

**VILLAGE OF WALDEN  
BOARD OF TRUSTEES MEETING  
JUNE 27, 2006**

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

On roll call the following were:

Present:	Mayor	Becky Pearson
	Deputy Mayor	Mary Ellen Matisse
	Trustees	Richard Hurd
		Jose DeJesus

Absent:	Trustees	Mary Jean Norman
		Roy Wynkoop
		Edmond Leonard

Also Present:	James C. Politi, Village Manager
	Nancy Mitchell, Village Clerk
	Kevin Dowd, Village Attorney

**Approval of Minutes**

Trustee Hurd moved to adopt the minutes of June 14<sup>th</sup>, 2006. Seconded by Deputy Mayor Matisse.

Mayor Pearson asked if the manager has met with Mrs. Sandbothe.

Manager Politi indicated that he will be meeting with her on Friday.

Deputy Mayor Matisse asked about the sediment area behind Mrs. Sandbothe's property.

Manager Politi stated that once he sees it he can make a comment.

Deputy Mayor Matisse asked if the Village took the sediment area.

Manager Politi stated that there is an easement to maintain the drainage system. The land is not ours.

Mayor Pearson asked if the manager has informed all employees about wearing seatbelts.

The manager indicated that he has. He also stated that police are not required by statute to wear seatbelts.

Mayor Pearson asked if there was anything in writing regarding the police not required to wear seatbelts.

Chief Holmes stated that it is in the vehicle and traffic law and he will get a copy to the mayor.

Manager Politi stated that DPW is not required to wear a seatbelt when running backhoes, which are PESH regulations.

All ayes. Motion carried.

### **Public Portion**

Susan Cockburn, Town Supervisor asked if the board had any questions as to what a conservation advisory council is. She understands at the last meeting there were concerns that it was a quasi government agency. Under state law its board created under the guidance of the town's attorney. Their first order of business is to do an environmental resource inventory and once it's complete the DEC signs off on it and it's registered and located in the state and then the conservation advisory council is moved up a notch. There is space for nine members. It's not a quasi governmental agency, it's a bonafied entity. Most grants now they want to see that people are working with each other. They are requesting a letter showing that the Village of Walden acknowledges and recognizes the need for such a project. The conservation advisory council reviews planning projects and looks at storm water run off, erosion, biodiversity complications, and aquifer conflicts.

Member DeJesus asked how they interact with the planning board, because the planning board has the role of overseeing all the things the supervisor just mentioned.

Supervisor Cockburn stated that their planning board receives written comment from the historic preservation commission and the conservation advisory council. The council reviews the plans and makes sure that everybody knows what's there and needs to be done.

Trustee Hurd stated that his concern is if they are an advisory council and they are out lending their expertise, gathering information and making it available to the various boards are they in a position of authority or are they providing information.

Supervisor Cockburn stated it's like the name says, advisory council.

Trustee DeJesus stated that basically they gather information to supplement what's being submitted from a different angle.

Supervisor Cockburn stated that the planning board is duly required to review and to not just toss it into the waste bin. If there is a problem everyone is put on notice that there is a problem that needs to be looked at thoroughly.

Mayor Pearson asked if they would be coming into the Village of Walden.

Supervisor Cockburn stated that its just town.

Trustee DeJesus stated that one of the issues that came up the other day was that the letter that was given to the board indicated that the grant application that has been submitted by the Town of Montgomery on behalf of the Town and the Villages of Montgomery and Walden. He doesn't recall this board voting to authorize that application to go out on behalf of the Village of Walden.

Supervisor Cockburn stated that they were just hoping that the Village would go along with this.

Manager Politi indicated that the application summery also states that.

Supervisor Cockburn stated that if the Village wishes she will take that out.

Mr. Dowd indicated that the Village of Montgomery supported the application but they reserved the right to reject the grant or any mentioned share they might be called upon to pay.

Mayor Pearson stated that it looks like the Town will be taking up the share.

Mr. Dowd stated that the person who appeared before the Village of Montgomery he believes he gave the impression that the Town would be looking to Walden and Montgomery Village to share the local match.

