

**VILLAGE OF WALDEN
BOARD OF TRUSTEES
ORGANIZATIONAL MEETING
APRIL 5, 2010**

Mayor Brian Maher called the organizational meeting to order at 6:30 P.M.

On roll call the following were:

Present:	Mayor	Brian Maher
	Deputy Mayor	Susan Rumbold
	Trustees	Mary Jean Norman
		Richard Hurd
		Bernard Bowen
		Randi-Lee Penney
		Edmond Leonard

Also Present:	Nancy Mitchell,
	Interim Village Manager
	Kevin Dowd, Village Attorney

Mayor's Appointments

Mayor Maher appointed Sue Rumbold, Deputy Mayor.

Board of Trustees Appointments

Mayor Maher stated that he has had discussions with Mr. Dowd and they discussed several different options they could go through and he would like the board to consider appointing Mr. Dowd for a thirty day period while they send out RFP's giving this board the opportunity to look at other individuals to see if this is what they would like to do for the village and if it would be best fiscally.

Mayor Maher moved to appoint Kevin Dowd, Village Attorney for a thirty day period while they do an RFP process. Seconded by Deputy Mayor Sue Rumbold.

Trustee Hurd stated that he would prefer to appoint Mr. Dowd as the attorney for the village without a limit, because he does not have a contract. Our two newest board members have not had a chance to work with him for any lengthy amount of time. He has three reasons why it would be prudent for the board to do this. First, he has continually served the village as attorney for the village for 19 years. He is a specialist in community and municipal law which means he has no conflicts of interest within the village because he only serves other villages, so he has no private clients. In terms of his time with him he's been 19 years, and he has served two and a half years on the zoning board and eleven years and some months on this board, so he's had about 13 years of experience working with him and in that amount of time he's never been able to fault him even once on any opinion he's expressed or any legal work that he has done. Second reason the board should do that is that in terms of economics for the village he has kept his retainer at a very reasonable level and he has

done hours of work that really fell outside his retainer without charging our village and he's gone as long as three years without increasing his fees. The other reason is that he is involved in at least two or three major law suits, not to mention investigations. He is aware of everything that is going on and he's very familiar with our village law, since he wrote substantially a percentage of them. We will also be going into a very important decision of hiring a new village manager. We can go out for RFP's at anytime.

Trustee Norman stated that with some of the news she was given this week she thinks they are facing something very big and Mr. Dowd is in the position to help us with that then another attorney. She has never had any problems with Mr. Dowd.

Trustee Leonard stated that Mr. Dowd has twenty years with the village. He agrees with everything Trustee Hurd said and he's given the village outstanding service at a very reasonable cost. He doesn't feel they should be looking for another attorney.

Trustee Penney stated that she has no comment, she hasn't had the chance to work with him.

Mayor Maher stated that he disagrees with some of Trustee Hurd's comments. He doesn't think it has anything to do with Mr. Dowd personally, but he feels it would be borderline irresponsible not to look at their options. We do have a lot of pending litigation that Mr. Dowd knows about that other attorneys are contracted out to handle. There were a few issues brought up and some are important and others need to be looked at a little closer and it's hard to comment in public because a lot of what is going on is confidential. There are counter arguments to the comments Trustee Norman made about certain documents that are confidential that they will discuss at their next board meeting where points can be taken either way. He doesn't think it says that Mr. Dowd is not going to be our attorney he thinks it gives him the first opportunity to interview for his own job, but also see what else is out there. It's not personal, it's business.

On roll call Trustees Bowen, Penney, Deputy Mayor Rumbold and Mayor Maher voted yes. Trustees Norman, Hurd and Leonard voted no. Motion carried.

Mayor Maher moved to appoint Lanc and Tully as village engineers. Seconded by Trustee Hurd. All ayes. Motion carried.

Mayor Maher indicated that he would like to be liaison to the Planning and Zoning Boards.

Deputy Mayor Rumbold moved to appoint Mayor Maher liaison to the Planning and Zoning Boards. Seconded by Trustee Leonard All ayes. Motion carried.

Mayor Maher appointed Trustees Norman and Penney liaisons to the Library Board. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

Trustee Hurd moved to appoint Trustee Leonard liaison to the Town of Montgomery Board. Seconded by Trustee Bowen. All ayes. Motion carried.

