

**Village of Walden
Board of Trustees
Special Meeting
March 3, 2009**

Mayor Becky Pearson called the special meeting of the Village of Walden Board of Trustees to order at 6:45pm.

On roll call the following were:

Present:	Mayor	Becky Pearson
	Deputy Mayor	Mary Ellen Matisse
	Trustees	Mary Jean Norman
		Roy Wynkoop
		Richard Hurd
		Sue Rumbold

Absent:	Trustee	Marcus Millspaugh Jr.
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Also Present:	James C. Politi, Village Manger
	Nancy Mitchell, Village Clerk
	Jan Weiner, Treasurer
	Jeff Holmes, Police Chief
	Dean Stickles, Building Inspector
	Judy Byington, Accounts Clerk
	Vicki Kurtz, Deputy Village Clerk
	John Howland, Recreation Coor.
	Michael Bliss, Asst. Recreation Coor.

Employee Benefits-Exempt Employees

Mayor Pearson stated that we are here this evening for our employees that wanted to have a special meeting with the Board. She opened the floor to the employees for their questions and concerns.

Chief Holmes stated that where they left off at the last meeting on February 10th was most of us are hearing issues about health care. It was directed more toward Deputy Mayor Matisse about that exactly what was in the conversation of Matisse to the Village Clerk. That is what we're here for to find out as a board what are the proposals for our health care.

Mayor Pearson stated that she doesn't think there are any.

Trustee Norman stated that there isn't any issues.

Trustee Wynkoop indicated that he doesn't know of any proposals.

Trustee Hurd stated that as a Board, meaning four or more have taken no position that he is aware of.

Mayor Pearson stated that the Board said that to the employees that night that the first time she heard about it was at that meeting was this conversation was coming up that night.

Mr. Stickles asked what would have prompted the conversation between Mary Ellen and Nancy.

Mayor Pearson stated that she doesn't know, she's not Mary Ellen.

Trustee Wynkoop stated that he didn't know.

Trustee Norman stated let Mary Ellen answer the question.

Deputy Mayor Matise stated that it was an off hand comment. It was like saying I'm going to give up cable TV. It was nothing.

Mr. Stickles stated that in this day and age when you speak about health care it's an important issue.

Deputy Mayor Matise stated that she knows, but it was a nothing comment. That is all she has to say about it.

Chief Holmes asked why did she have the blog in the Times Herald Record.

Deputy Mayor Matise stated, because the reporter called her and asked her a question and you have to answer it.

Mayor Pearson asked if this was going to be an inquisition or what is this going to be.

Manager Politi stated, "wait a minute," he wants to say something about the employees that are his. These are his employees that came here because they do, we as a group do not have representation other than themselves when they come to the Board. When it comes to health care, raises, anything, anything about their employment. So we're coming to talk to the Board as a group. Inquisition, you can call it whatever you like, but we have a question about a comment that came out of the Board. That comment has prompted a lot of concern as we move forward with our careers.

Mayor Pearson stated, go ahead, that is why we're here this evening.

Chief Holmes stated absolutely and you jumped right on us to say this is an inquisition.

Mayor Pearson stated that she said it sounds like one.

Chief Holmes stated that three issues have occurred since the time we met. The first one was she said she had no clue what we were really talking about when Deputy Mayor Matisse made that comment to Nancy Mitchell.

Deputy Mayor Matisse stated that she wasn't talking about the people sitting here.

Chief Holmes asked, who was she talking about. That's what they asked her that night.

Deputy Mayor Matisse stated that she told him that she mentioned a comment about retiree's benefits.

Ms. Weiner asked, to whom, Nancy.

Deputy Mayor Matisse stated yes.

Chief Holmes stated that she didn't say that that night. Retiree benefits, to him that's just as important now. Is Deputy Mayor Matisse saying that she wants to talk about retiree benefits? Is that what you are saying?

Deputy Mayor Matisse stated that you said you wanted to talk about retiree benefits in the minutes that night.

Ms. Weiner stated that it's in the blog.

Deputy Mayor Matisse because the reporter called her and asked her for a statement. When a reporter calls you and asks for a statement you give them a statement. Would you like her to call you, she can call you.

Ms. Weiner indicated that the reporter would have no reason to call her.

Deputy Mayor Matisse stated that this is totally out of hand.