Mr. Smit stated that he was given the impression that there is no match.

Ms. Heneghan stated that she knows it was represented by Ken Valk as involving a monetary share to the Village of Montgomery but the actual grant writer she could not reach him to clarify that. So, it isn't definite whether it would involve a share. It would be a minimal share, a little over \$2,000.

Trustee DeJesus stated that the issue for the future is that the if the village was aware of the matching grant they would have budgeted for it, but when you send in an application and you in essence encumber the resources of the Village without them knowing that is a problem. He doesn't have a problem working with the Town and other villages but in order to do that there has to be up front from the get go. We need to know we are going to be included in something.

Deputy Mayor Matisse stated that she is wondering if some of the things DPW is doing, such as marking the storm drains, wouldn't fit into the scope of this project and become our match.

Manager Politi stated that he doesn't know what they are considering as a match. He would have to see the grant application.

Deputy Mayor Matisse moved that at this time we see no monetary contribution expected on the village's part that we would send a letter of support for the Hudson River Estuary Grant, and if work that the Village is doing an MS4 community fits into this and we can benefit from it and lend our support to the grant. Seconded by Mayor Pearson.

Trustee DeJesus stated that he doesn't have a problem with sending a letter he has a problem with the process because you cannot take it upon yourself to go and apply on behalf of another municipality. In doing so you cannot just go ahead and submit a proposal and then send a letter to the Village saying we have submitted this grant with your name on it and now we need you to support it.

Trustee DeJesus stated that the motion should read to support the application with the understanding that any monetary contribution would be an in-contribution and borne by the town.

Trustee Hurd stated that he's not sure he completely understands the program and he would be a whole lot more comfortable if they would table this until such time as they have the full board so they could discuss this at length. He would like to know what the ramifications are all the way through, not just the money.

On roll call Trustees DeJesus, Deputy Mayor Matisse and Mayor Pearson votes yes. Trustee Hurd abstained. Motion defeated.

Deputy Mayor Matisse suggested the Village set up an exploratory committee that would look into intermunicipal agreements and how the Town and Village would work together.

Mayor Pearson stated that she met with the manager and they would like to meet with the Town Supervisor, Village of Maybrook's Mayor and the Village of Montgomery's Mayor quarterly, so they can work together.

Supervisor Cockburn stated that in regard to Tasers her chief of police said that the reason he didn't accept the donation for Tasers was because there have been incidents of death related to the Tasers and he doesn't want anything to do with that.

Ann Ilkew asked that one of the dog kennels at DPW be used when the shelter isn't open or is full, just over night.

Mayor Pearson asked Chief Holmes if there was a copy of the procedures for what the dog control officer in the town does for animals.

Mayor Pearson asked how many times do they get calls late at night.

Ms. Ilkew stated twice a month.

Mayor Pearson asked if a key could be given to the village's dog control officer.

Manager Politi stated that you get into the questions of what if it's a multiple days and whose taking care of the dogs. In the seven years he's been here those cages were never used. He doesn't know the last time they were used.

Deputy Mayor Matise stated that she knows of an instance where a dog was quarantine there for 10 days.

Trustee DeJesus asked for the Chiefs comment.

Chief Holmes stated that the Police Department is in charge of the dog warden. He finds it very unusual the Town telling the Police Department how to do their job. No one ever asked him. He will present his plan to the board. They had a plan before and there is a reason they don't put dogs down there. He suggested the Mayor talk to him and come up with a plan.

Supervisor Cockburn indicated that the Town didn't instruct anyone to come to this meeting. Ms. Ilkew has been calling her as well as the Village.

Chief Holmes stated that the Village calls the Town regarding unlicensed dogs.

Ms. Ilkew stated that whenever there is an unlicensed dog in the Village they call her.

### **Audited Bills**

Trustee Hurd moved to pay the audited bills of June 27, 2006. Seconded by Trustee DeJesus.

Mayor Pearson stated that there was a bill for the senior nutrition program which she would like to meet with the Town Supervisor about.

