

**Village of Walden  
Board of Trustees Meeting  
November 13<sup>th</sup>, 2007**

Mayor Becky Pearson 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	Becky Pearson
	Deputy Mayor	Mary Ellen Matise
	Trustees	Mary Jane Norman
		Roy Wynkoop
		Richard Hurd
		Jose DeJesus
		Edmond Leonard

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

**Moment of Silence**

A moment of silence was held for the passing of Ethel Eckert.

**Hearing – Mr. Joseph Columbo, Abandoned Vehicles Violations**

Mr. Columbo was not present.

Richard Penney, Code Enforcement Officer stated that this has been going on for most of the year. There are other code violations which are before the courts and he has failed to show up three times for court appearances.

Mr. Dowd stated that the idea here was to give Mr. Columbo the option to dispute the finding that he was in violation of the law and or ask for more time to rectify it. He is not present tonight so you can close the hearing and go to the next step which is to order the vehicle removed or give him an additional seven days and mail him the resolution the board made tonight and or at the end of the seven days if he doesn't do it order the code enforcement officer/building inspector/village manager to take what ever steps are necessary to remove it and put all the costs on the property.

Trustees Wynkoop and Norman stated that Mr. Columbo has been given enough time to remove the vehicle.

Anne Ilkiew stated that she knows Mr. Columbo and she knows his significant other recently passed away after a long terrible illness.

Trustee DeJesus moved to give Mr. Columbo seven days to remove the abandoned vehicle and if it's not removed order it be removed by village forces and bill him and if he doesn't pay the bill it will go on his taxes. Seconded by Trustee Wynkoop. All ayes. Motion carried.

### **Approval of Minutes**

Trustee Leonard moved to adopt the minutes of October 23, 2007 with the following corrections: Page 2, 3rd paragraph change perspective to prospective, Page 3, 3rd paragraph change to not susceptible, Page 12, 12<sup>th</sup> paragraph change drip to drop, Page 21, 8<sup>th</sup> paragraph add were received, parks \$14,997 and library \$76,000. Seconded by Trustee Wynkoop. All ayes. Minutes adopted.

Trustee Hurd moved to adopt the minutes of November 1, 2007. Seconded by Trustee. All ayes. Minutes adopted.

### **Public Portion**

Anne Ilkiew addressed the board regarding vandalism to her car and the town's car in the Oak Street parking lot.

Mayor Pearson asked if the manager was aware of this.

Manager Politi stated no.

Trustee DeJesus stated that they need to know how many incidents there have been.

Deputy Mayor Matise stated that they also need to know if the lights are working.

### **Public Hearing-Introductory Local Law I-7 of 2007, "Municipal Separate Storm Sewer System"-Illicit Discharge**

Mayor Pearson read the notice of hearing.

Deputy Mayor Matise stated that she's been talking to Manager Politi about putting some of the information about this law on our web site. People shouldn't be raking their leaves into the street.

Mayor Pearson asked about the correction measures for appeals, what court would that go to?

Mr. Dowd stated that it would go to the village court.

Mayor Pearson asked about alternative remedies, she asked if the board would not want to be involved in something that is much more than just paying money and if they want to try and not be responsible for something or are we leaving that up to the code enforcement officer.

Mr. Dowd stated that you have to read the context of the five criteria you qualify for alternative remedies. If you're a repeat offender you do not qualify.

Mayor Pearson asked about Section 13, B, Penalties, is that standard. Can we go above that?

Mr. Dowd stated that this was recommended by the state.

Deputy Mayor Matise asked if this a repeat violation of the same offense or different offenses.

Mr. Dowd stated that it could be any violation of the law, but with the same calendar year within a period of five years.

No comments from the public.

Trustee Hurd moved to close the public hearing. Seconded by Trustee Leonard. All ayes. Public hearing closed.

Trustee Hurd moved to declare the Board of Trustees lead agency and to declare a negative declaration with regard to SEQRA. Seconded by Deputy Mayor Matise. All ayes. Motion carried.

Deputy Mayor Matise stated that she hopes the village establishes a strong educational component of this. People have to know that the village is responsible under the MS-4 regulations. If individuals violate it the village is responsible for their violation.

Trustee DeJesus suggested this go on the calendar for next month.

