

**Village of Walden
Board of Trustees Regular Meeting
March 28, 2017**

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

On roll call the following were:

Present:	Mayor	Sue Rumbold
	Deputy Mayor	Sean Hoffman
	Trustees	Brenda Adams
		Gerald Mishk, Jr.
		John Ramos
		Brian Sebring

Absent:	Trustee	Edmond Leonard
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Also Present:	Tara Bliss, Village Clerk
	Dave Donovan, Village Attorney

Presentation to Village Historian

Mayor Rumbold presented Mary Ellen Matise, Village Historian, a certificate of appreciate for her recent Martha Washington award given to her on March 19th at Washington's Headquarters.

Mayor Rumbold thanked Trustee Leonard and Trustee Mishk for their years of service to the Village and wished them the best of luck in all their future endeavors. Congratulations to Trustee Sebring on being re-elected and to the two new Trustees Moore and Thompson who will all take their seats next week. She looks forward to a great year ahead.

Public Hearing - Introductory Local Law 5 of 2017 – Fire & Safety Inspections

Trustee Ramos made a motion to open the public hearing for Introductory Local Law 5 of 2017 – Fire & Safety Inspections. Seconded by Deputy Mayor Hoffman. All ayes. Motion carried.

Mayor Rumbold stated that we would discuss the specific fees at the Reorg meeting next week and into budget sessions if needed.

Trustee Mishk made a motion to close the public hearing for Introductory Local Law 5 of 2017 – Fire & Safety Inspections. Seconded by Trustee Adams. All ayes. Motion carried.

Trustee Adams made the motion for Negative Declaration under SEQRA for Local Law 5 of 2017 – Fire & Safety Inspections. Seconded by Trustee Ramos. All ayes. Motion carried.

Trustee Adams made the motion to adopt Local Law 5 of 2017 – Fire & Safety Inspections. Seconded by Trustee Ramos. All ayes. Motion carried.

Public Hearing - Introductory Local Law 6 of 2017 - Townhouse Zone Affordable Units

Trustee Adams made a motion to open the public hearing for Introductory Local Law 6 of 2017 - Townhouse Zone Affordable Units. Seconded by Trustee Sebring. All ayes. Motion carried.

Clerk Bliss stated that the County mailed their official letter today but Mr. Jacobowitz got an emailed copy that he shared with her today. It states that is up to local determination.

Jerry Jacobowitz, Overlook at Kidd Farm, presented the Board with a letter from the Planning Board from December 9, 2016 stating that they are not opposed to the change.

Attorney Donovan stated that the letter just says they are not opposed to the change, it is not a formal review letter.

Clerk Bliss stated it is on the Planning Board agenda on Monday, April 3rd.

Becky Pearson, 167 Walnut Street, asked if they go back to 10% what happens to the units that were adjusted. Will they go back to regular size and interior furnishings? Is that in there?

Attorney Donovan replied yes then they go back to the higher end size and no longer considered affordable units.

Deputy Mayor Hoffman stated for the record that there is no requirement in terms of market rate for any interior furnishings, simply the width of the units themselves. Affordable distinguishable

Becky wanted to check that this law applies to any project that hasn't begun construction and that is all legally in there.

Trustee Mishk made a motion to adjourn the public hearing for Introductory Local Law 6 of 2017 - Townhouse Zone Affordable Units until April 4, 2017 at 6:30pm or as soon thereafter as the matter could be heard. Seconded by Trustee Sebring. All ayes. Motion carried.

Public Hearing - Introductory Local Law 7 of 2017 - Police Disciplinary Law

Trustee Ramos made a motion to open the public hearing for Introductory Local Law 7 of 2017 - Police Disciplinary Law. Seconded by Trustee Mishk. All ayes. Motion carried.

Trustee Adams made a motion to close the public hearing for Introductory Local Law 7 of 2017 - Police Disciplinary Law. Seconded by Trustee Sebring. All ayes. Motion carried.

Trustee Mishk made a motion for Negative Declaration under SEQRA for Local Law 7 of 2017 - Police Disciplinary Law. Seconded by Trustee Ramos. All ayes. Motion carried.

Clerk Bliss stated that this law now become Local Law 6 of 2017 as Local Law must be filed in numerical order with the State.

