

**VILLAGE OF WALDEN
BOARD OF TRUSTEES MEETING
MARCH 22, 2005**

Deputy Mayor Roy Wynkoop called the meeting of the Village of Walden Board of Trustees to order at 6:30pm.

On roll call the following were:

Present:	Deputy Mayor Roy Wynkoop
Trustees	Mary Jean Norman Lauren Keator Jose DeJesus Greg Raymondo

Absent:	Mayor Rocco Pellegrino
Trustee	Richard Hurd

Also Present:	James Politi, Village Manager Nancy Mitchell, Village Clerk Kevin Dowd, Village Attorney Dean Stickles, Building Inspector
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Approval of Minutes

Trustee Keator moved to adopt the minutes of March 8, 2005. Seconded by Trustee Norman. On roll call Trustees Norman, Raymondo, Keator and Deputy Mayor Wynkoop voted yes. Trustee DeJesus abstained. Minutes adopted.

Public Comment

Suzanne Isaksen, 10 Windrift Lane stated that she is here tonight as the Town of Montgomery Historian and she would like to invite members of the Village Government as well as members of the public to a special event on Thursday, March 31st at 7pm. It will be a presentation by William E. Krattinger of the New York State Office of Parks, Recreation and Historic Preservation on the New York State and National Registers of Historic Places. He will answer questions regarding listing properties on the State National Register and about districts.

Mary Ellen Matisse, 21 Clinton Street stated that she called the County today because people have been asking her about hazmat pickup. She gave copies of the pickup schedules to the Clerk.

Althea Mullarky, 3 Watkins Drive stated that she is helping with the time capsule project. On April 5, 6, and 7, at 3:45pm, at Walden Elementary School in Mrs. Malloy's

classroom the children will be putting scrapbooks together and they are inviting the Village government to come help them.

Patricia Henighan, 22 East Avenue stated that they will be doing a river sweep at Olley Park on April 23, 1-3 pm. It is for trash removal and they will be putting up blue bird houses around the park. She further stated that they had asked about having the application for the Greenway Conservancy Grant for Olley Park.

Manager Politi indicated that there is a resolution for the grant on the agenda.

Becky Pearson, 167 Walnut Street asked if she and Mary Ellen Matisse could get a copy of the Village budget before the beginning of April.

Keith Millsbaugh congratulated Trustees Norman and Hurd on their reelection and Becky and Mary Ellen on their election and he thanked Greg and Rocky for their service to the Village as trustee and mayor. He wants to disclose upfront that he does work with Becky and Becky and he do share ideas and information and thoughts about things. Their political system has elected Becky and he knows that she will be great for Walden. On candidates night there was a question about open government and Becky and Althea both raised the same concern, and that was that when somebody comes before the board and raises questions often they are seen as enemies of the Board and they were saying that they wish that error could be cleared up and he's hoping with the new administration that will happen. He asks for the Board's cooperation in that. We all are working for the same cause. There is a group that is on one side of the table and there is a group that is on the other side of the table all for the same well wishes that make Walden the best that it can be. The way democracy work, the way the Village Government works is that those in the audience can express opinions or hear deliberations that are being talked. In the open meetings law there is no rule that says the public has to be heard. It is great that the public can be heard. The open meetings law does discuss the importance of discussion and deliberations that are heard and that every decision that is made with those exceptions that do belong in executive session. We do need to hear the deliberations of the sessions that go into those so they have a full understanding of what's going on in the Village. He believes that creates most of the friction between one side of the table and the other side of the table, the fact that this side of the table is not always informed on everything that there is to be informed about. He understands that there are eight rules that allow the board to go into executive session. Those rules define clearly that only those things can be discussed in executive session and nothing else. The other point that has been brought out is that there are many discussions amongst trustees, which is fine to a point. It's not fine if a consensus is made, and a decision is made away from this table where those decisions need to be talked about. The beauty of group discussion brings out additional ideas that might not come out if somebody is just canvassing the board one on one looking for opinions. That is why he talks about this issue so much. The fact that it did come up at the candidates night and that three sitting members on the board said that there was no problems with the open meetings in Walden. He has to disagree that there still are those problems and he hopes they disappear. He would like to mention a couple things. Trustee Keator had a