Deputy Mayor Matise moved to adopt Introductory Local Law I-7 of 2007, "Municipal Separate Storm Sewer System", Illicit Discharge, as Local Law No. 7 of 2007. Seconded by Trustee Hurd. All ayes. Motion carried.

### **Public Comments Continued**

Dick Baxter 71 Maple Street stated that he was approached by a group of residents of the village that came to his shop to have signs made up because they are trying to stop the drug dealers from hanging out on Main Street by the McKinley Statute. He suggested they come to a board meeting or contact Officer Montanaro or Chief Holmes.

Mayor Pearson suggested a neighborhood watch in that area.

Mr. Baxter suggested a village watch.

Deputy Mayor Matise stated that in the chief's report he said he was beefing up the foot patrol until Thanksgiving.

Susan Rumbold, 82 Highland Avenue stated that she works on Main Street and that she attended many meetings regarding the parking issue which was a real hot potato. Her concern is that they all came to an understanding that parking is at a premium and there were a lot of concerns about employees and business people parking in the Orchard Street parking lot excluding customers, patients, whoever needed to park there. They were told not to park there and given alternatives. For the past couple months there has been construction equipment and materials taking up parking spots in the Orchard Street parking lot. She asked if the landlord got permission from the village to place the equipment and materials in the parking lot. She asked if there is an agreement and is the village being compensated for the use of those parking areas and what are the liability issues. She has a coworker who parks by the post office and walks to work and allowing this kind of activity in the parking lot is a slap in the face of that agreement that was made.

Trustee DeJesus stated that he was going to bring this up tonight. They are taking up four spaces and how do they go about using those spaces and is there a permit process.

Mayor Pearson asked if there was a permit process.

Manager Politi stated that he takes responsibility for that. They are working there trying to finish that building. They did have a staging area. They monitor that lot and its rarely full, only when there is a funeral.

Trustee DeJesus stated that at one time the board talked about the issue of scaffolds and whenever you're using public space that presents a liability issue there has to be an orderly process that they use. If someone trips and gets hurt the liability comes back to the village. Saturday someone was chipping away at the curb on Scofield Street to put a dumpster in.

Manager Politi stated that was to open up the curb so they could hide the dumpster. They are trying to solve the dumpster problem back there as well. He will be coming to the board with an idea of how to take care of the dumpsters once the construction is done. He can't show the board a permit. He will find out from the building inspector. They are trying to keep the fire lane open that is why they put the material in the parking spaces.

Trustee DeJesus stated that there needs to be a time frame. With the new law this would be a violation.

Mr. Dowd stated that he would be concerned with the liability.

Mayor Pearson asked if there should be a policy.

Trustee Hurd stated that this is something the board should discuss.

It was the consensus of the board to have the manager and building inspector come up with a policy.

Trustee Wynkoop suggested this be on the agenda for a work session.

### **Audited Bills**

Trustee Hurd moved to pay the audited bills of November 13, 2007. Seconded by Trustee Hurd. All ayes. Motion carried.

### **Introductory Local Law I-8 of 2007-Stormwater, Soil Erosion & Sediment Control**

Mr. Dowd stated that this is the second part of the MS-4 regulations that have to be adopted.

Mayor Pearson asked about Page 6, C, they were talking about residential properties creating 3 or more lots and in the law it states 5 or more lots.

Mr. Dowd stated that they were trying to make this jive with the existing subdivision regulations. A minor subdivision is less than 3 lots and a major subdivision is more than 5 lots. He met with the manager, building inspector and engineer because his concern was if you're going call it major why don't you include major subdivisions as opposed to minor subdivisions. It makes it more consistent.

Mayor Pearson stated that at the bottom of page 6 minor is less than 3 lots.

Mr. Dowd indicated that it should be less than 5 lots and he will change that.

Mayor Pearson asked about the application fee.

Mr. Dowd stated that there are existing land application fees.

Mayor Pearson asked about page 15, C, if that will be a form and where does that stay.

Mr. Dowd stated that will be in the application itself.

Mayor Pearson also asked about Page 23, A, Submission of Reports, she wanted to change may to will.

Mr. Dowd stated that will make it mandatory. There's not discretion what so ever. There are going to be instances where the person is in compliance and by saying will they have to file these reports showing they are in compliance. If the building inspector finds someone in compliance they wouldn't have to file a report.