Mayor Maher appointed Mary Ellen Matise as Village Historian. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

Mayor Maher reappointed Anita Vandermark to the Board of Ethics. Seconded by Trustee Bowen. All ayes. Motion carried.

Mayor Maher moved to designate the Wallkill Valley Times and Times Herald Record as official newspapers. Seconded by Trustee Hurd. All ayes. Motion carried.

Mayor Maher designated Key Bank , Provident Bank, Orange County Trust and Bank of America as official depositories for the Village of Walden. Seconded by Trustee Leonard.

Trustee Bowen asked if they could look at other banks before they make this motion.

Mr. Dowd stated that they need to appoint some banks because we have the money in the bank and if you want to expand that it would be a different issue. These banks are the ones that come in and bid on our BAN's and bonds. To get better rates we give them business. You can add a depository at any time.

All ayes. Motion carried

Resolution No. 10-09-10, Setting the Dates, Times and Locations of Board Meetings

Mayor Maher moved to adopt Resolution No. 10-09-10, Setting the Dates, Times and Locations of Board Meetings. Seconded by Trustee Hurd. All ayes. Resolution adopted.

Resolution No. 11-09-10, Adopting an Investment Policy for the Village of Walden

Mayor Maher moved to adopt Resolution No. 11-09-10, Adopting an Investment Policy for the Village of Walden. Seconded by Deputy Mayor Rumbold. All ayes. Resolution adopted.

Resolution No. 12-09-10, Adopting a Procurement Policy for the Village of Walden

Mayor Maher moved to adopt Resolution No. 12-09-10, Adopting a Procurement Policy for the Village of Walden. Seconded by Deputy Mayor Rumbold. All ayes. Resolution adopted.

Manager's Appointments

Interim Village Manager Mitchell appointed Fred Gorss, Acting Village Justice.

Executive Session

Mayor Maher moved to hold an executive session pursuant to 105-(f), Personnel, Village Manager Search. Seconded by Trustee Penney.

Trustee Leonard asked if they were going to appoint a committee?

Mayor Maher stated that the board will decide the next village manager. They will be going over specific resumes.

Mr. Dowd stated that if the board is going to discuss a process that is public, but if you talk about specific resumes that is executive session.

Trustee Hurd stated that other than an extremely brief time processing through forty some resumes.

Mayor Maher stated that the board has had over a week to look at all the resumes that have come in, that was ample time.

Trustee Hurd stated that he hasn't had ample time.

Mayor Maher stated that he feels it is important to start the process.

Trustee Hurd asked if they should be discussing the process first.

Mayor Maher stated that the process is the board is going to chose a village manager based on the applications they received.

Trustee Hurd asked if the board will pick out their top ten and then compare them. Has the board decided on a process? Are they going to discuss the process in public.

Mayor Maher stated that the process will be discussed in public.

Mayor Maher withdrew his motion and Trustee Penney withdrew her second.

Mayor Maher stated what he would like to do is to have this board decide and go through the resumes we have thus far. He would like the board to look at the resumes, see if we can find someone who is locally in the Village of Walden and if we can't find someone who is qualified who lives in the Village of Walden or at least from the area then they should look at the applications that they have. He believes that people in this village want to see someone who lives in the Village of Walden. He wants to go into executive session and check out several applications and see if they can find someone local.

Trustee Hurd stated that he would take a different approach. He was able to find nine qualified individuals who have their advanced degrees in master of public administration or similar. Those nine people are currently village managers or small city managers or were most recently that. It would be wonderful if someone had all that and lived in the Village of Walden, but he doesn't think there is one.

Mayor Maher stated that there is.

Trustee Hurd stated that this is a very important position and if they get someone to move to the Village of Walden then they live here.

Mayor Maher stated that he would like to start the process by saying see if we can find someone local and if they cannot and if we need to look outside then we go that route.

Trustee Hurd stated that he would go with the most qualified applicants first and then work his way down. He suggested that each board member make their top ten and then when they meet on Tuesday everybody could compare their top ten and then it would be a simple thing. You might have two candidates who is on every bodies top ten, so those candidates would score a seven. You might have three more that were on five so they would score five. You could look at the top ten that way.

