

Motion and Resolutions
September 23, 2008

Public Hearing – Introductory Local Law No. I-5 of 2008, “Vehicles and Traffic”

Trustee Hurd moved to close the public hearing. Seconded by Deputy Mayor Matise. All ayes. Public hearing closed.

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

Deputy Mayor Matise moved to adopt Introductory Local Law No. I-5 of 2008, “Vehicles and Traffic” as Local Law No. 4 of 2008. Seconded by Trustee Rumbold. All ayes. Local Law adopted.

Board of Trustees’ Health Care Benefits Option

Trustee Rumbold moved to instruct the attorney to draft a local law changing the compensation for Walden Village Trustees to a straight salary of \$6,000 per year and no medical benefits, the Mayor would receive \$1500 more and add \$2400, (or whatever the difference is for the Trustees) to the Judge’s salary. Seconded by Deputy Mayor Matise. All ayes with the exception of Trustee Hurd voting no. Motion carried.

Local Law I-6 of 2008 – Cash in Lieu of Payments for Health Insurance

Deputy Mayor Matise moved to hold a public hearing on Introductory Local Law I-6 of 2008, Cash in Lieu of Payments for Health Insurance on October 14, 2008 at 6:30PM. Seconded by Mayor Pearson. All ayes with the exception of Trustee Rumbold voting no. Motion carried.

Resolution 4-08-09-Amendment of Investment Policy

Deputy Mayor Matise moved to adopt Resolution No. 4-08-09, Amendment to the Investment Policy. Seconded by Trustee Hurd. All ayes. Motion carried.

Resolution No. 5-08-09-Amendment of Trustee Health Insurance Fringe Benefit

This resolution was taken out.

Resolution No. 5-08-09-Budget Amendment for Transfer Funds

Deputy Mayor Matise moved to table Resolution No. 6-08-09 – Budget Amendment for Transfer of Funds. Seconded by Trustee Hurd. All ayes. Motion carried.

Northeast Hub Inc.-Late Tax Penalty Refund Request

Trustee Rumbold moved to deny the request for the fund of the late tax penalty for Northeast Hub, Inc. Seconded by Trustee Hurd. All ayes. Motion carried.

Approval of Minutes

Trustee Rumbold moved to adopt the minutes of September 9th, 2008. Seconded by Trustee Hurd. All ayes. Minutes adopted as corrected.

Audited Bills

Trustee Rumbold moved to pay the audited bills. Seconded by Trustee Wynkoop. All ayes with the exception of Trustee Norman voting no because she has not seen the bills. Motion carried.

Executive Session

Trustee Rumbold moved to hold an Executive Session pursuant to 105(f), Personnel, Village Manager's contract and (e) Collective Bargaining. Seconded by Trustee Hurd. All ayes. Motion carried.

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

Deputy Mayor Matise moved to hold an Executive Session pursuant to 105-(d), litigation. Seconded by Trustee Rumbold. All ayes. Motion carried.

Mayor Pearson moved to reconvene the regular meeting. Seconded by Trustee Norman. All ayes. Meeting reconvened.

Adjournment

Trustee Rumbold moved to adjourn. Seconded by Trustee Norman. All ayes. Meeting adjourned.

**Village of Walden
Board of Trustees Meeting
September 23, 2008**

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

In roll call the following were:

Present:	Mayor	Becky Pearson
	Deputy Mayor	Mary Ellen Matisse
	Trustees	Mary Jean Norman
		Richard Hurd
		Roy Wynkoop
		Susan Rumbold
		Marcus Millspaugh Jr.

Also Present:	James C. Politi, Village Manager
	Victoria Kurtz, Deputy Village Clerk
	Kevin Dowd, Village Attorney

Absent:	Nancy Mitchell, Village Clerk
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Moment of Silence

A moment of silence was observed for Helen McKay who passed away. Mrs. McKay was the Village Clerk for 26 years and also for Eugene Meier who was a former trustee.

Public Hearing – Introductory Local Law No. I-5 of 2008, “Vehicles and Traffic”

Mayor Pearson presented the Affidavit of Publication, Affidavit of Posting Notice and Notice of Hearing which was read by the Mayor.

Debbie Lynch asked about the local law and Manager Politi showed her the map and explained the local law.

Trustee Hurd moved to close the public hearing. Seconded by Deputy Mayor Matisse. All ayes. Public hearing closed.

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

Deputy Mayor Matise moved to adopt Introductory Local Law No. I-5 of 2008, "Vehicles and Traffic" as Local Law No. 4 of 2008. Seconded by Trustee Rumbold. All ayes. Local Law adopted.