Mayor Pearson also pointed out that it's the same in Section 25, A, why wouldn't we draw upon it.

Mr. Dowd stated that he may have corrected it immediately upon pointing it out to him.

Trustee DeJesus stated that if you are going to make it a point to draw upon the account to cover the cost because there is adequate compliance could get very costly for the village and then you would have to recover that money which again becomes costly.

Mayor Pearson stated that the fines should be higher.

Mayor Pearson stated that on Page 26, Section 28, D sounds like its only giving the Stormwater Management Officer the ability to issue a stop work order; she believes it should be other people. If he's not here who do you call?

Mr. Dowd indicated that by definition the Stormwater Management Officer is the Building Inspector unless otherwise designated and when he's not here it's the engineer.

Deputy Mayor Matise moved to introduce Introductory Local Law I-8 of 2007, "Stormwater, Soil Erosion & Sediment Control." Seconded by Trustee DeJesus. All ayes. Motion carried.

Trustee Leonard moved to hold a public hearing on Introductory Local Law I-8 of 2007, "Stormwater, Soil Erosion and Sediment Control" November 27<sup>th</sup>, 2007 at 6:30pm. Seconded by Trustee Norman. All ayes. Motion carried.

### **Tin Brook Estates-Request for Water & Sewer for Town Property**

Robert Daly, Planner representing Ridgeview Builders, Inc. and Theresa Furia stated that they are requesting extension of the villages water and sewer services to serve ten new residential hookups off of Northern Avenue which property is in the town.

Manager Politi stated that he did explain to Mr. Daly that property in that area has been denied village water and sewer.

Mr. Daly stated that in 2003 they requested that a municipal extension of services be considered, but it was deemed that there were no satisfactory services available in terms of quantity of both water and sewer services at that time due to work that had to be undertaken in the village. This project has been reconfigured, eight lots with a common

septic on one of the lots which would be proposed in an area where there are good soils. That proposition to the town led the town to say if that is what you want to do lets pursue the option of an extension of services by the village. They are 200 to 300 feet to village services.

Deputy Mayor Matise asked what size the lots were.

Mr. Daly stated approximately 2 acres.

Trustee DeJesus asked how big the homes would be.

Mr. Daly advised him 3200 square feet. He further stated that in his letter to the manager he estimated for purposes of water use 4,000 gallons, which would be 400 gallons per residence on a daily usage and sewer would be the same.

Trustee Leonard asked how many bedrooms.

Mr. Daly stated three and four.

Trustee Leonard stated that the water consumption would be higher than 400 gallons.

Trustee DeJesus asked if that was a reasonable estimate.

Manager Politi stated that the village normally calculates 150 gallons per bedroom. That is what they use as a guide.

Trustee DeJesus stated that the board has already said no to a similar situation and he's not in favor of doing this.

Trustee Wynkoop agreed.

Trustee Leonard stated that he is against it too. He is not happy with a leech field close to the village border.

Deputy Mayor Matise stated that under SPEDES laws you don't know what is going to happen. If there is contamination in the Wallkill River how are they going to prove where it comes from? Does it come from failed septic along Northern Avenue or does it come from our plant.

Trustee Hurd stated that we have been consistent in keeping our water and sewer for our village residents and for our build out, he doesn't want to set a precedent.

Trustee Norman stated that she agrees, a few weeks ago the board said no to someone on Northern Avenue, how can we say yes to this.

Trustee Wynkoop stated that there is another sixty acres down their undeveloped and if you say yes to this you will have to say yes to that.

Deputy Mayor Matise stated that the board said no for one lot and we have other issues that all the properties have septic systems and septic systems near the Tin Brook and the river and we have problems with capacity, not just capacity problems, but function problems with the sewer treatment plant. She is not interested in selling people water and sewer unless we're getting all the taxes for the property. If people want our services then they should be part of the village.

Mr. Daly stated they were not looking to be sold services at a discount. The village services would be something that they would pay for on a one time basis and continue to pay for on a district basis.

Trustee Hurd stated that's not the issue.

Mayor Pearson stated that the main issue is that we didn't do it for someone else so we don't feel we should do it now.