Supervisor Cockburn stated that they should be meeting with Peter Gallati and she will sit in on the meeting.

All ayes. Motion carried.

### **Bagel Café Outdoor Seating Request**

Manager Politi stated that there is a request from the Bagel Café to have outdoor seating. The code requires them to have the outdoor seating on their own property. In this case he is asking for space on the sidewalk. Two tables will work, but you are now on the Village's right of way. There has to be delineation, such as a fence.

Mr. Dowd stated that the board wrestled with this issue several years ago when Gary Sweeney requested outdoor seating and then we went through an entire local law process to lay down the requirements. This is what you don't want to have, because of the liability.

Deputy Mayor Matisse stated that it would block the sidewalk and the music shop is very busy. She has another concern because the owner of the building has a request in for two more offices and an apartment upstairs and there is no parking. There is private property on the side of the café.

Manager Politi stated that is where their employees park.

Trustee DeJesus stated that this brings up another issue; there are three benches that sit on the sidewalk on Scofield Street, one being outside the Good Samaritan.

Mr. Dowd stated that if you do it here then everyone will want to do it.

Deputy Mayor Matisse suggested they sit by the Fireman's statue.

Manager Politi stated that you have to be clear as to how much space he will need.

Trustee DeJesus stated that in other communities it does look nice, but they have wider sidewalks. In this particular place it would look good and be nice, but then you're adding a fence and it doesn't look too nice.

Trustee Hurd suggested they change the law in its entirety.

Mayor Pearson asked if the building inspector had any comments and apologized to the Chief for upsetting him.

Chief Holmes indicated that he's not upset, but he is in charge of the dog warden and no one came to him and asked him. He asked why they were allowed to continue discussing Village business. He reports to the manager.

Mayor Pearson stated that she didn't feel it was a bad idea.

Mr. Stickles stated that outdoor cafés should be on private property, not on the sidewalk. There is too much traffic with the school. The Good Samaritan has to move the bench or get permission from the board to have it there.

Trustee DeJesus stated they also drop off clothing and that's not a good thing.

It was the consensus of the board that this request does not meet the requirements of the law.

## **Tasers**

Chief Holmes stated that as of the last meeting when Tasers were discussed the Board wanted three issues cleared up, one was more information on the person that was donating the money and what his connection is to the police department. The connection with the police department is Officer Taback who is one of our full time officers. Officer Taback was a part time officer in the Town of Montgomery. Officer Taback originally approached the Town of Montgomery when this individual came up to him, about eight months ago and they declined it over there and when he became full time here he brought the information to the chief and that's when the chief brought it to the board. The other question was what does it do to our insurance and he asked the new agent and it doesn't change anything with our liability insurance.

Trustee DeJesus stated that there was also a question about a clear policy as to when the Taser would be used and someone asked for examples.

Chief Holmes stated that he gave the board policies from different police departments.

Deputy Mayor Matisse asked if the officers would be taught on Tasers at the police academy.

Chief Holmes stated no, they will be taught individually.

Deputy Mayor Matisse stated that in Orange County it's the City of Newburgh and Town of New Windsor has Tasers.

Trustee DeJesus stated that the City of Middletown too.

Trustee Hurd asked about who would be trained.

Chief Holmes stated to start off not full time officers. They will select from the supervisors and our fire arms experts.

Mayor Pearson stated that it won't be all the full time officers.

Chief Holmes stated no.

Trustee DeJesus stated that eventually it will be, the idea is that most of them would use this which would require setting aside funds to buy additional stun guns.

Deputy Mayor Matise stated that she read a two year old article which stated that stun gun technology is becoming obsolete. She also asked if they could order the bright orange one.

Sergeant McCoskery stated that nothing is foul proof.

Deputy Mayor Matise asked if they were ever in an incident where they would have used it.

Sergeant McCoskery stated yes, last night.

Deputy Mayor Matise asked if this department has ever had to deal with an issue of wrongful death or injury as a result of responding to a situation and how would they deal with it with Tasers.