There were no written comments.

Board of Trustees' Health Care Benefit Options

Trustee Hurd indicated that the gentleman that was to do the presentation was unable to attend the meeting. He further stated that MVP has an extremely limited coverage area; it doesn't go into the city. Blue Cross/Blue Shield thought that they would be able to include all the employees or all members of the Board.

Mayor Pearson stated that MVP can.

Trustee Hurd stated that MVP will but they don't have coverage outside of a certain area and it's more expensive than Oxford. Oxford is in network only, no exceptions. For people who have had existing coverage in the last 63 days there is no pre existing conditions. If a new member elects this coverage and if they don't have any current health insurance they have a twelve month pre existing condition clause. It would be full contract year and the rates are locked in. The rate is up, but not much, \$259 to \$360.

Deputy Mayor Matise stated that the Board can deal with the proposed resolution and a carrier can be named at a later date.

Manager Politi stated that in talking to the insurance representatives it was presented to him differently.

Mayor Pearson stated that she knows there are different plans with MVP, does this gentleman not have other plans for MVP.

Trustee Hurd stated that he will check into that. He proposed that the Board consider a straight salary of \$11,000, because the cost and salary benefits of the Board of Trustees represents 2% of the budget raised from taxes from revenues. Clearly any proposed reduction would be primarily symbolic as a means of expressing the Board's desire to reduce costs revenues by setting an example. While this \$15,994.00 savings does not significantly impact the budget immediately, the 60.8% reduction of the Village Board cost \$79,200 can best be preserved by translating the new low cost of salary only for four reasons: the Village salaries increased about 3-4% per year whereas the trend for health insurance is 12-15%, just the health insurance cost has doubled in six years, a 4% increase per year salary would double in 18 years; it makes compensation for Board members equal; it makes compensation for Board members transparent to our residents and it makes budget estimates simple and forgivable. The new reduce cost would be \$79,200 which is \$940. per month, per Board member. If the Board adopts this measure he recommends two additional procedures, if the Village adopts the current proposed law

so the Board members who wish to have coverage can buy it from this group, or each Board member will pay for the cost each month, if the Board adopts this proposal Board members who desire will have the time to secure the coverage before this change is made.

Deputy Mayor Matise asked Trustee Hurd what the salary would be.

Trustee Hurd stated \$940. per month.

Mayor Pearson stated that would be \$11,280.

Deputy Mayor Matise stated that the Board could opt for a lower salary.

Trustee Hurd stated we are the largest municipality with the lowest total compensation.

Deputy Mayor Matise stated that we are one of the two largest boards In the county. The other boards are all five members. So that means we're the most costly board to our village. She also stated that the research the manager did the salaries are all over the place. There is a big disparity in the mayor's salaries, but some mayors might be full time. She also stated that the salaries for villages that don't have insurance are; Maybrook \$5700, South Blooming Grove \$5000, Chester \$5500, Washingtonville \$6600, Montgomery \$7500, Monroe \$7600, Harriman \$5700, Cornwall on Hudson \$7100. Saying over \$11000 for a trustee's salary is out there.

Trustee Hurd stated that it's less than what the taxpayers were paying.

Mayor Pearson stated that she doesn't disagree with Trustee Hurd, but she doesn't know if the amount is where she would be going. She is also concerned with who is to say that if a new board comes on and wants the health care on top of the raise.

Manager Politi stated that most municipalities have NYSHIP, so you don't have the accumulative total compensation for benefit and salary.

Trustee Norman stated that Trustee Hurd did well with the plan he presented to the Board. She is not pleased with Oxford.

Mayor Pearson stated that the question is, do you want to give the Mayor and Trustees more money and they do what they want with it, or do you want to get your regular salary and go into the health care.

Trustee Hurd stated that having the regular salary and going in the health care you would still have disparity.

Trustee Wynkoop stated that the salary thing and going out for your own health insurance would be better to control.

Deputy Mayor Matise stated that Trustee Hurd's idea is well taken. She is really opposed to the \$11000. salary because one board cannot bind the next board.

Trustee Millspaugh stated that \$3600 plus the insurance was more than he's looking for and he's not for it.

Mayor Pearson asked if Trustee Millspaugh would be in favor of a higher salary and people would pay for their own health care.

Trustee Millspaugh stated yes, but not at that level.