Trustee DeJesus stated that this is something that would have to be thought out very well and has to be established. We don't have a procedure in place to do it. We have to look at it in terms of our internal needs and once we get to that build out then we could pursue other applicants.

Mr. Daly stated that they would not be adverse in looking at an annexation in that area.

It was the consensus of the board not to provide village water and sewer to Tin Brook Estates.

### **Shared Municipal Service Initiative**

Tabled until November 27<sup>th</sup>, 2007 when Chief Holmes can be present.

### **16 Oakland Avenue Tree Removal Request**

A letter was received from Michael T. Malnic requesting two oak trees that line 16 Oakland Avenue be taken down because the acorns and branches fall and cause damage to his property.

Manager Politi stated that he asked Mr. Lamandola to contact Mr. Pursutti to come out and look at the trees and they were both emphatic that those trees are healthy and should not be cut down. If Mr. Malnic wants to come forward Mr. Pursutti will defend those trees.



Mayor Pearson asked that a letter go out to Mr. Malnic advising him of what Mr. Pursutti said.

### **Ponds @ Riverside II – Punch List Review**

Manager Politi stated that they have paved the ends of the street. Hidden View and Galloway is done.

Trustee Leonard stated that there is one problem with the paving and that is that they buried some of the facilities and they will deal with that. He had concerns as to whether Beezer was going to have the ability to finish the project. They are looking to dedicate those streets so they can ask for a reduction in their bond.

Mayor Pearson asked about collecting on the bond, is that three years from the start date or three years from the closing?

Mr. Dowd stated that its three years from the start date. They are not in default. Ponds I and Ponds II are two separate subdivisions. Ponds I started later and is not complete and you wouldn't want them to finish the top course because they will rip it up when they do the additional lots. They will build as they get buyers. If it gets to the point where there is a problem by this time next year and they are still not done then you might want to see what you can do to speed up the process. You might want them to post a separate bond for any defect. It's Ponds II that can be dedicated.

Mayor Pearson asked how long has Ponds II been being built.

Mr. Dowd stated two years.

### **Sewer Plant Rehab Update**

Manager Politi gave the board an update on the sewer plant. He also indicated that there is a concern they have at the sewer plant. The primary settling tanks have all new plows on them; there's been a great deal of work done with both chambers. The trickling filters are operating well. The secondary clarifiers, one is a complete rebuild. You don't have a second digester that you can depend on and that is where our problem is. The digester started getting backed up with sludge and our belt filter press was down at the same time. That is why there are odor complaints. We've had to use the drying beds. The whole processing part is in good shape less the digester. The digester is a big ticket item. You will have to drain the tank which will cost anywhere from \$70,000 to \$90,000. That will only buy a month or so. It will be a difficult process to do this. DEC responded to an odor complaint, so they came to the plant and took a look. The tank will have to be emptied and the tank has to be inspected, you have to fix the cracks if there are any, and you need two mixers to go in the tank. This will cost between \$300,000 to \$400,000 to make this all work. In addition to this they are going to see what it would take to bring in another tank, then you will have redundancy and be able to clean the tank out and take your time to do repairs in the future.

Trustee DeJesus asked what happened that we got to this expensive proposition.

Manager Politi stated that they found that the digester kept backing up on them and they couldn't get the belt filter press to work. The mixer broke and now you're getting too wet of a mix and it is backing up and the system is not working. The digester keeps filling and it's not supposed to fill like that all the time.

Trustee DeJesus asked if there was a warning.

Manager Politi stated that when the belt filter press went down that is when it became apparent that the digester was not working.

Trustee Hurd suggested they buy two new digesters at \$200,000.

Manager Politi stated that he doesn't want to quote any numbers. They were thinking to put a new one in and step it to remove the old one. They are exploring that idea right now.

Mayor Pearson asked for a time frame.

Manager Politi indicated that he doesn't have one. He will need an emergency decision by the next meeting to move forward on this. He is exploring funding.

Mayor Pearson asked about the grant Mr. Nolan was talking about.

Manager Politi stated that NYSERTA grant would be if this was working and you wanted to try and capture the methane for power. Right now you need to get this back on line and functioning.

Trustee DeJesus stated that they have to start looking at the budget soon.

Manager Politi stated that next year you'll have to put money into the Rail Trail.

