. You do save on the duct work. The electrical and plumbing came in a little bit lower. What they have also done is prepared an advertisement for bids and they have indicated in the notice the breakdown of the actual budget cost. They have also made one major change and that is they are inviting any of the contractors to inspect the building any time during the bid period, providing they make an appointment with the village office. They have requested that the Dodge Report send the architect a copy of their advertisement before they put it out, because the one they did last time was incorrect.

Trustee Ozman asked the architect to go over the third floor area, the stage area which would double as the court and meeting area.

Mr. Liebman stated that there were two things in the meeting room that were brought up at the last meeting, one was to put the carpeting and underpayment as an alternate. The other is for the lectern. They made the lectern straight. The price for that is \$10,000. That was put in as an alternate. You may want to have that built later by a craftsman.

Trustee Ozman stated that the dais would be more attractive if it had slanted sides.

Mr. Liebman stated that they have twenty five feet to work with. He recommends that they build the platform and you build the sides, which is part of the basic bid, but the lectern you may elect not to have that included in the general contractors work.

Manager Kelly stated that the problem is there is not enough room behind the area where people sit in order to do a square deal.

Mr. Liebman stated that they can come out forward.

Manager Kelly asked if they were bidding the dais as an alternate of a straight line or the crescent shape that he did before?

Mr. Liebman stated that its being bid as a straight line.

Trustee Ryan stated that the last time Mr. Liebman was present he said he was about \$80,000 short of getting down to the final number and that was with the elevator going to the first floor. The elevator is now going all the way to the basement, so that brings it up to \$100,000 and they still had to get out of the project. Where did he get the \$100,000?

Mr. Liebman stated bits and pieces, \$2,500 here and \$25,000 there. The cost of bringing in the water service, the village can do the job for \$900 and the bids came in at \$10,000.

Trustee Besdesky asked about the independent estimators, do they take various areas of the United States into consideration?

Mr. Liebman stated that they work with the wage rates that the architect gave them from this areas and then they work with the materials from this area.

Trustee Ryan asked, any of the extras or the add-ons that the village does itself, can he assume that Mr. Liebman's office will still do the detailing and drawings and specifications for, say if it was for the lectern later, we elect to not put in the lectern that Mr. Liebman specified and take it out of the contract and put in the crescent one that would require the additional five point, would he still provide the drawings?

Mr. Liebman stated yes.

Trustee Ryan further asked, and anything else that may be added or deleted as they try to do in-house?

Mr. Liebman stated absolutely. They will be working very close with this job. He will be out here two or three times a week. Any drawings that have to be changed because of field conditions and anything that they are required to do they will do.

Trustee McGuckin moved to have the architect proceed with the bidding process for the municipal building renovations/alterations. Seconded by Trustee Besdesky.

Trustee Ryan asked about the two points he brought up that was going to be researched, having the bid bound increased and having the deposit as one deposit, not as two separate deposits.

David Lustig stated that having the entrance to the municipal building where it is you are making a horrible mistake. He feels the door should be in the middle, not off to the side.

Mayor Uszenski stated that the problem is splitting up the police department.

Trustee Garcia stated that a lot of thought went into the renovation/alterations of the municipal building. If we keep revising the plans we're never going to get this done. You put a committee together to decide on something and that is what you have to go along with.

Mr. Dowd stated that 102 of the General Municipal Law states that you shall require as a deposit to guarantee the safe return of such plans and specifications the payment of a fixed sum of money not exceeding \$100.00 for each copy thereof by persons or corporations desiring a copy thereof.

Manager Kelly stated that you would have to determine the actual cost of reproduction and you could subtract that from the security deposit.

Trustee Ryan stated that what he's saying is its \$100.00 for the plans and specs, if either one gets marked up they lose their deposit.

Mr. Dowd stated that in regard to the 10%, all the law says is it is to provide security or appropriate security and 10% is within reason.

All ayes. Motion carried.

Trustee Ryan moved that there be a \$100.00 deposit for the plans and specs and the deposit would be reimbursed upon return of the plans and specs in good condition. If any of the plans or specs are marked they forfeit the \$100.00 deposit. Seconded by Trustee Forman. All ayes. Motion carried.

Trustee Ryan moved that the bid bond for the municipal building renovations/alterations be 10%. Seconded by Trustee Ozman. On roll call Trustees Ryan, Forman and Garcia voted yes. Trustees McGuckin, Ozman, Besdesky and Mayor Uszenski voted no. Motion defeated.

MUNICIPAL BUILDING BOX GUTTERS

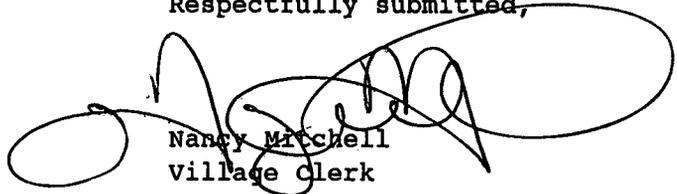
Manager Kelly stated that he has a proposal from Ray Cox Contracting to make temporary repairs to the box gutters around the down spouts and along the seams. The cost is \$150.00. The village's biggest concern is he has some type of harness and safety rope. The repairs would buy the village time until the roof repairs are done.

Trustee Garcia moved to accept the proposal for the box gutter repairs of the municipal building from Ray Cox Contracting for \$150.00. Seconded by Trustee McGuckin.
All ayes. Motion carried.

ADJOURNMENT

Trustee McGuckin moved to adjourn. Seconded by Trustee Ozman. All ayes. Motion carried.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read 'Nancy Mitchell', is written over the typed name and title.

Nancy Mitchell
Village Clerk

NOTICE OF MEETING

PLEASE TAKE NOTICE that the Village of Walden Board of Trustees will hold a regular meeting on Tuesday, April 11th, 1995 at 7:30 P.M. at the Village Offices, 8 Scofield Street, Walden, New York.

AGENDA

- 1. PLEDGE/ROLL CALL**
- 2. APPROVAL OF MINUTES**
- 3. BOARD'S BUSINESS**
 - A. ACTION ITEMS**
 - A.1 Appointment of Members to Board of Ethics**
 - A.2 Authorization to Exceed \$10,000 For Small Cities Project**
 - A.3 Public Hearing on Tentative 1995-96 Village Budget**
 - A.4 Payment of Audited Bills For April 11th, 1995**
 - B. DISCUSSION ITEMS**
 - B.1 Municipal Building Renovation Project**
 - B.2 Intro. Local Law I-2 Enacting New Code "Flood Damage Protection"**
 - B.3 Posted Signs - Speed Limit and Weight Limit Restrictions**
 - C. INFORMATIONAL ITEMS**
 - D. CORRESPONDENCE**
 - D1. Letter Re: Walden Little League Opening Day Parade**
- 4. COMMUNICATIONS**
- 5. REPORTS**
- 6. EXECUTIVE SESSION**
- 7. ADJOURNMENT**

APPROVED

VILLAGE OF WALDEN
BOARD OF TRUSTEES MEETING
APRIL 11, 1995

Mayor Andrew Uszenski called the regular meeting of the Village of Walden Board of Trustees to order at 7:30 P.M.

On roll call the following were:

Present: Mayor Andrew Uszenski
Trustees John McGuckin
Antonio Garcia
Martin Besdesky
John Ryan
Chris Forman
Raynard Ozman

Also Present: Kevin Dowd, Village Attorney
John Kelly, Village Manager

Recording Secretary: Nancy Mitchell, Village Clerk

APPROVAL OF MINUTES-

Trustee Ozman moved to adopt the minutes of March 28th and April 3, 1995, with the following corrections to the March 28th minutes: Page 4, second paragraph, change to Trustee McGuckin asked what the efficiency was, Page 9, 1st paragraph, change to 89 Orchard Street. Seconded by Trustee Garcia. All ayes. Motion carried.

APPOINTMENT OF MEMBER TO BOARD OF ETHICS-

The board took a vote for members of the Board of Ethics with the following results, Ethel Eckert received two votes, Tony Marengo received six votes, Jose DeJesus received two votes, David O'Conner received four votes and Suzanne Rougier received no votes.

Trustee McGuckin moved to appoint Anthony Marengo to the Board of Ethics. Seconded by Trustee Garcia. All ayes. Motion carried.

Trustee Garcia moved to appoint David O'Connor to the Board of Ethics. Seconded by Trustee McGuckin. All ayes. Motion carried.

AUTHORIZATION TO EXCEED \$10,000 FOR SMALL CITIES PROJECT

Manager Kelly stated that as they were doing the preconstruction walk--through and they found there was an inflow of ground water into the basement. This is to put a perimeter drain to carry the water away.

The change order is \$4,000.

Trustee Besdesky moved to authorize the Small Cities Project to exceed \$10,000. Seconded by Trustee Garcia. All ayes. Motion carried.

PUBLIC HEARING ON TENTATIVE 1995-96 VILLAGE BUDGET

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

Manager Kelly stated that on March 20, 1995 he submitted to the Village Clerk the tentative budget for 1995-96. Within that budget the recommendations call for a general fund budget of \$2,962,559 which requires that \$2,019,367 be raised through real property taxes. The total tax levy would increase by \$96,256. while the tax rate would increase by 3.5% over 1994-95 to \$10,7288 per thousand assessed evaluation. The proposed 1995 general fund budget \$2,962,559 represents an increase of \$186,772 over the 1994-95 budget as adopted and \$102,668 over the current 1994-95 budget as modified. One of the major reasons for the increase next year is in the area of employee benefits. The state made some changes to the state retirement system method where we saw a savings over several years in terms of the amount we had to pay in and last year we were told that would be the last year where we would see that. We are looking for an increase this year. We have been hit with an increase in the police and firemens' retirement system in the amount of \$65,046, state and local government retirement system \$8,036. Social Security is up and hospital and medical insurance is up. The combination of those items represents more than 50% of the increase for next year. What the manager tried to do in putting together the budget is to compensate for those increases. He was not able to compensate for all of them. He cut more than \$145,000 out of the departmental requests. He also raised the revenues approximately \$50,000 in terms of all the non-property tax revenues. Fund balance was increased to \$95,000. With all of that in mind it still requires a tax rate increase of 3.5% to balance next years budget.

Larry Sager, 78 Orchard Street asked about the increase for the judge? Last year the board gave him a 3% increase and then went back and gave him a 33% increase out of contingencies. This year the people are giving him a 70% increase.

Mayor Uszenski stated that the board agreed with the judge to bring him up to equal salaries with the judges in the area. That happened last year when the board gave him the second raise and part of this year was the second step of bringing him closer to the salary and next year will be the third raise.

Mr. Sager stated that he is getting two raises from the people this year. The people never gave him a 33% raise last year. The people

gave him a 3% raise. The board gave him 33%. Why doesn't the village take the 33% raise out of contingencies this year? As an elected official he feels he should be brought up on conduct for the way he went about getting that raise. He has an ethics board he has to rely on.

JoAnne Clifford, 171 Walnut Street asked if the tow rope was only a year old?

Manager Kelly stated that it was bought the previous winter. After two or three years it begins to break. You can only splice it so many times. We have gotten in the past two seasons out of a rope.

Mrs. Clifford asked if money was set aside last year or the year before and then the rope was donated to the village?

Manager Kelly stated that two years ago there was no budget line item for that rope. The board made a transfer, bought the rope and then the Rotary donated \$500.00 towards the cost. The rope cost \$850. The money the village got from the Rotary went into the fund balance.

Bob Lamancuso, 33 Gladstone Avenue stated that the rope was purchased and used for the first time this year?

Manager Kelly stated that it was set up late in the season last year. Then it was taken down, stored and put up this year and used very sparingly.

Mr. Lamancuso stated that what is destroying the rope is the car rims.

Manager Kelly stated that there is a problem with spiraling.

Mr. Lamancuso stated that you can solve that problem with a good pulley system. He asked how much rope was left on the core in the building?

Manager Kelly stated that if there is good rope in the building we use it to splice the rope.

JoAnne Clifford asked why the village is allowing for the \$81,250 interest payment on the municipal building loan when we know we have 60 days to get that bond passed and the money borrowed. We aren't going to have that obligation within twelve months.

Manager Kelly stated that the village has to make the interest payment within twelve months. The intent is to make the interest payment during the first year and then eighteen months after borrowing the money we have to make the first interest and principal payment. One of the benefits is you will split the impact of the building over two budget years.

Mrs. Clifford asked if that \$81,250 is going to be making interest before the village makes that payment?

Manager Kelly stated that the village hasn't borrowed any money yet. The village gets its levy in July, August and September. Our original intent was to borrow the money and make our first interest payment in September of 1995, which is the time the village has its cash flow at its peak. It also fits into the debt schedule of our other obligations. The tax bills don't go out until June, so the paper is their, but we really don't have the cash sitting in the bank as of that date.

Larry Sager asked if the union showed comparisons for salaries?

Manager Kelly stated that they did a salary survey with the communities surrounding us. Categorically the Village of Walden was the worse paying in terms of the titles that were compared. That was the basis for the negotiations for the salary schedule, was to get the village employees to a position of parity over a four year period.

Mr. Sager asked how they rate the police department?

Manager Kelly stated that the PBA was a different scenario.

Mr. Sager stated that he feels he is living in the Bronx for the number of police officers you have in this village and the service we get. He doesn't know how the police officers can make that statement in the paper that the worse scenario in the village is loud noise and loitering on the street.

Manager Kelly stated that there are a certain number of officers to provide twenty four hour coverage. Many of the officers have seven or more years and one has seventeen years. The sergeants by contract are guaranteed a differential in pay of 15% above the highest officer. The average full time police officer in the village next year will make \$39,000.

Mr. Sager stated that there are three police officers in this village that made \$53,000 last year.

Manager Kelly stated that part of that includes the back pay for the contract settlement, overtime, and uniform allowance.

JoAnne Clifford asked about the oil set up rack and the above ground tank, is that for diesel fuel?

Manager Kelly stated that the tank is for heating oil and the set up rack is for all the fluids within the garage.

Mr. Lamancuso asked about the part time park maintenance worker, what will be his duties, what hours will he work, what months and his salary?

Manager Kelly stated that there are two positions shown, one is a new

position and that was as a result of the work of the beautification committee. Its a twenty six week, forty hour a week position, at \$8.25 hour. He will be a temporary, full time, seasonal employee. Carl Monte has developed a tentative work schedule. They would work under the control of John Howland.

Greg Raymondo stated that this individual should be told that everyone will be watching him to see if he does a good job. He asked what month will he be hired?

Manager Kelly stated that the money won't be in the budget until June.

Larry Sager asked if the library budget was decreased by what funds they received from the town and the state?

Manager Kelly stated no. The discussion was the town gives them \$11,000 a year. The Town of Montgomery made a payment of \$1300. in advance of our budget year and then they made \$9700. part of the year. The manager gave them credit for \$11,000 a year. The state aid number is provided by the library. If their budget total is \$120,000 and they get \$20,000 then the village would give them \$100,000 to make up the difference.

Mr. Sager asked about the Small Cities Program? He is not against people making money, but at the same time if its taking them two to three hours a day, their salary doesn't stop within the village, we're losing two to three hours a day for Small City Projects. That's costing the taxpayers. Something has to be looked at, maybe Small Cities should get their own people. The priority should be the taxpayers.

Manager Kelly stated that it is a problem this board recognizes.

Mayor Uszenski stated that this budget is not final. The board will hold one more work session to finalize things.

Mr. Sager asked if the Ethics Board was set?

Mayor Uszenski stated that the five members have been chosen and they will meet to set up policy.

Mr. Raymondo asked if the judge doesn't get re-elected, does the new judge get the same salary?

Mayor Uszenski stated that the board sets his salary.

Trustee McGuckin stated that part of the decision for the judge's salary was based on case load.

Trustee Besdesky moved to close the public hearing. Seconded by Trustee McGuckin. All ayes. Motion carried.

AUDITED BILLS

Trustee Forman moved to pay the audited bills of April 11, 1995. Seconded by Trustee Garcia. All ayes with the exception of Trustee Ryan abstaining from the bill for Powers Construction. Motion carried.

MUNICIPAL BUILDING RENOVATION PROJECT

Mayor Uszenski stated that the board has authorized the architect to go back out to bid for the municipal building renovations.

INTRODUCTORY LOCAL LAW I-2 OF 1995 ENACTING NEW CODE "FLOOD DAMAGE PROTECTION"

Manager Kelly stated that this brings the village in compliance with the changes in the regulations and maintains the villages insurance rating for those people living in a flood plain.

Trustee Ozman introduced Introductory Local Law I-2 of 1995, Enacting New Code, "Flood Damage Protection".

Trustee Ozman moved to hold a public hearing on Introductory Local Law I-2 of 1995, Enacting New Code, "Flood Damage Protection" on Tuesday, April 25, 1995 at 7:45 P.M.

POSTED SIGNS - SPEED LIMIT AND WEIGHT LIMIT RESTRICTIONS

Mayor Uszenski stated that NYSDOT has given notification to the village that we have to remove our 25 mph speed limit and weight limit signs from state right of ways. The first option would be to put 25 mph signs on all village streets in both directions and the other alternative would be to return the speed limit to 30 mph on side streets.

Trustee Garcia asked if the state has removed their posts that they had their illegal signs posted in the Village of Walden? When they remove those then the village will remove the 25 mph signs.

Mr. Dowd stated that if the village doesn't do it, they will. We have thirty days.

Manager Kelly stated that once you take the signs down there is a question as to whether the village can write citations. The village will not be properly posted. If you post only the side streets going off Route 52 and Route 208, the village is still not properly posted.

Trustee Besdesky moved that the village remove the 25 mph speed limit and weight limit signs from Routes 52 and 208. Seconded by Trustee Ozman. All ayes. Motion carried.

Trustee McGuckin suggested that the DPW Superintendent or the Police Chief survey what streets are currently posted and which aren't.

BUDGET WORK SESSION

The board scheduled a budget work session for Wednesday, April 19, 1995 at 7:30 P.M.

CONTROLLED BURN

Manager Kelly stated that dpw is requesting permission to do a controlled burn at the dpw yard. There is a brush pile they don't want to put through the chipper because it has other debris in it. They have a permit with DEC and they would work out an arrangement with the fire department. They would like to do this on a Saturday in April.

Trustee McGuckin asked that the manager be cautious with the salaries that will be put out for this.

Trustee McGuckin moved to allow DPW to have a controlled burn. Seconded by Trustee Garcia. All ayes. Motion carried.

CHAMBER OF COMMERCE ANNUAL DINNER-

Mayor Uszenski stated that the village received a letter from the Chamber of Commerce stating that they will be honoring John's Quality Cloths Tailoring, Kaufman Exxon Service and Dempsey Pipe at their annual dinner on April 26, 1995.

Trustee Ryan moved to authorize the mayor and manager attend the Chamber of Commerce annual dinner on April 26, 1995 and make a presentation to John the Tailor. Seconded by Trustee Besdesky. All ayes. Motion carried.

LITTLE LEAGUE PARADE-

Trustee Ryan moved to authorize traffic control for the Little League Parade on Saturday, April 29, 1995. Seconded by Trustee Garcia. All ayes. Motion carried.

REPORTS - COMMITTEE

Trustee Besdesky stated that Jim Ryan spoke to him the other day and the Fire Department is interested in converting the old fire house into a firematic museum. They hope they can obtain that building for \$1.00. He feels its a great idea.

Trustee Garcia stated that he is also in favor of the museum.

Manager Kelly stated that the lease the village has with them is renewable at their discretion for five years, forever. One of the considerations that was discussed is selling both houses to them.

Trustee Garcia stated that there should be a stipulation that the

building would revert back to the village if they abandon it.

Trustee Besdesky stated that Mr. Ryan is going to send a letter.

Trustee Ozman asked, in regard to the donation from the Rotary for the ski tow rope that money went into fund balance?

Mr. Kelly stated that he will check with the treasurer. The donation was made to the Walden Charitable Foundation for the purpose of the rope. It was not conveyed to the village in time to buy the rope or to credit last years budget, so that if the Charitable Foundation still has it it would go into the budget this year. He will ask the treasurer to address exactly where that money is.

Trustee Ozman stated that his concern would be when funds come in for a specific purpose from a specific entity that they're used for that purpose.

Trustee Besdesky stated that he noticed that someone cut the trees on Old Orange Avenue by Route 208. They should be cut back a little further.

EXECUTIVE SESSION-

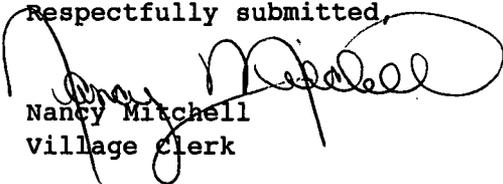
Trustee Ozman moved to hold an Executive Session pursuant to 105-(f) of the Public Officers Law. Seconded by Trustee Ryan. All ayes. Motion carried.

Trustee Forman moved to reconvene the regular meeting. Seconded by Trustee Ryan. All ayes. Motion carried.

ADJOURNMENT

Trustee Besdesky moved to adjourn. Seconded by Trustee Ryan. All ayes. Meeting adjourned.

Respectfully submitted,


Nancy Mitchell
Village clerk

APRIL BILL LIST - APRIL 11, 1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-1074	ALL CITIES UNIFORMS	47.85
A-1075	AMTHOR'S WELDING	19.60
A-1076	CHAMBERS FORD TRACTOR SALE	62.00
A-1077	CHERRY TIRE SERVICES	14.50
A-1078	CHERRY TIRE SERVICES	89.90
A-1079	CHERRY TIRE SERVICES	37.20
A-1080	COUNTRY HARDWARE	22.26
A-1081	COUNTRY HARDWARE	42.04
A-1082	ENVIRONMENTAL PAPER TOWEL SERVICE	174.60
A-1083	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	3,166.67
A-1084	GALL'S	130.88
A-1085	GEORGE'S AUTO PARTS	14.74
A-1086	GEORGE'S AUTO PARTS	69.32
A-1087	HART MARC	70.25
A-1088	RALPH C. HERMAN CO., INC.	337.85
A-1089	RALPH C. HERMAN CO., INC.	60.83
A-1090	HOWLAND JOHN	133.60
A-1091	J-S SERVICENTER	15.80
A-1092	JIM SMITH CHEVY	48.87
A-1093	K.C. CANARY-CLIFTON PARK, INC.	68.96
A-1094	KELLY JOHN	70.00
A-1095	MCCOSKERY TOM	29.00
A-1096	MCDONALD & MCDONALD, INC.	247.95
A-1097	MID HUDSON COMMUNICATION	20.90
A-1098	MID HUDSON OFFICE SUPPLY	57.31
A-1099	MID HUDSON OFFICE SUPPLY	625.00
A-1100	MID HUDSON OFFICE SUPPLY	53.43
A-1101	MORIE CO., INC.	640.30
A-1102	NYCOMCO	125.00
A-1103	NEW YORK COMMUNICATION	300.00
A-1104	ORANGE CO PAINT & CARPETS	243.89
A-1105	PAGE NY	61.00
A-1106	PITNEY BOWES	59.25
A-1107	SARJO	21.34
A-1108	THRUWAY SHOPPING CENTER	32.99
A-1109	TIMES HERALD RECORD	52.65
A-1110	TIMES HERALD RECORD	29.52
A-1111	WALDEN AUTO SUPPLY	45.85
A-1112	WALDEN AUTO SUPPLY	46.77
A-1113	WALDEN AUTO SUPPLY	41.88
A-1114	WALDEN PLUMBING & HEATING	126.00
A-1115	WICKES LUMBER	4.38
A-1116	ZEE MEDICAL, INC.	58.85
A-1117	TIMES HERALD RECORD	26.64
A-1118	JOHN REARDON AGENCY	1,182.15
A-1119	NOVELL/WORD PERFECT	52.95
A-1120	AIR PRODUCTS & CHEMICALS, INC.	350.00
A-1121	VINCENT TOOMEY	405.75
A-1122	DAN THE TREE MAN	475.00

10,113.47

APRIL BILL LIST - APRIL 11, 1995

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
F-117	CIARDULLO PRINTING	82.00
F-118	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	416.00
F-119	GENERAL ENGINEERING CO.	135.00
F-120	HOYNS ASSOCIATES	500.00
F-121	MID HUDSON OFFICE SUPPLY	6.28
F-122	MID HUDSON OFFICE SUPPLY	58.45
F-123	PAGE NY	16.00
F-124	SENSUS TECHNOLOGIES	589.80
		<u>1,804.20</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
G-164	CAIN CONTROL SYSTEMS	284.50
G-165	CIARDULLO PRINTING	82.00
G-166	DRAKE, SOMMERS, LOEB, TARSHIS & CANTANIA	416.67
G-167	MID HUDSON OFFICE SUPPLY	58.45
G-168	MID HUDSON OFFICE SUPPLY	6.27
G-169	PAGE NY	16.00
		<u>863.89</u>

CAPITAL ACCOUNTS

CAPITAL ACCOUNT #53	COUNTRY HARDWARE SIGNS & SIDEWALKS	499.90
CAPITAL ACCOUNT #37	E. TETZ & SONS, INC. ROAD PROGRAMS	119.18
COMMUNITY DEVELOPMENT SMALL CITIES-92	KERRON BARNES ASSOCIATES	542.50
COMMUNITY DEVELOPMENT SMALL CITIES-93	KERRON BARNES ASSOCIATES	367.50
COMMUNITY DEVELOPMENT SMALL CITIES-94	KERRON BARNES ASSOCIATES	500.00
COMMUNITY DEVELOPMENT UDAG	KERRON BARNES ASSOCIATES	105.00
COMMUNITY DEVELOPMENT SMALL CITIES-93	POWER CONSTRUCTION	2,225.00

APRIL BILL LIST - APRIL 11, 1995

PREPAID BILLS

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	FRONTIER COMMUNICATIONS	68.70
	FRONTIER COMMUNICATIONS	40.66
	FRONTIER COMMUNICATIONS	456.72
	FRONTIER COMMUNICATIONS	259.18
	FRONTIER COMMUNICATIONS	140.44
	NYSEG	1,296.41
	NYSEG	5,432.17
		<u>7,694.28</u>

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	FRONTIER COMMUNICATIONS	66.85
	NYSEG	2,324.67
		<u>2,391.52</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	FRONTIER COMMUNICATIONS	40.05
	NYSEG	5,060.04
		<u>5,100.09</u>

VILLAGE OF WALDEN REORGANIZATIONAL MEETING
APRIL 3, 1995 - PAGE 1

APPROVED

VILLAGE OF WALDEN
BOARD OF TRUSTEES
REORGANIZATIONAL MEETING
APRIL 3, 1995

Mayor Andrew Uszenski called the reorganizational meeting to order at 7:00 P.M.

On roll call the following were:

Present: Mayor Andrew Uszenski
Trustees Antonio Garcia
Martin Besdesky
Raynard Ozman
Chris Forman

Absent: Trustees John McGuckin
John Ryan

Also Present: John Kelly, Village Manager

Recording Secretary: Nancy Mitchell, Village Clerk

APPOINTMENTS

Mayor Uszenski made the following appointments:

Village Clerk - Nancy Mitchell
Village Treasurer - Jan Weiner
Registrar of Vital Statistics - Nancy Mitchell
Village Attorney - Drake, Sommers, Loeb, Tarshis and Catania
Official Newspaper - Times Herald Record
Official Depository - Key Bank, Norstar Bank and Bank of New York
Set Board Meetings - second and fourth Tuesday of each month
Deputy Mayor - John McGuckin

Trustee Besdesky moved to approve the mayors appointments. Seconded by Trustee Garcia. All ayes. Motion carried.

Manager Kelly made the following appointments:

Collector of Taxes - Jan Weiner
Village Engineer - Gainer/Wilbur
Acting Village Justice - Conrad Flickenschild

The Village Clerk, Nancy Mitchell made the following appointments:

Deputy Village Clerk - Catherine McIntyre

VILLAGE OF WALDEN REORGANIZATIONAL MEETING
APRIL 3, 1995 - PAGE 2

Deputy Registrar of Vital Statistics - Jan Weiner

ADJOURNMENT

Trustee Ozman moved to adjourn. Seconded by Trustee Garcia. All ayes.
Motion carried.

Respectfully submitted,



Nancy Mitchell
Village Clerk

NOTICE OF MEETING

PLEASE TAKE NOTICE that the Village of Walden Board of Trustees will hold a regular meeting on Tuesday, March 28th, 1995 at 7:30 P.M. at the Village Offices, 8 Scofield Street, Walden, New York.