Trustee Rumbold stated that was far too much. This is ultimately about the tax payers. She feels that the salaries in Maybrook and the Village of Montgomery are reasonable. If the Board feels they would like to take that salary and do as they please with it and not have to deal with benefits on a taxpayer level. That is an added bonus to what she originally proposed. She suggested a salary of \$6,000 and then the Village gets out of the health care business for trustees.

Trustee Hurd stated that she is cutting the benefit salaries by 55%.

Trustee Rumbold stated that she would rather cut her benefit salary then somebody's throat that lives in the Village of Walden that has to try and pay their taxes and their oil and their medicine. If someone is not willing to serve for that amount of money they are more then welcome not to run for office again.

Trustee Hurd stated that they could say lets all work for free. He feels the Village has an interest in providing compensation for this type of Board. Remember the seven member Board sets all the policy for the Village and all the laws for the Village. It's a responsibility they take on willingly. They enjoy being here or else they wouldn't be here. The present compensation is around \$13,000. He believes \$6,000 wouldn't even cover the cost of health insurance. He was going to suggest the Mayor get a \$1500 differential. In April the Board was asking for a 20% reduction of the family plan and 15% for single and 15% of a \$6,700 buy out. The \$6,000 she is suggesting is a 55% reduction.

Mayor Pearson stated that everyone understands that.

Trustee Hurd stated that they would be saving the tax payer \$41.00 a year with a Board that is completely voluntary.

Mr. Dowd informed the Board that if they want to raise their salaries in the current budget year they have to pass a local law to do so and then they could do it in the budget process each year.

Mayor Pearson stated that here's the solution to that, we are already almost into November, new election anyway, so they want to be fair to the people who still have to figure out what insurance they are going to.

Deputy Mayor Matisse suggested they do the local law and change the whole thing now. She also suggested they purchase health insurance as a group.

Mr. Dowd advised the Board that if they purchase health insurance as a group they have to have an employer.

Deputy Mayor Matisse stated that they are members of the Orange County Chamber of Commerce and they offer health insurance to their members. We can investigate that.

Trustee Hurd stated that he thinks they are going to create a situation where people who would like to serve on the Board won't be able to.

Mr. Dowd stated that if the Board takes it as straight salary they are paying income tax as a straight salary, whereas the benefit is non taxable.

Mayor Pearson asked the public for their opinion.

Dave Sperry stated that he didn't know when the health care started. When his father was Mayor they didn't have it. He knows the Board members put in a lot of time and effort and they care about the Village. It's unfortunate that people don't think they will be able to work for this village without a fringe benefit, meaning buyouts or something like that. He doesn't know how many hours Board members put in. He knows meetings go late. He does realize there is time put in on their own time too. He knows the cost of insurance is high and will continue to go up. As a taxpayer he doesn't feel he should pay full medical benefits for a Board member who works 40 hours a month. He pays a lot more than that for his medical benefits and he works more than that a month. The Board has been discussing this for some time now, over an hour tonight, there was supposed to be a presentation and there doesn't look like there will be a decision tonight. He feels it should be a straight salary. He'd like to give everybody a \$10,000 raise; he'd like to bet a \$10,000 raise. If you don't feel you can't continue for this Village Board because you can't afford the time you loss working somewhere else to afford the benefits that you were once entitled to then you should step down. He feels \$6000 is very fair.

Trustee Hurd stated the \$6000 is not including benefits.

Mr. Sperry suggested he move to the Village of Florida where they have benefits and bigger salary. This Village has a lot of seniors in it and houses for sale because people can't afford them. People can't afford to live here anymore. The Village shouldn't be an agent for employees to get their benefits. If you're a full time employee that is fine.

Debbie Lynch stated that she agrees with Dave Sperry.

Pat Eiseley stated that she doesn't feel that any elected officials should get health benefits. The taxpayers should pay health insurance for elected officials who voluntarily seek that position. A stipend to compensate for their time and gas is fine.

Anita Vandermark stated that she totally agrees with Ms. Eiseley as well. She feels the Board members should be responsible for their own health benefits. Salary yes, no to health benefits.

Trustee Rumbold moved to instruct the attorney to draft a local law changing the compensation for Walden Village Trustees to a straight salary of \$6,000 per year and no medical benefits, the Mayor would receive \$1500 more and add \$2400, (or whatever the difference is for the Trustees) to the Judge's salary. Seconded by Deputy Mayor Matisse.

Trustee Hurd stated that if they reduce the salary by thirty something percent which is \$830 per month. That's a reduction of \$31,400. The total compensation of the Board is 2% of the budget. He recommends no less than \$8300.