Mayor Pearson suggested they get the equipment that would create electricity.

Manager Politi stated that this has to function before you can go to that process. You can't make it work unless this is fixed.

Mayor Pearson stated that she is talking about purchasing a new one.

Manager Politi stated that it's a separate system that would attach to that.

Mayor Pearson stated that when you put a new one in then this one would then be cleaned out and the new one would be doing the work of this one. Would the new one be able to have the convenience of capturing the methane?

Manager Politi stated yes.

Mayor Pearson stated that she is looking at alternatives. She asked if the manager is saying you have to fix this before purchasing something new.

Manager Politi stated that capturing the methane is a separate and distinct item. It might have to be an add on.

Deputy Mayor Matise asked if there were any New York State Clean Water funds available.

Manager Politi stated that they are exploring that.

### **Community Development Block Grant Funding**

Deputy Mayor Matise asked about the Girl Scout Cabin.

Manager Politi stated that the building inspector is doing the plans and they will be given to the engineers.

Mayor Pearson asked about the code enforcement officer.

Manager Politi stated that he was talking to the building inspector about hiring a second code enforcement officer. In going over the work that Mr. Penney had been doing. Mr. Stickles work is slowing down and he can pick up the slack. So, you may want to defer this money to another project if we don't need another code enforcement officer.

Once the money is allocated they want you to use it.

Trustee DeJesus suggested they divert the money to the day care center.

Mayor Pearson suggested sidewalks.

Deputy Mayor Matise suggested the McKinley Monument and potholes.

Mayor Pearson stated that the first question is can we divert it and going into something we've already been approved for which may be something they would be willing to do instead of putting in a whole new project.

Deputy Mayor Matise suggested day care do fund raising.

Trustee DeJesus stated that right now they are not in the position to do fund raising and this is money that is there. This would be an easy transfer. This is a service that is needed.

Deputy Mayor Matisse stated that there is 6700 residents in the village that have other needs too.

Trustee DeJesus stated that he understands that, but they have \$46,000 for sidewalks.

Deputy Mayor Matisse suggested they use the money towards the sewer work. She also suggested the McKinley Monument.

Trustee DeJesus reminded her that's new.

It was the consensus of the board to use the money for day care and sidewalks.

### **McKinley Monument**

Manager Politi stated that they are asking for a couple more tools in that area for the police. They are looking for local laws that say keep off the grass and stay off the wall. It has to be a law to be enforced.

Trustee DeJesus asked about no loitering.

Manager Politi stated that is unconstitutional.

Deputy Mayor Matisse stated that its considered a park.

Manager Politi stated that he doesn't know if it's been dedicated as a park.

Trustee Wynkoop stated that you have to stop the trucks from taking that turn and driving over the wall.

Trustee DeJesus stated that the owner of that building could post a notice that you're not permitted to loiter and the police are allowed to intervene.

Manager Politi stated that right now the police are giving tickets for jay walking, old laws that we still have. They are giving them a hard time and that's why there are less of them there. This is another one we can use because they are now gravitating to the wall. If we have something we can tag them with that is what the police need. The chief will be giving the board a breakdown of all the tickets that have been given.

Trustee DeJesus asked if the police car can be parked at the Mobil Station to deter them.

Mayor Pearson asked if no sitting on the steps can also be put in the law.

Mr. Dowd stated that people might want to go up the steps to look at the monument and you don't want those people to get hit with a ticket.

Manager Politi asked the board if he can put something together and see what it looks like.

It was the consensus of the board to have the manager put something together and see what it looks like.

Trustee Hurd stated that the problem is the Mobil Station and what prevents them from moving to another area. He suggested they talk to Officer Montanaro and the Chief.

Mayor Pearson asked if they are ready for a curfew. She found new legislation on that.

Trustee Norman stated that the parents fought the village on equipment for the stake board park, so you think you're going to tell these parents their kids have to get off the street. She doesn't agree with a curfew, the police need to do more heavy duty.

Trustee DeJesus asked if the youth officer only works with certain age groups.

Manager Politi stated that he works with kids under 18 and he also does patrol.

Deputy Mayor Matise stated most of these people are over 20.

Mayor Pearson asked if the village is still short two full time officers.

Manager Politi stated yes.