Trustee Mishk made the motion to adopt Local Law 6 of 2017 - Police Disciplinary Law. Seconded by Trustee Ramos. All ayes. Motion carried.

Village Manager's Report

Village Manager was absent submit.

Approval of March 7, 2017 Minutes

Tabled as the minutes were not available for review.

Trustee's Committee Reports

Town of Montgomery & Library Board liaison – Trustee Leonard

Trustee Leonard was absent.

Recreation & Parks Department and Valley Central School Board Liaison – Trustee Ramos

Trustee Ramos reported that school district will have a coffee with the Superintendent on April 7th at 8:30am at Walden Elementary School on the east side of the building where the walkers come in. The school calendar should be voted on tonight at their special meeting tonight and their budget sessions should be announced tonight as well. There were a number of retirements one on July 31st for Deputy Superintendent Murphy and the other on June 30th for Mrs. Debra Calvino. We will miss their presence. ELA testing is going on this week for Elementary schools. All night grad party this meeting honor flight April 8th. Parks and Rec is doing a phenomenal job on snow removal as they did 37 assignments and are gearing up for summer programming. SI Play is up and getting parents logged on and registered.

Planning and Zoning Boards as well as the Building Department Liaison – Deputy Mayor Hoffman

Deputy Mayor Hoffman reported that he met with Dean today and they discussed the Local Law about the inspections which expands his authority. He would like the Board to consider adding 2 family dwellings to that as well and he asked him to bring it up tonight. He felt it was best for the Board to consider public comment and then weigh in on that.

Attorney Donovan stated there currently there is an exclusion for owner occupied 2 families if the Board wants to go forward with it adding 2 family dwellings he would recommend that the Board adopt it by adding it in if the Board is so inclined.

DPW Liaison– Trustee Sebring

Trustee Sebring commended the DPW for a job well done for the big snow storm. They put in many hours doing that and then more hours just cleaning the streets on Main Street and around the business district. Worked at the new building digging water/sewer lines and still working along with other trades.

Village Offices Liaison – Trustee Adams

Trustee Adams reported that she met with Kelly and they went over our mutual list of things to do which they are on the same page as far as that list goes.

Police Department and Justice Department Liaison – Trustee Mishk

Trustee Mishk reported that Chief was away but he met with Sgt Metzger the past few weeks. Shaw has been out of work on a non-work related illness and is anticipated back

to work on April 1st. One of the cars that was out of service is up and running well. Unfortunately another is out of service and may need a new motor. Overtime this week was mostly for grand jury time for the big drug bust on East Main Street which is to be expected. We also have a Part Time officer who is close to using all his time so they are being careful with that not to go over hours there.

Mayor Rumbold read the community events into the minutes.

Public Comment on Business of the Board

Mary Ellen Matise, 54 Gladstone Avenue, asked about the Falcon Ridge discussion. Is that the parcels on N. Montgomery Street?

Deputy Mayor Hoffman replied yes, it is a continuation of a conversation from August and September of last year for a zoning change.

Mary Ellen asked if it had already gone to the Planning Board for approval.

Deputy Mayor Hoffman replied no, that is the process for a zone change.

Mary Ellen asked why he didn't have to go to the ZBA for a zone change; is it increased use?

Deputy Mayor Hoffman replied he is seeking a zone change to allow increased density. His understanding is that if the Board is not ok with that change the developer won't proceed with the project. He is not seeking a use or area variance so there is no reason to go to the ZBA at this time.

Mary Ellen thought the Planning Board would have the first shot to discuss this.

Deputy Mayor Hoffman replied it is not like that, he is asking the Board to change the Village code and the Planning Board would weigh in on the draft local law format.

Mary Ellen asked if they would be amending the comprehensive plan first.

Deputy Mayor Hoffman replied they would have to look at that first to make sure the proposed zoning change is in conformance with the Comprehensive Plan.

Mary Ellen confirmed it is a B3 zone with and SE use for Senior.

Deputy Mayor Hoffman replied that it wouldn't matter the zone, they would have to look at the Comprehensive Plan no matter what.

Mary Ellen confirmed then it would go through that process first and then change.

Deputy Mayor Hoffman replied that it could proceed that way and the committee that the Board appointed, that is our recommendation that we consider a law and if in favor of that law then he would go to the Planning Board seeking site plan approval and then come back later to consider the adoption of that local law.