Deputy Mayor Matisse stated that there is a motion on the table for \$6000 and \$6000 times 6 people is \$36,000. and the Mayor's salary brings it to \$43,500 which is a \$52,000 savings off the \$94,000 which is a lot of money. Trustee Hurd might keep saying it's only \$12.00 a year, but that \$12.00 in an average household which will be spent on something else that household needs.

Mayor Pearson stated that she was at the store the other day and a women told her that she can't afford to buy laundry detergent and soap. That is what is out there. As a taxpayer she is happy with what is happening with this. She didn't take the health insurance and she understands that this will affect three Board members more than anyone else.

Trustee Norman stated that the Mayor took the buyout.

Mayor Pearson stated that she did take the buyout, an illegal buyout that now will be made legal.

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

Trustee Norman asked if this is in effect in two weeks.

Mr. Dowd stated that in two weeks the Board will introduce the local law and call for a hearing, then adopt it and ten days after that it will be filed with the State and be effective. Then it will go into effect.

Village Manager Reports

Manager Politi stated that there are the bi weekly reports.

Mayor Pearson stated that she spoke two weeks ago about Oak Street apartment violations.

Manager Politi stated that he can get that for her, but she said she was going to speak to the Building Inspector.

Mayor Pearson stated that her question was how the Village can get in if the owner doesn't allow us in.

Mr. Dowd stated that in order to get a warrant to get in you have to have probable cause that there are violations. If they are refusing to let the Building Inspector in that is probably a violation in and of itself under State code. He will check on that.

Manager Politi stated that he has been getting in.

Deputy Mayor Matisse stated that he's gotten into the public areas.

Mr. Dowd stated that he makes arrangements with the owners to get into the individual apartments.

Manager Politi stated that he will get that information to the Board.

Mayor Pearson asked about the new hire in DPW.

Manager Politi stated that he's seasonal. He typically doesn't bring that before the Board, because he's seasonal.

Mayor Pearson stated that there is a burglary update from the Chief and she had no idea that was going on. She doesn't know why she's not informed of those things.

Manager Politi stated that it's time the Board had the Chief in so he can answer that question. If there is an investigation going on you're not going to find out until the end.

Mayor Pearson stated that she feels the people in the Village should be aware of these things so they can be more protective.

Manager Politi stated that the Montgomery Community Economic Development Plan, the Board has the executive summary and they can take a look at that.

Mayor Pearson stated that there is a meeting on Thursday night at 7pm.

Deputy Mayor Matise stated that it would behoove anyone to come to this meeting and she hopes the Village Manager will attend because it impacts the Village.

Manager Politi stated that bid notices were given to the Board. He further stated that today the staff met with a representative from DOT to start the dialogue for the Route 52/208 intersection. They do like the by pass. He also walked them around Main Street.

Trustee Rumbold asked if the intersection with Ulster Avenue was addressed.

Manager Politi indicated that everything was addressed.

Deputy Mayor Matise indicated that there are some signs that are blocked by overhanging trees. She also asked about the drainage ditch on Route 52.

Manager Politi stated that it's being addressed.

Mayor Pearson stated that the Village received from the New York State Office of Parks and Recreation Historic Preservation notice that the United Methodist Church has been listed on the National Register of Historic Places and also St. Andrews Church.

Manager Politi stated that the Village has received restitution for two separate claims.

Deputy Mayor Matise stated that the Board had requested that Mr. Barnes look into ways to see if there was anything under NYSEDA that would help lower the cost for water and sewer and that has been followed up yet.

Mayor Pearson stated that she read through the report and the one that was the least expensive to fix would be the pipes and insulation around the pipes. Maybe we can do that before winter.

Trustee Millspaugh stated that they mentioned the heating system but no suggestions for savings.

Deputy Mayor Matise stated that she spoke to Bob Walsh of NYSEG and he had to revamp what he looked at, but he will come up with a light replacement policy so we can phase out the higher wattage units on the street lights.

Public Comment

Pat Eiseley 16 First Street stated that on behalf of the Historical Society they would like to send their appreciation to the Board members who attended their recent theatricals and tour of the Walden House.

Mayor Pearson stated that the Board appreciates what the Historical Society does.

Mrs. Vandermark also stated that they appreciate all the comments. She also stated that this past summer there was an incident on her street and no one knew what happened. She got permission from the Chief to put something in the paper and her neighbors were very appreciative of it.

Mayor Pearson suggested when there is an incident that the police go to the neighborhood and advise the people.

Dennis Wageman complained about the garbage on William Street. He also stated that it's unfair the way the current system operates with people who do not generate a lot of trash. He also spoke about the block watch that was set up and he was excluded. He asked why this was set up and when he went to the police station he was refused any information about crimes that were committed.