### **Public Comment on Discussion Items**

Brenda Martin, 31 Valley Avenue stated that the kids are mobile and they aren't kids. They are moving from Richardson Street to 15 East Main Street. Patrols are helping and the neighborhood watch has slowed down. It is a village wide problem. They have a surveillance camera which does help. Sunday night they dumped trash cans.

Trustee Hurd asked if anyone has talked to the owners of the Mobil Station. He's seen them sitting on the curb by the store and drinking beer.

Mayor Pearson suggested the board writes a letter to the business.

Trustee Wynkoop asked about enforcing the open container law.

Mr. Dowd indicated that's private property.

Mayor Pearson stated that the Hess Station closes at 11pm now, has that helped. She asked the manager to check with the chief on that.

Trustee Wynkoop suggested the police id the kids that are drinking.

Mr. Dowd stated that you can't harass them.

Trustee Leonard suggested the Chief write to both Hess and Mobil and ask for cooperation.

Mr. Dowd stated that this board can ask for cooperation.

Trustee Hurd suggested that a copy of the letter go to corporate headquarters.

Trustee Wynkoop suggested the village contact the State liquor authority and have them come in.

Mayor Pearson stated that she will write a letter on behalf of the board.

### **Correspondence**

Mayor Pearson received the permit to use the State owned property for the purpose of renting a 3522 square foot right of way located adjacent to the bridge of the Wallkill River for a public park.

Deputy Mayor Matise asked if there was an issue with the adjoining property.

Manager Politi stated that if this is a public park with state land you have to have ADA accessibility. The grade going down to the octagon is steeper than ADA accessible so if you were to build a walkway you have to figure out how to get down. If we can get a right of way from the Cedars to put one handicapped parking space you would satisfy that requirement. They have said no twice so far.

Mayor Pearson stated that we can still take it and plant a tree and put a flag pole up. She will call the State and see what he has to say about that.

The Mayor also received correspondence from the Office of the Aging informing the village that Anita Vandermark has accepted to fill the vacancy on the advisory council.

A letter was also received from the National Association of Housing and Redevelopment Officials thanking the village for allowing Kerron Barnes to participate in leadership these past two year.

### **Village Manager's Report**

Manager Politi reminded the board about the joint annexation hearing with the town is on November 15, 2007 at 7:30pm at the Town Hall.

Trustee DeJesus asked if they met the publishing of the notice requirements.

Mr. Dowd stated that he doesn't believe so however there sort of a no harm found in the law. If you publish a notice that is not the proper time limit it gives the option to the other municipality to post it properly. According the General Municipal Law there is no defect in not publishing in a timely way. We missed it by a couple days.

Trustee DeJesus asked what impact that would have on the public hearing.

Mr. Dowd stated that there is no foul.

Deputy Mayor Matise asked if they had to give notification to adjacent properties.

Mr. Dowd stated no, the school district, fire district and applicant.

Manager Politi advised the board that Mike Taback is back on as a full time officer. Also, he advised the board that the capacity of the skate board park is 40-45. Mr. Howland advised him that on the heavier days you're probably hitting in the 30's.

Mayor Pearson asked if there was a cut off date for the skate board park.

Manager Politi stated no.

Mayor Pearson asked if any board members want to be involved in the illegal alien, motor vehicle situation.

Trustee DeJesus stated that Nancy Calhoun should be dealing with that.

Manager Politi stated that he also has the department reports.

## **Board Comments**

Trustee Norman stated that a few weeks ago the board discussed traffic and streets, she hopes this doesn't die again. She also stated that the bills need to be signed by the board members. She further stated that when there are programs such as the Halloween program she would like a report as to how much was spent.

Trustee Norman thanked everyone for their help with the haunted house and the carving of the pumpkins. In regard to the square the Mayor and herself decided that the pumpkins they usually put out in the square they used for the kids at Woosters Grove. That is why there weren't pumpkins all over the square. She felt the front of the building looked beautiful. Also, they decided not to use the corn stalks because of the cost.

Trustee Leonard stated Russell Budd sent a letter advising that the Economic Development Plan is asking the village to support a Greenway grant in the sum of \$10,000. They are asking the three villages to support this. This doesn't preclude the

village from submitting a Greenway grant of their own. It's due the second week in December. They got \$20,000 from the Orange County Planning Department grant to support that. The next meeting is November 20, 2007.