Sergeant McCoskery stated that the Taser is safer than physical force.

Mayor Pearson stated that she has read quite a lengthy summery on stun guns and what she read she is not thrilled about having them.

Deputy Mayor Matise asked since the Taser is viewed as less lethal that you would be more likely to use it instead of using some of the techniques you use now.

Sergeant McCoskery stated that once you're out there you have to decide.

Deputy Mayor Matise stated that the police department knows people who have health issues that this type of equipment would affect; she was wondering if they should profile these people so that you know when you're in a no shoot situation.

Sergeant McCoskery stated that would be if you have time.

It was the consensus of the board to wait until the full board is present to make a decision.

Deputy Mayor Matise asked the Chief if he felt a public meeting on this would be effective.

Chief Holmes stated no, this is a decision of the board.

Deputy Mayor Matise asked if the Chief has spoken to the other communities that use Tasers.

Chief Holmes stated that the City of Newburgh has found it very useful. They have a whole different crime rate and a whole bunch of different issues. That shouldn't be a determining factor for the Village of Walden. The majority of the Village of Walden's officers would like to have it.



## **Accessory Unit Law**

Mayor Pearson stated that she didn't think the accessory law is what they had discussed before. They discussed the 900 square feet for apartments and changing the zone from multi family to single family.

Mr. Stickles stated that the board discussed taking the RM2 and changing it to R6. Along with that the board discussed changing the minimum square footage to 900 square feet.

Mayor Pearson stated that it started out going all to single family and then she spoke to Mr. Stickles and he said something about 900 square feet so that if someone had a large enough house they could put in an apartment.

Mr. Stickles stated that Trustee Hurd was concerned that in a multi family zone where people could buy up parcels and make one big multi family, and changing your zone to just allow a maximum of two per parcel, then you're only limiting to two family homes in that one specific area.

Trustee Hurd stated that by making it go from 500 square feet to 900 square feet, that doesn't make the existing two families non conforming, they stay two families and that saves a lot of trouble that way and the 900 square foot requirement prevents what the board was worrying about of taking one families and turning them into two families.

Mr. Stickles stated that you keep the 500 square feet that you have now and if you have a 1500 square foot home that would allow three apartments, 900 square feet only allows you one. Right now you can buy a single family home of 2000 square feet and you can put four apartments in, in the RM2.

Mayor Pearson stated that she is looking at Main Street with no parking anymore and we are allowing apartments to be built at 500 square feet minimum and being able to get four more apartments.

Trustee Hurd stated that otherwise they fall within disrepair because there is no viable economic use for them.

Mr. Stickles stated that the board is discussing four different things here. He gave the board a report of the square footages of the RM1 and RM2 of what we have now and his recommendation of what would keep the density low. The town's law of affordable housing he doesn't feel applies here. He always thought that would be for someone that is buying a new home at an affordable rate to be able to live there, not an apartment. The 900 square feet minimum is the same as your minimum 900 square foot for single family homes right now.

Trustee DeJesus stated that there are different steps to this, the accessory law, the recommendation the building inspector made in March, which makes sense and then they have to deal with the accessory law and the third being the apartments on Main Street.

It was the consensus of the board to deal with the zone.

Trustee Hurd asked if a property was non conforming how often does someone come before the zoning board.

Mr. Stickles stated that they have been coming before the zoning board more and more often.

Mayor Pearson asked what they are asking for.

Mr. Stickles indicated expansions.

Mr. Dowd stated that the original concept was how do we make the zoning in that area less dense, so you don't have the tear downs and rebuilds. By making this an R6 you're saying one and two family homes are permitted uses. You have 31 parcels that are single family right now, say they are on the minimum 5000 square foot lot, you rezone it to an R6 someone buys that house they can then tear it down and build up an 1800 or 2000 square foot bi-level and then put up two family.

Trustee Hurd stated that's not what we want.

Mr. Dowd stated that you are narrowing the amount of density by taking out the multi family aspect, but you have the possibility that singles can become doubles if they meet the requirements, even with 900 square feet.