AGENDA

1. PLEDGE/ROLL CALL
2. APPROVAL OF MINUTES
3. BOARD'S BUSINESS
 - A. ACTION ITEMS
 - A.1 Appointment of Members to Board of Ethics
 - A.2 Request For Subordination and Non-Disturbance Agreement
 - A.3 Travel and Training Requests - Building, Sewer and Police Departments
 - A.4 Schedule Annual Organizational Meeting For Monday, April 3, 1995
 - A.5 Schedule Budget Worksessions and Public Hearing
 - A.6 Payment of Audited Bills For March 28th, 1995
 - B. DISCUSSION ITEMS
 - B.1 Municipal Building Renovaton Project
 - C. INFORMATIONAL ITEMS
 - D. CORRESPONDENCE
 - D1. Letter RE: Children At Play Signs
 - D.2 Letter RE: Easter Sunrise Services
4. PUBLIC PORTION
5. COMMUNICATIONS
6. REPORTS
7. EXECUTIVE SESSION
8. ADJOURNMENT

APPROVED

VILLAGE OF WALDEN
BOARD OF TRUSTEES MEETING
MARCH 28, 1995

Mayor Andrew Uszenski called the regular meeting of the Village of Walden Board of Trustees to order at 7:30 P.M.

On roll call the following were:

Present: Mayor Andrew Uszenski
Trustees Raynard Ozman
Antonio Garcia
Martin Besdesky
John Ryan
Chris Forman

Absent: Trustee John McGuckin
Village Clerk Nancy Mitchell

Also Present: John Kelly, Village Manager
Kevin Dowd, Village Attorney

APPROVAL OF MINUTES

Trustee Ozman moved to adopt the minutes of March 14th, 15th and 22nd, 1995 with one addition to the March 22nd minutes, Page 6, add, considering that the meeting room/courts facility are the first point of contact for people who come into the village from the outside, he would like to try to avoid cutting out items in that room that would negatively impact the visual image of that room. Seconded by Trustee Forman. All ayes. Motion carried.

PRESENTATION

Mayor Uszenski thanked Rebecca Rottenberg and Nunzio Cheverez for their response to the emergency situation at Valley Central School and presented them with a certificate of appreciation.

APPOINTMENT OF MEMBERS TO THE BOARD OF ETHICS

Mayor Uszenski stated that letters of introduction were received from the village residents who are interested in being members of the Board of Ethics.

Trustee Ozman moved to table the appointments until the next meeting. Seconded by Trustee Besdesky. All ayes. Motion carried.

REQUEST FOR SUBORDINATION AND NON-DISTURBANCE AGREEMENT

BOARD OF TRUSTEES MEETING

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Mayor Uszenski stated that this is a request from the Thruway Market in connection with their new tenant, Monro Muffler. The agreement will provide that if the Thruway Market defaults in their loan with Fleet Bank, Monro Muffler may continue to maintain their lease by paying their rent directly to Fleet Bank. This will go before the IDA on March 29th for approval.

Trustee Besdesky moved to approve the subordination and non-disturbance agreement with the Thruway Market. Seconded by Trustee Garcia. All ayes. Motion carried.

TRAVEL AND TRAINING REQUESTS-BUILDING, SEWER AND POLICE DEPARTMENTS

Trustee Ozman stated that he feels that its important for the information employees learn at these seminars gets passed along.

Manager Kelly stated that the seminar for the dispatchers is just for that, so they can learn to be trainers and come back and train the rest of the staff. The executive training for Chief Holmes and Sergeant Shafer is to better enable them to carry out their assignments.

Trustee Forman moved to approve the travel and training requests for the building department, sewer department, police department and parks and recreation department. Seconded by Trustee Ryan. All ayes. Motion carried.

SCHEDULE ANNUAL ORGANIZATIONAL MEETING

Trustee Besdesky moved to hold the reorganizational meeting on Monday, April 3, 1995 at 7:00 P.M. Seconded by Trustee Garcia. All ayes. Motion carried.

SCHEDULE BUDGET WORKSESSIONS AND PUBLIC HEARING

Trustee Ryan moved to hold budget worksessions on April 3rd at 7:15 P.M., April 4th and April 10th at 7:00 P.M. and the public hearing on April 11, 1995 at 7:45 P.M. Seconded by Trustee Garcia. All ayes. Motion carried.

AUDITED BILLS

Trustee Ozman moved to pay the audited bills of March 28, 1995 including the bill for DeGroodt Paving conditioned upon the providing of the certified payroll affidavit. Seconded by Trustee Garcia. All ayes. Motion carried.

MUNICIPAL BUILDING RENOVATIONS PROJECT

Trustee Besdesky stated that you probably don't have a need for the elevator to go to the basement at this moment, but five years down the road if you run into a situation where for some reason someone had to

use it that was handicapped, you could find yourself with serious problems. It has been his experience that you have to look ahead. The price tag will never be less, it will always be more. He feels it would be wise to look ahead and bring the elevator to the basement.

Trustee Ozman stated that the manager pointed out to him that if the elevator doesn't go to the basement anyone entering the basement will have to enter through the police department stairwell. The other option would be to take the stairs from the third floor.

Manager Kelly stated that he did speak to the architect this afternoon. The manager was concerned that if you didn't put the elevator in now and had to retrofit the building with a chairlift. The chairlift that goes from level to level along the stairwell requires a larger stairwell. He advised the architect that if that was an option that he was considering he would have to spec a larger stairwell. At that time he informed the manager that his concept was to put a shaft next to the elevator shaft and have a chairlift that ran vertical from the first floor down to the basement at an estimated cost of \$15,000. You are getting close to what the cost of the elevator would have been. Once you've done work in that building after January 6, 1992 you are under the requirements of the federal law. If you are challenged and you have to make accommodations at a later time it will cost more money to do that then it would now, between the potential litigation and retrofitting. The only staircase to the basement is where the current dispatch area is within the police department. There was some question as to what type of air conditioning units he was planning to install. He is not clear after the meeting exactly what he envisioned. The manager spoke to Mr. Liebman and the engineer this afternoon and what he is talking about doing is instead of having fully centralized air conditioning system with the condensers on the roof, he is talking about having a split system. He will have within the area of the offices on the third floor and the renovated police department in the bay area, central air conditioning serving those two areas. The rest of the building will be serviced by between twelve and fifteen wall mounted or ceiling mounted individual units that are water cooled and connected to the roof where the condenser units would be. These are remote controlled and they will have a clock with a seven day calendar, which you can set to go on and off as well as maintaining the temperature. The concern he raised with Mr. Liebman was to understand what type of unit he was planning to install as to their efficiency and also to advise him that he spoke to Advance Testing today about if you are going to mount these units on the wall you are going to have to have the asbestos abatement contractor abate each area, both in terms of drilling the holes for the anchors as well as building a containment area and making sure the work is done according to code. There is a cost that the manager doesn't know, which will have to be factored in. There is a savings on duct work, but if you're going to pay it back in abatement you have to take that into consideration. He was advised that if its an area that has new walls, new drywall being installed, they will mount it to the drywall and not have to enter into the plaster at all. If its an area that has pre-existing plaster they will spec

BOARD OF TRUSTEES MEETING
MARCH 28, 1995, PAGE 4

ceiling mounted units instead of wall mounted units, so they will not have to disturb the asbestos at all. With that in mind they will actually design it to cost less to install than they would to abate the asbestos.

Trustee ^{McBuckin} Ryan asked what the efficiency was?

Manager Kelly stated that he asked the architect how many units, and whether they were individually controlled. Mr. Liebman claims that they are three speeds and they are not noisy. He says they are very efficient units. These are very sophisticated units. The way they are laid out they're designed to work without the duct work and that's why he's doing this.

Trustee Besdesky stated that he can foresee that when you have that many units that in time there will be more of a chance of a breakdown and they will use more power running twelve or fifteen units.

Manager Kelly stated that he asked the question as to how you are going to air condition the hallways and bathrooms.

The answer to that is there will be a unit in the hallway, but there will not be a separate unit in the bathrooms. It was characterized that the bathrooms were going to be a negative area that will be drawing cold air into it and that will suffice to cool the bathrooms. The manager asked the architect how he was going to get the cooling lines from the areas of the building to the roof, because you're talking about going through floors and wall areas, and what he said they will do is in the areas where there is a drywall ceiling they will leave a cavity between the ceiling and the old ceiling and make that a duct to run the lines. They are confident that will save money. The manager doesn't have any specifications on the energy cost or on the overall efficiency of the coolness.

Trustee Besdesky stated that esthetically they will be ugly.

Trustee Ryan stated that it depends how that is treated. If they are up above the lights you won't be able to see them. The drawback will be the refrigeration, it will require insulation around it. You may want to ask the architect for a rendering. Show what the hallway is going to look like.

Trustee Besdesky stated that he's not happy, because he liked the building the other way. If we're going to do a 1970 upgrade, they could have built a complete unit down by the garage with a huge parking area, shrubbery and a court and they could have done it for \$500,000 or \$600,000. They did this to preserve the integrity of that building. He's wondering what its going to look like. Its a lot of money and its not going to be what the board set out to do. The other concern is the woodwork. He would really like to see a sketch of where the air condition units are going to be and how they are going to look.

Manager Kelly asked if there was any particular area they wanted to

BOARD OF TRUSTEES MEETING
MARCH 28, 1995, PAGE 5

see?

Trustee Ryan stated that corridors, the main gathering area upstairs and the library.

Trustee Besdesky stated that when he was looking at municipal buildings the Town of Newburgh, the main building has a assembly room that has a dais, carpeting and drapes. It was a very beautiful thing and that is what he had in mind when they started talking about this. Now you're talking about a big courtroom with wood floors and a removable platform. They are getting way off from what they intended to do.

Mayor Uszenski stated that the one thing the board has to decide is the elevator.

Trustee Garcia asked if the elevator could have a switch so the elevator can't go to the basement once its installed? He doesn't feel everyone should be allowed to go to the basement.

Manager Kelly stated that he thinks a switch could be put in.

Trustee Ryan moved to instruct the architect that the elevator is to go to the basement. Seconded by Trustee Besdesky. All ayes. Motion carried.

Manager Kelly stated that the architect has taken the drawings back as well as the spec books and he's doing all the photocopying in-house and assembling them in-house. He is assuming all the production work. The architect told the village manager today that he is very close to getting the estimate down to the target range.

Trustee Ryan stated that he has some questions regarding the bid documents. He was given a copy of the state law on charging for plans. He asked if the manager was saying that the village will not incur another \$97.50 for each set of plans?

Manager Kelly stated yes, the architect is planning on reusing the document and insert the changes. Whatever they can reuse they will reuse and copy the rest.

Trustee Ryan asked if the cost of the plans could be \$100.00, not broken out \$50.00 for the plans and \$50.00 for the specifications? What he is concerned about is if they mark the plans or the specifications up they don't get anything refunded to them, and if they don't they get \$100.00 back.

Manager Kelly stated that can be looked into.

It was the consensus of the board that the architect provide renderings of the main hallway, court facilities, and the library and show what the air conditioning units look like and what the maintenance cost would be and also a rendering as to what the dais/court facility would

look like.

INFORMATIONAL ITEMS

Manager Kelly stated that the village was served with a notice of claim from the Hanson's regarding the article in the paper that dealt with the ambulance service.

CORRESPONDENCE

Manager Kelly stated that a letter was received requesting children at play signs at Streamside Subdivision. This was prompted by kids driving through the development at an excessive rate of speed.

Trustee Ozman moved to authorize the DPW Superintendent to place one children at play sign at the entrance to Streamside Subdivision and that the police department take a closer look at the situation and monitor the streets.

Seconded by Trustee Forman. All ayes. Motion carried.

Mayor Uszenski stated that the Walden Baptist Church is requesting permission to hold their sunrise Easter services in the village square on April 16, 1995.

Trustee Ozman moved to allow the Walden Baptist Church to hold their sunrise Easter services in the village square on April 16, 1995. Seconded by Trustee Ryan. All ayes. Motion carried.

PUBLIC PORTION

Bob Lamancuso, 32 Gladstone Avenue stated that he would like to say that the children at play sign seem to be effective. On Gladstone Avenue there are problems arising with speeders from 10:00 until sunset. He would like the Chief of Police to get the message. He further stated that there hasn't been a problem with the firemen going to the new fire house. That was a concern when they were planning their new building.

JoAnne Clifford, 171 Walnut Street asked about the changes to the municipal building and the things the village is giving up that was originally planned on? What prompted this?

Mayor Uszenski stated that the bids came in \$500,000 over budget.

Mrs. Clifford asked if that was a miscalculation on Mr. Liebman's part or did we wait a whole year and the prices went up?

Mayor Uszenski stated that there were a lot of extras that the board wanted and they were in the bids.

Mrs. Clifford asked about the air conditioning system in the police department. The police department is separate from the rest of the

building, why can't you run the lines and duct work?

Manager Kelly stated that the new area of the police department and the new area of the village offices will have their own central systems. Its the other areas that will have the wall and ceiling mounted units.

Bob Clifford stated that he heard the roof was in good shape and now he understands its not.

Mayor Uszenski stated that's what the board heard too.

Mr. Clifford asked who will have to pick up the cost?

Mayor Uszenski stated that village will have to.

Manager Kelly stated that there is \$8,000 in the original project to repair the flat roof. Its the other portion of the roof that needs work. As part of the bid the general contractor was required to provide a roof report and because of the snow storm they weren't able to get out on the roof. He has asked the architect if that roof report is going to be back in as a requirement for an alternate, so you will have a report from a general contractor exactly what the roof needs, so you will know what it will cost to fix. That \$10,000 is an estimate.

Mr. Clifford asked about the furniture?

Mayor Uszenski stated that some of the furniture is shelves for the library.

Manager Kelly stated that the \$900,000 doesn't include furniture, except for the counter and dais.

Mr. Clifford asked about the cost override of the asbestos abatement?

Manager Kelly stated that the original estimate from Advanced Testing was \$60,000 to \$80,000. It will probably come in at \$80,000, which will include the testing and monitoring as well.

Mr. Clifford asked who was going to pick up the difference for the asbestos removal since it wasn't suppose to be there in the first place?

Mayor Uszenski stated that even though the architect made that statement the village still went out and checked.

Larry Sager asked if it was said that no one knew the roof was bad?

Mayor Uszenski stated that the village knew there were problems with the roof leaking.

Manager Kelly stated that tar was put on the flashing last year. The only area the village knew was bad was around the flashing, which is

what was tarred. The other areas they didn't know were bad until they got up there and did the investigation.

Larry Sager asked what will happen to the Police Department evidence room when you bring the elevator down to the basement?

Manager Kelly stated that was a supply room and now it will be a mechanical room. There will be a evidence area within the renovated space.

Mr. Sager stated that a while back Trustee Ryan asked about parking tickets, he never heard what the answer was.

Manager Kelly stated that Trustee Ryan's question was he wanted to know how many parking tickets were being issued for improper parking.

Mr. Sager asked what the answer was?

Manager Kelly stated that he doesn't have that answer. There are stats kept on how many tickets are issued. They are all done manually. The court clerk has a docket of how many are paid, but he couldn't say what the percentage of unpaid are.

Mr. Sager asked why in the budget does it show the village paid \$81,000 of interest for the municipal building?

Manager Kelly stated that you have to pay the interest within the first twelve months of borrowing the money. We anticipate borrowing the money next year. The interest is not in this years budget, its next years budget. There is no money in this years budget to pay debt on that building.

REPORTS - COMMITTEE-

Trustee Garcia stated that the village put money into the skateboard rink and he sees skateboards on the streets, why? He also doesn't see bike helmets being enforced.

Trustee Garcia thanked who ever took care of the trees on Walnut Street.

Trustee Ryan asked if there was an update on the signs for the tax firm?

Manager Kelly stated that they go to court on April 21, 1995.

Trustee Ryan asked about the Conrail railroad crossing and the County of Orange?

Manager Kelly stated that he has to write to Bob Gilson. He is the person that said South Montgomery Street was due to be repaved. He will also ask him if he knows who the village can talk to at Conrail.

BOARD OF TRUSTEES MEETING
MARCH 28, 1995, PAGE 9

Trustee Ozman stated that there is an area at approximately ⁸⁹ 71 Orchard Street that is lacking pavement. The complaint he received was that there is one small area that is lacking pavement. They are requesting that a drain be installed at the corner of the fence post on the playground area of the elementary school, the southwest side of the street at approximately 71 Maple Street.

Manager Kelly stated that he will ask Mr. Sweed if that is something they can tie into the corner, then they will put a catch basin in this spring.

Trustee Ozman stated that looking at curbing, in spring the village paints the curbs yellow, he would like to see the curbing left alone and unpainted where it isn't necessary for traffic control or if it has to be painted, paint it white.

Manager Kelly stated that when you paint the curbing you get requests to do more. They have tried to keep it in the central business area.

Trustee Ozman moved that the village delete painting the curb areas yellow. Seconded by Trustee Besdesky. All ayes. Motion carried.

Trustee Ozman asked if anyone was pursuing the horsehead or ballard issue?

Manager Kelly stated that it has not been resolved. One of the gentlemen from the foundry came and took the mold. He's not gotten any information from the ballard people either. The ballards were \$400.00 each. The village also didn't have the money.

Trustee Ozman stated that he checked a number of communities and the horseheads that are there are old and he's not been able to track down where they came from.

Manager Kelly stated that maybe the beautification committee could come up with another concept.

Trustee Besdesky stated that the catch basin by the bank on Bank Street is broken.

Trustee Besdesky stated that some time ago he had mentioned that if you cut young seedlings and brush coming off Old Orange Avenue and Route 208 it would increase vision.

Manager Kelly stated that he will check with Mr. Sweed.

REPORTS - MAYOR

Mayor Uszenski asked about the Streamside sign, if it was coming down?

Manager Kelly stated that he spoke to Mr. Sweed and it will be coming

BOARD OF TRUSTEES MEETING
MARCH 28, 1995, PAGE 10

down.

Mayor Uszenski stated that Streamside Development is putting their for sale signs in the village entrance planting. He would like the sign taken out.

Mayor Uszenski stated that there are a number of handicapped signs around town and he would like to keep in touch with the people to make sure the need is still there.

Mayor Uszenski stated that he's had a couple requests for a pooper scooper law. He is aware of the problem with enforcement.

Mayor Uszenski stated that Walden Day is August 19th with the similar format.

EXECUTIVE SESSION

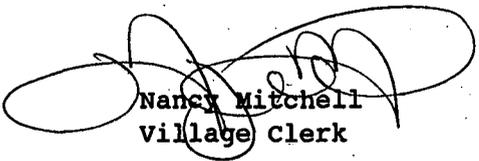
Trustee Ryan moved to hold an executive session pursuant to 105-(d & f) of the Public Officers Law. Seconded by Trustee Ozman. All ayes. Motion carried.

Trustee Besdesky moved to reconvene the regular meeting. Seconded by Trustee Garcia. All ayes. Motion carried.

ADJOURNMENT

Trustee Forman moved to adjourn. Seconded by Trustee Garcia. All ayes. Meeting adjourned.

Respectfully submitted,



Nancy Mitchell
Village Clerk

MARCH BILL LIST - MARCH 28,1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-1042	AL VALK'S GARAGE	49.04
A-1043	AL VALK'S GARAGE	20.00
A-1044	AL VALK'S GARAGE	48.00
A-1045	AUTOMOTIVE BRAKE CO.	6.83
A-1046	BRIAN JARVIS	823.38
A-1047	BROWN JEANNE	120.00
A-1048	DEMPSEY STEEL PIPE CO., INC.	78.19
A-1049	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	226.20
A-1050	DIVISION OF CRIMINAL JUSTICE SERVICES	160.00
A-1051	ENVIRONMENTAL PAPER TOWELS SERVICES	93.50
A-1052	ECKERT ETHEL	50.00
A-1053	GEORGE'S AUTO PARTS	81.55
A-1054	HUNT PEARL	80.00
A-1055	LENNON MARY	50.00
A-1056	MCDONALD & MCDONALD, INC.	403.90
A-1057	MATISE EVELYN	50.00
A-1058	ORANGE COUNTY CLERK	5.00
A-1059	PAGE NY	61.00
A-1060	PALUMBO RICHARD	120.00
A-1061	PINE BUSH EQUIPMENT	25.11
A-1062	PITNEY BOWES	62.55
A-1063	RICK'S AUTO REPAIRS	20.00
A-1064	RISK MANAGEMENT	42.00
A-1065	ROYAL TIRE & OIL	218.49
A-1066	ROYAL TIRE & OIL	228.80
A-1067	SMITH EMMA	125.00
A-1068	SONNY'S DINER	27.80
A-1069	STANDARD COPY	278.80
A-1070	SWEED WALTER, SR	36.65
A-1071	THRUWAY SHOPPING CENTER	144.73
A-1072	TOOMEY, VINCENT, ESQ.	1,887.25
A-1073	WICKES LUMBER	111.95

5,735.72

MARCH BILL LIST - MARCH 28,1995

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
F-110	CAMPBELL ENGINEERING SUPPORT SERVICES, INC.	2,375.90
F-111	DUSO CHEMICAL CO., INC.	606.00
F-112	ENVIROTEST LABORATORIES, INC.	210.00
F-113	I F BUSINESS FORMS, INC.	488.82
F-114	MID HUDSON OFFICE SUPPLY	56.23
F-115	PAGE NEW YORK	16.00
F-116	WICKES LUMBER	201.43
		<u>3,953.48</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
G-156	AIR POWER HOUSE, INC.	20.88
G-157	ENVIROTEST LABORATORIES, INC.	605.00
G-158	I F BUSINESS FORMS, INC.	488.82
G-159	MID HUDSON OFFICE SUPPLY	56.22
G-160	PAGE NY	16.00
G-161	RAY COX CONTRACTING	5,843.00
G-162	SCHMIDT'S WHOLESALE	229.53
G-163	SCHMIDT'S WHOLESALE	73.76
		<u>7,333.21</u>

CAPITAL ACCOUNTS

CAPITAL ACCOUNT #53	EXPANDED SUPPLY PRODUCTS, INC. SIGNS & SIDEWALKS	297.00
COMMUNITY DEVELOPMENT	SACCARDI & SCHIFF	7,390.43
COMMUNITY DEVELOPMENT	RAYMOND COX SMALL CITIES - 93	860.00
COMMUNITY DEVELOPMENT	CHESSARI CONSTRUCTION 92	225.00
COMMUNITY DEVELOPMENT	CHESSARI CONSTRUCTION HODAG	8,880.00
COMMUNITY DEVELOPMENT	POWER CONSTRUCTION SMALL CITIES 93	9,460.00
DEGROODT PAVING INC	CAPITAL ACCOUNT #89	25,599.20
	CAPITAL ACCOUNT #37	3,323.55
GAINER-WILBUR CONSTRUCTION	CAPITAL ACCOUNT #87	1,608.00

MARCH BILL LIST - MARCH 28, 1995

<u>PERPAID BILLS</u>	<u>GENERAL FUND</u>	
<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	AT & T	5.69
	FRONTIER COMMUNICATIONS	28.19
	FRONTIER COMMUNICATIONS	57.96
	NYNEX	61.91
	NYSEG	1,137.13
	SAM E. FAST & SON, INC.	809.48
	SAM E. FAST & SON, INC.	330.23
	SAM E. FAST & SON, INC.	84.80
	WAREX TERMINALS CORP.	955.81
		<u>3,471.20</u>

<u>PERPAID BILLS</u>	<u>WATER FUND</u>	
<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	AGWAY ENERGY PRODUCTS	41.73
	CENTRAL HUDSON	389.96
	FRONTIER COMMUNICATION	81.20
	NYSEG	109.34
	SAM E. FAST & SON, INC.	115.43
		<u>737.66</u>

<u>PERPAID BILL</u>	<u>SEWER FUND</u>	
<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	FRONTIER COMMUNICATIONS	12.10
	NYSEG	596.54
		<u>608.64</u>

APPROVED

VILLAGE OF WALDEN
BOARD OF TRUSTEES
SPECIAL MEETING
MARCH 22, 1995

Mayor Andrew Uszenski called the special meeting of the Village of Walden Board of Trustees to order at 7:00 P.M.

On roll call the following were:

Present: Mayor Andrew Uszenski
Trustees Raynard Ozman
Antonio Garcia
Martin Besdesky

Absent: Trustees John McGuckin, later present
John Ryan, later present
Chris Forman, later present

Also Present: John Kelly, Village Manager
Kevin Dowd, Village Attorney

Recording Secretary: Nancy Mitchell, Village Clerk

BRADLEY PARK DRAINAGE

Manager Kelly stated that the board has a letter from the engineer stating that the Bradley Park drainage point of discharge is fifty feet from the Wallkill River, therefore you don't need a discharge permit.

Trustee Besdesky moved to declare the Board of Trustees lead agency and to declare an uncoordinated, unlisted action under SEQRA regarding the Bradley Park drainage project. Seconded by Trustee Garcia. All ayes. Motion carried.

Trustee Besdesky moved that the village proceed with the Bradley Park drainage project and to authorize the use of the UDAG funds. Seconded by Trustee Garcia. All ayes. Motion carried.

MUNICIPAL BUILDING RENOVATIONS

Mayor Uszenski stated that tonight the architect will update the board on the municipal building renovations.

Sam Liebman, Architect stated that he has looked at ways that the municipal building plans can be changed in order to bring the project in at budget. He further stated that there was a report circulated through the builders trade association, Dodge Reports and the contractors that bid on the job used the figure in the report,

BOARD OF TRUSTEES - SPECIAL MEETING
MARCH 22, 1995, PAGE 2

(\$1,250,000) which was listed as the project estimate, as the budget amount. As everyone knows that was the bond issue that was approved by the village. The actual cost of construction for the building was \$887,000. That did not include a contingency. They insisted that there be 10% contingency. After the bids came in Mr. Liebman spoke to some of the contractors and they were surprised, they thought the amount of money available was higher than what was budgeted. The architect is recommending that the project be rebid and the notice that is put in the paper indicate what the budget amount is for each trade. There are four trades, mechanical, \$109,800., electrical, \$146,000 and plumbing, \$47,800 and sprinkler, \$62,500, for a total \$366,100. The general construction budget was \$516,540. The total of the project, which was the estimate that was prepared May 17, 1994 was \$882,640. Since May of 1994 there have been revisions made to the plans. They put many things into the building that drove up the cost. They took a look at the plans after the bids came in and said, lets identify the items specifically that were not put in the original estimate, but appeared in the final plan. They have revised the plans, at their expense. Within the next week they will be in a position to offer the plans for rebid. They have been working with an estimating service that has guided them. They have given them dollar amounts for each of the items that they have identified. The scope of the work has not changed in terms of layout. Some of the items that they have seen being expensive are, they had to put the steel stair in the back of the building. They will still have that item, but the stair ran up to the roof. There is a requirement that you have to have access to the roof. They have shortened the staircase on the outside and they put a separate stair on the third floor with a hatch to the roof. That is acceptable. There was a lot of block in the cellar, which has been replaced by steel stud and dry wall. There was a concrete ramp inside the lobby, which has been changed to wood. There was a lot of decorative railings, which they will not have anymore. There was decorative wood trim and wood doors to match existing. They were told that one item alone was \$100,000. The dais for the court and village meetings is \$12,000. The dais can be simplified and be \$4000. There were steps at the police entrance, that has been eliminated and leveled out and made steps outside. In checking code compliance, that was existing so the one step can stay. There is access to the police department, for the handicapped through the other entrance. There were drop ceilings, and there was very expensive ceiling tile. His engineer was able to eliminate a tremendous amount of duct work throughout the building, which the drop ceilings were there to hide the duct work. The duct work has been changed to individual units that are piped. That allowed them to eliminate most of the hung ceilings and stay with the existing metal ceilings. There are places where the metal ceilings aren't in good shape, but they are calling for them to be repaired, not replaced. The police department will have hung ceilings and the municipal offices will have hung ceilings. They can take the metal from these areas and use it where the metal ceilings are bad. The windows are high and you can't bring the ceiling right to the window, you will have to have return facia. Now that they have eliminated the hung ceiling they won't have to have that. As far as the level of

finishes throughout the building, they had a lot of vinyl wall covering, because they wanted to give the appearance of the building being old. It will now be sheetrock and painted with a rough finish. They reduced the amount of cutting and patching, which is a very expensive item. Big item, the windows, there were many windows in the back of the building that face the stair and they would have had to have fire shutters, which were on the plans that were bid. The fire shutters were eliminated, with the exception of the library. What they are going to do is put in a rated sheet rock wall inside, but on the outside they are leaving the window. A technique that has been used quite often, where you paint the first surface black, so when you look at the building from the outside it looks like the window is still there. They saved over \$20,000 just on that one item. As it stands as of 3:00 today they have the general construction estimate down between \$550,000 and \$575,000. They are not down to the \$516,000 yet. In the original budget it called for carpeting in the assembly room. One of the reasons the cost went up is because they had to put in underlay, because of the wood strip floor. He asked the board if they need carpeting in that room. There is a hard wood floor. That would be a \$5,000 savings. The other item which is about a \$25,000 savings is the elevator. Right now they have the elevator going from the basement to the third floor. The only room in the basement that the elevator would service is the vault. The other rooms are mechanical and electrical rooms. One of the big problems in taking the elevator down to the cellar is that you have to have a pit below the elevator. You will have to break the concrete and dig down and underpin the walls around it. The contractors have said that the underpinning is a major item. Checking with the elevator company there is a \$5,000 or \$6,000 savings just eliminating the door assembly and frame, plus the cost of the general construction work and the related mechanical and electrical work you could save more than \$20,000. The question becomes, do you want to spend that money for the elevator to go down to service that one room. There are stairs that go down to the basement. They have checked the ADA requirement which is such, when you have a condition that requires that type of structural cost expense for an isolated condition and you're only serving one room, its not mandated. They followed up on this. He would like guidance from the board. They are prepared to have the plans and specifications ready to go to the printer within the next week. They are confident that the general construction cost will be where it should be.