Mary Ellen asked if part of that modification to the zoning would be other stipulations in terms of how long the use would stay that way. He has a history of changing his uses. So he would get approval for one thing and then it becomes something else.

Deputy Mayor Hoffman replied there is no guaranteed the committee is recommending is if he does not get Planning Board approval the Village Board would not take action on that local law change if it goes that far.

Mary Ellen stated she was confused.

Deputy Mayor Hoffman replied there is no sunset revision in there. There is nothing saying if he received site plan approval that it could expire or anything like that.

Attorney Donovan interjected and explained that the Board appointed a committee to come up with ideas/responses to his proposal that we amend the zoning code to allow more use. The committee has come back with a recommendation to discuss whether or not to authorize the preparation of a local law that would put in motion a modification to the zoning code to allow for increased density. That would not become affective until such time that the site plan got approved.

Mary Ellen asked what the density is now.

Deputy Mayor Hoffman believes it is 40 units he could get now under the current code.

Mary Ellen asked how many acres.

Trustee Ramos replied 6.42 acres.

Mary Ellen stated that none of that stuff is in the packet, so there is nothing to look at, nothing for us to read.

Deputy Mayor Hoffman apologized he didn't prepare the packet.

Clerk Bliss explained she was directed that it was not a document for public viewing.

Attorney Donovan stated obviously it is up for discussion only and the only action that would be to authorize the drafting of a local law. He doesn't know what the Board will decide, that is why it is up for discussion.

Mary Ellen understands that but if she wants to say anything about it she is stabbing at a fish in the dark.

Attorney Donovan reminded her that this would not be your only opportunity to speak.

Mary Ellen understands that but it is a good opportunity to speak because it is right at the beginning. She didn't understand why it didn't go to the other boards first. She has concerns of someone using our definition of senior housing and then trying to circumvent the system which is based on this person's past performance. Makes you concerned about what might happen. Last time she thought she heard 70 units which is a big change compared to 40 units which is a lot.

Becky Pearson, 167 Walnut Street, stated it is zoned R3 and the whole area is R3. She has a fear that what you are doing is spot zoning for an individual who is a developer who wants spot zoning. She doesn't believe you can do spot zoning. It is doubling the density so it is serving that person; it may be serving the community as well. She is not against the development at all she is just concerned about the density he wants to put in there. Spot zoning if it's R3 you need to look at the whole zoning. You can't differentiate three parcels to be a spot zone and then exclude others.

Deputy Mayor Hoffman replied that he understands she doesn't have the benefit of what the committee presented but it is not spot zoning. We are not considering just changing the zoning on that once parcel. It would change the zoning code for all of the residential zones.

Becky asked if you can put up senior housing in any zone right now.

Deputy Mayor Hoffman stated yes, they can do that now.

Becky replied you can do that now with the density that is allowed so that is going to come back as someone saying you are setting a precedent.

Deputy Mayor Hoffman replied it wouldn't be a precedent it would be incorporated in the zoning code.

Becky stated it is still setting a precedent to allow almost 50% more housing unit in each community. You're ok with that for all R zones. So it is not spot zoning, it would be allowed in every R; say her neighborhood someone could knock down 10 houses and put in senior housing?

Deputy Mayor Hoffman replied that they could do that now if there were no changes made to the zoning code.

Becky replied not in the density you would be allowing. Where does density come into this?

Deputy Mayor Hoffman replied that part of this recommendation is that there were certain bonus densities if they provide amenities it would increase the zoning. We had suggested that the Board consider allowing for additional increases with those bonus densities and some of those suggestions were geared more to maintain and protect this as a senior development. Things like elevators, pedestrian connections to downtown to encourage pedestrian activity.

Becky argued they already have to put in things, it's in the code.

Deputy Mayor Hoffman replied those are additional amenities that if they provided them they would get additional density based on the zone.

Becky feels they already have to provide a sidewalk.

Deputy Mayor Hoffman replied yes, but not into the downtown area. This is not a subdivision, this is site plan approval for senior housing.

Becky said she would wait until they are done. She asked what they would be rented for.

Deputy Mayor Hoffman stated that we don't know the number or the amount. If it was to move forward it's envisioned that if the Planning Board determines that the land can't accommodate that zoning it is not guaranteed it is not a by right application.