couple letters in the paper and when you put your name out in the paper you can expect to get criticism or feedback on what was said. The first letter of March 9th talked about our team and he doesn't know the concept of how she was writing our team, but from him reading it, it's not healthy to be seen as our team. What shocked him about the letter was our team did not include a current board member who is part of this team. Here we have the option to take the high road, which would be to make sure we open our ears and eyes to everything that we can, including hearing what is on this side of the table and accepting everybody with a point of view or we can take the low road which is blind ourselves to think that only those who have the information that has been given to them to that to make the proper decision. He just hopes that they can take the high road. You used a word in that letter, don't be buffaloed. To him it means there are people saying things that aren't true, that you think are going to be coming to people telling these half truths or all of no truth and taking that and running with the herd and making the wrong vote. That's a position that's not healthy for the Village, which leads him to Trustee Keator's letter of March 16th. He referred back to the open meeting laws and say if we follow those laws we'll have understanding on both sides of the table of what the community thinks and what the officials think. The first topic was the Girl Scout Cabin and Becky did use the word travesty in her letter and Trustee Keator identified the word travesty. The Girl Scout Cabin has been part of the community since 1939. He understands it was a law suit and not every issue could come out on the table, or any issue, before the law suit was discussed. He doesn't know what kind of limitations could have been on that people after the decision could haven't have been more informed about what happened. As far as he's concerned there is still a lot of gray area on what did happen there and for an institution that's been using that building since 1939 it makes him wonder what went on that side of the table. When he looks at the budget and sees the expenses, he pointed to the Village Attorney, there was almost \$100,000 in additional expenses that year, and it was \$95,000 in additional attorney fees.

Kevin Dowd indicated that it wasn't for him.

Mr. Millspaugh stated that he doesn't know what those were for. If we hear what is going on and where that money is going, and he feels he wasn't allowed to talk at the budget meetings back in May, the public hearing for the budget. Where does that money go? Is it going to that law suit, is it going to contract negotiations for the police which at that time were in negotiations. We don't know what's going on. We just want to know what's going on. Thirty-nine East Main Street, the public knew officially anything that was going on there until March 9th when Trustee Hurd made a presentation to the community. On March 23rd there was a public hearing. The community officially knew nothing about that and the community felt it was being rammed down their throat. You might have information that you think is important to get out there, but you only gave it two weeks to get out there, so there is not enough time for the community to digest what is going on and that urgency of need in the department was never discussed at the open board meeting here that ever made it to the minutes. Many of us come to many of the meetings and sit through all the meetings and never heard any discussion about it either. Your last point talked about the budget. He wonders if anybody here can explain the budget increasing less than 3% each year.

Trustee Keator stated that it wasn't less, it was 3%, but one year it was 2.75%.

Deputy Mayor Wynkoop stated that if you go back and look at the yearly increases it doesn't come anywhere near 30%.

Mr. Millspaugh stated that it makes him wonder what numbers the board is looking at to come up with those numbers, because again he feels he was shut down at the public hearing for the budget and then when he sees that in the letter he says he's not sure there is a true understanding of the budget document and what it is presenting. The only explanation that he can understand from the Board's point of view is that if somebody said that there was an average assessment out there of a \$100,000 house and you multiply the tax rate each year by that same \$100,000 the second year was 3.9%, the third year was a minus 1.1% and the fourth year was a 7.3% for a 10.2% average over four years, which is 2 ½ %. That is if everybody stayed the same, if the \$100,000 stayed the same each of those four years. Maybe that's the bill of goods that was presented to you, but that is not the facts. The facts are that the Village government money raised by taxes increased by, it started out to be 2.5 million dollars in 2001 and 2002 and it went to 3.479 million dollars in 2004/2005 which is a 38% increase in taxes. Divide that by four years and it is 10.2% per year. He asked if someone could explain his numbers verses the village's numbers and what the facts are.

Deputy Mayor Wynkoop indicated that they wouldn't be able to explain it at public portion. He asked if Mr. Millspaugh's budget went up those years. Did his revenue go up?

Mr. Millspaugh indicated that wasn't the point. The point is the Board is communicating in a local paper that the budget is going up 3% and he didn't hear anyone challenge that tonight and the facts are that the money raised by taxes increased by 38.0%. The appropriations, the money that you budgeted in the general fund only went up by 31.1%. Our spending went up 30% in the general fund over four years time. That is almost 8% per year. Yet the figures in the paper say it went up 3%. That is the fact. The non property tax revenue increased by 22% which does help the budget out, but that did not increase as fast as the tax appraised by property. His point is that he is just saying that there are a lot of things that appear to be miscommunicated or misunderstood. This side of the table is here to be part of the team also. They are hoping with the change of government right now that they can have an open and honest discussion at every meeting. That they can hear what is going on, whether they chose to let this side speak, he would hope it stays the same. There is a lot that this side can present. They understand that the Board has information that the public doesn't have that they can't always disclose. They appreciate that, but they need to hear.

Audited Bills

Trustee Norman moved to pay the audited bills of March 22, 2005. Seconded by Trustee Keator. All ayes. Motion carried.

Resolution No. 16-04-05, Authorizing the Village Manager to Apply for a \$4,000 Matching Grant from the Hudson River Valley Greenway Conservancy Annual Grants Program to Assist the Village in Making Improvements to its Recreational Trails in James Olley Park

Manager Politi indicated that this is a matching grant.

Trustee DeJesus asked how much they are going to be able to do. You're talking about \$8,000. total.