Trustee Norman stated that she did that the other day with the mayor. She picked five and the mayor picked the same five.

Trustee Bowen stated that he likes the idea of going through them. He thinks five would be suffice. He thinks there should be guidelines. The process is fine.

Trustee Hurd asked if five was enough so they get some kind of commonality within seven.

Trustee Bowen stated that he thinks they would, because they want to get someone here that actually wants the job. You want someone that is somewhat experienced. He would like to have someone who is sitting in his backyard already, not someone who is going to make a promise to come to the village. You have to think about the relocation scenario. Are we going to relocate someone. Are we going to pay for them to come for an interview.

Mayor Maher stated that there are five or six from Walden. Lets sort through them first and see if we can find someone that is qualified and then take the next step.

Trustee Hurd stated that if the board decides that being local is the most important criteria then that's the boards decision. He is talking about a process to get to the point where we are looking at resumes, some of which will be local. He would like more time.

Trustee Bowen stated that he is with Trustee Hurd, but he thinks ten is too many.

Mayor Maher asked if they wanted five local candidates. We have six in the village. He would like to interview them right now.

Trustee Hurd asked, why would you preclude possibly the most qualified candidates. Is being in the Village of Walden the most important criteria for selecting a manager.

Mayor Maher stated that it's up there if they can find someone that is qualified.

Trustee Hurd stated that he wants someone who is most qualified, he doesn't want someone who is marginally qualified.

Mayor Maher stated that he doesn't disagree with that, but what he is saying is does this board want to pay for someone to come in here, do we have that kind of money.

Trustee Hurd stated that it would be more important to get the right person in and if you have to spend more money to do it then you have to spend more money to do it. Experience in this job is crucial. The fact that it is easy to hire someone that is here locally is just _____.

Trustee Norman stated that they have to be qualified.

Trustee Bowen stated that he is in agreement that it should be the best qualified person and if you do have a qualified person in the village lets take a look at them.

Trustee Hurd stated that they were very adamant in their requirements for a village manager. They had to have their bachelors degree and their masters in public administration or its equivalent. We also wanted to get someone with experience in engineering, water or sewer. It's a no brainer to look for the most qualified people, he doesn't care if they live in Bombay, India. If they are willing to come here he is willing to talk to them.

Trustee Rumbold asked if that was the criteria the last time.

Trustee Hurd stated that they insisted the village manager get his masters in public administration, which he pursued and got.

Trustee Leonard suggested the deal with the local people, not just in the village, but reasonably close and then go outside.

Mayor Maher moved to go into executive session pursuant to 105-(f), personnel, Village Manager search. Seconded by Trustee Norman.

Trustee Hurd asked if they made a decision on the process. Are they not doing any process at all.

Ms. Pearson asked when it was brought to the public that they were putting an ad in. That wasn't brought to the public.

Trustee Hurd asked what the process is.

Mayor Maher stated that when he first talked with Kevin and Nancy about the ad, which would have been the criteria for a village manager and that is what went into the ad. He asked the attorney if they needed a motion for this and the attorney said no.

Mr. Dowd stated that is right.

Mayor Maher stated that was the beginning of the process. He strictly said, don't we need a motion to do this and the attorney said no, so he moved forward.

Trustee Hurd stated that he is talking about the process for a majority of the board to select a candidate and since we have sixty what process are we going to use so we have input as to who we are going to interview.

Mayor Maher stated that he discussed looking at the local candidates and go from there.

Trustee Hurd asked if that was the process and they were just going to eliminate anybody right now.

Trustee Norman stated no, we're just going to look at the local candidates first.

Mayor Maher stated that they didn't say eliminate, the motion was made and if the motion is carried that would say yes we believe in that process and that is what the answer would be.

Trustee Hurd asked what the process is.

Mayor Maher stated that the process is to look at the local candidates right now and that is not eliminating anyone.

Trustee Hurd stated that nobody is going to do what Trustee Bown and he wanted, to have time to look at them and select out the people they thought.

Mayor Maher stated that if this motion passes, no.

All ayes with the exception of Trustee Hurd voting no. Motion carried.

Mayor Maher moved to reconvene the meeting. Seconded by Trustee Leonard. All ayes. Motion carried.

Adjournment

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

Respectfully submitted,

Nancy Mitchell
Village Clerk