Becky said she was looking at Orange County housing for older adults and it's talking about a 1 bedroom at \$1,100 some are \$714. If he's talking about all these units you don't know how much he's going to be charging for it. The density to her seems a lot for that property. She worries about fire trucks getting in there. There is no plan so we don't even know, not sure how you can do it if you don't know what the plan is going to be. How can you even move forward with it?

Deputy Mayor Hoffman stated that if we had a plan we would be reacting to a specific plan and that would be spot zoning.

Becky stated you basically are.

Attorney Donovan replied it is legally not spot zoning.

Becky stated she doesn't agree.

Action Items

Set Budget Session Dates

Trustee Adams made a motion to set the 2017-2018 budget session dates for Tuesday, April 4, 2017; Wednesday, April 5, 2017; Monday, April 10, 2017; Wednesday, April 12, 2017; and Thursday, April 13, 2017 at 6pm on the 3rd Floor of the Municipal Building. Seconded by Trustee Sebring. All ayes. Motion carried.

Set Date/Time for Historic marker dedications

Trustee Ramos made a motion to set Friday, May 12, 2017 at 11am for the Historic marker dedications. Seconded by Trustee Adams. All ayes. Motion carried.

Clerk Bliss asked which of the 4 locations it would be at.

Mary Ellen Matise, Village Historian, suggested the Thruway one or Grant Street location. We need to have the press come. Whichever is the easiest.

Mayor Rumbold asked to have them decide and let us know.

RFPs for Consultants, Refuse, & Cleaning Services

Deputy Mayor Hoffman made a motion to authorize going out for RFPs for Auditing Services, Refuse, Cleaning Services, day laborers, & HVAC Services according to the Manager's recommendations. Seconded by Trustee Ramos. All ayes. Motion carried.

Resolution 34-16-17 Setting Village Fees for 2017 Summer Camp

Trustee Ramos made a motion to approve Resolution 34-16-17 – Setting Village Fees for 2017 Summer Camp. Seconded by Trustee Mishk. All ayes. Motion carried.

Falcon Ridge: Discussion re: zone change request seeking (1) an increase in density for dwelling units per acre and (2) revision to the definition of senior citizen dwelling unit

Deputy Mayor Hoffman gave a brief overview of the committee's findings. This was a discussion we had in May last year and then again in August. The developer was proposing a senior housing complex and seeking a change in density. The petition we received was specifically requesting changing in the R3 zone from 4 dwelling units to 12 dwelling units per acre and if you ran the numbers out the petition as received could allow for 96 units in that parcel and could have unintended consequences. The Board formed a committee and we got some outside advice on it, and met with two realtors and the items we were asked to look at was if senior housing was a viable option and what is the probability it would revert to a market rate and to make recommendations on the developer's proposal. We met with 2 developers and did other community research. We did find that it was a viable option. We further reviewed the zoning code and have made some recommendations to consider increasing the number of amenities. As the code is structured now they get bonus densities for up to 5 amenities and we've suggested increasing that to allow for additional amenities. The tradeoff is if we get additional amenities we give the developer the opportunity to realize additional density. We've made suggestions in terms of some more current amenities based on some surrounding properties. There was a request to change the definition of senior housing. Right now we have an age restriction of 60 years old and have been asked to take it down to 55. When we spoke to some real estate professionals there were two reasons why they looked at that change. One was to increase the market share, in other words, the number of people who could live there and make it viable. The other was to capture market share before it goes elsewhere so we don't lose people to other communities, so it's an effort to be competitive with other properties. Lastly we made suggestions on how to handle it in regards to SEQR.

Attorney Donovan stated that the idea in terms of the SEQR review would be to authorize the preparation of a Local Law which if adopted would provide for the implementation of increased density which would not become effective until approved by the Planning Board. SEQRA process would be done by the Planning Board as Lead Agency wherever that takes them and neither the site plan nor the local law would be adopted until the Planning Board had concluded that SEQRA process.

Trustee Mishk asked how we would put this into a law that they would abide by amenities. How do we know they do it?

Deputy Mayor Hoffman stated that was something we discussed and part of the issues we came up with too and why we wanted it to go to the Planning Board process first. Then it would be up to the Planning Board to make sure it was incorporated into the plan just like handicap parking spaces are included and incorporated into a normal site plan.

Trustee Mishk asked if he agree to certain amenities and then he starts the Planning Board process, can he divert to different amenities or does there have to be a new local law.