Steve Molmed, Construction Engineer stated that not bringing the elevator to the basement means that a current pipe wouldn't have to be moved, you wouldn't need a sprinkler head in the bottom of the elevator pit, which are savings. One small change could lead to savings in many areas. One big change is the reduction of duct work, which would cost between \$80,000 and \$90,000. They will be able to reduce 80% of the duct work. The type of system which is now called for doesn't require as much balancing. The automatic temperature system has been reduced. The duct work, temperature control and air balancing would save the village \$150,000. Reducing the HVAC cost in complexity reduces the electrical cost. One of the big items in electrical was lighting

fixtures. They had specified expensive fixtures in the hope of providing a job that was nice to look at, in keeping the historical nature of the building. By specifying nice looking lighting fixtures they can save \$10,000. They took a look at the sprinkler system and were able to eliminate 24 sprinkler heads which will save \$10,000 or \$15,000. Plumbing, there was one change that would save \$5,000. They called for the existing one and a half inch water feed to be removed. If they keep it and abandon it in place, according to the contractors he spoke to that would be a \$5,000 savings.

Mayor Uszenski asked about the carpet in the assembly room, the biggest problem there would be sound quality, how much will that effect the sound?

Mr. Liebman stated that they have reduced the size of the meeting room and they have eliminated the echo chambers. The carpeting will help soften the sound. It may be able to be done at a future date, unless the board wants it done now.

Mayor Uszenski suggested they have removable furniture for the dais so you could show a film.

Mr. Liebman stated that is a consideration.

Trustee McGuckin stated that part of the dais was to lend authenticity to the court.

Mr. Liebman stated that the dais is still in the plans. He suggested the village hire a private carpenter to build the dais.

Trustee Besdesky stated that he is happy with the metal ceilings, but he is unhappy about the millwork. He feels that once you start using 1995 decor on a building that age, you are going to lose a lot. He asked if some of the millwork can be kept?

Mr. Liebman stated that the millwork that is there now stays. At some point any metal door can be veneered with wood. Their task was to make this building handicapped accessible and make a layout that would be acceptable to the police department, library, and village offices. When you get into the fine millwork quality throughout the building its expensive.

Trustee Besdesky stated that maybe there are specific areas which have high visibility where you could still go with that.

Mr. Liebman stated that the budget did not entail that quality of woodwork throughout the building.

Trustee McGuckin stated that Mr. Liebman did say that he was trying to restore the building to that quality.

Mr. Liebman stated that they are wherever they can.

Trustee Besdesky asked if the village will get an efficient system without the duct work?

Mr. Liebman stated absolutely.

Mr. Molmed stated that the units are mounted on the wall near the ceiling, they are anywhere from three feet to five feet long, fourteen inches high, six to eight inches deep. Ventilation is provideding some duct work and exhaust fans.

Mr. Liebman stated that he put together an estimate in May 1994, where they give a detailed breakout of how they put the project together. They had total carpentry \$87,840.

Trustee Besdesky asked about the lighting?

Mr. Liebman stated that there will be parabolic lens fixtures in the library and offices, where there is close work. Where there are metal ceilings, it will be a pendent mounted fixture. The hallways will have sheet rock ceilings which will be a savings.

Trustee McGuckin asked about the heating efficiency?

Mr. Liebman stated that the major loss for heating is through the roof. As of today you can see daylight in places. There will be twelve inches of insulation in the attic.

Trustee McGuckin asked, with this new air conditioning system, will any extra drilling of the walls be required that would cause asbestos problems?

Manager Kelly stated that is not part of the bid. That will have to be negotiated with them for a price. The only thing that is in the contract is the police department. That is an unknown right now.

Mr. Liebman stated that they have reduced the amount of disturbance to the wall.

Trustee Ryan stated that the carpet in the central room, they were concerned about noise. When someone would enter the room they would be forced to tip toe because of the floor. He suggested isles of carpeting. He further asked about the elevator to the basement, there would still be mechanical rooms and file storage in the basement. That would not allow the village to hire a handicapped individual to be a facilities manager or any other clerical worker. Do we still comply with ADA?

Mr. Liebman stated that if the board wants a determination he can do that. That will take some time to get a response.

Trustee Ryan asked, the scope the changes, be whatever they are, can

there still be add ins and deducts to see where they will fall?

Mr. Liebman stated that the changes described tonight would be necessary changes in order to reduce the budget. There will be add in alternates and deduct alternates.

Trustee Besdesky stated that wood floors in commercial places need a lot of upkeep. He can see over a period of time the floor being scuffed up.

Mr. Liebman stated that the same will happen with carpeting.

Trustee Garcia suggested that the carpeting be eliminated and have it installed at a later date.

Trustee Besdesky stated that to do the metal doors at a later date with wood, some things just don't happen.

Mr. Liebman stated that he's heard that its his fault the price was driven up because he gets a higher fee. When the cost of the building is higher his fee is higher. His fee is fixed. They are obligated to go back to the drawing board to redo the drawings as often as necessary in order to see that the plans fall within the budget. He can't do add in alternate on the carpentry.

Trustee Besdesky stated that he would like to see the high visibility areas done in wood.

Mr. Liebman stated that where there are existing wood doors they will put an alternate in for the new doors in that area to be wood. If there is an area where there are no wood doors, they will call for those to be metal. There will be \$10,000 more spent on the roof than anticipated.

Larry Sager, Orchard Street, asked if the bid included the architects fee and the asbestos fee?

Mr. Liebman stated that the total bond was \$1,250,000. The bid for the building is \$900,000. The reason the bond issue was \$1,250,000 is you have to include the asbestos work, fees, contingency, interior furnishings, clerk of the works, and the cost of the borrowing, which is in the range of \$20,000.

Mr. Sager asked if the contingency could be cut to 7%?

Mr. Liebman stated that he's hoping they won't have to use the full 10%, but they won't know that until the building is completely finished.

Marcus Millsbaugh asked if the roof required structural work?

Mr. Liebman stated no. It needs flashings.

Considering that the meeting room/courts facility are the first point of contact for people who come into the village from the outside, he would like to try to avoid putting out items in that room that would negatively impact the visual image of that room.

BOARD OF TRUSTEES - SPECIAL MEETING
MARCH 22, 1995, PAGE 7

Mr. Millspaugh asked if the elevator came in close to what they had estimated?

Mr. Liebman stated yes.

Mr. Millspaugh asked if the job was big enough for a clerk of the works?

Mr. Liebman stated, part time.

Doug Vantran, Westwood Drive stated that he also agrees with the high visibility of areas of the building that should be restored historically. He suggested that certain areas be kept historically correct, such as the library. He feels that carpeting in the third floor is necessary. He agrees with the dais having a front on it. That would give a nice appearance to the public.

Mr. Liebman asked how the board wanted to handle the elevator going to the basement?

Trustee Besdesky stated that he would like to go on record as favoring having the elevator going all the way down to the basement.

Trustee Ryan stated that said in his opening statement that he was hired to make the building ADA accessible, he's the expert. He has to tell the board if its required or not.

Mr. Liebman stated that its an interpretation that would have to made by someone other than himself. The only way for a legal determination is to apply for a decision through the state.

Manager Kelly stated that the village attorney has an attorney who is very familiar with the ADA requirements and he could research this and have an answer by next Tuesday.

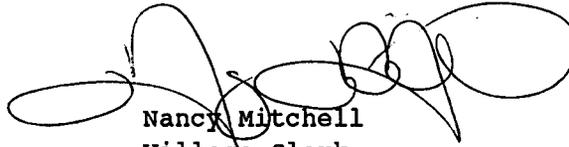
Trustee Ryan moved to table this until a determination is received regarding the ADA requirements. Seconded by Trustee Forman. All ayes. Motion carried.

Trustee Ryan moved to reject plumbing and sprinkler, electrical, general construction and HVAC bids for the municipal building renovations/alterations. Seconded by Trustee McGuckin. All ayes. Motion carried.

ADJOURNMENT

Trustee Besdesky moved to adjourn. Seconded by Trustee McGuckin. All ayes. Meeting adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Nancy Mitchell', written in a cursive style with several loops and flourishes.

Nancy Mitchell
Village Clerk

APPROVED

VILLAGE OF WALDEN
BOARD OF TRUSTEES SPECIAL MEETING
MARCH 15, 1995

Mayor Andrew Uszenski called the special meeting of the Village of Walden Board of Trustees to order at 7:00 P.M.

On roll call the following were:

Present: Mayor Andrew Uszenski
Trustees John McGuckin
Antonio Garcia
Martin Besdesky
John Ryan
Chris Forman

Absent: Trustee Raynard Ozman

Recording Secretary: Nancy Mitchell, Village Clerk

RESOLUTION NO. 24-94-95, DESIGNATING REPLACEMENT ELECTION INSPECTORS

Trustee Besdesky moved to adopt Resolution No. 24-94-95, Designating Replacement Election Inspectors, (attached). Seconded by Trustee McGuckin. All ayes. Motion carried.

ADJOURNMENT

Trustee Besdesky moved to adjourn. Seconded by Trustee Garcia. All ayes. Meeting adjourned.

Respectfully submitted,


Nancy Mitchell
Village Clerk

RESOLUTION NO. 24-94-95

DESIGNATING REPLACEMENT ELECTION INSPECTORS

WHEREAS, Resolution No. 17-94-95 designated Pearl Hunt as Election Inspector, Chairperson and Marion Coulter as Election Inspector, and

WHEREAS, Resolution 23-94-95 designated Ethel Eckert as Alternate Election Inspector, and

WHEREAS, Pearl Hunt and Marion Coulter are unable to fulfill that obligation, and

WHEREAS, Ethel Eckert has expressed interest in replacing Mrs. Hunt as Election Inspector, Chairperson and Mary Lennon has expressed interest in replacing Marion Coulter as Election Inspector and Sadie Berrian has expressed interest in replacing Ethel Eckert as Alternate Election Inspector for the March 21, 1995 Village Election.

NOW, THEREFORE BE IT RESOLVED by the Village of Walden Board of Trustees that Ethel Eckert replaces Pearl Hunt as Chairperson, Mary Lennon replaces Marion Coulter as Election Inspector and Sadie Berrian replaces Ethel Eckert alternate Election Inspector.

Motion to by adopt by Trustee Besdesky and seconded by Trustee McGuckin. The vote was 6 ayes to 0 naves with 0 abstentions. The Mayor declared the resolution adopted on March 15, 1995.

NOTICE OF MEETING

PLEASE TAKE NOTICE that the Village of Walden Board of Trustees will hold a regular meeting on Tuesday, March 14th, 1995 at 7:30 P.M. at the Village Offices, 8 Scofield Street, Walden, New York.

AGENDA

1. PLEDGE/ROLL CALL
2. APPROVAL OF MINUTES
3. BOARD'S BUSINESS
 - A. ACTION ITEMS
 - A.1 Appointment of Members to Board of Ethics
 - A.2 Schedule Special Meeting Re: Municipal Building Renovation Project
 - A.3 Schedule Work Session Re: Master Plan Corridor Study Implementation
 - A.4 Payment of Audited Bills For March 14th, 1995
 - B. DISCUSSION ITEMS
 - C. INFORMATIONAL ITEMS
 - C.1 Bradley Park Drainage Plan
 - C.2 Cable Television Community Access Channel Hookup
 - D. CORRESPONDENCE
4. PUBLIC PORTION
5. COMMUNICATIONS
6. REPORTS
7. EXECUTIVE SESSION
8. ADJOURNMENT

APPROVED

VILLAGE OF WALDEN
BOARD OF TRUSTEES
MARCH 14, 1995

Mayor Andrew Uszenski called the regular meeting of the Village of Walden Board of Trustees to order at 7:30 P.M.

On roll call the following were:

Present: Mayor Andrew Uszenski
Trustees John McGuckin
Chris Forman
John Ryan
Antonio Garcia
Martin Besdesky

Also Present: John Kelly, Village Manager
Kevin Dowd, Village Attorney

Absent: Raynard Ozman, later present

Recording Secretary: Nancy Mitchell, Village Clerk

APPROVAL OF MINUTES

Trustee Ryan moved to adopt the minutes of February 28, 1995. Seconded by Trustee Forman. All ayes. Motion carried.

APPOINTMENT OF MEMBERS OF BOARD OF ETHICS

Manager Kelly stated that there are four people that would like to be on the ethics board, Ethel Eckert, Rich DeJesus, David O'Connor and Suzanna Rougier. Tom McCoskery was also interested in serving. He suggested that each one be contacted and asked to write a letter of introduction to the board.

Trustee Ryan moved to table the Board of Ethics appointments until the March 28, 1995 meeting until documentation is received. Seconded by Trustee McGuckin. All ayes. Motion carried.

SCHEDULE MEETING RE: MUNICIPAL BUILDING RENOVATION PROJECT

Trustee Besdesky moved to hold a special meeting on March 22, 1995 at 7:00 P.M. Seconded by Trustee McGuckin. All ayes. Motion carried.

SCHEDULE WORK SESSION RE: MASTER PLAN CORRIDOR STUDY IMPLEMENTATION

BOARD OF TRUSTEES MEETING
MARCH 14, 1995-Page 2

Trustee McGuckin moved to hold a work session on March 29, 1995 at 7:00 P.M. with the Master Plan Committee and Planning Board. Seconded by Trustee Besdesky. All ayes. Motion carried.

PAYMENT OF AUDITED BILLS FOR MARCH 14TH, 1995

Trustee Ryan moved to pay the audited bills of March 14, 1995. Seconded by Trustee Forman. All ayes. Motion carried.

MR. SANTA'S REQUEST FOR A TEMPORARY TRAILER

Mr. Santa stated that he had a fire at his home and he is requesting to place a mobile home, temporarily, on his property so his family can live there while the repairs are being made. He showed a plan of the trailer to the board. They would need about three months to repair his home. He presented the board with a petition from his neighbors stating that they have no problem with the temporary trailer.

Trustee McGuckin moved to grant Mr. Santa the right to put a temporary trailer at 11 Watkins Drive for a period of three months providing that the following conditions are met, water and sewer is connected to existing house, electric connects from meter to trailer, that it meets all the necessary building and health codes, that the trailer is off the site within ten days after construction is completed, and this is to reviewed for progress on June 27, 1995. Seconded by Trustee Forman.

Trustee Ryan requested that the petition be part of the minutes.

All ayes. Motion carried.

REQUEST TO ATTEND A CONFERENCE

Trustee Forman moved to grant permission to Chief Holmes and Sergeant McCoskery to attend a three day police leadership and traffic safety conference in Callicoon. Seconded by Trustee Garcia. All ayes. Motion carried.

BRADLEY PARK DRAINAGE PLAN

Manager Kelly stated that he gave the board a letter from the village engineer dated March 8, 1995 as well as a cost estimate, which was prepared by Walt Sweed. The cost estimate is based on the materials, the quantity and type that are called for in the plan. The estimated cost is \$8206. That would be using village crews. It would take one week to do. They would need one thousand feet of pipe, couplings, grates and frames for the catch basins and the rental of an excavator. The rental cost is \$500.00 per day, \$1600.00 by the week. He would need authorization from the board to have Mr. Sweed order the materials. They would propose to use money out of the Community Development Fund, (UDAG). Its eligible because its for parkland. Its also for drainage, which is also eligible. This will take all of the existing water that is being piped from the side of the hill, down the

hill. It will hard pipe it all the way to the river, so that it will eliminate all of the existing drainage. It will take care of the parking lot as well as the softball field. It will be in place for future use so that if the drainage is expanded in the future the out flow is already there.

Trustee Ryan stated that the area along the left field is very tight. You will have to clear trees to get a machine through there. He asked about the materials to fill the ditch back in.

Manager Kelly stated that there is no crushed stone. They will be back filling with dirt.

Trustee Ryan asked if the pipe required sand being put around it?

Manager Kelly stated that this is not perforated pipe.

Trustee Ryan asked about a hard rock laying up against it and cracking the pipe.

Manager Kelly stated that the engineer indicated that this does not require packing around it. This is not an area that you will be driving over.

Mr. Dowd suggested that this be put on the agenda for the special meeting of March 22nd for SEQRA action.

Manager Kelly will also check to see if the village will need a discharge permit

CABLE TELEVISION COMMUNITY ACCESS CHANNEL HOOKUP

Manager Kelly stated that the cable company was in today and installed the community access channels. He explained to the board how it works.

PUBLIC PORTION

Tom Michella stated that he walked the little league field today and there are quite a few hazards that have to be corrected. These are safety hazards that can be done in house.

Mayor Uszenski stated that everything goes through the recreation coordinator. He suggested Mr. Michella make a list and give it to Mr. Howland.

Mr. Clifford, Walnut Street asked about the cars parked in the fire bays at the municipal building. Has anyone found out why they were there?

Manager Kelly stated that they were police personnel and they were told not to park there. There seemed to be a miscommunication. The police cars were able to be parked in there and the chief had said that if it

BOARD OF TRUSTEES MEETING

MARCH 14, 1995-Page 4

snowed they could move their cars in there while the village was removing snow in the back. They were not specifically told don't put the cars in there at any other time. The sergeant was told the next morning after the board meeting not to allow parking there anymore.

Larry Sager asked if the asbestos company was finished at the municipal building?

Mayor Uszenski stated no. They are only finished with the first phase. They will be back.

Mr. Sager stated that their sign is out of code.

Manager Kelly stated that technically its an on going project because of the permit the village has from the Department of Labor runs through August. He believes the sign is required as part of the permit.

Mr. Sager stated that there are strict codes in this village for signs.

Manager Kelly stated that he will call Advanced Testing and find out what the requirements are and remount it.

Mr. Sager asked if the sewer plant roof was ever started?

Manager Kelly stated that its just about finished.

Mr. Michella stated that last year the village offered the Little Leagus the use of a machine and an operator for one day.

Manager Kelly stated that last year he talked to Dick Casper and Steve Woehlkens about the possibility, if they needed help in redoing the base pads. The village has a new uniloder that if the village knew what day the Little League needed it he could asked to get one of the DPW people to operate it for the day and help with the field maintenance.

The board had no problem with helping the Little League out with the field.

JoAnne Clifford, 171 Walnut Street stated that it was brought to her attention that recently it took our DPW, a foreman and two workers to go to Wickes and buy a paint brush and a pound of nails. Why does it take three men to carry a paint brush and a pound of nails?

Manager Kelly stated that he heard a comment about DPW at Wickes picking up material and the question he didn't know is whether or not there was a requirement to have more than one person there. If they are out on a job and they are asked to check something out the question is if there is two people in the truck and they do a series of things, do they both go to Wickes or does he leave one guy on the side of the road. If one guy is riding along because he has nothing better to do, that is a problem.

Mrs. Clifford stated that there was also a comment when someone said you guys didn't put much over time in this year because of the lack of snow and the answer the DPW guys made was, don't worry we'll make it up. The public doesn't need to hear those comments.

Mr. Sager wished all his fellow candidates luck at the election next Tuesday.

Mrs. Clifford asked if the sidewalk on Walnut Street was going to be permanently repaired?

Manager Kelly stated yes.

Mr. Sager stated that the drain by the Catholic Church is broke, there is a piece broken out.

REPORTS - COMMITTEE

Trustee Ryan stated that he hopes by April 15th the tax man on the corner will have all his signs down.

Manager Kelly stated that he's allowed to have one sign outside and the rest are in the windows.

Trustee Ozman stated that regarding the recreation grant, he has a list of state representatives and he would like the board members to draft a letter and send it out to those representatives. He will also be asking the neighboring villages and the town to help as well by contacting the representatives.

REPORTS - MAYOR

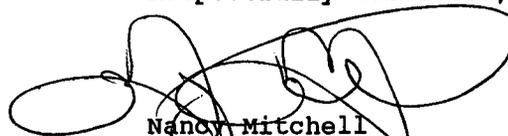
Mayor Uszenski stated that the police held a neighborhood watch meeting last Thursday night and there was very poor attendance. They will be handing out flyers at school.

Mayor Uszenski stated that Ben Gilman is coming to Walden on Wednesday. He will be by the post office if anyone wants to talk to him.

ADJOURNMENT

Trustee McGuckin moved to adjourn. Seconded by Trustee Ryan. All eyes. Motion carried.

Respectfully submitted,



Nancy Mitchell
Village Clerk

TO: MR DEAN STICKLES

FROM: HENRY SANTA

WE THE RESIDENCE OF STREAM SIDE DEVELOPMENT FEEL THAT DO THE THE UNUSUAL CIRCUMSTANCES WE WILL HAVE NO PROBLEM WITH HAVING A TRAILER HOME PLACED ON MR. & MRS. SANTA'S PROPERTY. BECAUSE WE KNOW IT IS ONLY A TEMPORARY THING UNTIL THEIR HOME IS REBUILT.

Rosa Tr Rivera	9	WATKINS DR. WALDEN NY
Brook Boyle	4	Brook Ct. Walden NY.
Marion M. Baker	16	WATKINS DR. WALDEN
Paula Barthe	13	WATKINS DR. WALDEN NY
Ann M. Kelly	14	WATKINS DR. WALDEN NY 12586
Ann M. Kelly	12	WATKINS DR. WALDEN NY 12586
Catherine McCarty	7	WATKINS DR. WALDEN NY 12586
Ann M. Kelly	10	WATKINS DR. WALDEN NY 12586
Bill Bertin	5	WATKINS DR. WALDEN NY 12586
Debra Kennedy	8	WATKINS DR.
Concetta Nymand	3	Brook Ct. Walden N.Y. 12586
Calvin Moran	6	Silo St. Walden NY 12586
John M. Kelly	6	Walden Estates Rd. Walden, NY 12586
Renee Kelly	1	Walden Estates Rd. Walden NY 12586
Douglas Rodriguez	2	Brook Court Walden NY 12586
Robert P. Vargas	23	WATKINS DR. WALDEN NY 12586
Jose S. Jesus	4	Tin Court
Debrah G. Jesus	4	Tin Court Walden, NY 12586

Q

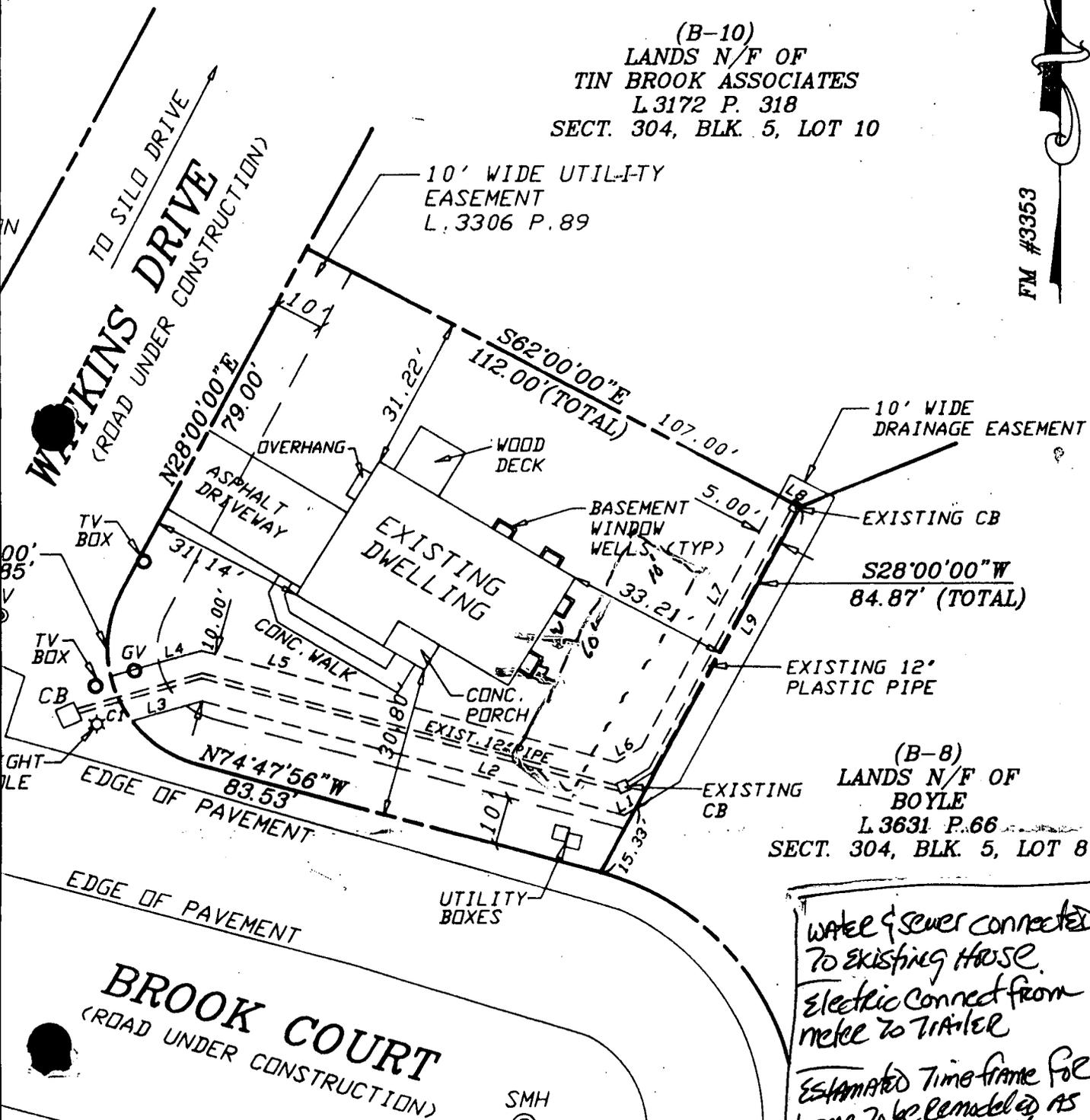
STREAMSIDE LOT B-9 (209)

DEVELOPED TO: HENRY AND ZOILA SANTA

VILLAGE OF WALDEN, ORANGE COUNTY, NEW YORK
 LOT 9

(B-10)
 LANDS N/F OF
 TIN BROOK ASSOCIATES
 L 3172 P. 318
 SECT. 304, BLK. 5, LOT 10

FM #3353



(B-8)
 LANDS N/F OF
 BOYLE
 L 3631 P. 66
 SECT. 304, BLK. 5, LOT 8

Water & sewer connected
 to existing house.
 Electric connected from
 meter to trailer
 Estimated time frame for
 home to be remodeled as
 per owner 3 months
 Trailer from state-wide
 floors 50' x 10' width
 neighbors have no problem
 with placement.

3.22'
37.63'
14.65'
19.04'
36.14'
5.94'
58.38'
5.00'
59.54'

Certifications indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveyors adopted by the Delaware Hudson Land Surveyors Association. Said certifications shall run only to those named individuals and / or institutions for whom the survey is prepared. Certifications are not transferable to additional individuals, institutions, their successors and / or assigns or subsequent owners.

Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209 subdivision 2 of the N.Y. State Education Law. Only copies from the original of this survey marked with an original of the land surveyor's inked seal or his embossed seal shall be considered to be valid true copies.

REFERENCE

BEING LOT B-9 OF A CERTAIN SUBDIVISION MAP ENTITLED "SUBDIVISION PLAT, WALDEN ESTATES" AND FILED IN THE ORANGE COUNTY CLERKS OFFICE ON DECEMBER 17, 1974 AS MAP #3353

LIMITED PARTNERSHIP
 CORP., ITS SUCCESSORS
 MORTGAGE ONLY.