Manager Politi indicated that was correct and the Village should be able to do that out of their own forces to match that.

Trustee DeJesus asked if anyone has taken a look at the trail yet.

Manager Politi stated that he met with Mr. Howland and he was excited about it to get some upgrades on the trail.

Trustee DeJesus asked if it was actual labor that they would be matching with. It would be more than \$4,000.

Manager Politi stated yes, you may even go over that.

Trustee DeJesus stated the area towards Amthor's is the area that is normally flooded. Also, there is stuff that needs to be removed.

Deputy Mayor Wynkoop stated that is part of it.

Trustee Raymondo moved to adopt Resolution No. 16-04-05, Authorizing the Village Manager to Apply for a \$4,000 Matching Grant from the Hudson River Valley Greenway Conservancy Annual Grants Program to Assist the Village in Making Improvements to its Recreational Trails in James Olley Park, (attached). Seconded by Trustee Norman. All ayes. Resolution adopted.

Easter Sunrise Services Request

A letter was received from Rev. VanHouten requesting permission to hold Easter Sunrise Services on March 27th in the Village Square from 7am-7:30am.

Trustee Keator moved to grant permission to hold Easter Sunrise Services in the square from 7am-7:30am. Seconded by Trustee Norman. All ayes. Motion carried.

Walden Little League

The Walden Little League is requesting use of Bradley Field from the first week in March until the first week in November. They are also requesting permission for the annual Little League Parade on April 16th.

Manager Politi stated that they extended for a longer period of time and they backed off and matched what they've done in the past so it doesn't interfere with soccer and some of the other activities.

Trustee Keator asked if it's exclusive use.

Manager Politi indicated that it isn't exclusive use.

Trustee DeJesus moved to grant permission to the Walden Little League to use Bradley Field and hold their Little League Parade on April 16th. Seconded by Trustee Norman. All ayes. Motion carried.

Budget Review Schedule

Manager Politi stated that he would like to set the schedule for the review sessions.

It was the consensus of the Board to hold budget review sessions on Wednesday, March 23, Monday, March 28, Tuesday, March 29 and Wednesday, March 29 at 6:30pm.

Street Specification Review

Dean Stickle, Building Inspector stated that right now there is nothing in the code book that would require anybody to have their driveway paved. He would like to incorporate some new specs that would require everyone's driveway to be paved. The fire department is also requesting that the new connectors incorporated in the regulations for new subdivisions. Driveways that aren't paved the debris runs into the roadway.

Trustee Raymondo stated that he doesn't think it's fair to make someone pave their driveway.

Deputy Mayor Wynkoop stated that he would have a problem with making existing homeowners pave their driveway.

Trustee DeJesus suggested that if the homes change hands then make them pave the driveway.

The board agreed to request blacktop driveways on new home development.

Mr. Dowd suggested they take out the last line in Section A.

Mr. Stickle stated that there is another part of that to amend the water regulations.

Trustee Raymondo moved to amend the Street Specifications to read as shown except for the last line in Section A. Seconded by Trustee DeJesus. All ayes. Motion carried.

Trustee Raymondo moved to amend the water specifications regarding fire hydrants. Seconded by Trustee DeJesus. All ayes. Motion carried.

Manager's Report

Manager Politi stated that he received an email regarding the banner program.

The manager further stated that the department head reports are in the board's packet.

Board Comments

Trustee DeJesus asked about the memo on the banners.

Manager Politi stated that they were asking where their banner was.

Trustee Raymondo stated that he has a comment on the budget. Every year the board tries to keep the budget at a minimum. Last year he did not know why the budget went up. Partially the budget went up because the library funds were increased. The library board is being conservative, but every year that library budget goes up. It's the voters that set that budget. If the numbers are crunched there is no reason for the budget to go up.

Trustee Keator thanked Patricia Henaghan for bringing the Greenway Grant.

Trustee Norman also thanked Ms. Henaghan.

Executive Session

Trustee DeJesus moved to hold an Executive Session pursuant to 105(f), Personnel, W.S. Locating Contract and 105-(d), litigation of the Public Officers Law. Seconded by Trustee DeJesus.

Trustee DeJesus amended his motion to permit Becky Pearson and Mary Ellen Maise to attend Executive Session.

All ayes. Motion carried.

Trustee DeJesus moved to reconvene the regular meeting. Seconded by Trustee Keator. All ayes. Meeting reconvened.

Trustee Keator moved to extend W.S. Locating Services contract for three (3) months. Seconded by Trustee Norman. All ayes. Motion carried.

Trustee Raymondo moved to move forward with the lawsuit. Seconded by Trustee DeJesus. All ayes. Motion carried.

Adjournment

Trustee Keator moved to adjourn. Seconded by Trustee DeJesus. All ayes. Meeting adjourned.

Respectfully submitted,

Nancy Mitchell
Village Clerk