Deputy Mayor Hoffman replied that there is a list in the current code that gives some of the amenities. We suggested adding new ones to modernize it a bit. When we spoke to the professionals they essentially said it is all about the amenities so we tried to add more to give variety but we understand there is a trade off with that. The developer may look at this and say it is not worth it to provide all the amenities and he may scale down his request. It's not an all or nothing there is flexibility on both ends.

Trustee Mishk thought he was leaning towards if he couldn't get more density then the project is not worthwhile for him.

Deputy Mayor Hoffman confirmed that is what he said. But he submitted a petition for zoning change and what we were asked to do was determine if a senior housing development was a viable option in the Village of Walden and that was essentially confirmed with the local real estate professionals. And the other thing was to make some recommendations. We generally had a consensus that the petition was received last year was not something that the Board wanted to take action on. It just doesn't make any sense.

Trustee Mishk is concerned about how we really enforce it.

Deputy Mayor Hoffman stated that after construction, enforcement would be the Building Inspector and the Code Enforcement Officer.

Trustee Sebring stated he is concerned about them renting out units to under 55 because he's talked to one person that lives in one of his other units and that was a senior housing and they rent it out to anyone. That's what he wants to make sure is enforced so that can't be done. Somehow or other he has to certify that everyone is over 55 with no wiggle room to change that.

Attorney Donovan explained that a few things could happen; one is he can't rent to 55 and older so they put other people in there then it is up to us to enforce it as it is a restriction in our code, if we get Planning Board approval and we get that far. So it would be an enforcement issue which may not just the Building Inspector, he may need to get involved as the attorney as well. It is not quick and easy but if you violate the law there is a process to remedy that. He is not going to say that you call them up on Friday and the people get out on Monday, there is a process. Anytime you get involved in something like this there is the potential to have to chase them so to speak. The other possibility that you really can't protect against is let's assume that for whatever reason the project is not viable and it is half built or half rented, he could ask for another zoning modification or variance. People get to do that and it has to be decided based upon the facts at that time. You can make it as air tight as you can make it, but nothing is 100%. There are no guarantees.

Trustee Adams stated that the committee talked about this at length and one of the things we talked about was because this is a higher end market value apartments, not subsidized in any way, that the tenants are going in there because they want the amenities and lifestyle; the more relaxed abilities than to be in your own home living alone. They felt that the other tenants would be the ones that would complain if they didn't comply and had children there as in they are paying all this money for this type of lifestyle. That was something we addressed as we all had concerns about it.

Trustee Ramos added that the process experts that we spoke to also let us know there is a waiting list of people who are over 55 trying to get into these types of facilities that are beautiful and well maintained and they are able to thrive in this environment without any cares; you have no idea the numbers. So the marketability of this is beyond comprehensive and we have the ability to add to our community more seniors and more families that are over 55.

Trustee Sebring asked if it was possible to have with the units that size a renter's advocate onsite, a spokesperson, one of the renters that lives there to the manager it so that any comments/concerns go to one person and then brought out and nothing kept under the rug so to speak.

Attorney Donovan replied he is not sure he knows the answer to that. That is an internal and he would have to figure out what our ability to require something like that.

Mayor Rumbold commented that when you are talking about 55 years is that just the tenant or the name of the person on the lease.

Attorney Donovan replied there are different ways to accomplish that. It can be only 55 in the unit, it could be one person who is 55 or older. He thinks that the direction the Board is heading to is that the population is 55 and older, correct? For example he wouldn't be able to live there with his two sons who are 17 and 19. That is what he believes is the direction of the committee, they have to be 55 and older. Not just the person on the lease, every person in the unit has to be 55 and older.

Trustee Mishk asked if they could circumvent that with visitors.

Attorney Donovan stated that there are some people in the world whose mission for whatever reason is to circumvent the rules. Yes either the people on site there would have to enforce that privately or the Village has enforce it.

Trustee Mishk feels we already have examples of that already.

Deputy Mayor Hoffman agreed, we do. You could develop a law like this right now for 60 and older in our current code. We aren't fundamentally changing that, we are trying to increase the density a little bit with trade off of amenities and also bring the age back to nearby developments are doing that.

Mayor Rumbold feels the problem is that in other cases they have moved people in, how do you find out about it, sometimes other tenants say it's going on, and then it's the ability to enforce the law. How do you do that?