MARCH BILL LIST - MARCH 14, 1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-996	ADCO ELECTRIC	158.00
A-997	AIR PRODUCTS & CHEMICALS, INC.	13.50
A-998	AMTHOR'S WELDING	38.34
A-999	ANNESE & ASSOCIATES, INC.	178.00
A-1000	AUGUSTOC STIEFEL RESEARCH INSTITUTE	10.50
A-1001	BARTON CHEVROLET	11.58
A-1002	COUNTRY HARDWARE	314.02
A-1003	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	3,166.67
A-1004	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	500.00
A-1005	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	441.45
A-1006	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	241.00
A-1007	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	456.75
A-1008	GROSSO MATERIALS	333.11
A-1009	HERMAN RALPH CO., INC.	37.92
A-1010	HOWLAND JOHN	109.77
A-1011	HUMANE SOCIETY OF WALDEN	72.00
A-1012	HUMANE SOCIETY OF WALDEN	12.00
A-1013	INTERNATIONAL INSTITUTE OF MUNICIPAL CLERK	75.00
A-1014	JOHN QUALITY CLOTHIER	43.00
A-1015	K.C. CANARY-CLIFTON PARK, INC.	230.55
A-1016	MITCHELL NANCY	6.50
A-1017	MT ELLIS	84.95
A-1018	NATIONAL FIRE PROTECTION ASSOCIATION	95.00
A-1019	NYCOMCO	125.00
A-1020	PITNEY BOWES	215.00
A-1021	QUILL CORPORATION	363.03
A-1022	THRUWAY SHOPPING CENTER	51.52
A-1023	THRUWAY SHOPPING CENTER	79.99
A-1024	TIMES HERALD	23.76
A-1025	TIMES HERALD	54.00
A-1026	TIMES HERALD	25.20
A-1027	TUXALL UNIFORM & EQUIPMENT	338.20
A-1028	WALDEN AUTO SUPPLY	39.33
A-1029	WALDEN AUTO SUPPLY	40.18
A-1030	WALDEN AUTO SUPPLY	39.54
A-1031	WALDEN AUTO SUPPLY	46.60
A-1032	WALDEN AUTO SUPPLY	53.45
A-1033	WALDEN AUTO SUPPLY	65.37
A-1034	WALDEN PLUMBING & HEATING	173.95
A-1035	WALDEN PLUMBING & HEATING	71.85
A-1036	WALDEN PLUMBING & HEATING	449.06
A-1037	WILLIAMSON LAW BOOK COMPANY	135.97
A-1038	ZEP MANUFACTURING	96.53
A-1039	MOBILE MEDIA PAGING	309.24
A-1040	CIARDULLO PRINTING	25.00
A-1041	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	245.60

9,696.98

MARCH BILL LIST - MARCH 14, 1995

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
F-103	COUNTRY HARDWARE	85.75
F-104	COUNTRY HARDWARE	367.71
F-105	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	416.67
F-106	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	314.50
F-107	JOHN THE TAILOR	327.99
F-108	ORANGE COUNTY LABORATORY	120.00
F-109	SCHMIDT'S	550.00
		<u>1,882.62</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
G-151	ADCO ELECTRIC	350.00
G-152	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	416.67
G-153	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	1,125.15
G-154	KOMLINE - SANDERSON	247.73
G-155	NEWBURGH WINWATER WORKS CO.	14.00
		<u>2,153.55</u>

MARCH BILL LIST - MARCH 14, 1995

CAPITAL ACCOUNTS

CAPITAL ACCOUNT #81 SALT SHED	PINE BUSH AGWAY	174.95
CAPITAL ACCOUNT #86 MUNICIPAL PARKINGLOT	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	246.65
CAPITAL ACCOUNT #87 WATER SYSTEM	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	176.70
CAPITAL ACCOUNT #87 WATER SYSTEM	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	1,680.31
T & A INSPECTIONS	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	710.90
COMMUNITY DEVELOPMENT SMALL CITIES - 92	CHESSARI CONSTRUCTION	560.00
COMMUNITY DEVELOPMENT SMALL CITIES - 92	KERRON BARNES ASSOCIATES	2,030.00
COMMUNITY DEVELOPMENT SMALL CITIES - 93	KERRON BARNES ASSOCIATES	2,327.50
COMMUNITY DEVELOPMENT SMALL CITIES -94	KERRON BARNES ASSOCIATES	80.00
SMALL CITIES	THRUWAY SHOPPING CENTER	19.36

MARCH BILL LIST - MARCH 14,1995

PERPAID BILLS

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	CL & EJ GRIDLEY	2,464.44
	FRONTIER COMMUNICATION	540.84
	FRONTIER COMMUNICATIONS	296.79
	FRONTIER COMMUNICATION	99.69
	FRONTIER COMMUNICATIONS	124.96
	NYNEX	90.46
	NYSEG	73.23
	NYSEG	962.51
	NYSEG	5,374.51
	OR CO.SANITARY LANDFILL	150.40
	POSTMASTER	600.00
	SAM E. FAST & SON, INC.	208.75
	SAM E. FAST & SON, INC.	108.55
	SAM E. FAST & SON, INC.	156.88
	RAD OIL	470.24
		<u>11,722.25</u>

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	AGWAY ENERGY PRODUCTS	47.76
	AGWAY ENERGY PRODUCTS	3.37
	CENTRAL HUDSON	545.29
	FRONTIER COMMUNICATIONS	70.12
	NYSEG	2,573.56
	POSTMASTER	69.60
		<u>3,309.70</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	FRONTIER COMMUNICATIONS	40.75
	NYSEG	4,730.85
	POSTMASTER	69.60
		<u>4,841.20</u>

NOTICE OF MEETING

PLEASE TAKE NOTICE that the Village of Walden Board of Trustees will hold a regular meeting on Tuesday, February 28th, 1995 at 7:30 P.M. at the Village Offices, 8 Scofield Street, Walden, New York.

AGENDA

1. PLEDGE/ROLL CALL
2. APPROVAL OF MINUTES
3. BOARD'S BUSINESS
 - A. ACTION ITEMS
 - A.1 Appointment of Members to Board of Ethics
 - A.2 Award of Bid Re: Wait Street Water Main Installation
 - A.3 Resolution No. 23-94-95 Designating Alternate Election Inspector
 - A.4 Payment of Audited Bills For February 28th, 1995
 - B. DISCUSSION ITEMS
 - B.1 11-17 Main Street Project
 - B.2 Municipal Building Renovation Project
 - B.3 Public Portion
 - C. INFORMATIONAL ITEMS
 - D. CORRESPONDENCE
4. PUBLIC PORTION
5. COMMUNICATIONS
6. REPORTS
7. EXECUTIVE SESSION
8. ADJOURNMENT

APPROVED

VILLAGE OF WALDEN
BOARD OF TRUSTEES MEETING
FEBRUARY 28, 1995

Mayor Andrew Uszenski called the regular meeting of the Village of Walden Board of Trustees to order at 7:30 P.M.

On roll call the following were:

Present: Mayor Andrew Uszenski
Trustees John McGuckin
Raynard Ozman
John Ryan
Chris Forman
Antonio Garcia

Also Present: Kevin Dowd, Village Attorney

Absent: John Kelly, Village Manager
Martin Besdesky, Trustee

Recording Secretary: Nancy Mitchell, Village Clerk

APPROVAL OF MINUTES

Trustee Ryan moved to adopt the minutes of February 14, 1995. Seconded by Trustee Ozman. All ayes. Motion carried.

APPOINTMENT OF MEMBER TO BOARD OF ETHICS

Mayor Uszenski stated that three village employees have expressed interest in serving on the Board of Ethics, Ed Shafer, John Howland and Dale Stairs. The present members, Lynn Schwandt and Alex Landolina are requesting to remain on.

Mr. Dowd stated that you can have at least one employee/official. He doesn't know if you would want a majority being village employees. Two employees is acceptable, three may be a little much.

Trustee Ryan suggested that letters be sent to the civic organizations asking if anyone would be interested in serving on the Board of Ethics.

Trustee Ozman moved to appoint Lynn Schwandt to a five year term, Alex Landolina, four year term and John Howland, three year term on Board of Ethics. Seconded by Trustee Forman. All ayes. Motion carried.

AWARD BID RE: WAIT STREET WATER MAIN INSTALLATION

Trustee McGuckin moved to award the bid for the Wait Street water main installation to Roehrs Construction for \$114,800. Seconded by Trustee Garcia. All ayes. Motion carried.

RESOLUTION NO. 23-94-95, DESIGNATING ALTERNATE ELECTION INSPECTOR

Trustee Forman moved to adopt Resolution No. 23-94-95, Designating Alternate Election Inspector, (attached). Seconded by Trustee McGuckin. All ayes. Motion carried.

AUDITED BILLS

Trustee Ozman moved to pay the audited bills of February 28, 1995. Seconded by Trustee McGuckin. All ayes. Motion carried.

SMALL CITIES PROJECT EXCEEDING \$10,000

Trustee Garcia moved to approve the small cities project on Oak Street to exceed \$10,000. Seconded by Trustee Ozman.

Trustee Ryan stated that because he has done business on this premise he will abstain.

On roll call Trustees McGuckin, Ozman, Forman, Garcia, and Mayor Uzenski voted yes. Trustee Ryan abstained. Motion carried.

11-17 MAIN STREET PROJECT

Mayor Uzenski asked if HUD has given any information as to if this building would qualify for a grant on its own?

Mr. Barnes stated that it has not. He prepared a memo discussing the financing of this project. One of the ideas was the possibility of requesting a determination from HUD so that at some future time we would have an idea where we stand.

Mayor Uzenski stated that this is still before the planning board in preliminary stages.

Mr. Dowd stated that Mr. Spanos made an initial appearance, an introduction of the project. They presented some architectural renderings and were looking for some feedback from the planning board in relation to both the project and the actual building as proposed.

Mr. Barnes stated that in terms of the application itself, speaking hypothetically, we're starting our application process now, it takes two months to prepare an application. One of the things HUD would say is, you have a 1.7 million dollar project, you want \$400,000 from us, where is the rest of the money coming from? There is nothing in the regulations that really says that, but what they do is you have to demonstrate that your project is feasible, so they extend that term to mean that it is in fact capable of being done. You have to show that it is feasible by means of all the other money being in place. You also have to show that it is feasible in that there are no approvals which could deter the project. That means you would have to show you have proper zoning. In terms of the village applying at this time, it

is premature until those are in place. The next application cycle is a year from now. We could consider asking HUD to use a portion of the money for this project. That would require an amendment to the application, as well as a determination of eligibility.

Trustee McGuckin asked if there were other funding sources?

Mr. Barnes stated that this is unique, it's not a new home where there are standard types of financing. This is a project of one of a kind. The structure tends to be suited to the needs of that project. It would not surprise him if the project was funded with six or eight or ten different funding sources. Once the developer has answered questions like a fairly detailed operating budget and development budget, then we know what the costs are and the income flow is. Then they could look into the different programs.

Mayor Uszenski stated that there is also the HOME Program.

Mr. Barnes stated that its a fairly involved application.

Mayor Uszenski stated that there are costs with the HOME Program. Another question the board has to consider is the HOME Program goes directly from the county to the applicant, how much tax payers dollars can the village spend on a private project.

Chris Spanos asked what other fundings there are besides Small Cities?

Mayor Uszenski stated the HOME Program and HODAG and UDAG.

Mr. Barnes stated that he could say go with the HUD Section 202 program. That would require the owner to sell the property to a non profit corporation and they would own the building and operate it. That would probably not be in his interest to do so. Its his feeling that this project won't work unless there are subsidies. He doesn't think the rents will pay what it cost to take a building like that and renovate it. You need to bridge the gap of what the rents will pay and what the cost of your debt service is. That is the amount that has to be financed. Until he sees some numbers its hard to judge what that gap is.

Mayor Uszenski asked Mr. Spanos if he's started any financial planning yet?

Mr. Spanos stated that his company has started planning. They have other parties interested in investing in this project. What he's asking from the village is something that would be a low interest loan, so that it would help in the start-up. Their main objective is to close up the building. They have to close it up for the next winter. They are ready to go, they just need proper approvals.

Mayor Uszenski asked about the time frame for the project?

Mr. Spanos stated that once the building is closed up, the first floor will be rentable. As for the upper floors, they will wait for further funding from other sources.

Trustee Ryan asked what the property was currently assessed at now?

Mr. Spanos couldn't answer that.

Trustee Ryan asked if the village could give a sequential tax break up to 100%? To help a project where the tax load isn't as great in the first couple of years and then it gets up to 100%. That would allow for greater flexibility.

Mr. Dowd stated that he will check on that. There is no official application before the planning board. It was basically a sketch of what they wanted to do and an outline of what they wanted to do. When they close the building in depending on whether its three floors or four floors depends on how they close it in and how they support the building. There is engineering involved in this. Right now they are talking about four floors, it would require a variance from the zoning board. That is one of the other hurdles, how they are going to handle some of those issues and when they are going to come with the formal application before the planning board to start that process.

Mayor Uszenski stated that the possibility of transferring grant money from the 92 Small Cities was also talked about. He further stated that the village will work with Mr. Spanos, but right now the village has to keep this application where it is, because Mr. Spanos is not ready at this time.

Trustee McGuckin moved to request Kerron Barnes write to HUD for a determination of eligibility for 11-17 Main Street. Seconded by Trustee Garcia. All ayes. Motion carried.

Trustee Ozman stated that the board is in favor of what the Mayor stated which is based upon the information presented by Kerron Barnes. He asked Mr. Barnes, by including 11-17 Main Street as a sole structure in the application, it's his feeling based upon the status of the project that the village would not be funded by HUD, is that correct?

Mr. Barnes stated yes.

Trustee Ozman moved that a letter be sent to Mr. Spanos stating that he is under the 1995 Small Cities Grant target area. Seconded by Trustee Forman. All ayes. Motion carried.

Trustee Ryan asked when Mr. Spanos is going to put his formal proposal or formal plan in front of the planning board?

Mr. Spanos stated within the next two weeks. He has assembled a team and they have been working at a vigorous rate to complete all the plans. They are going to do a dual application with the zoning board

and planning board.

MUNICIPAL BUILDING RENOVATION PROJECT

Mayor Uszenski stated that the bids were received for the municipal building renovation project and the collective low bids came in at \$1,418,340.00, a half million over budget. At this time the architects are busy redoing the bids. He asked the board to hold a meeting the week of March 6th to meet with Mr. Liebman to see what is being done to get the project in line.

It was the consensus of the board to hold a special meeting on March 7, 1995 at 7:00 P.M. This is to be confirmed with Mr. Liebman.

It was the consensus of the board to hold a special meeting on Tuesday, March 7, 1995 at 7:00 P.M.

PUBLIC PORTION

Mayor Uszenski asked if the board was happy with how public portion is going or would they like other changes?

Trustee McGuckin stated that it is working well. He doesn't want to limit public portion, yet it has to be administered better. Having public portion at a certain time lets people know when to come.

Trustee Ryan stated that they may be getting some continuity to their meetings. He proposed that the board stay with what they are doing now and review it in another month.

WOOSTERS GROVE GRANT

Mayor Uszenski stated that John Howland called him in reference to the Wooster's Grove grant that the village is going to lose.

Mr. Howland stated that he was advised to get the village board's backing and to lobby the local legislator's. He is trying to get the names of the people in Albany to write to.

Trustee Ozman moved that the village respond to the letter from Christine Hayward, Deputy Director for the Division of Youth indicating the village's displeasure and unhappiness and to also correspond with Senator Larkin and Representative Bonacic. Seconded by Trustee McGuckin.

Trustee Ozman stated that he would also like to use the cable network which has been promised, to let the people of the village know what is going on. He asked the news reporters that are present to add some publicity and letters of support.

All ayes. Motion carried.

Mr. Howland stated that there are some people from Orange County going to Albany on Tuesday. He doesn't know what use it would be for him to go, but if he finds out it would be good for him to go he would like permission from the board to go.

It was the consensus of the board to allow Mr. Howland to go to Albany on Friday.

CORRESPONDENCE

Mayor Uszenski stated that the board received an invitation from the Village of Montgomery to attend the St. Patrick's Day Parade on March 12th.

PUBLIC PORTION

Robert Clifford, 171 Walnut Street asked who has access to the fire bay doors?

Trustee Ozman stated that the police department.

Mr. Clifford stated that at 4:45 am this morning the bay door on the right hand side was wide open and there was a car parked in there and there was a female with long blonde hair getting out of her car. There was another car in the middle bay.

Mayor Uszenski stated that it will be checked into.

Tom Michella, 1 Northgate Drive, stated that the girls softball field at Bradley Park is torn up and its going to get torn up until something is done. He asked if the architect has some responsibility as to where the discharge pipe comes out?

Mayor Uszenski stated that Mr. Monti donated his time for that project. All of the project wasn't done to the way he designed it because of cost overruns.

Trustee Ozman asked Mr. Howland, in terms of the budget that was presented to the recreation department, did they address the needs at all?

Mr. Howland stated that it was addressed in the needs and the committee recommended the order of projects. The manager has asked the engineer to check into it. He doesn't think there has been anything back from the engineer.

Trustee Ozman stated that the village is going to pursue alternates to fund that. Its up towards the top of the wish list as far as priority. They will address this at the budget work sessions.

Mr. Michella stated that everytime it rains the field gets washed out.

Mayor Uszenski stated that he will speak to the manager and see what can be done.

Trustee Ryan suggested that they turn the field around.

Karen Moore, 23 Riverview Street stated that last June she approached the board about the problem with the girls softball field and they were going to write to Senator Larkin and ask him to attend a meeting. Was the letter ever written and did he respond?

Mayor Uszenski stated that the board invited him, but there's been no response.

Mrs. Moore stated that she called Mr. Larkin's office and they didn't recollect any letter.

Larry Sager, 78 Orchard Street asked if it was brought to the board's attention that on Tuesday of this past week, what went on over at the municipal building with the DPW crew?

Mayor Uszenski stated no.

Mr. Sager stated that he was in the library at the time and the crew was throwing the stuff over the railings, from the third floor to the second floor. They were screaming and hollering and using obscenities. He'd like someone to look at the damage to the steps.

REPORTS-COMMITTEE

Trustee Ryan stated that Conrail should be notified again about Coldenham Road railroad crossing and the county should be notified again about River Road.

Trustee Ryan stated that in going over the bills there were a couple of bills for membership in organizations, which a lot of times they are very useful to the village. Some are mandated and some are required. He would like the department heads to list which organizations they are in, the cost and the benefit to the village, so they can start to identify if there are crossovers, which ones are absolutely necessary and which aren't.

Trustee Garcia asked about the trees on Walnut Street that haven't been trimmed and when you walk down the sidewalk you get hit in the face with branches. He would like an answer within the next two days.

REPORTS - MAYOR

Mayor Uszenski stated that Mr. Munger of East Main Street approached him about the Streamside entrance sign. He wants to know if the village is going to take down the illegal sign or if they want him to do it.

EXECUTIVE SESSION

Trustee Garcia moved to hold an executive session pursuant to 105-(d) of the Public Officers Law. Seconded by Trustee McGuckin. All ayes. Motion carried.

Trustee Ryan moved to reconvene the regular meeting. Seconded by Trustee Forman. All ayes. Motion carried.

ADJOURNMENT

Trustee Ozman moved to adjourn. Seconded by Trustee Garcia. All ayes. Motion carried.

Respectfully submitted,


Nancy Mitchell
Village Clerk

RESOLUTION NO. 23-94-95

DESIGNATING ALTERNATE ELECTION INSPECTOR

WHEREAS, Resolution No. 17-94-95 designated Marie Conklin as alternate Election Inspector, and

WHEREAS, Marie Conklin is unable to fulfill that obligation, and

WHEREAS, Ethel Eckert has expressed interest in replacing Mrs. Conklin as alternate Election Inspector for the March 21, 1995 Village Election.

NOW, THEREFORE BE IT RESOLVED by the Village of Walden Board of Trustees that Ethel Eckert replaces Marie Conklin as alternate Election Inspector.

Motion to by adopt by Trustee Forman and seconded by Trustee McBeckin. The vote was 7 ayes to 0 naves with 0 abstentions. The Mayor declared the resolution adopted on February 28, 1995.

FEBRUARY BILL LIST - FEBRUARY 28, 1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-956	A J M SAND & STONE, INC.	2,163.19
A-957	ADVANCED TESTING, INC.	10,243.00
A-958	ALL CITIES UNIFORM CO	163.30
A-959	ALFI'S UNIFORMS, INC.	27.00
A-960	AMERICAN ALLIANCE FOR HEALTH, PHYSICAL ED.	120.00
A-961	AMTHOR'S WELDING	91.10
A-962	ARKEL MOTORS, INC.	11.29
A-963	BECKER BUSINESS SYSTEMS, INC.	134.00
A-964	CHERRY TIRE SERVICE, INC.	8.95
A-965	DANIELS AGENCY, INC.	200.00
A-966	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	3,053.90
A-967	DRIVERS LICENSE GUIDE CO.	34.30
A-968	ENVIRONMENTAL PAPER TOWEL SERVICES	174.60
A-969	ENVIRONMENTAL PAPER TOWEL SERVICES	62.20
A-970	GALL'S, INC.	31.94
A-971	GALL'S, INC.	158.93
A-972	GOULD PUBLICATIONS	90.70
A-973	J-S SERVICENTER	10.00
A-974	JOHN C. BLAUVELT GUNSMITH, INC.	250.00
A-975	LILLO'S PIZZA	31.53
A-976	MITCHELL NANCY	10.95
A-977	MONTAGUE TOOL & SUPPLY CO., INC.	57.38
A-978	NATIONAL ASSOCIATION OF TOWN WATCH	25.00
A-979	NY TECH SUPPLY	12.50
A-980	OLD DOMINION BRUSH	2,700.00
A-981	ORANGE COUNTY CLERK	12.00
A-982	ORANGE COUNTY MAGISTRATES ASSOCIATION	40.00
A-983	QUILL CORPORATION	135.63
A-984	SAFETY LEAGUE, INC.	93.99
A-985	TIMES HERALD RECORD	41.76
A-986	TIMES-HERALD-RECORD	27.36
A-987	UNISOURCE	188.00
A-988	WALDEN AUTO SUPPLY	24.62
A-989	WALDEN AUTO SUPPLY	64.59
A-990	WALDEN PLUMBING & HEATING	134.70
A-991	WALKILL VALLEY TIMES	48.90
A-992	WICKES LUMBER	82.59
A-993	WILLIAMSON LAW BOOK COMPANY	90.83
A-994	WILLIAMSON LAW BOOK COMPANY	133.80
A-995	AMERICAN CAMPING ASSOCIATION	75.00

21,059.53

FEBRUARY BILL LIST - FEBRUARY 28,1995

CAPITAL ACCOUNTS

CAPITAL ACCOUNT #53	CAPITAL AHIGHWAY SIGNS & SIDEWALKS	239.78
COMMUNITY DEVELOPMENT M-189	SACCARDI & SCHIFF, INC.	3,259.51
COMMUNITY DEVELOPMENT SMALL CITIES-93	NYS RURAL HOUSING COALITION	125.00
COMMUNITY DEVELOPMENT SMALL CITIES-92	CHESSARI CONSTRUCTION	2,714.00
COMMUNITY DEVELOPMENT SMALL CITIES-93	ROBINSONS CONSTRUCTION	400.00

FEBRUARY BILL LIST FEBRUARY 28,1995

GENERAL FUND

PREPAID BILLS

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
71	FRONTIER COMMUNICATIONS	50.66
71	FRONTIER COMMUNICATIONS	65.12
71	FRONTIER COMMUNICATIONS	47.10
41	PETTY CASH	23.40
507	RAD OIL COMPANY, INC.	327.58
999	SAM E. FAST & SON, INC.	396.45
822	WAREX TERMINALS CORPORATION	651.66
		<u>1,561.97</u>

WATER FUND

898	AGWAY ENERGY PRODUCTS	45.55
71	FRONTIER COMMUNICATIONS	68.53
71	FRONTIER COMMUNICATIONS	86.50
999	SAM E. FAST & SON, INC.	111.64
		<u>312.22</u>

SEWER FUND

71	FRONTIER COMMUNICATIONS	12.10
71	FRONTIER COMMUNICATIONS	50.33
999	SAM E. FAST & SON, INC.	436.72
		<u>499.15</u>

NOTICE OF MEETING

PLEASE TAKE NOTICE that the Village of Walden Board of Trustees will hold a regular meeting on Tuesday, February 14th, 1995 at 7:30 P.M. at the Village Offices, 8 Scofield Street, Walden, New York.

AGENDA

1. PLEDGE/ROLL CALL
2. APPROVAL OF MINUTES
3. BOARD'S BUSINESS
 - A. ACTION ITEMS
 - A.1 Authorization to Exceed \$10,000 in a Small Cities Rehab Project
 - A.2 Authorization to Attend Tri-State Camping Conference
 - A.3 Public Hearing - 1995 Small Cities Housing Strategy Survey (CHAS)
 - A.4 Public Hearing - 1995 Small Cities Application
 - A.5 Public Hearing - Local Law I-1 of 1995 Enacting A New Code of Ethics
 - A.6 Resolution No. 19-94-95 Authorizing 1995 Small Cities Application
 - A.7 Resolution No. 20-94-95 Adopting Fair Housing Program
 - A.8 Resolution No. 21-94-95 Adopting Anti-Displacement Program
 - A.9 Resolution No. 22-94-95 Appointment of Special Counsel
 - A.10 Payment of Audited Bills For February 14th, 1995
 - B. DISCUSSION ITEMS
 - C. INFORMATIONAL ITEMS
 - C.1 Ambulance Records Search Update
 - D. CORRESPONDENCE
 - D.1 Request For Review of Sewer Charges
4. PUBLIC PORTION
5. COMMUNICATIONS
6. REPORTS
7. EXECUTIVE SESSION
8. ADJOURNMENT

VILLAGE OF WALDEN
BOARD OF TRUSTEES MEETING
FEBRUARY 14, 1995

APPROVED

Mayor Andrew Uszenski called the regular meeting of the Village of Walden Board of Trustees to order at 7:30 P.M.

On roll call the following were:

Present: Mayor Andrew Uszenski
Trustees John McGuckin
Raynard Ozman
John Ryan
Chris Forman
Antonio Garcia
Martin Besdesky

Also Present: John Kelly, Village Manager
Kevin Dowd, Village Attorney

Recording Secretary: Nancy Mitchell, Village Clerk

APPROVAL OF MINUTES

Trustee Ozman moved to adopt the minutes of January 17, 1995 and January 24, 1995. Seconded by Trustee McGuckin. All ayes. Motion carried.

AUTHORIZATION TO EXCEED \$10,000 IN A SMALL CITIES REHAB PROJECT

Mr. Barnes stated that the house is actually going to exceed \$15,000.00.

Trustee Besdesky moved to authorize the Small Cities Rehab Project on Maple Street to exceed \$15,000.00. Seconded by Trustee Garcia. All ayes. Motion carried.

AUTHORIZATION TO ATTEND TRI-STATE CAMPING CONFERENCE

Trustee Ozman moved to allow John Howland to attend the Tri-State Camping Conference in Teaneck, New Jersey from March 30th - April 1st, 1995. Seconded by Trustee Forman.

Trustee Ryan suggested that because the seminar is similar to last years that Mr. Howland attend every other year.

Trustee Ozman stated that his understanding is its similar but its more of a networking seminar.

All ayes. Motion carried.

RESOLUTION NO. 22-94-95 APPOINTMENT OF SPECIAL COUNSEL

Mayor Uszenski stated that if a conflict arises during the tenure of the village attorney which will require them to excuse themselves from a matter before a village board then the village will have an attorney to provide representation.

Trustee Ozman moved to adopt Resolution No 22-94-95, Appointment of Special Counsel, (attached). Seconded by Trustee Forman. All ayes. Motion carried.

PAYMENT OF AUDITED BILLS

Trustee Ozman moved to pay the audited bills of February 14, 1995. Seconded by Trustee Garcia. All ayes. Motion carried.

PUBLIC HEARING - 1995 SMALL CITIES HOUSING STRATEGY SURVEY (CHAS)

Kerron Barnes stated that the village is within a week of applying for the fifth Small Cities Grant. He reviewed the target area for the 1995 grant with the board. As part of the 1995 application they are required to submit a Comprehensive Housing Affordability Strategy (CHAS), which documents the housing needs and housing conditions in the area. That document is just about complete and will be included in the application. They revised the application to include the one side of Scofield Street, which faces the village parking lot, the one block of Main Street where the McKinley Monument is, going down East Main Street back to Sherman Avenue. The target area has 124 structures of which they believe 80 are substandard. They are looking at a rehab effort of 35 to 40 structures being funded at an average \$10,000.

Mr. Sager asked if this was the last target area?

Mr. Barnes stated that if you look at the guidelines of the program, the way the competition is structured, it's pretty much the last area with a large concentration of older, substandard homes.

Mr. Sager stated that the Orchard Street area never had a grant given to that area.

Mr. Barnes stated that Orchard Street had the 1992 grant.

Trustee Ryan asked if there was sufficient money to do more than the 33 buildings.

Mr. Barnes stated that you might be able to go a few more.

Jeff Sohns asked if this grant goes for commercial buildings?

Mr. Barnes stated that it gets very complicated when you get into commercial mixed used buildings. You have to have a building which has

residential space over it.

Mr. Sohns asked if there is any kind of a grant program, he's referring to the building that collapsed last year. He feels its very important not only to Main Street, but to the village as a whole, because the building is right at a major crossroads in our village. Its a major eyesore that will be taken care of. It will also be a real good tax base for the village. That should interest not only the business people in the village, but also the homeowners, because without a business tax base you have nothing. Being there is a limited amount of land in the village where we can attract new business and the village as a whole has a hard time attracting new business. They should encourage this project as much as they can. He was wondering if this grant money can be used or is there any other grant money that they can apply for.