Deputy Mayor Matise asked if there was a geographic designation for the neighborhood watch.

Dennis Wagemann presented the Board with pictures of garbage that is piled up in front of a four family house. He hopes there will be a break for seniors with the garbage fee.

Mr. Sperry stated that the railing on the first floor by the elevator is not bolted to the floor. He also stated that there are a lot of faded parking signs. The sidewalk on Ulster Avenue there are spots where the blue stone is missing and they are filled with gravel and the blue stone isn't level. He doesn't know what kind of a hazard that would create. He also feels that if people are using dumpsters they should be put on private property and as the last result they can go on the street. In regard to bulk pick up the west side of the Village was picked up the third day of the second week. It was also done at 4:30 am. They should be fined if they are in violation of that. The tennis courts are in terrible shape. He'd like the handicapped parking lot at Bradley Field be made bigger and let the residents of Albany Avenue park there. There is a jeep on Highland Avenue that has been parked on the sidewalk for several months now. They also park cars on the sidewalks on Walnut Street. The Route 52/Wait Street intersection has seen a lot of accidents and near accidents. He asked if there was a way to change the parking on N. Montgomery Street from the west side of the road to the east side of the road.

Local Law I-6 of 2008 – Cash in Lieu of Payments for Health Insurance

Mr. Dowd stated that based upon the Board's conversation tonight Section 3 would be eliminated. Section 2, you're only authorizing this through last fiscal year, not fiscal year 08-09.

Mayor Pearson stated yes. If we get to December and we haven't decided on the other law hasn't come about yet, then this would be still be in affect.

Deputy Mayor Matise stated no.

Mr. Dowd explained that what this law is doing is going back to the first time this appeared in the budget and ratifying that resolution and the payouts from that time until the last fiscal year, which is 07-08. The current budget, 08-09, he was doing that in Section 3, but he is taking that out.

Trustee Hurd stated that it's not right, because it's part of their compensation.

Deputy Mayor Matise stated that they will be making a sacrifice.

Trustee Hurd stated that there is no reason to do that, because he could make it to the time it goes into effect.

Trustee Rumbold stated that once the trustees that took the buy out discovered that they were illegal and council advised them not to take it, she really feels that they didn't think about the buy outs anymore in retro to this calendar year.

Mayor Pearson stated that she is happy it's being ratified.

Mr. Dowd stated that he will prepare the amendment tomorrow. He asked if the Board wanted to introduce the local law as amended.

Deputy Mayor Matise introduced Introductory Local Law I-6 of 2008, Cash in Lieu of Payments for Health Insurance, as amended.

Deputy Mayor Matise moved to hold a public hearing on Introductory Local Law I-6 of 2008, Cash in Lieu of Payments for Health Insurance on October 14, 2008 at 6:30PM. Seconded by Mayor Pearson.

Trustee Rumbold stated that she doesn't feel this should be introduced at all.

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

Resolution 4-08-09-Amendment of Investment Policy

Mayor Pearson stated that this would add Provident Bank as a depository and signatory.

Deputy Mayor Matise moved to adopt Resolution No. 4-08-09, Amendment to the Investment Policy. Seconded by Trustee Hurd. All ayes. Motion carried.

Resolution No. 5-08-09-Amendment of Trustee Health Insurance Fringe Benefit

This resolution was taken out.

Resolution No. 5-08-09-Budget Amendment for Transfer Funds

The Village Manager requested this be tabled until October 14, 2008, because there is information he needs to add to this.

Mayor Pearson stated that when they discussed this before she thought that the Board had made a decision that they would be seeing what line its coming from and where it's going to and she doesn't see it on here.

Manager Politi stated that all this action is within the general fund. You will either increase or decrease.

Mayor Pearson stated that what she wants to know is when they increase a line where are they getting it from.

Manager Politi stated that increases are where you need it and the decreases are where you are taking it from.

Deputy Mayor Matisse moved to table Resolution No. 6-08-09 – Budget Amendment for Transfer of Funds. Seconded by Trustee Hurd.

Trustee Rumbold asked if this is what the Board will get when there are budget transfers.

Manager Politi stated that he wants a summary that isn't on here.

All ayes. Motion carried.

Northeast Hub Inc.-Late Tax Penalty Refund Request

Manager Politi stated that the Board asked for a chronology and back up of what occurred.

Deputy Mayor Matisse stated that she feels this needs to go back to the treasurer and she needs to tell them to pay the bill. This doesn't need to come to the Board.