Trustee Leonard moved to support the Greenway Grant in the sum of \$10,000. Seconded by Trustee DeJesus. All ayes with the exception of Trustee Norman abstaining. Motion carried.

Trustee Leonard asked if the water fund was starting to come up with the implementation of the new meters.

Manager Politi stated that you're only going into the second reading so you have to give it time.

Trustee Leonard asked about the performance of the meters, they had to come up and read his.

Manager Politi stated that it could be a bad sensor. Also, some had the wrong ID numbers that had to be corrected.

Trustee Leonard asked if that project was complete.

Manager Politi stated that there are still about 100 meters out there that have to be changed out.

Mayor Pearson asked if there was a final number on the cost of that project.

Manager Politi stated that he has to find that out.

Trustee DeJesus stated that at one point they talked about tampering of the meters and that they would be writing something up that there would be penalties.

Mr. Dowd stated that they already have something in the code.

Trustee DeJesus also stated that they should start the budget.

Deputy Mayor Matise suggested they start in December.

Deputy Mayor Matise asked if the attorney got anywhere with the ambulance letter.

Mr. Dowd stated that he tried to contact the town attorney and he will continue tomorrow.



Deputy Mayor Matisse stated that in the bills there was an invoice from Winum for Pine and Maple Street for \$280. a month. She asked if they could look for a grant for that. That is going to start to get expensive.

Manager Politi stated that was to reestablish what they mowed down.

Deputy Mayor Matisse asked if they will have that expense all next year too.

Trustee Norman stated that they need to tell the teachers not to park there.

Manager Politi stated that the school has been contacted.

Deputy Mayor Matisse stated that someone from Pennsylvania has been there for more than 30 days.

Mayor Pearson moved to apply for a Greenway Grant for the Pine and Maple Street Park. Seconded by Trustee Leonard. All ayes. Motion carried.

Mayor Pearson indicated that she will contact Mr. Barnes to write the grant.

Deputy Mayor Matisse stated that someone approached her and said he applied for a job here and he never received a rejection letter.

Manager Politi stated that he will tell her why that was done.

Deputy Mayor Matisse stated that it's just a courtesy.

Mayor Pearson thanked Trustee Norman for helping out with Halloween. She also stated that garbage has to be put back on the agenda regarding shutting up the house.

Trustee DeJesus stated that they also have to deal with Dr. Bojsiuk's garbage issue.

Mayor Pearson stated that they never finished the discussion on miles for commuting.

Mr. Dowd stated that the board needs to establish a policy as to charges for use of village vehicles. In one case it's considered a taxable fringe benefit. He spoke to a tax attorney and they have the regulations from the IRS. It is suggested that they go with a straight fee per diem which is \$3.00 per day and that would be put on the W-2 form as a taxable fringe. One of the other employees is exempt and the other one it is a taxable fringe for commuting but under the IRS regulations it is not something that he must put on the W-2, it is something the individual must declare. It is a vehicle being used on call, but a commuting element and that is where it becomes the individual's responsibility not the villages. The board has to declare it a policy with the daily figure of \$3.00.

Mayor Pearson asked if there will be book keeping for the one who has to report it themselves.

Mr. Dowd stated no.

Mayor Pearson stated that she thinks the definition of exclusive is what she thinks is missing here.

Mr. Dowd stated that the Mayor should discuss that with the other board members and the employee as to what the intent was. There is now a different meaning to the work exclusive than what the practice has been then that is what should be discussed with the employee, negotiated and determined what that means.

Trustee Wynkoop asked if that would be based on a five day week.

Mr. Dowd stated that he would suggest you base it on a full year.

Trustee Hurd stated that this is not on tonights agenda. He would like it on the agenda for discussion.

Mr. Dowd stated that they need to have the policy in place so the treasurer knows what to put on the employees W-2.

Mayor Pearson stated that will be on the next agenda.

Trustee Hurd stated that they will have to go into executive session to discuss the compensation portion of it.

Mayor Pearson asked compensation of what.

Trustee Hurd stated the original contract.

Mr. Dowd stated that they should wait for the individual to ask to go into executive session.

### **Adjournment**

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

Respectfully submitted,

Nancy Mitchell

Village Clerk