Mr. Barnes stated that the target area was revised to include that block, because that block had the greatest need. A couple things happen when you are in mixed use buildings. Your going to apply a federal wage rate, which drives up the cost. The second thing is you can under this program rehabilitate property that is residential in nature. We are not permitted to do new construction. The property that was caved in has no apartments there. He spoke to HUD today at some length as to whether that would be eligible. What they have done is put this in the target area so its not ruled out. HUD did not give him a firm definition as to whether this is eligible. There is a way it might be eligible, which is if it was to receive funds under another federal program for which the definition of rehabilitation is flexible and liberal, then they could go back to HUD and say, this HUD program defines this as rehabilitation, if that is the case will you accept their definition, which they may. Then if this grant was funded they would have to amend the grant to include a slightly different activity in the same area. There is also some economic development funding under HUD, in the future year that they might be able to look at.

Larry Sager, 78 Orchard Street, asked Mr. Barnes if he is saying that there are other grants out there that could be gotten for commercial property on Main Street?

Mr. Barnes stated yes, it depends on the structure and what you are doing.

Mr. Sager stated that it would be a good idea to fix that building up.

Trustee Besdesky moved to close the public hearing. Seconded by Trustee McGuckin. All ayes. Motion carried.

PUBLIC HEARING - 1995 SMALL CITIES APPLICATION

Mr. Barnes stated that they are looking at a maximum of \$400,000. The application is due the 21st of February. The area they are talking about is the east end of town. They are looking at an area that is mixed use. It captures part of the residential area and part of the

mixed commercial, industrial and also both of the corridors coming into town.

Chris Spanos, 19 Main Street, Luxenburg Corporation stated that his company purchased the Wooster Building and he requests that the village application for funding under the Small Cities Program in the sum of \$400,000, on a grant basis for purposes of rehabilitating 11-17 Main Street, for twenty four residential apartments and the restoration of first floor retail and commercial space. The project will be similar to the related housing company on Main Street. Their marketing plan is to first meet the needs in the local community for modern and decent housing for senior citizens, single room and small family occupants. As a result of the collapsed roof the building is blighted and deteriorated. Its boarded up, closed up, and not occupied. It needs rehabilitation in order to eliminate these conditions and restore the building. Improvements to the building will be an improvement. Without the help of the village, they cannot act alone. They need the work of the village to rehabilitate the building. He respectfully requests that they act in favor of his application and include the same as part of the request for this project.

Mr. Barnes stated that he received a copy of Mr. Spanos's letter today in regard to this. At this point it is late in the process for them to rewrite the application for specifically one building. Particular when the HUD office is telling them they are not sure if it would be eligible. What they have done is adjusted the target area recommended by the Saccardi and Schiff to include that block of buildings. They will get the funding in May and if it is approved the board might then move to amend the program to include this building. That would be a board decision as to whether they wanted to spend all \$400,000. It might be that this community development could be combined with other funds to assist this structure by part of the grant and still leave the village with some money to deal with other substandard structures in the area.

Trustee Ozman stated that assuming the grant was successful and the board decided to take that action in May, how long would the process take to amend the target area to include 11-17 Main Street?

Mr. Barnes stated a couple months. It may not need a full amendment. That scenario is contingent upon HUD saying yes its eligible under Community Development regulations or you receive funding from this other federal program, which defines it as rehab, then comes the community development. The second would make more sense.

Trustee McGuckin asked about new construction.

Mr. Barnes stated that new construction is not eligible under community development.

Trustee McGuckin asked, what if any part of that project would be eligible?

Mr. Barnes stated that they don't know yet.

Trustee McGuckin asked about a 202 Program for the financing of 11-17 Main Street?

Mr. Barnes stated that a 202 Program comes around every May or June with about 700 dwelling units being subsidized within the region, including New York City, Long Island, as far as Albany. Its highly competitive. Its possible that it would be eligible as senior housing. Under 202 you form a non profit developer corporation and the only thing the property owner can do is to sell the property to the non profit. This project on Main Street is a very necessary project and they will do everything they can to help the owner.

Larry Sager asked if the Planning Board had a lot to do with this?

Mayor Uszenski stated that he will have to go before the Planning Board, but that has nothing to do with the loans. The loans are done by the village board.

Larry Sager questioned approving loaning money to Mr. Spanos before he gets planning board approval.

Mayor Uszenski stated that no one has committed money to Mr. Spanos in advance. Part of the process would be to go through the planning board.

Mr. Sohns stressed how important it would be to help this project along anyway we can. As a taxpayer he knows how important it is to the tax base. Preserving our business district is something we should take very seriously. We have a good opportunity here and we are fortunate that the Spanos's bought this property and are willing to develop it.

Mayor Uszenski stated that he thinks that all the village board is committed to help this project out. Small Cities may not be the way, but the village will keep looking.

Trustee Ryan asked Mr. Barnes to research other sources.

Sam Phelps stated that he is convinced that Main Street needs something.

Mr. Spanos presented the board with letters of support from the business leaders of the community.

Trustee Forman moved to close the public hearing for Small Cities. Seconded by Trustee McGuckin. All ayes

PUBLIC HEARING - LOCAL LAW I-1 OF 1995 ENACTING A NEW CODE OF ETHICS

Mayor Uszenski presented the Notice of Hearing, which he read,

Affidavit of Publication and Affidavit of Posting Notice.

Larry Sager, 78 Orchard Street stated that he feels there was something done on the zoning board that was a conflict of interest. He feels the judge was wrong with what he did and nothing was done. How will this new law change the situation?

Mayor Uszenski stated that if a conflict of interest comes up a person will excuse themselves from the action.

Mr. Dowd stated that if they don't they are subject to an inquiry by the Board of Ethics and disciplinary proceedings by the Board of Trustees.

Larry Sager asked about who could call the Board of Ethics together?

Mr. Dowd stated that the Board of Ethics is required to meet twice a year officially and then as needed as an incident occurs and an inquiry occurs. An inquiry must come from an employee or officer of the village.

Mr. Sager asked if a citizen could call a meeting?

Mr. Dowd stated that a citizen could not request an inquiry directly to the Board of Ethics. It would have to come through some other village officer or employee. It is not open to citizens to make the inquiry.

Mr. Sager stated that he would like to see the law change so that a citizen could make an inquiry.

Mr. Dowd stated that the public also has the right at these meetings to raise what they believe to be improprieties or improper conduct by an employee or village consultant or board member and the Board of Trustees can take it upon itself to do an inquiry to the Board of Ethics.

Mr. Dowd further stated that specifically for the first time the village consultants are included under the Code of Ethics, so that himself, his law firm, village engineers, and Mr. Barnes are all required to comply with the Code of Ethics and to avoid situations which they are either in direct conflict with or potentially be a conflict. That is a change that wasn't in the prior code. It also requires a larger Board of Ethics, five members instead of three.

Mr. Sager asked if the Board of Ethics excludes people that were previously on boards?

Mr. Dowd stated that a Board of Trustee member can never be on the Board of Ethics. Out of the five members at least one member must be an employee of the village or a municipal officer. It could be that a planning board member can be on the code of ethics.

Trustee Ozman asked if they could discuss the fact that the actual request has to be made to a municipal employee or officer, for the record? He doesn't think that was ever discussed in terms of the intent. He's referring to the section that requires a complaint to be initiated with a municipal employee/officer/agent.

Mr. Dowd stated that its in the section that talks how often the Board of Ethics meets and it says they must meet at least twice a year and at such other time as is necessary. It says that the Board of Ethics would control its own business agenda. It would decide upon its own rules and regulations how it conducts it. It renders advisory opinions to the Board of Trustees only. It does not make a final determination as to whether a violation existed or not. Its strictly advisory and advises the Board of Trustees as to what to do. There is specific ways you get before the Board of Ethics. Right now it says that the request must be in writing. It must originate with a municipal officer or employee and it must relate to a conflict of interest of this law or the state law. The village attorney must review the opinion to make sure its legally sufficient. This is a code of ethics which governs the conduct of municipal officers and employees.

Trustee Ozman asked if it was the intent to streamline the process by initiating the inquiry with someone from the village?

Mr. Dowd stated absolutely.

Trustee Besdesky moved to close the public hearing. Seconded by Trustee Garcia. All ayes. Motion carried.

Trustee McGuckin moved that the Board of Trustees be lead agency and to declare a uncoordinated, unlisted action under SEQRA. Seconded by Trustee Ozman. All ayes. Motion carried.

Trustee Ozman moved to adopt Introductory Local Law I-1 of 1995 as Local Law No. 1 of 1995, Code of Ethics. Seconded by Trustee Forman. All ayes. Motion carried.

Trustee Ozman stated that on number four of the disclosure statement, its not necessary to disclose an interest in a corporation that might be in another country or out of state, etc. That would never have any business dealings with the Village of Walden. At the same time he realizes the comprehensive nature and the intent behind it.

He would prefer it to say, any and all possible business dealings with the Village of Walden, and if such business dealings were to occur after disclosure then it would have to be disclosed at that point. Language to that effect would be all encompassing, but yet maintain what ever that tiny element of privacy that someone might want with some other interest that they might maintain that would have nothing to do with the Village of Walden. He further stated that he personally doesn't have a problem with the code, but he doesn't want the disclosure statement to have a chilling effect on someone else running

for an elected position in the village, knowing they have to disclose certain things and being concerned with the confidentiality aspect.

Mr. Dowd stated that the disclosure statement can be amended anytime the board wants to.

Trustee Besdesky moved to adopt the model Code of Ethics Disclosure Statement. Seconded by Trustee McGuckin. All ayes. Motion carried.

Manager Kelly stated that Bruce Seguin is not interested in serving on the Code of Ethics Board. Lynn Schwandt and Alex Landolina are still interested.

Mayor Uszenski stated that appointments will be made at the next meeting.

Trustee Ryan asked that a notice be sent to all employees asking if anyone would like to serve on the Code of Ethics Board.

RESOLUTION NO. 19-94-95 - AUTHORIZING 1995 SMALL CITIES APPLICATION

Trustee Forman moved to adopt Resolution No. 19-94-95, Authorizing 1995 Small Cities Application, (attached). Seconded by Trustee Ozman. All ayes. Motion carried.

RESOLUTION NO. 20-94-95 ADOPTING FAIR HOUSING PROGRAM

Trustee Ryan moved to adopt Resolution No. 20-94-95, Adopting Fair Housing Program, (attached). Seconded by Trustee Besdesky. All ayes. Motion carried.

RESOLUTION NO. 21-94-95 ADOPTING ANTI-DISPLACEMENT PROGRAM

Trustee McGuckin moved to adopt Resolution No. 21-94-95, Adopting Anti-Displacement Program, (attached). Seconded by Trustee . All ayes. Motion carried.

AMBULANCE RECORDS SEARCH UPDATE

Mayor Uszenski stated that notice was found in regard to the ambulance corp records search. If the village is going to continue to dispatch an agreement has to be drawn up. A snow removal agreement also has to be done.

Trustee Ryan stated that he feels the village should continue the service.

Mayor Uszenski stated that what should be done is to talk to the Ambulance Corp and see what they need and get the agreements written up.

Manager Kelly asked if the board wanted to always provide for snow removal?

Trustee Ryan stated as long as they remain in the village.

Mr. Dowd stated that in the Town Ambulance Agreement it seems the town has contracted the ambulance corp to provide townwide services. There seems to be no need to duplicate services.

Trustee Ryan asked how many times per season does the village plow the ambulance property?

Manager Kelly stated that a record has not been kept.

Trustee Ryan stated that they should have a rig available when the village has Walden Day or a parade.

Manager Kelly stated that the letter from Mr. Loeb suggests that the village piggy back onto the town's agreement.

Mr. Dowd stated that the village cannot contract with them for an ambulance service that is already provided under a separate contract.

It was the consensus of the board to send the necessary letter to the town.

Trustee Ryan asked that the village's costs for plowing be researched.

Manager Kelly asked if the board would like to try and piggy back the dispatch service on, do both services on a current basis and leave it open ended. He could write a letter to the ambulance corp and town suggesting that if services continue as they are, in the future the village would like to enter into the agreement to be considered in the agreement with the town and ambulance corp. Leave it at that until they have a more definite plan.

REQUEST FOR REVIEW OF SEWER CHARGES

Trustee McGuckin moved to deny the sewer charge request by Michael and Barbara Imbasciani to lower their bill. Seconded by Trustee Forman. All ayes. Motion carried.

PUBLIC PORTION

Larry Sager, 78 Orchard Street asked if the village received a memo that there was a problem with the ambulance corp? He's never heard this discussed in public before.

Mayor Uszenski stated that the police department has been monitoring this.

Mr. Sager asked why the public wasn't notified that there was a problem?

Trustee McGuckin stated that its been known, but it came to a peek at the last meeting.

Mr. Sager stated that he's been coming to meetings for four years and he's never heard anyone say they've gotten bad service from the ambulance corp.

Trustee McGuckin stated that the ambulance corp is having a problem with staffing, but when they can get a crew together they do provide good service. He doesn't think anyone has complained about the service.

Mr. Sager stated that he suggests that the driver plow the whole lot at the ambulance corp. Its his understanding that he just does two swipes.

Manager Kelly stated that they do the whole lot.

Larry Sager stated that he was at the recreation meeting when they discussed their budget. The ski tow rope was brought up. Was that department charged for that ski rope last year?

Mayor Uszenski stated that the ski rope was bought by the village and the donation given to the Walden Charitable Foundation.

Manager Kelly stated that the board authorized the rope to be bought and the Charitable Foundation accepted a check from the Rotary and then turned it over to the village. That money would go into the fund balance. It did not go back into the recreation budget to be spent. It will be spent next year towards another purchase. He doesn't know where Mr. Howland got the money to buy the rope.

Mr. Sager asked when the public asked for the public portion to be changed?

Mayor Uszenski stated that was an the opinion in the paper. Public portion will be on the agenda for discussion at the next meeting.

Greg Raymondo asked if the village has an ordinance for snow mobiles?

Mayor Uszenski stated yes, for public right of ways, not for private property.

Mr. Raymondo stated that they were riding snow mobiles at the new fire house and behind the fire house.

Trustee Ozman stated that the law would have to be enforced by the property owner.

REPORTS COMMITTEE

Trustee Garcia asked if something was going to be done with the problem on the corner of First Street and Walker Street?

Manager Kelly stated yes, as soon as the weather breaks.

Trustee McGuckin stated that he spoke to Mr. Stickles about the snow removal problem. There was an interesting article in the paper regarding New Paltz. They cite the chronic abusers once and then for the rest of the winter they fine them \$75.00 after twenty four hours. The village has to do something because of the absentee landlords.

Manager Kelly stated that the village knows it has a problem with vacant properties and absentee landlords who don't care about their properties. What we are trying to do is to mail a violation by certified mail, twenty four hours after it stops snowing, giving them three days to clear the sidewalk, letting them know in the violation that the village will go in and undertake the work and assess the property. The problem with the code is that each day is a separate violation. How do you serve an absentee owner that's not there and not going to do anything. For an owner who is one site, if we can personally serve them with the violation, we won't have to mail anything and go back the next day and serve them again. Mr. Stickles is getting a copy of the New Paltz law.

Trustee Garcia stated that he was there when the car rolled down Millard Street and ran down into two cars. Two officers had to stand there until a tow truck came. They said there is a list. He feels the first tow truck they get should be the one they should be calling. Why do we have to wait for a certain tow truck. The village is paying for two officers to sit there and wait for a tow truck to come.

Manager Kelly stated that he will check with the chief in the morning. He knows there is a list they use during snow emergency, but during normal towing he's not aware that they do that.

Trustee McGuckin stated that he's knows the board has discussed reviewing the code, but that needs to be pushed to revise.

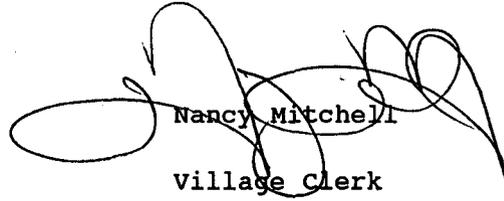
REPORTS - MAYOR-

Mayor Uszenski stated that public portion discussion will be on the next agenda.

ADJOURNMENT

Trustee Garcia moved to adjourn. Seconded by Trustee Ryan. All ayes.
Meeting adjourned.

Respectfully submitted,



Nancy Mitchell
Village Clerk

RESOLUTION NO. 19-94-95

VILLAGE BOARD OF TRUSTEES
VILLAGE OF WALDEN - APPLICATION FOR FY 1995
SINGLE PURPOSE SMALL CITIES FUNDING

WHEREAS, the Housing and Community Development Act of 1974 as amended, authorizes the availability of federal funds to eligible units of local government for the purpose of implementing Community Development Block Grant Programs, so as to give maximum feasible priority to activities which will provide benefits to low and moderate income persons or aid in the prevention of elimination of slums and blight, and

WHEREAS, the Village of Walden is eligible to submit an application to the U.S. Department of Housing and Urban Development for funding under the Small Cities Community Development Block Grant Program, and

WHEREAS, the Village Board of Trustees of the Village of Walden deems it necessary and in the public interest to apply for a single purpose Small Cities Grant in the amount of up to \$400,000.00 for the purpose of meeting its residential rehabilitation needs in its designated target area, and

WHEREAS, to ensure sure financial assistance it is necessary to submit an application with the U.S. Department of Housing and Urban Development, and

WHEREAS, the Act also requires the municipality to give certain assurances, and to adopt a residential anti-displacement and relocation plan and require certifications including a drug-free work place, prohibiting the use of federal funds for lobbying and a policy prohibiting the use of excessive force with respect to non violent civil rights demonstrators in order to permit village acceptance of community development funding.

NOW, THEREFORE, BE IT RESOLVED by the Village Board of Trustees of the Village of Walden that the Mayor as the Chief Elected Officer is hereby authorized and directed to submit the forementioned application to the U.S. Department of Housing and Urban Development, in accordance with regulations, guidelines and requirements of the Small Cities Program and to execute any agreements which may be necessary to receive these funds.

Motion to adopt by Trustee Forman and seconded by Trustee Osman. The vote was 7 ayes to 0 nays with 0 abstentions. The Mayor declared the resolution adopted on February 14, 1995.

RESOLUTION NO. 20-94-95

VILLAGE OF WALDEN

APPLICATION FOR 1995 HUD SMALL CITIES PROGRAM
FAIR HOUSING

WHEREAS, the Village of Walden is eligible to apply for funding under the U.S. Department of Housing and Urban Development (HUD) Small Cities Community Development Program, and

WHEREAS, the Village of Walden may claim 20 bonus points towards the ranking score of its application for Outstanding Housing Performance by the formal adoption and initiation of a Fair Housing Program that is equivalent to a New Horizons Program, and

WHEREAS, the Village of Walden is committed to the concept of fair housing and to the prevention of housing discrimination.

NOW, THEREFORE, BE IT RESOLVED that the Village of Walden does hereby again adopt the accompanying Fair Housing Program, considered to be equivalent to a New Horizons Program, and including the appointment of a Fair Housing Officer, establishment of a Referral and Complaint System, and the distribution of Fair Housing information to the appropriate institutions in the area, and that the Village of Walden hereby will claim eligibility to receive the 20 bonus points in the FY 1995 HUD Small Cities Application.

Motion to adopt by Trustee Ryan and seconded by Trustee Garcia. The vote was 7 ayes to 0 naves with 0 abstentions. The Mayor declared the resolution adopted on February 14, 1995.

RESOLUTION NO. 21-94-95

VILLAGE OF WALDEN

APPLICATION FOR 1995 HUD SMALL CITIES PROGRAM
ANTI DISPLACEMENT

WHEREAS, the Village of Walden is eligible to apply for funding under the U.S. Department of Housing and Urban Development (HUD) Small Cities Community Development Program, and

WHEREAS, the Village of Walden must certify to HUD that it has adopted and is following a Residential Anti-Displacement and Relocation Assistance plan, in order to apply for funds under this program, and

WHEREAS, the Village of Walden will submit an application to HUD for up to \$400,000.00 on or before February 21, 1995.

NOW, THEREFORE, BE IT RESOLVED that the Village of Walden does hereby again adopt and intend to follow the accompanying Residential Anti-Displacement and Relocation Assistance Plan, in conformance with the Housing and Community Development Act of 1974 as amended and 24 CFR 570.606 (b).

Motion to adopt by Trustee McBuckin and seconded by Trustee Ryan. The vote was 7 ayes to 0 naves with 0 abstentions. The mayor declared the resolution adopted on February 14, 1995.

VILLAGE OF WALDEN
RESOLUTION NO. 22-94-95

APPOINTMENT OF SPECIAL COUNSEL

WHEREAS, the Village of Walden Board of Trustees has appointed the legal firm of Drake, Sommers, Loeb, Tarshis & Catania, P.C. to serve as Village Attorney for the Village of Walden, to attend all regular and special meetings of the Village Board, Planning Board and Zoning Boards and to provide legal counsel on matters before any Board, and

WHEREAS, a conflict of interest may arise from time to time during the tenure of the Village Attorney which requires that they recuse themselves from a matter that is before a Board, and

WHEREAS, it is in the best interest of the Village of Walden to designate by appointment a Special Counsel to represent the Village on any matter before a Board where the Village Attorney has recused themselves.

NOW, THEREFORE, BE IT RESOLVED that the Village of Walden Board of Trustees does hereby appoint George R. Bartlett, Esq. as Special Counsel to the Village of Walden on matters where the Village Attorney is unable to provide representation.

Motion to adopt by Trustee Dzman and seconded by Trustee Dorman. The vote was 7 ayes to 0 nays with 0 abstentions. The Mayor declared the resolution adopted on February 14th, 1995.

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~
~~City~~ of WALDEN
~~Town~~
Village

Local Law No. 1 of the year 1995.

A local law enacting a new Code of Ethics for the Village of Walden.
(Insert Title)

Be it enacted by the Village Board of Trustees of the
(Name of Legislative Body)

~~County~~
~~City~~ of WALDEN as follows:
~~Town~~
Village

SEE ATTACHED

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 1995 of the ~~(County)(City)(Town)~~(Village) of WALDEN was duly passed by the BOARD OF TRUSTEES on 2/14 1995 in accordance with the applicable provisions of law.
(Name of Legislative Body)

~~2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*~~

3. (Final adoption by referendum.)

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*~~

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*~~

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

~~5. (City local law concerning Charter revision proposed by petition.)~~

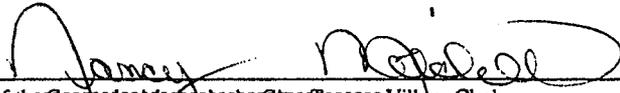
~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19____, became operative.~~

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 19____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____, above.



Clerk of the County Legislature, City, Town or Village Clerk
or officer designated by local legislative body
NANCY MITCHELL, VILLAGE CLERK

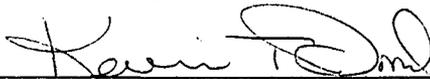
Date: February 14, 1995

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF ORANGE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Signature KEVIN T. DOWD

Title ATTORNEY

County
City of WALDEN
Town
Village

Date: FEBRUARY 14, 1995

INTRODUCTORY LOCAL LAW NO. I-1 OF 1995
VILLAGE OF WALDEN

A LOCAL LAW ENACTING A NEW CODE OF ETHICS FOR THE VILLAGE OF WALDEN.

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WALDEN AS FOLLOWS:

SECTION 1.

Chapter 24 of the Code of the Village of Walden entitled "Ethics, Code of" is hereby repealed.

SECTION 2.

The Code of the Village of Walden is hereby amended to add a new Chapter 18 entitled "Code of Ethics" which is enacted as follows:

§18-1. Legislative Intent.

Pursuant to the provisions of §806 of the General Municipal Law, the Board of Trustees of the Village of Walden recognizes that there are rules of ethical conduct for public officers and employees which must be observed if public confidence is to be maintained in our unit of local government. The proper operation of the Village government requires that its officers and employees be independent, impartial, objective, unbiased and responsible to the people of the Village of Walden; that public office should not be used for personal gain; that public officers and employees maintain the highest standards of integrity and discharge faithfully the duties of their office, regardless of personal considerations; and that the public have confidence in the officers and employees thereof. It is the

intent of this chapter to promulgate these rules of ethical conduct for the officers and employees of the Village of Walden. These rules shall serve as a guide for official conduct of the officers and employees of the Village and, as adopted, shall not conflict with, but shall be in addition to, any prohibition of Article 18 of the General Municipal Law or any other general or special law relating to ethical conduct and interest in contracts of municipal officers and employees.

§18-2. Definitions.

When used herein and unless otherwise expressly stated or unless the context otherwise requires, the following term shall have the meanings indicated;

IMMEDIATE FAMILY - a spouse, minor child or other dependent residing in the household of a municipal officer or employee.

INTEREST - any claim, account or demand against or agreement with the Village, express or implied, including designation of a depository of public funds and a designation of an official newspaper and direct or indirect pecuniary or material benefit accruing to an officer or employee as a result of a business or a professional transaction with the village. For the purpose of this Chapter, an officer or employee shall be deemed to have a direct interest in the affairs of: (1) his or her spouse, minor children and dependents; (2) a business concern, partnership, trust or association of which such officer or employee and immediate family member are members, partners,

owners, directors or employees; (3) a corporation of which such officer or employee is an officer, director or employee; (4) a corporation, any stock of which is owned or controlled, directly or indirectly by such officer or employee or any corporation in which such officer or employee or immediate family member owns more than five percent (5%) of said stock.

VILLAGE - the Village of Walden or any of its Boards, commissions or agencies, whether operated solely by the Village of Walden or jointly with one (1) or more other municipalities.

MUNICIPAL OFFICER OR EMPLOYEE - the mayor, trustees and any other elected or appointed officer or employee of the Village, whether paid or unpaid, including members of any administrative advisory board, commission or other agency thereof. For the purpose of this Chapter, no person shall be deemed a "Village officer" or "Village employee" solely by reason of being a volunteer fireman or a civil defense volunteer.

VILLAGE CONSULTANT - any individual, group or firm which renders service on behalf of the Village to any Village officer, Village board, Planning Board, Zoning Board of Appeals or any other Village agency or commission.

§18-3. Standards of Conduct.

Public officers and employees are agents of the public purpose and hold office for the benefit of the public. Their conduct in both their official and private affairs should be above reproach. Every officer and employee of the Village of

Walden shall be subject to and abide by the following standards of conduct:

(A). Gifts. No officer, employee or consultant of the Village shall, directly or indirectly, solicit any gift or accept or receive any gift having a value of more than seventy-five (\$75) dollars whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him or her or could reasonably be expected to influence him or her in the performance of his or her official duties or was intended as a reward for any official action on his or her part. The recipient of any such gift or gratuity shall immediately return the same to the giver and shall notify the Village of Walden Board of Ethics, in writing, of this incident.

(B). Disclosure of Confidential Information. No officer, employee or consultant of the Village shall disclose confidential information acquired by him or her in the course of his or her official duties or use such information to further his or her personal interests or the private interest of others.

(C). Rendering of Services. No municipal officer or employee of the Village, as defined in §18-2, shall receive compensation, express or implied, with respect to any matter which is, was or will be before him or her for determination in his or her official capacity as a municipal officer or employee of the Village of Walden. In addition, no municipal officer or

employee of the Village of Walden shall receive compensation or enter into any agreement, express or implied, to receive compensation in relation to any matter before any municipal agency, department, or board of commission, except as a part of his or her official responsibilities to the agency, department, Board or commission, or as a function of the official position of the municipal officer or employee.

(D). Use of Public Property. No officer or employee shall request or permit the use of Village owned vehicles, equipment, material or property for personal convenience or profit, except when such services are available to the public generally or are provided as municipal policy for the use of such officer or employee in the conduct of official business.

(E). Use of Position to Achieve Preferential Treatment. No officer or employee of the Village shall use or attempt to use his or her official position to secure unwarranted privileges or exemptions for himself or herself or others or grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

(F). Interest in appointments. Canvassing of members of the Board of Trustees, directly or indirectly, in order to obtain preferential consideration in connection with any appointment to the municipal service shall disqualify the candidate for appointment, except with reference to positions filled by appointment by the Board of Trustees.

(G). Disclosure of Interest in Legislation or Other Matter Involving a Conflict of Interest.

(1). Any Village officer, Board member, employee or consultant who has a direct or indirect financial or other private interest in any matter before the Board of Trustees or any other Board or commission of the Village and who participates in the discussion before, makes a recommendation to or gives an opinion to the Board of Trustees or any other Board or commission on that matter shall publicly disclose in the official record of the Board of Trustees or other Board or commission the nature and extent of such interest.