Mr. Dowd stated that they paid the bill.

Manager Politi stated that when someone requests a waiver of a fee or penalty that has to come to the Board. That is the only place it can go.

Mayor Pearson stated that the letter was addressed to the Board.

Trustee Rumbold moved to deny the request for the fund of the late tax penalty for Northeast Hub, Inc. Seconded by Trustee Hurd. All ayes. Motion carried.

Elected Officials Law

Mayor Pearson stated that the Board had discussed this before and what she would like to talk about the term of the mayor and the three trustees who all run at the same time. If someone wants to run for mayor that sits with the mayor at that time they would be losing their seat if they didn't win. Three other trustees on the Board have the opportunity to run for mayor without losing their seat. She doesn't think that is fair. If someone runs for mayor she feels they should resign their seat as trustee to run for mayor.

Mr. Dowd stated that you're dealing with the constitutional right to run for and office of your choosing. You're dealing with the State and Federal Election Laws that you cannot preempt and you cannot require someone who is sitting in a term of office to resign in order to run for another office. The law is very clear, you cannot do that. You have staggered terms that are set by State law. You can change the terms.

Trustee Millspaugh asked if the Mayor could run for a three year term.

Mr. Dowd stated that he didn't think so, but he will check.

Refuse Contract Review

Mayor Pearson stated that she and the manager met with two other garbage companies.

Manager Politi stated that if you go to the ability to have a lower price do something based on volume. They discussed can size, 35 gallon, 65 gallon and 95 gallon. Everyone would get a 95 gallon can. From that you would call and tell them that there is no way you can fill this can. If the garbage is not in the can they will not pick it up.

Mayor Pearson stated that it was also discussed if the Village could give them somewhat of a number of who would have what can.

Manager Politi stated that is why the billing has to stay in our control and that is a way to reduce it, now you're going to a 35 gallon can. We do adjustments now.

Trustee Rumbold stated that if all the Christmas boxes at Christmas time are not in the can they will not pick them up.

Mayor Pearson stated that the day after Christmas and the day after Thanksgiving and New Years they will pick all the garbage up. One company supplies cans. Also, if they pick up the garbage on Thursdays and it's a holiday they would then pick it up on Saturday. They also talked about bulk pick up, which they are not fans of. The other company said they would do bulk pick up once a week, or once a month or two times a year. They all do recycling and yard waste. The manager needs to know how the board wants the bids written. They talked to a smaller company that she liked.

Mr. Dowd stated that he is the one to write the specs and he needs to know what the Board wants. He's seen a lot of bids and done a lot of bid specs and the company with the different size cans would be providing the cans to all the residents in the Village. His understanding from talking to people in the industry is that in of itself will boost the price of the garbage because they are supplying the cans. Also, you're cutting down on the potential bidders because you will say in the bid specs that you want different size cans and some companies do not supply cans. Therefore you will get fewer bidders and less competition. You want to have the greater number of bidders because that is how you keep your prices down.

Mayor Pearson stated that we can do size wise through the Village. People can buy their own cans and buy the sticker and be billed on size and number of containers.

Mr. Dowd stated that if you have people buying their own cans and it doesn't fit the garbage trucks arm, so then they will need crews.

Manager Politi asked if the Board was okay with trying to develop a can size difference.

Mayor Pearson stated that she was.

Trustee Hurd stated no. He suggested that if you want to cost shift for seniors just do it.

Mayor Pearson stated that instead of can size she would say the number of cans.

Trustee Hurd stated that the flaw is that it doesn't differentiate among the amounts of garbage that each individual home puts out, the positive is that the entire Village is picked up.

Mayor Pearson stated that they should pay for what you use.

Manager Politi stated that they have to move soon on this.

Trustee Hurd stated that it should be presented to the public that the Village will be giving the senior citizens a break and to do that we will be cost shifting.

Manager Politi asked, if they give a break to the seniors and someone moves back in with the, how will he know that.

Mayor Pearson stated that there will be a lot more garbage cans out there with a pink stickers on it.

Manager Politi stated we're not doing stickers. He's just saying that there is policing. He asked what number he uses for a senior.

Deputy Mayor Matise stated 65, because that is where your tax break is.

Trustee Norman stated that you're a senior at 60.

Mayor Pearson stated that she would do it by cans, not age.

Manager Politi stated that way the mechanism will be difficult.

Trustee Hurd stated that whatever plan they come up with has to comply with the original intent which was to protect the health and welfare of the entire Village.

Deputy Mayor Matise stated that the issue is to get that service at the best price.