Trustee Hurd stated that if we go to single family we take 16 properties and make them non conforming.

Mr. Dowd stated that what will happen is every time they want to put an addition on their house or add a garage they would need a variance.

Mr. Stickles stated that right now in the RM2, 7500 square feet is your minimum and on average you have 7,110 sq. ft. on all those properties, so those lots right now don't come up to 7,500 square foot minimum. If the board is going to change the zoning they should change all the things that would go along with that.

Trustee Hurd stated that if they are trying to prevent the possibility of the tear downs and rebuilds, the only thing he sees is one family homes.

Mr. Dowd stated that would lessen the density and you wouldn't have the possibility of the singles becoming doubles.

Trustee Hurd asked if we take the building inspectors estimate he's saying economically what the board is afraid of isn't really a threat at the present.

Mr. Stickles stated that it's not a threat presently, because you still have land to build on. Once the land runs out then you will have people coming in to invest in a couple homes. Their economic impact has to be what the zoning allows and what they can do.

Trustee DeJesus stated that it's not clear in terms of what do they want to do. Every illegal two family you can't say now it can only be one family. A lot of changes have to be made. He suggested the board talk about Main Street apartments. That might be where to focus. He asked Mr. Dowd if they can put a hold on any new apartments on Main Street until they review what is on the books.

Mr. Dowd stated that the planning board would have an obligation to process applications. There is nothing before the Planning Board now.

It was the consensus of the board to have this on the agenda for the next meeting.

Trustee DeJesus stated that there is an issue for potential in the downtown area so that should be on the agenda as a separate item.

Mayor Pearson stated that it will be put on the agenda as separate items.

### **Skateboard Park Concrete Bid Acceptance**

Manager Politi stated that the skateboard park concrete pad was put out to bid and one bid was received which was over the estimate and 45 minutes later a bid came in which we didn't accept. He asked the board since the one bid was 50% higher than the estimate he'd like to put that back out to bid.

Trustee Hurd moved to reject the bid for the skateboard park concrete pad from Dilemme Brothers. Seconded by Deputy Mayor Matise. All ayes. Motion carried.

Trustee Hurd moved to rebid the skateboard park concrete pad with a bid opening date of July 11<sup>th</sup>, 2006 at 10:00am. Seconded by Deputy Mayor Matise. All ayes. Motion carried.

### **Dump Truck Bids**

Manager Politi advised the board that the village went out to bid for a truck for DPW, we had allocated \$60,000 for the dump truck. Two bids came in one at \$57,790 and one for \$58,464. The low bidder did not provide a bid bond and it should not be accepted. You do have a complete bid that is \$700 more.

Trustee DeJesus moved to reject the bid from Western Ford because they did not provide a bid bond. Seconded by Trustee Hurd. All ayes. Motion carried.

Deputy Mayor Matise moved to accept the bid from Amthor's for the dump truck for \$58,464. Seconded by Trustee Hurd. All ayes. Motion carried.

Deputy Mayor Matise asked that when the new truck is detailed the village's web site be put there too.

### **Request for Two Handicapped Parking Spaces**

Manager Politi stated that there is a request from James Lucy Sr. who is the manager of Good Samaritan, for two handicapped spaces in front of the building.

Deputy Mayor Matise suggested that the handicapped parking space by Dominick's be taken away and put in front of the Good Samaritan and make the other spot a 24 hour loading zone.

Manager Politi indicated that they will lose two spaces in the square.

Trustee DeJesus stated that there are sidewalks that are handicapped accessible if you park in the parking lot. He doesn't see giving him two parking spaces, but if it's one space then it's for 2 hours.

Mr. Politi stated that they never requested a handicapped parking spot at their old location.

Mayor Pearson stated that she doesn't mind switching a space from one side to the other because she doesn't feel that was very accessible anyway for handicapped person to get in and out of. She agrees with the two hours.

Deputy Mayor Matise asked about the 20 minute space in front of Walden Elementary School. She feels by September that be put in place.