Attorney Donovan added yes, or you go to court and find out they are going through a divorce or it is a temporary situation. It is not perfect; it is never going to be.

Trustee Ramos made a motion to authorize the Attorney to draft a Local Law modifying the zoning code and lowering the age restriction of senior per the committee's suggestions as presented to the Board. Seconded by Trustee Sebring. All ayes. Motion carried.

Attorney Donovan explained that this local law is going to come back to the Board before it goes to the Planning Board. He would like the Board to have a comfortable understanding of it before it goes through that process but something they are reasonably comfortable with.

Trustee Adams asked if we start this process now can this be something that can just set out there for 6 months to a year.

Attorney Donovan stated that depends on how fast the applicant advances his plans. So they go as fast as they can go, but you have no gun to your hand. There is no time frame to adopt a local law; it's when you are ready to act.

Mayor Rumbold stated that the local law will be modeled after what the committee came up with and outline in the memo and the Board can make amendments/changes and once the Board is satisfied to go forward then the process starts.

Village Manager's Review

Mayor Rumbold explained that he has another year on his contract but we'd like to do a review annually. She'd like to table this until the 4th as we need the forms used to do the evaluation. Our new members will be seated by then but she feels they need to be part of the evaluation process.

Trustee Adams asked for an electronic copy of his contract to help them see what his duties are, especially for the new Board members.

Public Comment

Mary Ellen Matise, 54 Gladstone Avenue, passed out the Wallkill Valley Times Almanac to the Board to distribute. She asked if the senior unit age of 60 is not competitive in the market place and we feel we are losing people to other communities who accept 55, then why wouldn't we just change our code definition to 55 and then you don't have to give all kinds of amenities and concessions. Change the whole thing.

Deputy Mayor Hoffman replied that is what we are talking about.

Mary Ellen stated it didn't sound like that. Sounds like it is tied into him getting more density by giving more amenities.

Deputy Mayor Hoffman stated there are 2 requests; one is for the increased density and the other is to modify the definition.

Mary Ellen continued that is should then include the whole Village not just his project.

Deputy Mayor Hoffman replied it would, that is what we discussed.

Mary Ellen said that she is not sure if you are involved with the Village at Goodwill and what the Town is going through with that and the whole issue about people having younger children and that is part of the big issue. Do you rent to families like that because it creates issues with the other tenants? Do you say adults only? What happens when someone becomes a caretaker of grandchildren? It's a dicey issue. Aside from that it is only 6.42 acres. It doesn't seem like a Cadillac situation to her. A lot of units in a small

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small space. Not talking about a place that is country clubish. Doesn't know what the amenities are that are really going to draw people to such a small space especially in such and urbanized community. Please think about it. She has been talking to Walt Schmidt the past two weeks about the school bus issue at the Amthor property. He received a letter in February talking about locating the buses to fulfill the contract between VC and Walkkill at the Amthor property but there were not a lot of specifics in the letter addressing the zoning. So he sent a letter telling them to go to the Town Zoning Board. Now they are saying they are not going to do bus leasing which was part of the issue, a non-conforming use, they say they are only going to do vehicle storage so he told them to go to the Planning Board where they are now. Not much information is out there. Today she spoke to the Superintendent in Walkkill and asked about the First Student lot but they are not going to lease it out to their competitor, East End Bus. Nobody really knows, the Walkkill Valley Times, last week in the Walkkill School Board reporting said that they are looking at 3 sites. So far they didn't sign a lease for any site yet. One site the Walkkill Superintendent thought was near Stewart Airport, another is Amthor's, and an unknown location. Walkkill needs 150 buses for their district alone and VC could need more than that. Hopefully they really do go to the Planning Board if they are intent on Amthor's site. Planning Board should review how they will navigate through our Village and at the worst time of day.

Mayor Rumbold replied that we have that now.

Mary Ellen agreed but the monument intersection is infinitely worse than the other intersection.

Mayor Rumbold agreed that a better route will be needed.

Mary Ellen stated that the Town Planning Board meeting is on April 10th and they should do a site plan review which is our opportunity to talk about routes for the buses.

Mayor Rumbold asked if they have to follow the same Truck Route.