(2). All Village officers, Board members, department heads and their supervisory assistants and all Village consultants are required, within thirty (30) days of taking office, or within thirty (30) days of the effective date of this Chapter, to file a disclosure statement on a form as provided by the Village of Walden pursuant to this section. In the event that a change occurs with respect to any of the information required on the aforesaid disclosure statement, the party required to file such a statement shall file an amended statement reflecting any such change in circumstances within sixty (60) days from the date thereof, unless requested by the Board of Ethics to do so sooner, in which case such amended statement shall be filed within ten (10) days of the request for the same. Failure to file the required disclosure statement or any

amendment thereto in a timely fashion shall be deemed a violation of this Chapter.

(3). If any Village officer, Board member, employee, or consultant has a potential or actual conflict of interest in any matter in which he or she encounters in the performance of his or her official Village duties, he or she shall make known to all concerned parties the nature of such conflict and shall refrain from any participation whatsoever in the matter so as to avoid a true conflict. In all cases of potential or actual conflict, the Village Board shall be made aware of the situation by the person in conflict along with any other concerned parties, including the Village of Walden Board of Ethics.

(h). Investments or Other Interests in Conflict with Official Duties. No officer or employee of the Village shall invest or hold any investment, directly or indirectly, in any financial, business, commercial or other private transaction which creates a conflict with his or her official duties.

(i). Private Employment. No Village officer, Board member, employee or consultant shall accept other employment which will impair his or her independence of judgment in the exercise of his or her official Village duties.

(j). Future Employment. No Village officer, employee or consultant shall, after termination of service or employment with the Village, appear before any Board or agency of the Village of Walden in relation to any case, proceeding or

application in which he or she personally participated during the period of his or her service or employment or which was under his or her active consideration.

(k). Political Activity. No municipal officer or employee shall use his or her official position on behalf of any political party, candidate, club association, society or committee. In addition, no appointed Village officer or Village employee shall hold office in any political party, club or association, society or committee. This provision shall not be interpreted or construed as precluding any municipal officer or employee from being involved in the political affairs of the Village as a private citizen, nor shall it exempt any municipal officer or employee from any Federal, State or local rules, regulations, codes of conduct or other restrictions imposed by law.

(l). Representation by Consultant. No Village consultant shall appear on behalf of private interest before the Board of Trustees, or any other Village Board or commission or agency thereof or actively employed by the Village.

§18-4. Discrimination.

No officer or employee of the Village or of any service or other organization chartered by or directly or indirectly sponsored or supported by the Village shall:

(A). Discriminate or cause involuntary segregation, directly or indirectly, based upon creed, color, national origin, sex, or disability or allow the preceding to be factors affecting

the recruitment, selection, placement, assignment, compensation or promotion of any officer, employee or member of such service or other organization.

(B). Permit, directly or indirectly, the use of any Village property, equipment or service by any person or persons, organizations, corporations or any other group which directly or indirectly discriminates as set forth in subsection A.

(C). Allow the Village knowingly to have any financial or business dealings with any organization which discriminates as set forth in subsection A above.

§18-5. Applicability.

When an officer or employee or consultant has doubt as to the applicability of a provision of this Code to a particular situation, he or she should apply to the Board of Ethics constituted for the implementation of this Code for an advisory opinion and be guided by that opinion when given. The officer, employee or consultant shall have the opportunity to present his or her interpretation of the facts at issue and of the applicable provisions of the Code before such advisory decision is made. This Code shall be operative at all instances covered by its provisions except if superseded by an applicable statutory provision.

§18-6. Distribution of Copies.

The Clerk of the Village shall cause a copy of Article 18 of the General Municipal Law and this Code of Ethics to be distributed to every officer and employee of the

Village within thirty (30) days after the effective date of this Chapter. Each municipal officer and employee elected or appointed thereafter shall be furnished a copy of this Code before entering upon the duties of his or her office or employment. The Clerk shall obtain each municipal officer's and employee's signature acknowledging receipt of this Code.

§18-7. Board of Ethics Established; Membership; Terms of Office; Officers; Power & Duties.

(a). There is hereby established a Board of Ethics of the Village, consisting of five (5) members, one (1) of whom shall be a municipal officer or employee of the Village, and a majority of such members shall be persons other than a municipal officer or employee. All members shall be appointed by the Board of Trustees for a term of five (5) years, each term to expire at the end of the calendar year; except that of those first appointed, one (1) shall be appointed for five (5) years, one (1) shall be appointed for four (4) years, one (1) shall be appointed for three (3) years, one shall be appointed for two (2) years and one shall be appointed for one (1) year. The Board shall elect its own chairman. Three (3) members of the Board shall constitute a quorum. A vote of at least four (4) members shall be required for the Board to take any action. The Village attorney shall provide such legal and advisory services to the Board of Ethics as it may require in the performance of its duties. There shall be a recording secretary who shall be the clerk of the Board in charge of its minutes, books and records.

(b). The Board of Ethics shall have the powers and duties prescribed by Article 18 of the General Municipal Law and shall render advisory opinions to the officers and employees of the Village with respect to Article 18 of the General Municipal Law and any Code of Ethics adopted pursuant to this Chapter. In addition, the Board may make recommendations with respect to the drafting and adoption of a Code of Ethics or amendments thereto upon request of the Board of Trustees. The Board shall also have the responsibility to review disclosure statements filed pursuant to §18-3G2 of this Chapter.

(c). The Board of Ethics shall convene at least twice a year and at such times as may otherwise be necessary. The Board of Ethics may adopt rules and regulations relative to the conduct of its business, but may only render advisory opinions subject to these limitations: (1) request shall be in writing; (2) requests or inquiries must originate with a municipal officer or employee; (3) requests or inquiries must relate to the conflict of interest law or Code of Ethics; (4) the opinion must be approved as to legal sufficiency by the Village Attorney.

§18-8. Penalties for Offenses.

In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of the Code may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

§18-9. Severability.

If any clause, sentence, paragraph, word or section or part of this Village Code of Ethics shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgments shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§18-10. Incorporation into Village Code.

The Board of Trustees by the adoption of this Local Law # 1 of 1995, hereby incorporates this Code of Ethics into the Village Code as Chapter 18 thereof for all future reference.

KTD/mas/92656

FEBRUARY BILL LIST - FEBBUARY 14,1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-874	AIR PRODUCTS & CHEMICALS	226.10
A-875	AIR PRODUCTS & CHEMICALS	18.00
A-876	AMTHOR'S WELDING	91.47
A-877	AMTHOR'S WELDING	34.40
A-878	AMERICAN ALARM CO., INC.	36.00
A-879	ANNESE & ASSOCIATES, INC.	178.00
A-880	AL VALK'S GARAGE	77.00
A-881	AL VALK'S GARAGE	15.00
A-882	BELL HERRING, INC.	50.00
A-883	BYINGTON JULIA	100.00
A-884	CHAMBERS FORD TRACTOR SALES	15.60
A-885	CIARDULLO PRINTING	80.00
A-886	CIARDULLO PRINTING	84.00
A-887	CORNELL COOP EXT PUTNAM CO.	25.00
A-888	COUNTRY HARDWARE	142.22
A-889	DAN THE TREE MAN	1,350.00
A-890	DELONG, INC.	81.40
A-891	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	3,166.67
A-892	EXPANDED SUPPLY PRODUCTS	703.50
A-893	EXPANDED SUPPLY PRODUCTS	53.60
A-894	GALL'S INC.	80.94
A-895	GRAPHIC DETAIL	90.00
A-896	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	431.47
A-897	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	370.56
A-898	GANNON-MUNICIPAL EQUIPMENT	263.02
A-899	GENERAL CODE PUBLISHERS	608.97
A-900	GEORGE'S AUTO PARTS	27.92
A-901	GEORGE'S AUTO PARTS	11.94
A-902	GEORGE'S AUTO PARTS	42.46
A-903	GEORGE'S AUTO PARTS	43.09
A-904	GEORGE'S AUTO PARTS	163.10
A-905	GEORGE'S AUTO PARTS	154.54
A-906	GEORGE'S AUTO PARTS	217.85
A-907	HART MARC	62.25
A-908	HOWLAND JOHN	48.13
A-909	IMPERIAL WORKWARE SERVICES	102.60
A-910	J & G EXCAVATING	937.50
A-911	J & S' SERVICENTER	184.90
A-912	JARVIS BRIAN	5,145.77
A-913	JOHN THE TAILOR	58.50
A-914	JOHN THE TAILOR	100.80
A-915	MID HUDSON OFFICE SUPPLY	83.21
A-916	MID HUDSON OFFICE SUPPLY	33.82
A-917	MITCHELL NANCY	31.00
A-918	MONTAGUE	17.65
A-919	NYS MAGISTRATES ASSOCIATION	50.00
A-920	NYS MAGISTRATES ASSOCIATION	40.00
A-921	NYCOMCO	125.00

FEBRUARY BILL LIST - FEBRUARY 14,1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-922	NEWBURGH STEEL	52.50
A-923	ORANGE COUNTY MAGISTRATES ASSOC.	40.00
A-924	ORANGE BLUE PRINT	4,500.00
A-925	ORANGE BLUE PRINT	1,406.25
A-926	ORANGE COUNTY CLERK	9.50
A-927	RISK MANAGEMENT	36,958.64
A-928	RISK MANAGEMENT	36.00
A-929	ROBERT GREEN	26.
A-930	SANWA LEASING CORP.	405.00
A-931	SIRCHIE FINGERPRINT LAB	88.77
A-932	TIMES HERALD RECORD	95.04
A-933	TIMES HERALD RECORD	25.20
A-934	THRUWAY SHOPPING CENTER	59.95
A-935	THRUWAY SHOPPING CENTER	164.01
A-936	THRUWAY PHARMACY, INC.	7.95
A-937	TRI-COUNTY CHAPTER NYSBOC	25.00
A-938	TRI-STATE	112.80
A-939	WALDEN AUTO SUPPLY	20.77
A-940	WALDEN AUTO SUPPLY	21.61
A-941	WALDEN AUTO SUPPLY	36.42
A-942	WALDEN AUTO SUPPLY	49.58
A-943	WALDEN AUTO SUPPLY	57.98
A-944	WALDEN BAPTIST CHURCH	550.00
A-945	WALDEN PLUMBING & HEATING	89.9
A-946	WALLKILL VALLEY TIMES	68.53
A-947	WALLKILL VALLEY TIMES	42.73
A-948	WICKES LUMBER	6.29
A-949	WILLIAMSON LAW BOOK COMPANY	152.87
A-950	TIMES HERALD RECORD	41.76
A-951	CAPITAL SAFETY, INC.	19,373.47
A-952	DELONGO	33.60
A-953	JOHN THE TAILOR	47.20
A-954	JOHN THE TAILOR	72.10
A-955	PAGE NY	61.00
	CL & EJ GRIDLEY	2,464.44
		<u>83,158.64</u>
		<u>(2,464.44)</u>
		<u>80,694.20</u>

FEBRUARY BILL LIST - FEBRUARY 14, 1995

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
F-88	AMERICAN ALARM CO., INC.	28.00
F-89	CHARLES B MERRILL	346.00
F-90	CIARDULLO PRINTING	20.00
F-91	CONSOLIDATED RAIL CORP	145.10
F-92	COUNTRY HARDWARE	106.47
F-93	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	416.67
F-94	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	1,192.64
F-95	MID HUDSON OFFICE SUPPLY	1.30
F-96	NY RURAL WATER ASSOCIATION	272.50
F-97	ORANGE COUNTY LAB	150.00
F-98	PAGE NY	16.00
F-99	RAMSCO	2,423.48
F-100	SCHMIDT'S WHOLESALE	87.72
F-101	V.A.NABAGIEZ M D	189.63
F-102	ZYCHOWICZ WALTER	7.75
		<u>5,403.26</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
G-134	ENVIROTEST LABORATORIES, INC	355.00
G-135	CIARDULLO PRINTING	20.00
G-136	CHARLES MERRILL	173.00
G-137	CONSOLIDATED RAIL CORP	435.30
G-138	COUNTRY HARDWARE	65.17
G-139	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	416.67
G-140	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	612.31
G-141	IRA D CONKLIN	8.40
G-142	IRA D CONKLIN	58.76
G-143	ISCO, INC.	38.00
G-144	MIDDLETOWN ELECTRIC MOTORS	2,100.00
G-145	PAGE NY	16.00
G-146	SCHMIDT'S WHOLESALE	345.00
G-147	T.W.G.MACHINE, INC.	79.15
G-148	WICKES	27.90
G-149	ZEP MFG., CO.	40.88
G-150	ZYCHOWICZ WALTER	7.75
		<u>4,799.29</u>

FEBRUARY BILL LIST -FEBRUARY 14,1995

CAPITAL ACCOUNTS

CAPITAL ACCOUNT #86	GAINER-WILBUR CONSULTING ENGINEERS,P.C.	962.87
	MUNICIPAL PARKING	
CAPITAL ACCOUNT #87	GAINER-WILBUR CONSULTING ENGINEERS,P.C.	500.75
	WATER SYSTEM	
CAPITAL ACCOUNT #89	GAINER-WILBUR CONSULTING ENGINEERS,P.C.	191.85
	UNIVERSITY HEIGHTS	
COMMUNITY DEVELOPMENT SMALL CITIES - 92	CHESSARI CONSTRUCTION	3,545.00
COMMUNITY DEVELOPMENT - 93	ROBINSON'S CONSTRUCTION	175.00
WORKERS COMPENSATION	RISK MANAGEMENT INSURANCE	245.36
T & A 85.4	GAINER-WILBUR CONSULTING ENGINEERS,P.C.	2,391.16
	INSPECTION	

FEBRUARY BILL LIST - FEBRUARY 14, 1995

PREPAID BILLS

GENERAL FUND

<u>VOUCHER</u>	<u>VENDO</u>	<u>AMOUNT</u>
	FRONTIER COMMUNICATIONS	329.31
	FRONTIER COMMUNICATIONS	483.44
	FRONTIER COMMUNICATIONS	236.41
	NYSEG	75.55
	NYSEG	374.39
	NYSEG	7,439.50
	NYNEX	67.41
	NYNEX MOBILE COMMUNICATION	21.52
	OR CO. SANITARY LANDFILL	392.45
	POSTMASTER	600.00
	SAM E. FAST & SON, INC.	356.10
	SAM E. FAST & SON, INC.	559.33
	SAM E. FAST & SON, INC.	226.39
		<u>11,161.80</u>

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	AGWAY ENERGY PRODUCTS	18.50
	AGWAY ENERGY PRODUCTS	9.42
	AGWAY ENERGY PRODUCTS	132.08
	CENTRAL HUDSON	602.36
	NYSEG	52.33
	NYSEG	2,754.13
	NYSEG	66.83
	POSTMASTER	77.82
		<u>3,713.47</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	NYSEG	5,745.31
	NYSEG	187.18
		<u>5,932.49</u>

NOTICE OF MEETING

PLEASE TAKE NOTICE that the Walden Board of Trustees will hold a regular meeting on Tuesday, January 24th, 1995 at 7:30 P.M. at the Village Offices, 8 Scofield Street, Walden, New York.

AGENDA

1. PLEDGE/ROLL CALL
2. APPROVAL OF MINUTES
3. BOARD'S BUSINESS
 - A. ACTION ITEMS
 - A.1 Authorization to Attend Grade II Wastewater Plant Operators Course
 - A.2 Maplebrook Subdivision - Offer of Dedication of Public Improvements
 - A.3 Payment of Audited Bills For January 24th, 1995
 - B. DISCUSSION ITEMS
 - B.1 Public Portion
 - B.2 Introductory Local Law I-1 of 1995 - Enacting A New Code of Ethics
 - C. INFORMATIONAL ITEMS
 - D. CORRESPONDENCE
4. PUBLIC PORTION
5. COMMUNICATIONS
6. REPORTS
7. EXECUTIVE SESSION
8. ADJOURNMENT

APPROVED

VILLAGE OF WALDEN
BOARD OF TRUSTEES MEETING
JANUARY 24, 1995

Mayor Andrew Uszenski called the regular meeting of the Village of Walden Board of Trustees to order at 7:30 P.M.

On roll call the following were:

Present: Mayor Andrew Uszenski
Trustees John McGuckin
Raynard Ozman
Antonio Garcia
Martin Besdesky
Chris Forman
John Ryan

Also Present: John Kelly, Village Manager
Kevin Dowd, Village Attorney

Recording Secretary: Nancy Mitchell, Village Clerk

APPROVAL OF MINUTES

Trustee Ryan moved to adopt the minutes of January 10, 1995. Seconded by Trustee Besdesky. All ayes. Motion carried.

AUTHORIZATION TO ATTEND GRADE II WASTEWATER PLANT OPERATORS COURSE

Scott Snyder is requesting permission to attend the Grade II Wastewater Plant Operators course at SUNY/New Paltz on February 6th until March 24th, 1995. The reason for the request is the village needs a back-up operator to cover when Jim Shortell is not available.

Trustee Besdesky moved that Scott Snyder attend the Grade II Wastewater Plant Operators course at a cost of \$650.00. Seconded by Trustee Garcia. All ayes. Motion carried.

MAPLEBROOK SUBDIVISION - OFFER OF DEDICATION OF PUBLIC IMPROVEMENTS

Mr. Dowd stated that he has received easements for utilities, drainage, and pump station. He has also received dedication of roads for Linden Drive, Utopian Place and Sunnyside Avenue. He has also received a title policy insuring title to the Village of Walden in the amount of ten thousand dollars for the easements and the roads. A performance bond in the amount of \$250,000.00 and maintenance bond in the amount of \$143,800.00, which will continue in effect for one year from the date

the last road is dedicated has been received along with a check to record all the documents. Everything meets the attorney's approval.

Trustee McGuckin moved to declare an unlisted action, uncoordinated review under SEQRA and to declare the Board of Trustees lead agency regarding the offer of dedication of public improvements for Maplebrook Subdivision. Seconded by Trustee Forman. All ayes. Motion carried.

Trustee Ryan moved to accept the offer of dedication of three (3) streets and three (3) easements in the Maplebrook Subdivision. Seconded by Trustee McGuckin. All ayes. Motion carried.

AUDITED BILLS

Trustee Forman moved to pay the audited bills of January 24, 1995. Seconded by Trustee McGuckin. All ayes. Motion carried.

REIMBURSEMENT OF A BUILDING PERMIT

Manager Kelly stated that a contractor who is working under the Small Cities Program where the contract was canceled is asking for reimbursement. The permit had already been obtained and the contract was relet. A building permit will be obtained by another contractor. The amount to be reimbursed is \$176.00.

Trustee Besdesky moved to reimburse Robinson's Construction \$176.00 for their building permit. Seconded by Trustee Ozman. All ayes. Motion carried.

PUBLIC PORTION

Mayor Uszenski stated that the idea of board meetings is for the board to conduct its board business. Public portion at times has gotten lengthy and caused the board to hurry when they should be taking more time on the action items. Last meeting was a good example, they didn't start board business until 9:30 P.M. Some suggestions were, questions that were for the board the board will handle that night, questions for the manager the board will address and accept them, if its a quick answer it will be answered, if not the manager will get back to the person. Maybe the public portion should be after the board business.

Trustee Besdesky stated that one of the problems that he thinks exists is the board business that isn't in the public portion part of the evening gets discussed like it is public portion. That becomes very time consuming and by the time the board is through with their business most of the board is very tired and not willing to stay until eleven or twelve o'clock to deal with the business that is laid out. Public portion is the period that it should happen and beyond that no one should be able to participate in the board's discussion.

Mayor Uszenski stated that its also been suggested to have people sign in and write what you're going to speak about. The board didn't want

to do that. The board does want to hear from the public. The idea is not to cut them off.

Trustee Garcia stated that a lot of the questions addressed to the manager could be addressed to him during the week.

Trustee McGuckin stated that he doesn't feel the public portion should be restricted to the point like the school board. They do need to manage it.

Trustee Ozman stated that what the board is asking for is cooperation. Another suggestion would be to have another day at which time the board would be available for people to come in, even if it is on a Saturday.

Mayor Uszenski stated that he would like to try for a couple of meetings to hold public portion a little bit later and see how it works out. If he sees there is a problem he'll try something different.

INTRODUCTORY LOCAL LAW I-1 OF 1995 - CODE OF ETHICS

Mr. Dowd stated that if the board is satisfied that this proposed law encompasses their work sessions then its ready to be introduced and a public hearing can be set. The board has to think about the disclosure form which will be adopted by resolution.

Trustee Ozman introduced Introductory Local Law I-1 of 1995, Code of Ethics.

Trustee Besdesky moved to hold a public hearing on Introductory Local Law I-1 of 1995, Code of Ethics on Tuesday, February 14, 1995 at 7:45 P.M.. Seconded by Trustee McGuckin. All ayes. Motion carried.

Trustee Ryan suggested the manager correspond with the three Code of Ethics members to see if they are still interested.

PUBLIC PORTION

Daniel Stalley, 1-5 Orange Avenue stated that he understands that Officer Shawn Barry is to be appointed as a full time police officer. An incident happened in front of his house that he feels is important that board not make Officer Barry a full time officer. The way things are today it is very important to have police officers that are in tune to the community and helpful to the community. We don't need someone who goes half off and crazy. His family was attacked by this officer and they are here to also speak. His house was broken into and his kids were abused by Officer Barry. After Officer Barry told them to go into the house, then they broke the door down. He's very concerned that a community as small as Walden doesn't need this kind of reputation. Its unfortunate that it happen, there was absolutely no call for it to happen. If you read the paper it said his kids were drunk and disorderly. His kids were not drunk or disorderly. He has a student here that is going to college next year, he never has taken a

drink. His other son has never taken a drink. He's had problems with his two older sons. They were singled out. When Officer Barry got his kids to the police station he said when your father comes we will have him arrested too. This is not the kind of officer we need on the police force. The board is in charge of this. They came to state their opinion about him being on the police force. He doesn't think its a good idea. When he went to bail his children out he was told that he has to have \$150.00 a piece. He had six hundred dollars to bail them out. He said no, I'm not accepting it. He tried to provoke him. He knew the judge was in the background and he asked to speak to the judge. The judge called him over and said you better take the \$600.00. This man deliberately harassed his family. His family was in the paper and he's not happy about it. He's here to suggest that this officer be scrutinized by the board and not allowed to be a full time police officer, because its our community who suffers when there is a bad cop in the community. He would like to have his children speak to the board and tell the board what happened.

Mayor Uszenski stated that the board does not hire or fire anybody. He asked if Mr. Stalley has talked to the chief?

Mr. Stalley stated no. His attorney advised him to come here tonight and speak to the board, because they feel the board does have some pull. He doesn't get along too well with the Chief of Police or he doesn't seem to get along with his family. He's never had any problems himself and he never causes any problems. His two younger children never cause any problems. He's had an incident with his son when he drove his go-cart on the road, that was a problem. These kids did not have to be smashed up against the brick wall after the officers broke through the door. After arresting his son and turning him around and macing him with pepper. Just the night before at 3:00 A.M. they called the police, there was a women trying to drive over the curb trying to hit the kids. Nobody got arrested. Those kids were drinking, my kids were not drinking. This officer does not like my sons, but that is no reason to cause a commotion and start something. All of his sons ended up in the hospital.

Mayor Uszenski stated that Mr. Stalley presented one side of the story and if the officer was here there would be a second side of the story.

Daniel Stalley, 1-5 Orange Avenue stated that last Sunday, January 15th a lady came into his house and said that his brother got arrested. He walked outside and he goes over to ask the officer what happened. Deanna Mary is on top of the car and the officer tells him to get away. Next the officer calls for back-up. Two minutes later eight cops show up at their house. The officer gets on his case and tells him to go back inside his door. Him and his brother, Daniel Stalley, go back inside and shut the door. Rich Wright was out there yelling and screaming at the cops because he knew what the officer did was wrong. He didn't want him to get arrested, there were a lot of people out there. Him and his younger brother went outside and grabbed Rich and put him in their door. When they went to shut the door, all of a sudden

the officers were at his door. He goes to shut the door and the officer says that's it and starts kicking the door. He went to shut the door because he was nervous and couldn't believe what was happening. Eventually the officers get in and throw them on the ground, ran right over us, took all three and put us up against the wall, handcuffed us and brought us outside, throw us on the car, and smashed his brothers head into the car, because he dropped his hat and he wanted to get his hat. The officers had no idea what was going on, the eight officers that came for this one cop. I'm a good kid I don't start trouble, but the way they handled this was wrong.

Dennis Stalley, 1-5 Orange Avenue stated that some lady came to their house and she told them what was happening to their brother and girlfriend. They went outside to see what was going on and they saw the cops. There was a lot of people coming out in the street. There were a lot of witnesses. He told everybody to go inside. Him and his brother went inside. Rich Wright told the cops that he saw what happened and what they did was wrong. They were arguing. Him and his brother went down, grabbed Rich and brought him inside. They told them to stay inside. They went inside and closed the door and they started kicking the door in. They broke the door down and took him and hit his head up against the wall. He's sixteen years old and he can't see what a sixteen year old can do. He wasn't doing anything wrong. They handcuffed him, his brother and Rich and brought them out to the car. They put him up against the cop car and his hat fell. When he went to go get his hat they smashed his head against the cop car and they were arrested. He doesn't think that is right.

When he was at the cop station, he was released on his own and they told him when he sees his father tell him not to come around here because they were looking to arrest him too.

Dennis Stalley, 1-5 Orange Avenue, stated that the night of January 15th he was coming up on the side of his fathers building, the Fowler Building. He was walking up the steps and there was a gentleman who had a twelve pack of beer at the bottom of the stairs. He seen the cops coming, they came down to the bottom of the stairs and they said they were going to take the beer. The guy that had the beer had a closed twelve pack of beer. The top might have been open, but there were no open containers. He was walking through and they were going to take his beer and he started saying why are you going to take the beer, and Mr. Stalley said he didn't think they should take the mans beer and he was told to go home. He proceeded up the stairs and when he got to the top of the stairs and made a left, he was halfway to his door and Officer Shawn Barry grabbed him by the arm and sprayed him in the face and pushed him off the curb. He fell face down and the officer stomp on his leg and jumped on his back. They handcuffed him and told him to stop resisting. He was face down, there was no way he could see anything. There was no way possible that he could try and resist arrest. He doesn't know who pushed him after he was sprayed. Richard Wright seen him and then they arrested him because he said he seen what they did to him. So they took him in because he said that wasn't right what you did to Dennis. He didn't do anything wrong, you told him to

go to the house. They ended up taking him in because he seen what happened. There was many people on the street that seen what happened. We will bring all these people in when we go to court. There was a guy who is a professional photographer who was walking down the street and his little brothers friend ran in and got film and the man took pictures of all this. They are trying to contact this person to get the pictures. He doesn't think it had to be as excessive as it was. He doesn't know why he's trying to be a high powered cop. He doesn't have to be that high strung because the man had a twelve pack on the steps. The five of them got arrested and the man he came for in the beginning ended up going home to drink his twelve pack while they sat in jail with bail of \$150.00 each.

Richard Wright, 91 Ulster Avenue stated that he doesn't want to talk about the incident. He would like to talk about the conduct of Shawn J. Barry. As far as they are concerned he over did what he did. He is a cop and he has laws that he has to follow. He has the right to enforce laws. He feels he pushed these laws a little too far. He was very excessive, he was very mouthy. The officer told them not to use fowl language on the street. If he can use it why can't they. He feels these officers are pushing their authority too far. Look into what can be done about this and weed out what shouldn't be here. Everyone wants a safe community.

Mayor Uszenski asked the manager what kind of review and follow up would be done on an incident like this.

Manager Kelly stated that a complaint would be filed with the police department and the chief would follow up. The complaints are usually in writing. He is not aware of what they are speaking to, other then reading it in the paper. He will review it with the chief. There have been no appointments made or any interviews to date. Their comments will be taken into consideration.

Mr. Wright stated that he has filed complaints with the police department and they went no where.

Mayor Uszenski stated that Mr. Wright could also ask to meet with the chief to find out why something did or didn't happen. Since this is a personnel issue it will be reviewed privately. As far as hiring the chief and manager review together and the manager hires. The manager will report back to the board after he and the chief review this.

Manager Kelly advised Mr. Wright that a record should be on file with the chief regarding the incident and he will speak to the chief and review the tape. The chief will then interview the officer involved.

Larry Sager, 78 Orchard Street asked if the board is saying that the public shouldn't come in and ask about village business during public portion?

Mayor Uszenski stated that the first thing he said is he didn't want to

eliminate it. Sometimes public portion takes too long. Sometimes people repeat things many many times.

Mr. Sager asked who does the board serve?

Mayor Uszenski stated that they serve the public. Part of their job is to conduct the board's business.

Mr. Sager asked don't you think we have the right to a public portion of whatever we want to discuss?

Mayor Uszenski stated yes, as long as it deals with the board.