Trustee Rumbold suggested they have one container for those people that qualify for that little amount and everything else stays the same.

Deputy Mayor Matise suggested that people who put out one small container have pick up every other week and pay half the price.

Mayor Pearson stated that she feels the attorney and manager should come together; she is for options of size. The first and second company said they could supply the cans.

Mr. Wagemann asked who is the Board looking out for, it looks self serving. He brought the board pictures of an apartment house and the garbage they put out.

Mayor Pearson stated that the first garbage company said that if the Village got them a rough number of how many seniors would be taking advantage of this they would see their pricing according to that senior rate.

Trustee Hurd stated that they would put out as many cans as they want and there wouldn't be any kind of policing.

Trustee Millspaugh stated that he doesn't want the Village to get into the garbage business.

Trustee Rumbold stated that she would like to see this explored so the community would know that what ever decision the Board came to they considered all angles.

Mr. Dowd stated that when they put the specs out there they should try and quantify how many seniors own property with garbage pick up.

Mayor Pearson stated that the one company said they would give the Village a break if we let them know how many seniors there were. She asked something for the next meeting.

Public Comments on Discussion Items

David Sperry stated that Mr. Hurd is correct, 16 years ago whenever the Village decided to have garbage pick up was because of the garbage around the Village. The Town of Goshen goes by container size. We do have a better rate. We also have two bulk pick ups and they have none. He suggested having one bulk item once a week instead of two bulk pick ups a year. He also suggested the garbage bill be put on the taxes.

Manager Politi stated that if they put it in the taxes then they would have to pick up everyone, meaning commercial too.

Mr. Sperry stated that the current system is unfair for seniors and single people.

Mrs. Vandermark asked where the cans will be placed after they dump them, in the road again.

Mayor Pearson stated that the two companies she spoke to said they will fire their employees if they do not have the can in place with the lid on top. She also asked that manager to come up with something regarding bulk pick up, once a year, once a month, once a week, etc.

Manager Politi stated that he would stay twice a year for bulk pick up.

Mayor Pearson stated that the second company said they would charge more if it was twice a year.

Approval of Minutes

Trustee Rumbold moved to adopt the minutes of September 9th, 2008. Seconded by Trustee Hurd.

Deputy Mayor Matise stated that she gave the wrong initial for Thomas J. Murray.

Mayor Pearson stated on Page 13, buy is spelled wrong.

Mr. Dowd stated that he said choices.

All ayes. Minutes adopted as corrected.

Audited Bills

Trustee Rumbold moved to pay the audited bills. Seconded by Trustee Wynkoop.

Trustee Rumbold asked if the Manager got her message.

Manager Politi stated that he has not been able to respond to it. He'd like to give a written response. He also stated that in regard to the \$360.00 they we're not being billed doubled. He will check the voucher for mileage reimbursement and reimburse the employee.

Trustee Rumbold questioned the chlorine bills. She also asked about the number of trips to the Thruway.

Manager Politi stated that he will speak to the department heads again.

Deputy Mayor Matisse asked about DARE school.

Manager Politi stated that in New York State they are no longer paying for housing or providing the start up training for a new officer. You still have to be recertified. So they are going to be recertified and they are discussing the DARE Program with New York State. You can put a new trainee in but you will have to pay for everything.

Deputy Mayor Matisse asked if the Village could do their own DARE Program without going through this expense.

Manager Politi indicated that to recreate that it would be expensive.

Trustee Rumbold stated her concern is not the cost it's the one particular person that seems to be out of the Village a lot and we need that person here.

Manager Politi stated that he'd like that person to come in and talk to the Board.

Mayor Pearson stated that the other person who does that is a part time person and there is a way to have one person do DARE that would be able to do one in one season and one in another. We do Maybrook as a favor and we don't have to do that.

Manager Politi suggested they go to the conference and have them come back with how the state is looking at this.

Deputy Mayor Matisse asked if the Town is doing DARE.

Manager Politi stated that the two schools the Village does it for are within the Village. There could be alternative programs.

Deputy Mayor Matisse stated that in some locations the PBA does this type of role. She suggested they ask the local to do it.

Mayor Pearson stated that there was a question; if four people don't sign the bills do they get paid.

Mayor Politi stated that if they pass with a vote they get paid.

Mr. Dowd stated that the auditor is going to want to see four signatures.

All ayes with the exception of Trustee Norman voting no because she has not seen the bills. Motion carried.