Mary Ellen said she spoke to Dean about that and he said that doesn't apply to school buses. So the best opportunity to deal with it is the Planning Board review. Encouraging you to keep up with it and maybe contact the Town for interested party status so we get all the updates.

Becky Pearson, 167 Walnut Street, stated that the tentative date for Arbor Day is May 11th at Olley Park. She asked if the firehouse was definitely sold.

Attorney Donovan replied the contract is signed but not closed.

Becky commented about the senior housing amenities, what and who and how much decides what amenity gets more units. Is that something you will be regulating? Are certain amenities worth more than others?

Deputy Mayor Hoffman replied that essentially it is a continuation of the current code which gives a list of amenities. With so many amenities they get x amount of density.

Becky asked if the sidewalk to the Village is an amenity or is it a requirement.

Deputy Mayor Hoffman stated it is an amenity as it is not in our code to do that.

Becky commented that if you put in the law that they have to have a walkable surface to provide service to the Village it would be a requirement, not an amenity.

Deputy Mayor Hoffman replied no, it would be an amenity.

Becky asked why it is different.

Deputy Mayor Hoffman replied because it is not a subdivision. The existing code doesn't have a requirement.

Becky asked why can't you put it in there, you are changing the law, why not put it in there. You make the laws, it should be in law, not an amenity.

Deputy Mayor Hoffman said he would be happy to sit down with you to discuss in more details.

Becky doesn't understand why a sidewalk is not mandatory for all developments; why can't you put it in the law? Is handicap accessibility covered in the law?

Deputy Mayor Hoffman said that would fall under ADA.

Mayor Rumbold explained that we need senior housing in the Village and that you don't like the applicant. We are trying to attract something that is needed in the Village, heard from a lot of seniors who can't maintain their homes anymore or want to maintain them anymore. Trying to, through the committee and Planning Board, get it as air tight as we can, but nothing is set in stone. Look at the Main Street apartments as an example. All we can do is try to make the law and do the zoning to the best of our ability to encourage what we want to be there which is senior, 55 years and older. She understands we have to make it marketable and she agrees that most people try to make their minds up about where they are going and what they are going to do. Understand when we had Real Estate agents to research for viability. There will always be people that try to circumvent the law.

Becky said she understands but why can't you make the law how you want it to be. Why can't you mandate a sidewalk to be built if you are making a new law? That is all she is saying.

Deputy Mayor Hoffman replied that he heard her comment and we will consider it.

Becky asked about pets or utilities; how/when does that get put in?

Deputy Mayor Hoffman replied there is nothing about pets in current code nor are we making suggestions to regulate pets.

Mayor Rumbold explained we can't micromanage that is up to the owner.

Becky asked what the market rate rent is.

Trustee Adams replied we are looking at the high end, no specific amount. The higher end of the list you have.

Becky added that the person who is supposedly going to purchase this and do this did build another senior housing facility and he came before the Board to make it regular apartments because he couldn't rent them for what he wanted to. That is a possibility to consider.

Attorney Donovan stated that anyone could ask, doesn't know what would happen, but anyone could do that.

Mayor Rumbold added that the same thing happened with the Walker Building on Main Street. Anyone can do anything.

Becky is not here to argue, just concerned with a sidewalk and not as much density, seniors is fine.

Deputy Mayor Hoffman asked if she had a suggestion for her comment.

Becky replied yes put things in the law that are necessary items so that the seniors can get into the Village, to cross the street, to get to the store. Viable to the downtown and if no sidewalk what is the purpose of them getting where they want to go. She agrees with Brian you are not going to enforce it anyway.

Payment of the Audited Bills

Trustee Adams made a motion to pay the audited bills. Seconded by Trustee Ramos. All ayes. Motion carried.

Correspondence

Deputy Mayor Hoffman got an email from Mary Ellen Matise.

Mayor Rumbold got information from Mrs. Phelps about reading at the elementary school call her if you want to be a reader.

Miscellaneous Comments from the Board of Trustees

Deputy Mayor Hoffman and Trustee Sebring thanked Trustee Mishk for his service to the Village, it has been a pleasure to work with you.

Trustee Adams mentioned that the RFP for refuse says Yard Waste is March to December and another page says April to November.

Clerk Bliss replied our code says April to November.

Trustee Mishk thanked the Board and residents for giving him the opportunity to serve, he did the best he could. It was a pleasure and sometimes a challenge.