Trustee Besdesky stated that if someone has a question that deals with the budget, you would talk to the manager during the day.

Mr. Sager asked, why shouldn't people know what is going on. He feels he's part of the reason this was brought out.

Trustee Besdesky stated that he comes here as an elected trustee and he wants the time that they have to deliberate to be used by the trustees. When there is a public portion he's not going to say it has to be three minutes or five minutes. As far as the time they deliberate issues on the agenda, he wants just the trustees to do it.

Mr. Sager asked how the investigation of illegal conversions is going? Its been a year now and it seems like its died.

Mayor Uszenski stated that its not a dead issue. Other things have come up in its place that have been more important, such as law suits.

Manager Kelly stated that what is happening is there will be no title transfer if there is an uncertain condition. The last two cases have gone in front of the zoning board. The list is down to seventeen. The property record cards from 1975 eliminated everything that was on the original list.

JoAnne Clifford, 171 Walnut Street asked about the plowing at the fire house. If the village goes in and plows it and it is plowed toward the Conrail tracks, will that run down to the tracks and unseat them?

Mayor Uszenski stated that there is a hold harmless clause and the agreement has been signed with that clause in it.

Mrs. Clifford asked if there was any action taken against the situation that happened at the last board meeting between Trustee Garcia and Mr. Sager, or will there be?

Mayor Uszenski stated that there is nobody in charge of anybody else here. Each of us are elected by the public. He is not Mr. Garcia's boss or Trustee Ozman's or Trustee McGuckin's or anybody elses. That meeting got a little bit out of hand and for that he apologized.

water and overflowed. That water was tap water that was going down to the basement. When the water was leaking the second time that was because of the bucket and it had nothing to do while the abatement was going on.

ASBESTOS ABATEMENT

Manager Kelly stated that the asbestos abatement for the first three phases was completed on Friday. They are done until the spring when the stairwell needs to be put into the police department. The bids for the renovations are returnable on February 21st.

CORRESPONDENCE - RECREATION COORDINATOR'S LETTER-

Trustee Ozman stated that the recreation coordinator asked that his (attached) letter be made part of the minutes for this evening. The letter represents a rebuttal to statements that were made to the board during the last meeting regarding the In-Line roller blading at Wooster's Grove.

Manager Kelly stated that there is nothing that says they cannot continue to use the facility for their pick up games. They can't use it now because its being used for ice skating. Its their intent to be more organized and provide instructional league, but they can't do that without the insurances.

REPORTS-COMMITTEE

Trustee Garcia stated that the trees on Walnut Street sidewalks still need to be trimmed.

Manager Kelly stated these are private property trees. He will find out if correspondence has been sent to the owner.

Trustee Ryan asked for an update of the roof at the sewer plant?

Manager Kelly stated that its not been done yet. Ray Cox has been on vacation and he will do it when he gets back. The tarp has been holding and there's been no further leaking. There was a problem with the person who was to do the tarring. Everytime he's tried to schedule it the weather has not cooperated.

Trustee Ryan stated that there is a large advertising tent at the circus site.

Mr. Raymondo stated that he asked about that tent and was told they were training on how to put the tent up and down. The tent was donated to them by the Marlboro Company.

Trustee Ryan stated that there is a new income tax man on the corner of Main and Scofield Streets and there are signs facing every direction. How does that fit into our ordinance?

Sometimes things do get out of order and that is why the public portion item was put on as a discussion item, to try and bring things in line.

Doug Vantran stated that he's been at meetings and he knows there has to be some sort of regulations, because it does get out of hand. The biggest problem is one hundred people speaking to the same issue. He feels its important to keep the public portion at 8:00 P.M. Historically its been at that time and most people that attend meetings realize that if you want to address the board eight o'clock is the time.

Larry Sager asked what he did out of hand to deserve what he got?

Mayor Uszenski stated that he didn't say he did anything out of hand. He said sometimes the public portions get out of hand. They get too long and too many people are speaking at one time. It wasn't directed toward Mr. Sager.

Mr. Sager asked who the clerk of the works is for the asbestos removal?

Mayor Uszenski stated that the village hired a project manager, Advanced Testing.

Mr. Sager asked if they monitored leaving the building?
Was the building inspected?

Manager Kelly stated that the process was, the air samples cleared and they were then allowed to take down the containment area. That is the procedure that is followed.

The building was inspected and Friday night was when they were given their clearance. They cleaned up Friday night and were in again on Saturday. Monday there was a walk through. Everyday the work proceeded Advanced Testing was there doing air sampling and monitoring.

Bob Clifford, 171 Walnut Street stated that Saturday night at 7:30 the second and third floor of the municipal building the lights were on and the garage door was wide open with the radiators cooking. There was a load of lumber laying up against the radiators. He walked in the building unnoticed by anybody. At the last meeting it was stated that water ran down the walls during the original abatement and got into the cracks of the floors. If water ran down the walls and got into the cracks of the flooring, that had asbestos in it and when it dries it will be fryable again. Has anything been done to clean the floors up?

Manager Kelly stated that the water was a slight drip. It happened early in the project before the poly was put on the floor. In the original variance there was no requirement for poly. When the variance was reissued it required poly be placed on the floor. He's not sure whether it was water for prep before they started to abate. Part of it was, they had a bucket that they had the garden hose in and it was leaking and they put a big bag around it. After the job was shut down they left the bucket in the closet for a week. The bag filled up with

Mayor Uszenski stated that the building inspector will check that out.

EXECUTIVE SESSION

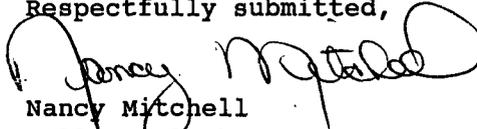
Trustee Besdesky moved to hold an Executive Session pursuant to 105-(d) of the Public Officers Law. Seconded by Trustee Garcia. All ayes. Motion carried.

Trustee Garcia moved to reconvene the regular meeting. Seconded by Trustee McGuckin. All ayes. Motion carried.

ADJOURNMENT

Trustee Ozman moved to adjourn. Seconded by Trustee Ryan. All ayes. Motion carried.

Respectfully submitted,



Nancy Mitchell
Village Clerk

January 24, 1995

While reading the draft copy of the minutes of the January 10, 1995 meeting I find some of the comments of John Law, 81 Capron Street and Alex Elia, 5 Walden Estates to be inaccurate and incomplete. These comments were responded to by Village Manager John Kelly and Trustee Raynard Ozman. I would also like to comment.

John Law, Alex Elia and others interested in roller hockey/in-line skating came to the Nov. 21, 1994 Park and Recreation Committee meeting. The committee asked that I call our insurance agent and report at the Dec. 19, 1994 meeting.

At the Dec. 19, 1994 meeting only John Law attended. I reported the following:

Our insurance agent has been consulted. He has advised us not to organize street hockey/ in-line skating as a village recreation activity. Our liability insurance would increase. We would have to install a perimeter barrier, require personal protective equipment to be worn and not have travelling teams.

We have other projects committed to development. Currently we must build a new road at Woosters Grove because a new building is going to be constructed. We are also committed to work on drainage on the girls' softball field at Bradley Park. At the present time there is nothing in the budget for supervision or equipment for a street hockey/ in-line skating program.

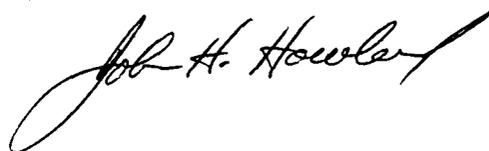
The present rink/basketball court at Woosters Grove is presently used by ice skaters, basketball players and teen center participants. Because this activity would require permanent barriers that would destroy the rink surface and exclude other activity, a separate facility would be required.

Of the 56 names on the roster presented at the Nov. 21, 1994 Park and Recreation Committee meeting 23 of the 57 have phone numbers with other than the 778 prefix and these are definitely not village residents. There are no girls on the list.

Furthermore they were not told they were not allowed to play there. They were told that there was no money or proper facility to allow the village or a private organization to use for street hockey/ in-line skating. It was only suggested that they look at some commercial property or that they go to the Town of Montgomery since many town residents were involved. The committee nor I ever objected to street hockey/in-line skating in an unorganized manner. Because teams would meet in a more organized manner advice was given cautiously. Mr. Law was told that by the end of that week, Dec. 23, 1994, the rink would be flooded for ice skating.

The most recent roster of 70 participants, all male, presented Dec. 21, 1994 had at least 30 living outside the village.

I have again contacted John Melby, our insurance agent, for the exact figures if we run the program or it is run by an outside organization. I also asked him to give me in writing all requirements in both scenarios for players and the site.



JANUARY BILL LIST - JANUARY 24, 1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-827	ADVANCE TESTING COMPANY, INC.	11,728.50
A-828	AMSTERDAM PRINTING	42.27
A-829	AMTHOR'S WELDING	20.30
A-830	CALVET TOOL RENTAL	135.00
A-831	CAPITOL HIGHWAY MATERIALS, INC.	133.78
A-832	COUNTRY HARDWARE	64.00
A-833	DELONG	8.50
A-834	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	65.50
A-835	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	416.50
A-836	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	147.15
A-837	HERMAN RALPH CO., INC,	227.11
A-838	HUDSON VALLEY ASPHALT	173.71
A-839	LAB SAFETY SUPPLY, INC.	439.38
A-840	LYNCH MICHAEL	14.25
A-841	MATTHEW BENDER	117.50
A-842	MID HUDSON OFFICE SUPPLY	51.67
A-843	McBEE SYSTEM	304.91
A-844	NY TECH SUPPLY	41.85
A-845	NY COMMUNICATIONS CO., INC.	120.00
A-846	PAGE NY	61.00
A-847	PITNEY BOWES	8.00
A-848	REARDON JOHN AGENCY	1,204.65
A-849	SARJO INDUSTRIES	66.02
A-850	SARJO INDUSTRIES	98.72
A-851	STAR GLASS WORKS CO., INC.	19.25
A-852	TIMES HERALD RECORD	87.12
A-853	TIMES HERALD RECORD	155.52
A-854	TIMES HERALD RECORD	41.04
A-855	MID HUDSON OFFICE SUPPLY	149.00
A-856	THRUWAY SHOPPING CENTER	49.95
A-857	THRUWAY SHOPPING CENTER	33.94
A-858	THRUWAY SPORTING GOODS	35.84
A-859	WALDEN AUTO SUPPLY	19.78
A-860	WALDEN AUTO SUPPLY	39.45
A-861	WICKES LUMBER	2.39
A-862	WICKES LUMBER	132.96
A-863	WILLIAMSON LAW BOOK CO.	41.34
A-864	WEINERT'S T SHIRTS, INC.	1,201.75
A-865	GENERAL CODE PUBLISHERS	307.37
A-866	COUNTRY HARDWARE	259.53
A-867	WEST PUBLISHING CO.	232.00
A-868	WALDEN AUTO SUPPLY	52.06
A-869	LIEBMAN & HURWITZ	6,500.00
A-870	INDUSTRIES FOR THE BLIND OF NYS	75.44
A-871	DANIELS AGENCY	3,250.00
		<u>28,376.00</u>
A-872	CAPITAL SAFETY, INC.	15,843.34
A-873	OLIVER'S RESTAURANT	60.00
		<u>44,279.34</u>
		<u>132.96</u>
		44,146.38

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JANUARY BILL LIST - JANUARY 24,1995

WATER FUND

<u>VOUCHER #</u>	<u>VENDOR</u>	<u>AMOUNT</u>
F-81	COUNTRY HARDWARE	158.63
F-82	DUSO CHEMICAL CO.,INC.	516.00
F-83	ORANGE COUNTY DAIRY LABORATORY	30.00
F-84	PAGE NY	16.00
F-85	RAMSCO	2,110.00
F-86	RAMSCO	2,820.00
F-87	ZYCHOWICZ WALTER	11.37
		<u>5,662.00</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
G-126	COUNTRY HARDWARE	92.06
G-127	ENVIROTEST LABORATORIES	465.00
G-128	F G ELECTRIC MOTORS	3,795.00
G-129	GRAPHIC CONTROLS	43.60
G-130	PAGE NY	16.00
G-131	R.L. STONE	310.64
G-132	WALDEN PLUMBING & HEATING	79.95
G-133	ZYCHOWICZ WALTER	11.38
		<u>4,813.63</u>

JANUARY BILL LIST - JANUARY 24, 1995

CAPITAL ACCOUNTS

CAPITAL ACCOUNT #53 SIGNS & SIDEWALKS	EXPANDED SUPPLY PRODUCTS, INC	137.79
CAPITAL ACCOUNT #53 SIGNS & SIDEWALKS	WICKES LUMBER	39.38
CAPITAL ACCOUNT #37 ROAD PROGRAM	RECLAMATION INC. OF KINGSTON	10,615.00
CAPITAL ACCOUNT #37 ROAD PROGRAM	RECLAMATION INC. OF KINGSTON	4,880.00
CAPITAL ACCOUNT #86 MUNICIPAL PARKING LOT	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	419.73
CAPITAL ACCOUNT #89 UNIVERSITY HEIGHTS	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	250.08
T/A	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	2,700.84
COMMUNITY DEVELOPMENT SMALL CITIES	VALENZA CONSTRUCTION	500.00
COMMUNITY DEVELOPMENT SMALL CITIES	VERNOL PLUMBING HEATING	4,420.00
COMMUNITY DEVELOPMENT SMALL CITIES 93	SIA CONSTRUCTION	1,769.00
COMMUNITY DEVELOPMENT SMALL CITIES 92	KERRAN BARNES ASSOCIATES	542.50
COMMUNITY DEVELOPMENT SMALL CITIES 93	KERRAN BARNES ASSOCIATES	3,797.50
COMMUNITY DEVELOPMENT SMALL CITIES 92	GAINER-WILBUR CONSULTING ENGINEERS, P.C.	124.00
COMMUNITY DEVELOPMENT	SACCARDI & SCHIFF, INC	650.00
COMMUNITY DEVELOPMENT SMALL CITIES 91	LJM	200.00
COMMUNITY DEVELOPMENT SMALL CITIES 93	RAY COX	2,550.00

JANUARY BILL LIST - JANUARY 24, 1995

PREPAID BILLS

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	FRONTIER COMMUNICATIONS	534.12
	FRONTIER COMMUNICATIONS	397.19
	FRONTIER COMMUNICATIONS	152.76
	NYSEG	610.04
	NYSEG	6,682.35
	OR CO.SANITARY LANDFILL	533.80
	POSTMASTER	600.00
	RAD OIL CO	256.96
	SAM E. FAST & SON, INC.	275.18
	SAM E. FAST & SON, INC.	713.94
	SAM E. FAST & SON, INC.	1,110.01
	SAM E. FAST & SON, INC.	205.48
	SAM E. FAST & SON, INC.	190.54
	WAREX TERMINALS CORP	586.24
		<u>12,848.61</u>

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	AGWAY ENERGY PRODUCTS	9.42
	CENTRAL HUDSON	560.11
	FRONTIER COMMUNICATIONS	5.15
	FRONTIER COMMUNICATIONS	146.08
	NYSEG	2,607.72
	POSTMASTER	72.75
	SAM E. FAST & SON, INC.	87.60
		<u>3,488.83</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	FRONTIER COMMUNICATIONS	60.61
	NYSEG	206.22
	NYSEG	4,839.45
	POSTMASTER	72.75
	RAD OIL CO., INC.	367.86
	RAD OIL CO., INC.	429.17
		<u>5,976.06</u>

APPROVED

VILLAGE OF WALDEN
BOARD OF TRUSTEES
SPECIAL MEETING
JANUARY 17, 1995

Mayor Andrew Uszenski called the special meeting to order at 7:00 P.M.

On roll call the following were:

Present: Mayor Andrew Uszenski
Trustees John McGuckin
Antonio Garcia
Chris Forman
Raynard Ozman
John Ryan

Absent: Trustee Martin Besdesky

Also Present: John Kelly, Village Manager

Chief Holmes reviewed attached agenda.

NYCOMCO provided proposal and review of equipment for new dispatching control center.

Review proposal for security system.

Following discussion of Police Department, on motion by Trustee Ryan, the board moved to retain Sacardi and Schiff to undertake the preparation and submission of our 1995 Small Cities application at a cost of \$12,500 and a request should be made of HUD to reconsider our 1992 program status and the PAR requirements in light of the program amendment approved in July 1994. Should the application be denied for 1995, the application can be re-submitted in 1996 using the information gathered for the 1995 application. Seconded by Trustee McGuckin. All ayes. Motion carried.

ADJOURNMENT

Trustee Ozman moved to adjourn. Seconded by Trustee Garcia. All ayes. Meeting adjourned at 9:41 P.M.

To: John Kelly, Village Manager

From: Chief J Holmes

Subj: Agenda for Board Meeting January 17, 1995

Date: January 17, 1995

Here is the updated agenda from December 20, 1994.

1. Dispatching
 - A. Brief Update Ambulance Service
 - B. New Construction Plans
NYCOMCO Presentation
 - C. Security System
2. Computer Update
 - A. Overview Existing Usage
 - B. Grant/ Future
3. Accreditation
 - A. Brief Overview
 - B. Where We Are At
 - C. What Needs To be Done
6. Miscellaneous
 - A. Patrol Cars
 - B. D.A.R.E.

SMALL CITIES REVIEW COMMITTEE MEETING
RFP PROPOSALS SMALL CITIES CONSULTING SERVICES

PRESENT: Mayor Andrew Uszenski
Trustees John McGuckin
Antonio Garcia
John Kelly, Village Manager

Mayor Uszenski called the meeting to order at 6:20 P.M.

One proposal was received along with a letter from Shingebiss declining to submit based upon current work load.

Sacardi and Schiff proposal reviewed.
Met all requirements, past performance good, three years of successful applications, awarded funding.

Following review, it was the consensus of the committee to recommend to the full board that award be made conditioned upon our request for HUD to review the village's PAR for 1992 and give consideration to an extension of time to meet the goals due to our program amendment approved July 1994 to move into new target area and the resulting delay we have experienced in meeting our program activity requirements.

Trustee Garcia moved to recommend award be made to Sacardi and Schiff conditioned upon the request for HUD to review the village's PAR for 1992. Seconded by Trustee McGuckin. All ayes. Motion carried.

ADJOURNMENT

Trustee McGuckin moved to adjourn. Seconded by Trustee Garcia. All ayes. Meeting adjourned.

NOTICE OF MEETING

PLEASE TAKE NOTICE that the Walden Board of Trustees will hold a regular meeting on Tuesday, January 10th, 1995 at 7:30 P.M. at the Village Offices, 8 Scofield Street, Walden, New York.

AGENDA

1. PLEDGE/ROLL CALL
2. APPROVAL OF MINUTES
3. BOARD'S BUSINESS
 - A. ACTION ITEMS
 - A.1 Town of Montgomery Ambulance
 - A.2 Resolution No. 17-94-95 Providing For Voter Registration For Election
 - A.3 Resolution No. 18-94-95 Designating Place and Time of Annual Election
 - A.4 Maplebrook Subdivision - Offer of Dedication of Public Improvements
 - A.5 Snow Removal Agreement With Walden Fire District
 - B. DISCUSSION ITEMS
 - B.1 Municipal Building Renovations
 - B.2 FY 1995 Small Cities Grant Application
 - C. INFORMATIONAL ITEMS
 - D. CORRESPONDENCE
 - D.1 Hudson Valley Village Officials Association
 - D.2 American Legion Memorial Day Parade
4. PUBLIC PORTION
5. COMMUNICATIONS
6. REPORTS
7. AUDITED BILLS
 - A. Payment of Audited Bills For January 10th, 1995
8. EXECUTIVE SESSION
9. ADJOURNMENT

APPROVED

VILLAGE OF WALDEN
BOARD OF TRUSTEES MEETING
JANUARY 10, 1995

Mayor Andrew Uszenski called the regular meeting of the Village of Walden Board of Trustees to order at 7:30 P.M.

On roll call the following were:

Present: Mayor Andrew Uszenski
Trustees John McGuckin
Raynard Ozman
Antonio Garcia
Chris Forman
Martin Besdesky
John Ryan

Also Present: John Kelly, Village Manager
Kevin Dowd, Village Attorney

Recording Secretary: Nancy Mitchell, Village Clerk

APPROVAL OF MINUTES

Trustee Ozman moved to adopt the minutes of December 13, 1994 and December 20, 1994. Seconded by Trustee McGuckin. All ayes. Motion carried.

TOWN OF MONTGOMERY AMBULANCE

Lorraine Brown stated that the Ambulance Corp. received the letter from the village dated December 21, 1994 stating that the village will no longer provide dispatching services for them effective January 20, 1995. They feel that is unfair. They weren't aware of any meeting and they feel they should have been invited. They are present tonight to ask for time. You can't move communications in thirty days and get a dispatching service together. They are negotiating with a couple different people. They need at least five or six months to get their dispatching services together. When they asked for money years ago the village manager, Mr. Heacock said the village could not give them any money so they provided the dispatching service. That was the Village of Walden's contribution.

Trustee Ozman stated that he would be in favor of granting the extension on a bi-monthly basis. He would like the minutes reviewed during the tenure of Manager Heacock to see if there is any record of representation to dispatch on behalf of the village.

Trustee Garcia asked what the town had to say at their meeting?

Mayor Uszenski stated that they just listened.

Brian Kenny asked why the action was taken?

Chief Holmes stated that the special board meeting the board had with the police department was to address many issues. The biggest problem is the lack of scheduling. The Ambulance Corp. has given the police department the responsibility to dispatch an ambulance service. The police department has no authority to do anything other than look at who is on the schedule. There isn't enough people on the schedule to dispatch.

Mr. Kenny stated that he has been working on this for two weeks and in that two weeks they have covered about 85% of their calls. He's asking for a little more time to work out a better relationship.

Chief Holmes stated that the biggest issue is the liability falls on the police department. This is a town wide problem. His area of responsibility is the Village of Walden. There has been no improvement over the last year.

There is a protocol set up, but during the past year that protocol has been having problems.

Mr. Kenny stated that in talking with some of the dispatchers some of the problems are people are requesting volunteer service, they're not going to pay for it. Then the dispatchers are calling the Town of Blooming Grove and Town of Newburgh and they cannot respond even if they wanted to. There is no mutual aid agreement.

Chief Holmes stated that's an issue, the responsibility is left up to the police department.

Mr. Kenny stated that they are working on mutual aid agreements. What he wants to set up is up when they put in the tone twice and they can't cover then mobile life is called in. He asked for a little more time and the chance to prove themselves.

Mrs. Brown stated that they tried several times to reach the communications at the police station, through their radios and the radios were turned down or turned off because they were annoying. They found the radios turned off upstairs.

Trustee Ryan stated that it was mentioned that the dispatching was a gift from past village managers. He asked if they knew what year?

Mrs. Brown stated that she doesn't recall the year.

Trustee Ryan asked what it would take to set up dispatching?

Mr. Kenny stated that the tower would have to be removed and all the equipment would have to be moved. Monetarily that will tax them. They

BOARD OF TRUSTEES MEETING
JANUARY 10, 1995-PAGE 3

have spoken to the Orange County Sheriffs' Department and are working on an agreement.

Trustee Garcia stated that he can't see why the town isn't giving any assistance with this. He doesn't see where it's fair for the people of the Village of Walden to pay for all the services of the outside residents.

Mrs. Brown stated that they need help and they need it now.

Trustee McGuckin stated that he feels the village needs to offer the additional time. The fact is the village's dispatch service has not been able to get ambulance coverage. The perception out there is the police are not doing their job. Getting crews together is a major problem.

Mr. Kenny stated that has been in the past and although its much less then it has been its going to be a little bit of a problem for a little while. He would like to work with the police department to reduce their liability.

Mayor Uszenski stated that he feels the ambulance corp. should go on their own, but he also feels the village should give them time to go on their own.

Trustee Ozman moved to give the Walden Ambulance Corp. an extension of time and that the board review the progress on a bi-monthly basis. Seconded by Trustee Besdesky.

Trustee Ryan asked what the ambulances schedule for January was? Do they have all the crews necessary?

Mr. Kenny stated that there is a block during the week, day times, that he is having a problem with, because everybody works. He's trying to work out something for someone to cover them.

Trustee Ryan stated that one of the problems the chief brought up at the meeting was that they were seven days shy of January and the police department still hadn't received a schedule. The crew would call the dispatcher and say they were down on the list, but don't call them, call somebody else. They were rearranging the schedule.

Mr. Kenny stated that is part of the problem he's trying to solve. The last time he heard the police department wanted the schedule one week at a time. If they want it monthly he can give it to them. It has to be understood that sometimes towards the end of the month because of peoples schedules it might appear a little vacant at first, but he'd still be working on it.

Trustee Ryan asked where they have the schedule up to?

Mr. Kenny stated that third week of January. He will have the fourth week to them within a day.

Chief Holmes stated that they want to be able to dispatch.

Trustee Ryan stated that the board needs to review if there was a gift from Mr. Heacock to the ambulance corp. If there was a gift he would not want to renege on it. He would also like to table this until next month and at which time the board can review it again.

Sadie Berrian stated that they were on their own dispatching and it was the village that said we will dispatch you in lieu of money.

Trustee Besdesky suggested that this not be tabled.

Trustee Ryan stated that his reason for tabling is because if the village made a pledge to the ambulance corp. to dispatch, he intends to live up to it.

Mayor Uszenski stated that if the board doesn't do something in the form of a motion, dispatching stops on January 20th.

Trustee Ryan rescinded his tabling motion.

All ayes. Motion carried.

PUBLIC PORTION

JoAnne Clifford asked what the village was paying Mr. Liebman for architectural services for the municipal building?

Manager Kelly stated that his original contract was for \$77,500. Its a flat rate. The way the village arrived at that number was they took the original estimate of \$1,100,000 and took a 7% figure of that. They locked him into a cap for all the work, so there are no extras added. He's doing everything for the project for that number. The \$77,500 is a not to exceed amount. The construction budget was set at \$1,000,000.00 with a \$100,000.00 contingency and that is to cover the cost of the asbestos abatement plus the general construction.

Mrs. Clifford asked why the village is paying Mr. Liebman for asbestos removal when he said there was nothing there?

Manager Kelly stated that the village kept the original \$1,100,000.00 figure and made Mr. Liebman go back and change the design to bring the project, including asbestos abatement, at less than \$1,000,000.00. The major change in the plans that saved money was they reconfigured the third floor offices so that they had to take down less of the existing walls and they changed the layout of the third floor slightly. The other savings was that they made some changes to the heating system. They are not replacing the boiler.

Mrs. Clifford asked if there was a figure on how much Mr. Liebman is volunteering his time for. You're talking forty some thousand dollars for something that wasn't there.

Manager Kelly stated that there is another contract to be signed in the spring with the asbestos abatement contractor to do all of the other removal as the alterations are decided upon. That \$39,400.00 does not cover any additional work. Mr. Liebman did all of the plan layout showing where the asbestos abatement was. He put together the contract document. He's been available by phone as often as necessary. He's not being paid extra for this.

Mrs. Clifford asked where the money was coming from for the asbestos abatement?

Manager Kelly stated that there were two areas that Mr. Liebman saved money on. The original estimate wasn't a complete and thorough breakout of all the different systems that needed to be done. The second time Mr. Liebman came before the board he projected \$882,000 was going to be the cost of the project.

Mrs. Clifford asked if Mr. Liebman was chosen because he was 7% and the other architects were 7.5%? If he's projecting the cost of the project to be \$882,000 and the village is paying him \$77,000, we're paying more than 7%.

Manager Kelly stated that its still \$1,100,000.00 construction. That \$1,100,000 might not be doable, based upon the dates when everything was compiled and the extent of the alternates.

Mrs. Clifford asked if the boiler will remain oil?

Manager Kelly stated that they want to convert to gas.

Larry Sager asked about the architects insurance.

Manager Kelly stated that it was an errors and omissions policy. The village is requiring him to carry the insurance for an additional year.

Mr. Sager stated that Mr. Liebman said that whatever the bids come in, that is what he gets his percentage on.

Manager Kelly stated that Mr. Liebman's agreement says that he has to bring the total cost of the construction in at one million dollars including asbestos abatement plus \$100,000.00 contingency or if he is off by 10% he has to rebid it with no cost to the village.

Mr. Lamancuso asked if it was stated that Mr. Liebman was pointing out all the asbestos areas in the building?

Manager Kelly stated that Mr. Liebman did all the contract documents and plans and specs. He worked with Advanced Testing to locate where

all the abatement was.

Greg Raymondo asked if Conrail was going to be contacted about the railroad crossings in the village?

Manager Kelly stated that Conrail has not responded to the villages request.

Mr. Raymondo asked that the snow removal agreement for the fire district be explained to him?

Manager Kelly stated that there is a contract in front of the board for consideration which would have the Village of Walden DPW salt, sand and plow in the area of the garage bays. There is an emergency parking area that would also have to be cleared. That is in the interest of public safety. They will pay for that service.