Correspondence

Mayor Pearson stated that the Planning Land and Use Course is Thursday night if anyone would like to go. Village of Ellenville is having a local government efficiency grant program meeting at their government center on the 24th. She also received notice that the Village has received the grant for the water tank improvements at Gladstone Avenue for \$75,000. We still need to find money for the fencing at the Highland Avenue tank.

Manager Politi stated that he and Mr. Lamendola will be attending the grant program in Ellenville.

Mayor Pearson stated that the Local Government Shared Services Workshop is October 14th at the Bear Mountain State Park if anyone wants to go.

Mayor Pearson stated that something needs to be scheduled for the police consolidation.

Board Comments

Trustee Norman stated that there will be a meeting tomorrow for decorating the Village for the Harvest Fest. She got a call about the parking at the park by the bridge.

Manager Politi stated that the Village will be run curbing at that park so the cars can't park there.

Mayor Pearson stated that the Community Council is doing something in the park and she also talked to Jack Green about the flag pole.

Trustee Norman stated that she was thankful the tree was moved to the Besdesky Park, but it needs to be place differently. She asked if they wanted fall decorations there. Also, the Halloween haunted house will be on the second floor of the Municipal Building.

Deputy Mayor Matisse stated that the Halloween parade and haunted house will be October 25th at 5pm. She also asked about a sewer incident at 154 Orange Avenue on September 6th.

Manager Politi stated that it was a sewage back up. We don't know if it's our problem. He will get her more information.

Deputy Mayor Matise asked why the Village is getting billed.

Manager Politi stated because they put a claim in.

Deputy Mayor Matise stated that they haven't had a garbage complaint report lately.

Trustee Hurd stated that residents on Woodruff and Wileman are very excited about the Rail Trail. They did suggest there be signage.

Trustee Millspaugh stated that he thought there would be information on outdoor furnaces tonight. We're not interested in how they do or don't work. We need to protect the adjacent homeowners. Also, the Manager was to look into the water problem in the Scout Cabin basement.

Manager Politi stated that Mr. Howland hasn't had any problems.

Trustee Millspaugh stated that the gutters and brick work still aren't done at the Cherry Street pump station. He also asked about the code review.

Mr. Dowd stated that he gave the Board the first set of documents to review and they had to indicate if they agreed or disagreed.

Deputy Mayor Matise suggested a work session to review the code.

It was the consensus of the Board to hold a work session on Wednesday, October 8, 2008 at 7pm for code review.

Trustee Rumbold thanked the Historical Society for a nice evening Saturday and reception on Sunday. She also thanked the Politi Family for the donation of the book.

Mayor Pearson stated that the rail trail black top was started on Monday. She asked if the fencing is still in there.

Manager Politi stated yes.

Mayor Pearson asked Mr. Dowd about the Methodist Church using the meeting room in the Municipal Building for services if they sell their building.

Mr. Dowd stated that if the Village opens this room to other groups then we can not discriminate against it because it's a church. You don't want them to use it every Sunday forever.

Mayor Pearson asked if the Village can charge for the use.

Mr. Dowd stated absolutely. You want liability coverage and you should have security and rent. You can say no if you're not going to allow anyone else to use the room.

Mayor Pearson stated that we might not have enough chairs and we're not buying anymore

Mayor Pearson asked if Mr. Dowd has talked to the judge.

Mr. Dowd stated that about a year ago the State Police decided that on tickets written by State Troopers when they come to local justice courts they will not prosecute them anymore. Because they feel the complaining witness, not the prosecutors and that would be a conflict. The issue is you have to hire somebody. The judge would try and put the cases on all on one night and do them all at one time so you would have limited amount of exposure from the attorney who would be sitting. If he pleads it down then most of the fines would go to the Village, not the State and would pay for the costs.

Mayor Pearson asked about the homemade garbage cans.

Manager Politi stated that he will find out.

Mayor Pearson stated that the Planning Board is having problems with it's members not showing up to the meetings.

Executive Session

Trustee Rumbold moved to hold an Executive Session pursuant to 105(f), Personnel, Village Manager's contract and (e) Collective Bargaining. Seconded by Trustee Hurd. All ayes. Motion carried.

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

Deputy Mayor Matise moved to hold an Executive Session pursuant to 105-(d), litigation. Seconded by Trustee Rumbold. All ayes. Motion carried.

Mayor Pearson moved to reconvene the regular meeting. Seconded by Trustee Norman. All ayes. Meeting reconvened.

Adjournment

Trustee Rumbold moved to adjourn. Seconded by Trustee Norman. All ayes. Meeting adjourned.

Respectfully submitted,
(from the tapes)

Nancy Mitchell
Village Clerk