It was the consensus of the Board to authorize the manager to development a list of parking requirement changes.

### **School Crossing Guard Funding**

Mayor Pearson indicated that she spoke to the manager about getting funding from the school district, town or somewhere else besides Walden.

Chief Holmes stated that it was asked about before and no one ever followed through with it. In other communities school boards pay for some of it.

Mayor Pearson asked if the chief would work with her and maybe another board member to go to the school board.

Chief Holmes stated that he feels the mayor and manager should approach the board and he will have any information they would need.

### **Tree Planting Schedule**

Mayor Pearson stated that years ago there was a tree planning schedule, people would call the village office to request a tree and would be put on a list. Every year the village would plant five trees. She has received requests for trees. She asked what the board felt about this.

Trustee Hurd asked if the mayor wanted to plant trees as a basis for replacing deceased trees or trees for people who request them

Mayor Pearson stated both.

Trustee Hurd asked what caliber they would start with.

Manager Politi stated three or four inches.

Mayor Pearson stated that the tree they just planted was a four inch caliber and it cost two hundred and some.

Trustee Hurd stated that maybe if someone wants a tree bad enough maybe they will pay for it.

Mayor Pearson stated that the survey being done this year will tell us where we want to spend the money to take down and replant trees.

Manager Politi stated that the survey needs to be done first.

Mayor Pearson indicated that it can all happen at the same time.

Trustee Hurd stated that he feels the mayor should put together a sample program.

### **Cedar Street Right of Way**

Mr. Dowd suggested the board table this because he spoke to the attorney for the buyers and the property has changed hands and he no longer represents the buyer and we will call them and tell them that the board will consider selling the right of way that the house is over and see if they want to pursue it. If they're not going to pursue it then leave it alone.

### **Municipal Fees Law**

Mr. Dowd stated that the fees the board wants to change do not have to be done by local law, they can be done by resolution of the board. The board wanted to raise recreation fees to \$2000 and raise inspection fee escrow to 10%. Zoning board interpretations was also requested to be raised and that is already there. Street opening fees will be discussed at the department head meeting.

Trustee Hurd moved to raise the recreation fees to \$2,000 and raise inspection fees escrow to 10%. Seconded by Trustee DeJesus. All ayes. Motion carried.

### **Vehicle Use Policy**

Manager Politi stated that he used an example vehicle use policy to come up with a policy for the Village of Walden.

Trustee DeJesus stated that on Page 2, #7, you can't just depend on someone telling you their license is current. Where he works they randomly check your abstract and then he gets a notice if one of his workers licenses is suspended and immediately he has to advise them that they cannot drive. On 8.a, if you incur a parking fine the Village should not be paying for it. Number 9, no employee may use a municipal vehicle out of state without advance approval of the Village Manager, he asked if that would be work related. That has to be clarified.

Deputy Mayor Matise asked if that meant you can't drive through New Jersey to go to New York.

Mayor Pearson asked about 8.c, an employee who is assigned a municipal vehicle who is arrested or charged with a motor vehicle offense for which the punishment includes suspension or revocation of the motor vehicle license, whether it's a personal vehicle or municipal vehicle must notify his or her supervisor no later than 24 hours, conviction for this offence may be, she feels it should be will be, grounds for loss.

Manager Politi stated that this has to be passed along to the labor attorney. There will be questions, that being one of them.

Deputy Mayor Matise asked that under number 1 it should include the web site be listed.

Mayor Pearson asked if it was just the manager and chief's vehicles that would have the seal on the side of the vehicles.

Manager Politi stated that his vehicle is under a contract and he will negotiate whether there should be a seal on the side of it. That is more for the DPW.

Trustee DeJesus suggested a magnetic seal for when they are on official business. He doesn't feel the manager's car needs one.

Mayor Pearson brought up family members shall not be transported in village vehicles, who is excluded from that.

Trustee Hurd stated that the village manager is.

Manager Politi stated that the insurance company says its okay to have family members in the car.