Mr. Raymondo asked if the village would have to hire extra employees for this?

Manager Kelly stated no.

Mr. Raymondo stated that he was happy to see the Chief of Police at the meeting. He would like to see the DPW Superintendent at the meetings.

Larry Sager asked why the lights are on on the third floor of the municipal building and doors are left open.

Chief Holmes stated that the third floor was off limits to them. They couldn't go up there and turn off the lights.

Manager Kelly stated that the light panel on the third floor is in a full containment area and while they are working all the electric has to be turned off and they have to do the work by flashlight. There have been times where they have failed to turn the lights off, but they are suppose to turn them off when they leave. He will speak to the contractor about turning the lights off and make sure the building is secure.

John Law, 81 Capron Street stated that back in September he presented to the board that street roller hockey be played at Wooster's Grove. The point was made to see how many people would be interested in playing. They ran pick-up games every Saturday during the month of October, November and the first week in December. They have over seventy five kids who came down to play. The parks and recreation committee felt that this was a good idea. This past recreation meeting John Howland said they were no longer permitted to play at Wooster's Grove. He cited reasons of not putting up barriers and that there weren't any girls registered. He advised Mr. Howland that girls were playing, but they weren't registered. They were interested, but not ready to come down and play in mass. Mr. Howland talked about them not having traveling teams. The main concern was the high rate of

insurance that would over burden the village. Mr. Law thought that was answered. When they would become N.I.H.A. members they would have liability insurance of two million and one million dollars. Then each player that signed up would become a member of N.I.H.A. and they would pay a minimum of \$25.00 registration fee and they would have medical coverage. Mr. Howland's response to them after December was you're not allowed to play here, go to the Town of Montgomery and find another site.

Alex Elia, 5 Walden Estates stated that on November 21st they proposed a program to the recreation committee and asked them to respond to their proposal. On December 21st John Howland came back to them with his response. He said that they could not play roller hockey, that the village would not support such a program, that there was not enough money in the village budget. Mr. Elia asked that provisions for next years budget be made to support a program. Mr. Howland said he could not do that. Mr. Howland is adamant about supporting a program that includes children from outside the village. He's a basketball coach and there are children from outside the village in that program. He asked about there not being enough money to cover the increase of premiums for the liability insurance that need to be paid out to cover the children that would be playing roller hockey at Wooster's Grove. You have children ice skating and playing basketball there. Last Thursday he was at Wooster's Grove and there was fifteen children playing ice hockey, unsupervised or checking where these children were from.

Manager Kelly stated that the issue of the liability was raised with the village's carrier and the issue of liability comes into play when the Village of Walden makes the improvements to that facility to support the hockey program as a village run program. The village's liability goes up because now we have a facility specifically for that sport. We are then rated as having that facility. When we run a passive recreation program, or an unorganized sport, there is no increase in the village's liability. That is why they were advised that they could not run an organized program without insurance. The only way they could get insurance is if the Village of Walden or whoever makes the necessary improvements. There is no money in the village budget this year to do that. John Howland does not make the recreation budget. The recreation advisory committee has a capital improvements program that they as a committee review all the projects and make their recommendations to the village and to the manager to be put into next years budget, which would rank the programs that they would like to proceed with in the order in which they have a priority. The roller hockey program if it is supported by the recreation committee would have to fit into their overall plan for the Village of Walden. Mr. Howland cannot sit there and tell you yes we will have \$4,000 in next years budget to buy all the barriers you need. It was his understanding that it was not John Howland that told you no, it was the recreation committee who advised them to find another facility. As far as the residents, the basketball program was curtailed this year because of numbers. The non residents were able to come in after the

residents had a chance to register and they pay an additional amount to participate. The committees concern was that if 50% of the 75 kids live outside the Village of Walden we are back to the scenario as we have been, the Village of Walden provides recreation for everybody in the Town of Montgomery, but the Town of Montgomery does not support the Village of Walden recreation. The issue here is a capital investment by the Village of Walden for residents of the Town of Montgomery are supported by the taxpayers of the Village of Walden and there is an inequity there.

Mr. Elia asked the recreation committee to make provisions to have money allocated in next years budget for the roller hockey program and that was turned down by the whole committee. He would like that on the list.

Manager Kelly stated that they would need modifications to that facility, which will limit its ability to be used as a basketball facility and ice skating. The manager asked how they proposed to break down and set up?

Mr. Law stated that they are looking at safety barriers, boards around the perimeter of the surface.

Manager Kelly stated that the entire outside of the rink is perforated pipe to drain the water to the Tinbrook.

Mr. Law stated that the barrier would be angled away. They have a cost of \$6800.00.

Trustee Ryan stated that once the rink is built it becomes the property of the Village of Walden.

Mr. Law stated that its his understanding that they won't be able to do in the spring what they did in the fall.

Trustee Ozman stated that the committee as a whole did not object to the sport in an unorganized fashion, but the way the questions were leading it seemed apparent that teams would meet in more than an organized fashion. The committee used caution in the advice they gave out. He doesn't feel anything has changed. The comment might have come about because of the winter program with the ice on the rink.

Trustee Garcia suggested they use the old basketball courts at Bradley Field.

Manager Kelly stated that site has major problems. To build a facility you could be looking at \$30,000 to \$40,000.

Mayor Uszenski suggested they organize a fund raiser.

Mr. Sager asked if the village received a petition from Hill Street residents?

Mayor Uszenski stated yes, to keep both bridges open.

Mr. Sager asked if the new estimate has come in for the value of the village?

Manager Kelly stated that the town roll was filed last June.

Mr. Sager asked what the difference between the town roll and what figure the village used for the budget was?

Manager Kelly stated that the villages used the final town roll when the budget is put together. We only had the one roll from June of 1993, which was the final roll, so there was no change. The village picked up \$600,000 in terms of additional assessments.

Mr. Sager asked about the article in the paper regarding the police officer grant. That only pays \$75,000 for a minimum of three years, so that means that the average tax payer is going to have to come up with \$22,000 for each year.

Chief Holmes stated that the maximum that the federal government will be up to \$75,000. The second and third year it goes down. It won't cost anything because the department is working short an officer already. Its in the budget already.

Bob Lamancuso asked how much it costs to operate the ski lift, minus the insurance cost?

Manager Kelly stated that without the insurance its approximately \$4500.00.

Mr. Lamancuso stated that the insurance cost next year will be \$6500.00.

Manager Kelly stated that because the insurance company that provides our general insurance is affiliated with the company that specifically writes ski tow insurance they are giving the village credit on the amount they feel they are already insuring the hill for under our general policy and charging the village the difference. That is how we went from \$6500.00 to \$3200.00.

Mr. Lamancuso asked if that was acceptable for this year only?

Manager Kelly stated that he was told that will hold for next year too.

Mr. Lamancuso stated that if the village has to go to a cost of \$6500 to insure the ski hill and we're going to run a ball park figure of \$5000.00 to operate the ski program. That comes to \$100. per person to ski on the hill. He doesn't feel its fair for the village taxpayers to pay such a premium for the pleasure of so few.

Mayor Uszenski stated that the board will look at that at budget time.

Mr. Lamancuso stated that he feels the village should charge a sufficient amount to try and recoup the cost of running the ski slope.

RESOLUTION NO. 17-94-95, PROVIDING FOR VOTER REGISTRATION FOR THE 1995 ELECTION

Trustee Ozman moved to adopt Resolution No. 17-94-95, Providing for Voter Registration for the 1995 Election, (attached). Seconded by Trustee Forman. All ayes. Motion carried.

RESOLUTION NO. 18-94-95, DESIGNATING PLACE AND TIME OF ANNUAL ELECTION

Trustee Besdesky moved to adopt Resolution No. 18-94-95, Designating Place and Time of Annual Election. Seconded by Trustee Garcia. All ayes. Motion carried.

MAPLEBROOK SUBDIVISION - OFFER OF DEDICATION OF PUBLIC IMPROVEMENTS

Mr. Dowd stated that there is a letter from the engineer and planning board chairman regarding the Maplebrook Subdivision. Maplebrook wants to offer for dedication three streets within their subdivision. Approximately 90% of all the public improvements are complete. The three streets and all the public improvements that are involved with those streets are complete to the satisfaction of everyone. Mr. Dowd said to the planning board that he has no problem with the village accepting three of the five streets in the subdivision providing that that the appropriate maintenance bond is in effect and that the maintenance bond will be in effect to allow future lots off those streets to be developed and if there was any problem with those streets that the maintenance bond would cover them. One street has one lot that needs to be developed. His concern is that if the village was to accept that street and the maintenance bond period which would run and then they come in after that one year period to develop that lot and they bring a bull dozer in and rip up the blacktop, who is going to pay for it? The attorney told them that he wants one of two things in effect, either a separate developers agreement, which would bind them beyond the maintenance period to repair all damage done by them through their negligence in developing the lots or to keep the maintenance bond in effect for as long as all the public improvements are still outstanding. Until they finish the last two or three streets and offer them for dedication and are acceptable to the village and for an official one year period after that, that maintenance bond will stay in effect for all of those lots. They seem to be agreeable to all those terms. The only thing the attorney doesn't have in his possession right now are the official documents with all the official metes and bounds descriptions for the roads the village could approve. He also needs a title report. The bond is \$143,800 and the remaining public improvements and streets are valued at \$134,000 by the village engineer. You are lowering the existing performance bond to a maintenance bond for at least one year for the accepted streets and

setting a new performance bond at \$134,000 for the rest of the improvements and other streets.

Trustee Garcia asked how does the village get stuck on every one of our projects that they've had in this community everytime they reduce the bonds. The engineer has gone over it, the public works superintendent has gone over it and the village manager was involved with it and yet the village ends up with a bill.

Mr. Dowd stated that when all communities take dedication they want a 10% maintenance bond on public improvements. The village will be setting that at \$143,800, but then you now have three streets that are 90% complete. The engineer has come up with what it would cost to finish those three streets at \$134,000, which would mean you would be reducing the existing bond which is \$500,000 down to \$134,000 performance, \$143,000 maintenance and the rest would go back to the developer.

Trustee Ozman stated that the board has said on a number of occasions that we are not going to allow ourselves to be in this position again. He would like to see a higher contingency placed starting with this project.

Mr. Dowd stated that the board also has the option of not accepting any streets until all the streets are complete and ready for dedication.

Trustee Ryan stated that he'd like to elongate the maintenance bond. The performance bond, those are today's numbers, maybe what they should do is have all the streets put in, have them invest all their money and get it into a maintenance bond where its one year past when the final street is built. His recommendation would be to accept 50% of the performance bond, leaving the rest in tact, and to accept 10% of the maintenance bond.

Manager Kelly stated that the 10% is set by the village code. The maintenance bond can only be for one year.

Trustee Ozman stated that would be with the performance bond being at half of the remaining \$500,000.00.

It was the consensus of the board to cut the performance bond in half and in addition post \$143,000 maintenance bond and to table this until all the appropriate documents, deeds, and title insurance is received to the satisfaction of the attorney.

SNOW REMOVAL AGREEMENT WITH WALDEN FIRE DISTRICT

Manager Kelly stated that the agreement specifically states that the village is not going to do anything other than what is required for access to the emergency vehicles.

Trustee Ozman moved to authorize the manager to sign the snow removal

agreement with the Walden Fire District adding to page two, and the designated emergency parking area on the east side of the building, including a hold harmless clause. Seconded by Trustee McGuckin. All ayes. Motion carried.

AMBULANCE CORP. SNOW REMOVAL AGREEMENT

Trustee Ozman moved to authorize the manager to sign a similar snow removal agreement with the Ambulance Corp. for snow removal, for time and materials. Seconded by Trustee McGuckin. All ayes. Motion carried.

Trustee Ryan asked that the ambulance corp. be notified.

MUNICIPAL BUILDING RENOVATIONS

Manager Kelly stated that he's given the board members a copy of the advertisement for bids for the municipal building renovations. The legal notice will appear in the newspaper tomorrow. The manager further stated that there is an alternate under mechanical on the second page. He has instructed the architect that they cannot be put in as alternates. They were promised as part of the base bid, which is the air conditioner in the assembly room on the third floor and the meeting room on the third floor. They will be taken out as alternates.

Trustee Ryan asked if the advertisement can be changed? He'd like to change the bid guarantee from 5% to 10%. He would also like to change the cost of the documents to \$150.00 per set.

Manager Kelly stated that this is the standard language that is used for all the contracts. The only thing different is the cost of the documents because we want to be reimbursed for our cost. The advertisement has already gone to the paper and it is comprised of several areas of the contract advising the bidders as to what they have to provide. To change that now you would have to pull the whole contract back and change each of those sections and then send it back to the printer. Twenty five sets are being printed now.

Trustee Ryan stated that his thought is to make sure that the contractors that come forward are serious and have the resolve to see it all the way through. He's not trying to take the smaller contractor out.

ASBESTOS PROJECT

Manager Kelly provided the board with copies of letters from the contractor. Asbestos abatement is not going to plan. The contractor has consistently understaffed the job. He is required to be done by next Friday and he may not be. There is a change order that he has submitted. When the labor department shut the job down and reissued the variance they put a requirement in there that the floors be polyed, whereas before they were not required to be. The contractor has

submitted a change order in the amount of \$2,000.00 to cover the cost of the additional material and supplies as well as a request for additional time of four work days or six calendar days. The manager will not grant him an extension of time because he has understaffed the job.

Manager Kelly further stated that when Capital Safety started the work they removed the wall plaster by saturating it with water and then removing it to make sure the material does not become friable. When they were doing that the library was having water leaks. By putting the poly on the floor that will be minimized. The village did encounter a major problem last Friday after the contractor had taken the containment area down and the village was able to do an inspection. It was found that they had not abated any of the walls correctly. He had not followed the specifications in removing the wall plaster to the mid point of the adjacent stud, which would have left a wall that was both stable with a clean straight edge so that when the general construction starts in the spring they can butt up against the abatement work with new sheet rock walls and have a clean surface. They also missed a wall where the elevator shaft was going. Now they have to cut a hole in the floor to go from the second story to the third story in the area where the elevator shaft is going. The contractor now has seven men on the job. The manager has not accepted any of the work on the third floor. He has been given a course on how to abate asbestos walls by Advanced Testing and he now knows how he has to leave the wall areas and floor areas or their work will not be accepted. There is lack of direction on the part of the contractor and lack of understanding and reading of the specifications of the contract. Under the contract this contractor has to come back in the spring when the police department area is ready to go and has to do that area as well. He is losing money on this job. The contract was for \$39,400. It is costing him \$5000.00 a week to have five men on the job. He was entitled to forty five days under the contract, he is going to spec \$30,000 plus in lab fees alone, not including any materials, supplies, overhead profit or disposal. The manager has written a letter to Advanced Testing advising them that he was very unhappy with their oversight of this project. They allowed the work to be broken down, the containment area taken down and cleared when none of the work was done properly. The manager has been assured by Advanced Testing that they will make sure everything is done right from this point forward. He has also asked for some reconciliation of the bill for the monitoring area and inspection work that was not done properly. When the village gets into this project further it will require a full time project manager who will be on site through the entire renovation work and who will be able to make instant decisions of what has to be done with the villages interest protected. The village is going to impose a \$500.00 per day liquidated damages.

Trustee Ryan moved to approve the change order for Capital Safety in the amount of \$1960.75. Seconded by Trustee McGuckin. All ayes with the exception of Trustee Ozman voting no. Motion carried.

FY 1995 SMALL CITIES GRANT APPLICATION

Manager Kelly stated that the village has had trouble with the fiscal year 92 grant. We applied the second time for the original target area, couldn't spend the money there so the village went for an amendment. The village received a letter from HUD saying that the village has not spent the money for FY92 in accordance with HUD requirements therefore if we're not in compliance by February 21st we will be prohibited from applying under next years grant.

Mr. Barnes and the manager will be contacting HUD to give them an explanation that would be acceptable to them and get there approval so next Tuesday the subcommittee can meet and chose through the rfp a consultant to put together the application. If we get funded we can apply for the cost to be reimbursed as part of the grant. He doesn't want to do that if the village can't get the money, because they will hold the village accountable for the 92 grant and there will be a problem.

Mr. Barnes stated that for the 92 grant their goal is 33 units. They now have applications from twenty one of which twenty have been declared eligible. Of the twenty one, four are under construction, three contracted, one the contractor has been okayed by the owner, one with bids just in, one out to bid, seven needing write-ups and one person has a VA mortgage.

The RFP Review Committee meeting was scheduled for Tuesday, January 18th at 6:30 P.M. Trustees McGuckin, Garcia and Mayor Uszenski volunteered to be on the committee.

HUDSON VALLEY VILLAGE OFFICIALS ASSOCIATION

Mayor Uszenski stated that there is a new organization forming, Hudson Valley Village Officials Association. A meeting has been scheduled for January 26th in Monroe.

Trustee Garcia, Mayor Uszenski and Manager Kelly will attend.

AMERICAN LEGION MEMORIAL DAY PARADE

Trustee Forman moved to grant permission to the American Legion to hold their Memorial Day parade on May 29, 1995. Seconded by Trustee Garcia. All ayes. Motion carried.

REPORTS - COMMITTEE

Trustee Garcia stated that Sadie Berrian told him that she is in contact with an attorney. She wants to know why police are not qualified for first aid.

Manager Kelly stated that the police have to have training.

Trustee Ryan asked who is the facility manager for the village? Who is

in charge of buildings?

Manager Kelly stated if its a call for no heat, if its Wooster's John Howland would call, if it was the police department they would call. We don't have a facilities manager who coordinates all the work. Walt Sweed coordinates it on an as needed basis.

Trustee Ryan suggested that the village get someone.

Manager Kelly stated that when the village offices goes into the municipal building they will need a full scaled custodian.

Trustee Ryan asked about the ethics code?

Manager Kelly stated that he has the draft copy on his desk. It will be on the agenda for the next meeting.

Trustee Ryan asked about the girls softball field, its flooding and washed out. He feels the recreation committee should look at it.

Manager Kelly stated that the only way to correct that is to build a perimeter drain around the fence from right field beyond home plate toward third base with a catch basin to catch the water from the parking lot and hard piped to the out flow. You can't do that without putting the water where you don't want it to go. That would have to be channeled around.

AUDITED BILLS

Trustee Besdesky moved to pay the audited bills of January 10, 1995. Seconded by Trustee Ozman. All ayes. Motion carried.

ADJOURNMENT

Trustee McGuckin moved to adjourn. Seconded by Trustee Ozman. All ayes. Meeting adjourned at 11:00 P.M.

Respectfully submitted,


Nancy Mitchell
Village Clerk

RESOLUTION NO. 17-94-95
VILLAGE OF WALDEN
1995 GENERAL VILLAGE ELECTION
PROVIDING FOR REGISTRATION OF VOTERS FOR THE 1995 ELECTION

WHEREAS, the Election Law Sec. 15-118 provided for registration of voters for the General Village Election, and

WHEREAS, the Board of Trustees is required to make certain determinations and provisions therefore.

RESOLVED that the following four persons are appointed inspectors of the single election district comprising the entire village, and the first named is designated Chairperson thereof:

Pearl Hunt
Emma Smith
Marion Coulter
Evelyn Matise

Marie Conklin is named as an alternate inspector and the compensation for each inspector is fixed at \$35.00 a day for Registration Day and \$50.00 a day for Election Day. Chairperson to be compensated \$5.00 extra each day, and it is further,

RESOLVED that there be only two (2) inspectors to serve on Registration Day to wit Pearl Hunt and Emma Smith and in the event of the absence or inability to either or both, such other inspectors from the above named as chairperson shall designate, and it is further,

RESOLVED that the inspectors of the Election appointed shall within ten days take, subscribe and file their oath of office and thereafter assume the duties to preside at the Village Election and to prepare such days as the chairperson shall determine, but not to exceed two persons for two days, and it is further,

RESOLVED that the Board of Election shall meet to commence the preparation of the register for the forthcoming election and for registering qualified voters on March 11, 1995 at the Village Offices, 8 Scofield Street, Walden, New York commencing at 12:00 o'clock noon until 5:00 o'clock in the evening of that day which shall be the place for holding the election, and it is further

RESOLVED that the designated inspectors of the election shall copy from the registration poll records for the last preceding general election and names appearing thereon of all persons qualified to vote and add thereto the names of all persons know or shown to their satisfaction to be then or at the time of the election qualified to vote, and it is further

RESOLVED that no person shall be entitled to vote at any village

election whose name does not appear on the register.

RESOLVED that a certified copy of this resolution be published and posted by the Village Clerk in accordance with the law.

Motion to adopt by Trustee Ozman and seconded by Trustee Forman.

The vote was 7 ayes to 0 nays with 0 abstentions. The Mayor declared the resolution adopted on January 10, 1995.

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election whose name does not appear on the register.

RESOLVED that a certified copy of this resolution be published and posted by the Village Clerk in accordance with the law.

Motion to adopt by Trustee Ozman and seconded by Trustee Forman.

The vote was 7 ayes to 0 nays with 0 abstentions. The Mayor declared the resolution adopted on January 10, 1995.

RESOLUTION NO. 18-94-95

DESIGNATING PLACE AND TIME OF ANNUAL ELECTION

At a meeting of the Board of Trustees of the Village of Walden, held on the 10th day of January, 1995 on motion by Trustee Brodesky and seconded by Trustee Garino, it is hereby

RESOLVED that the next annual election of the Village of Walden be held at the Walden Elementary School, Orchard Street, Walden, New York on Tuesday, March 21, 1995 between the hours of 9:00 a.m. and 9:00 p.m. by voting machines.

The vote was 7 ayes to 0 naves with 0 abstentions. The Mayor declared the resolution adopted on January 10, 1995.

JANUARY BILL LIST - JANUARY 10, 1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-751	AIR PRODUCTS & CHEMICALS, INC.	18.00
A-752	AL VALK'S GARAGE	20.00
A-753	AMTHOR'S WELDING	6,161.00
A-754	AMTHOR'S WELDING	30.10
A-755	ANNESE & ASSOCIATES, INC	178.00
A-756	ANNESE & ASSOCIATES, INC.	178.00
A-757	AUGUST STIEFEL RESEARCH INSTITUTE	10.50
A-758	BARTON CHEVROLET, INC.	11.04
A-759	BECKER BUSINESS SYSTEMS, INC	113.00
A-760	BUDOFF OUTDOOR FURNITURE	225.00
A-761	CALVET TOOL RENTAL	270.00
A-762	CAPITOL-HIGHWAY MATERIAL, INC.	170.89
A-763	CHERRY TIRE SERVICE, INC.	168.95
A-764	CJD CLEANING SERVICE	42.95
A-765	COUNTRY HARDWARE	125.90
A-766	CUSTOM MONITORING	97.50
A-767	DAN THE TREE MAN	2,575.00
A-768	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C	3,916.67
A-769	DUTCHESS OVERHEAD DOORS, INC	327.75
A-770	GANNON MUNICIPAL EQUIPMENT, INC.	977.66
A-771	GEORGE'S AUTO PARTS	110.90
A-772	GEORGE'S AUTO PARTS	163.10
A-773	HERMAN RALPH CO., INC.	40.94
A-774	HERMAN RALPH CO., INC.	122.97
A-775	I F BUSINESS FORMS	152.76
A-776	IMPERIAL WORKWARE SERVICES	102.60
A-777	IMPERIAL WORKWARE SERVICES	166.30
A-778	IRA D CONKLIN & SONS, INC.	1,179.90
A-779	IRA D CONKLIN & SONS, INC.	1,008.00
A-780	JOHN THE TAILOR	277.56
A-781	LYNCH MIKE	7.25
A-782	MAYBROOK MATERIALS INC.	218.26
A-783	MID HUDSON COMMUNICATIONS	96.70
A-784	MID HUDSON OFFICE SUPPLY	56.35
A-785	MID HUDSON OFFICE SUPPLY	60.00
A-786	MID HUDSON OFFICE SUPPLY	38.85
A-787	MID HUDSON OFFICE SUPPLY	12.97
A-788	NEW YORK PLANNING FEDERATION	120.00
A-789	NATIONAL RECREATION & PARK ASSOCIATION	90.00
A-790	NYCAL INDUSTRIES	45.36
A-791	NYCOMCO	250.00
A-792	NYCOMCO	90.00
A-793	NYS-GFOA	140.00
A-794	NYS ASSOC. OF MAGISTRATES COURT CLERK, INC.	10.00
A-795	OEC CORP.	141.66

JANUARY BILL LIST - JANUARY 10, 1995

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
A-796	PAGE NY	61.00
A-977	PINE BUSH EQUIPMENT	109.47
A-798	ORANGE COUNTY CLERK	10.50
A-799	PITNEY BOWES	59.25
A-800	RISK MANAGEMENT DIVISION	14.00
A-801	ROYAL TIRE SERVICES	167.20
A-802	SANWA LEASING CORP.	270.00
A-803	SHARE CORP.	1,068.27
A-804	STAPLES DIRECT	136.68
A-805	THRUWAY SHOPPING CENTER	128.13
A-806	THRUWAY SHOPPING CENTER	20.95
A-807	TIMES HERALD RECORD	54.00
A-808	WALDEN ANIMAL DELI	23.92
A-809	WALDEN AUTO SUPPLY	27.77
A-810	WALDEN AUTO SUPPLY	26.92
A-811	WALDEN AUTO SUPPLY	25.70
A-812	WALDEN AUTO SUPPLY	24.31
A-813	WALDEN AUTO SUPPLY	84.02
A-814	WALDEN AUTO SUPPLY	22.60
A-815	WALDEN AUTO SUPPLY	79.40
A-816	WALDEN AUTO SUPPLY	22.51
A-817	WALDEN PLUMBING & HEATING	120.00
A-818	WALDEN PLUMBING & HEATING	559.50
A-819	WALDEN PLUMBING & HEATING	147.25
A-820	WALDEN PLUMBING & HEATING	68.00
A-821	WALDEN PLUMBING & HEATING	95.00
A-822	ZEP MFG CO.	84.24
A-823	MILE BASTONE	200.00
A-824	JOHN HOWLAND	92.45
		<hr/>
		24,123.38
A-825	WALDEN PLUMBING & HEATING	290.85
A-826	MOHAWK METAL PRODUCTS, CO.	10,000.00
		<hr/>
		34,414.23
		(97.50)
	TOTAL GENERAL	<hr/>
		34,316.73

JANUARY BILL LIST - JANUARY 10, 1995

WATER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
F-73	COUNTRY HARDWARE	92.79
F-74	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	416.67
F-75	HERMAN RALPH CO., INC.	568.25
F-76	ORANGE COUNTY DAIRY LABORATORY	90.00
F-77	POLLARD JOSEPH CO.	1,524.53
F-78	MID HUDSON OFFICE SUPPLY	11.62
F-79	NY RURAL WATER ASSOCIATION	36.00
F-80	PAGE NY	16.00
		<u>2,755.86</u>

SEWER FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
G-115	AL TURI LANDFILL, INC.	405.90
G-116	DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.	416.67
G-117	DEMPSEY DALES, INC.	58.06
G-118	ENVIROTEST LABORATORIES	1,080.00
G-119	JOHN CRANE, INC.	249.53
G-120	NEWBURGH WINWATER	15.50
G-121	MID HUDSON OFFICE SUPPLY	10.29
G-122	NORLAB, INC.	119.50
G-123	PAGE NY	16.00
G-124	STRANCO, INC.	113.83
G-125	THRUWAY SHOPPING CENTER	3.64
		<u>2,488.92</u>

JANUARY BILL LIST - JANUARY 10, 1995

COMMUNITY DEVELOPMENT

COMMUNITY DEVELOPMENT SMALL CITIES-92	KERRON BARNES ASSOCIATES ADMINISTRATION-NOVEMBER 1994	1,540.00
COMMUNITY DEVELOPMENT SMALL CITIES-93	KERRON BARNES ASSOCIATES ADMINISTRATION-NOVEMBER 1994	3,675.00
COMMUNITY DEVELOPMENT	RAYMOND COX 7 LAFAYETTE STREET	3,440.00
COMMUNITY DEVELOPMENT SMALL CITIES-93	RAYMOND COX	980.00
COMMUNITY DEVELOPMENT	KENNETH VALK 31 MCKINLEY AVE	1,528.00
COMMUNITY DEVELOPMENT SMALL CITIES-93	POWER CONSTRUCTION 16 SOUTH STREET	750.00

JANUARY BILL LIST - JANUARY 10, 1994

GENERAL FUND

<u>VOUCHER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
	AT & T	14.94
	NYNEX MOBILE COMMUNICATION	36.17
		<u>51.11</u>
ROBERSON CONSTRUCTION GRANT 91		7,850.00
CHESARI GRANT 91		410.00
ROBERSON CONSTRUCTION GRANT 93		2,200.00
ROBERSON/JIM WATERS GRANT 93		6,300.00
ROBERSON /OR CO TRUST GRANT 93		2,500.00