Mayor Rumbold agreed there were some challenges but for the most part we all worked well together, always a good thing that when we do disagree we do it respectfully. Best of luck in all your endeavors and thank you for your service!

**Village of Walden Board of Trustees
Regular Meeting
March 28, 2017
Motions & Resolutions**

Public Hearing - Introductory Local Law 5 of 2017 – Fire & Safety Inspections

Trustee Ramos made a motion to open the public hearing for Introductory Local Law 5 of 2017 – Fire & Safety Inspections. Seconded by Deputy Mayor Hoffman. All ayes. Motion carried.

Trustee Mishk made a motion to close the public hearing for Introductory Local Law 5 of 2017 – Fire & Safety Inspections. Seconded by Trustee Adams. All ayes. Motion carried.

Trustee Adams made the motion for Negative Declaration under SEQRA for Local Law 5 of 2017 – Fire & Safety Inspections. Seconded by Trustee Ramos. All ayes. Motion carried.

Trustee Adams made the motion to adopt Local Law 5 of 2017 – Fire & Safety Inspections. Seconded by Trustee Ramos. All ayes. Motion carried.

Public Hearing - Introductory Local Law 6 of 2017 - Townhouse Zone Affordable Units

Trustee Adams made a motion to open the public hearing for Introductory Local Law 6 of 2017 - Townhouse Zone Affordable Units. Seconded by Trustee Sebring. All ayes. Motion carried.

Trustee Mishk made a motion to adjourn the public hearing for Introductory Local Law 6 of 2017 - Townhouse Zone Affordable Units until April 4, 2017 at 6:30pm or as soon thereafter as the matter could be heard. Seconded by Trustee Sebring. All ayes. Motion carried.

Public Hearing - Introductory Local Law 7 of 2017 - Police Disciplinary Law

Trustee Ramos made a motion to open the public hearing for Introductory Local Law 7 of 2017 - Police Disciplinary Law. Seconded by Trustee Mishk. All ayes. Motion carried.

Trustee Adams made a motion to close the public hearing for Introductory Local Law 7 of 2017 - Police Disciplinary Law. Seconded by Trustee Sebring. All ayes. Motion carried.

Trustee Mishk made a motion for Negative Declaration under SEQRA for Local Law 7 of 2017 - Police Disciplinary Law. Seconded by Trustee Ramos. All ayes. Motion carried.

Clerk Bliss stated that this law now become Local Law 6 of 2017 as Local Law must be filed in numerical order with the State.

Trustee Mishk made the motion to adopt Local Law 6 of 2017 - Police Disciplinary Law. Seconded by Trustee Ramos. All ayes. Motion carried.

Set Budget Session Dates

Trustee Adams made a motion to set the 2017-2018 budget session dates for Tuesday, April 4, 2017; Wednesday, April 5, 2017; Monday, April 10, 2017; Wednesday, April 12, 2017; and Thursday, April 13, 2017 at 6pm on the 3rd Floor of the Municipal Building. Seconded by Trustee Sebring. All ayes. Motion carried.

Set Date/Time for Historic marker dedications

Trustee Ramos made a motion to set Friday, May 12, 2017 at 11am for the Historic marker dedications. Seconded by Trustee Adams. All ayes. Motion carried.

RFPs for Consultants, Refuse, & Cleaning Services

Deputy Mayor Hoffman made a motion to authorize going out for RFPs for Auditing Services, Refuse, Cleaning Services, day laborers, & HVAC Services according to the Manager's recommendations. Seconded by Trustee Ramos. All ayes. Motion carried.

Resolution 34-16-17 Setting Village Fees for 2017 Summer Camp

Trustee Ramos made a motion to approve Resolution 34-16-17 – Setting Village Fees for 2017 Summer Camp. Seconded by Trustee Mishk. All ayes. Motion carried.

Falcon Ridge: Discussion re: zone change request seeking (1) an increase in density for dwelling units per acre and (2) revision to the definition of senior citizen dwelling unit

Trustee Ramos made a motion to authorize the Attorney to draft a Local Law modifying the zoning code and lowering the age restriction of senior per the committee's suggestions as presented to the Board. Seconded by Trustee Sebring. All ayes. Motion carried.

Payment of the Audited Bills

Trustee Adams made a motion to pay the audited bills. Seconded by Trustee Ramos. All ayes. Motion carried.