Mr. Dowd stated that you may be violating the ethics code as far as the use of the vehicle to be transporting a family member for a private purpose. He's talking this policy as it applies to police cars, generally, village trucks generally, building inspectors vehicle. If you're using a vehicle as it is entrusted to you for transporting your children to school.

Trustee Hurd asked who would be transporting their children back and forth to school.

Chief Holmes stated that he would. When he was originally hired there was a gentleman's agreement, he lived outside the village and he was told he had to move into the village and therefore he could use that car anywhere and at anytime in the village Mr. Kelly was very specific about once the chief moved into the village he had full use of that car in the village anywhere, anytime. One of the things he does at the end of his day is pick his children up at school and takes them home.

Trustee Hurd stated that the chief is different because he is the chief law enforcement officer of the village and he is on call and on duty 24/7/365.

Chief Holmes stated that the Village Manager at that time said to him that when you live in this village we have expectation that wherever you go that you will be driving around seeing things and you call the on duty patrol.

Trustee Hurd asked the attorney if that would be a conflict with the code.

Mr. Dowd stated that he thinks that just like it would be with the Village Manager from a contract point of view it would have to be reinforced that that's the continued understanding.

Deputy Mayor Matise stated that the manager's contract doesn't say exclusive use of the vehicle.

Manager Politi stated that when he was hired there was a pamphlet put out that said there would be exclusive use of the vehicle.

Deputy Mayor Matise stated that's not a contract. That was a pamphlet soliciting for a job.

Manager Politi stated that they are going into a contract negotiations in public again.

Deputy Mayor Matisse stated that they are talking about developing a policy.

Mayor Pearson stated that Trustee DeJesus gave the board information where the manager got the information from. She asked for clarification from the attorney regarding employees assigned municipal vehicles on a 24 hour basis will be given a copy of this policy and will be required to sign a confirmation receipt. Employees authorized to commute in a town vehicle may be subject to imputed income tax regulations set forth by internal revenue service. It was given to them in the information package and should it be put in the policy.

Mr. Dowd stated that he saw the policy when he received his packet and he has not discussed this with the manager yet. It's a start the manager put together as a discussion item. They will take up that issue.

Deputy Mayor Matisse stated that some of the information Trustee DeJesus gave them was not addressed, such as drivers under the age of 25, why isn't it covered.

Manager Politi stated that this policy has to be given to the insurance broker so he can see how that goes into our risk management. If you cut out under 25 you just cut out your beautification crew and a police officer.

Deputy Mayor Matisse asked if mileage reimbursement be included.

Manager Politi stated that could be added.

## **Correspondence**

Mayor Pearson stated that a letter was received from the Town Historian requesting a letter of support for the Town of Montgomery's application for funding through the New York State Department of Transportation Enhancements Program.

Manager Politi explained that there is a Tea Grant going in by the Village under a different criteria, it's for the rail trail bridge. The Town Supervisor supported the Village's Tea Grant application. These are two different categories and are not competing against each other.

Mayor Pearson moved to authorize the manager write a letter of support for the New York State Department of Transportation Enhancements Program. Seconded by Trustee DeJesus. All ayes. Motion carried.

## **Public Comment**



Brenda Martin asked if its illegal to plant trees is it illegal to plant a blue rug juniper between the curb and the sidewalk.

Manager Politi stated it as illegal that would be to control what type of tree.

### **Executive Session**

Deputy Mayor Matisse moved to hold an Executive Session pursuant to 105-(h), acquisition of property, of the Public Officers Law. Seconded by Trustee DeJesus. All ayes. Motion carried.

Trustee DeJesus moved to reconvene the regular meeting. Seconded by Deputy Mayor Matisse. All ayes. Meeting reconvened.

### **CDBG Funding**

Deputy Mayor Matisse moved to consider the following projects to be funded under the Orange County Community development Program; \$50,000 for sidewalks, \$15,000 code enforcement, and \$10,000 Scout Cabin ramp. Seconded by Trustee Hurd. All ayes. Motion carried.

### **Adjournment**

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

Respectfully submitted,

Nancy Mitchell  
Village Clerk