Ms. Weiner stated that we are trying to figure out what it is. Were you talking about our insurance, the retirees, CSEA, whose insurance were you talking about that you wanted to cut. We want to know.

Deputy Mayor Matisse stated, then why didn't you ask.

Ms. Weiner stated that she asked that night, she said what did your comment mean, what did you mean by the comment you made to Nancy.

Deputy Mayor Matisse stated that she has nothing more to say about it. She is more upset about something she read in the paper today, about New York State is going to ask us to up our contributions to the pension fund and we're not even prepared to do that. Where is that going to come from. It's all very upsetting.

Ms. Weiner stated that we're worried about our health insurance.

Deputy Mayor Matisse stated that you should worry about your pension fund too. We are. I'm worried about your pension fund. I don't have a pension.

Manager Politi stated that Deputy Mayor Matisse is diverted from the whole issue.

Deputy Mayor Matisse stated no, this is a local issue.

Ms. Weiner stated that the Village received a letter from retirement saying that everything is okay.

Deputy Mayor Matisse stated that's not what they said in the paper today.

Ms. Weiner stated that Deputy Mayor Matisse got the same thing; we had to send it to all the employees.

Trustee Hurd stated that is not the issue.

Trustee Norman stated that the Board is not here about what is in the paper today.

Mayor Pearson asked that they get back to the issue at hand.

Mr. Sweed asked to speak.

Mayor Pearson denied his request, and stated that this is between this group right this second and thanked him.

Chief Holmes indicated that group is also a part of this. You're saying in the blog about retirees.

Trustee Wynkoop stated that he's a retiree.

Deputy Mayor Matisse stated that she understands that.

Chief Holmes asked why it got to this point.

Deputy Mayor Matisse stated that she doesn't know why it got to this point. It was an innocent comment. All she is looking for, we're talking about savings, budget time is coming up and she thinks they are irresponsible if they're not looking for savings. She doesn't mean it for savings at the expense of the employees.

Chief Holmes stated that is the way they took it.

Trustee Wynkoop stated, watch the we here, because he mentioned nothing about health care that he's aware of.

Chief Holmes stated that whether it's off hand or not, you are an elected official speaking for the Village.

Deputy Mayor Matisse stated that she was not speaking for the Village; they were having just a private chit chat in Nancy's office. It had nothing to do about the Village.

Chief Holmes stated that the next day she did also call Nancy Mitchell, correct?

Deputy Mayor Matisse stated that she doesn't recall at this point.

Chief Holmes stated that at that point she didn't call her about the meeting the night before and she had said to them that she had said that it was misinterpreted what she was saying and that it was more geared toward the CSEA employees.

Deputy Mayor Matisse stated no.

Chief Holmes stated, because CSEA could have it taken out and changed, their health care could be changed. She mentioned what it says in the CSEA contract. That was the next day, so how do you think we feel now.

Deputy Mayor Matisse stated that right now they probably feel as threatened as they all feel. She lives on a fixed income, okay. Do you think she doesn't feel threatened. Do you think she doesn't feel threatened. Everyone feels threatened right now.

Chief Holmes stated everyone feels threatened and her comments now affect us.

Deputy Mayor Matisse stated that they were not intended to affect you and if you cannot accept an apology then she has nothing more to say. All she can say is she is sorry they were taken that way, it was not intended that way.

Chief Holmes asked if she was going after retirees.

Deputy Mayor Matisse stated no.

Chief Holmes asked what was the comment in the Record blog where she was talking about retirees. He asked if she wanted him to read it to her.

Deputy Mayor Matisse stated no, she knows what it says.

Trustee Norman stated that she doesn't know what it says and she would like to hear it.

Deputy Mayor Matise stated then Trustee Norman can read it.

Trustee Norman stated that she isn't going to read it, she's asking the Chief to read it to her. She doesn't know what it says and she would like to hear it.

Mayor Pearson stated that she was told not to listen to blogs because its crap anyway that is what she was told by someone.

Trustee Norman stated that it can't be too much crap she put it on there.

Chief Holmes stated that she just said that she was asked by the reporter and she gave a comment.

Trustee Rumbold stated that she thinks the difference in that situation was anonymous comments from people responding to an article on a blog. If what he's quoting is the body of the article that has a direct....

Chief Holmes stated that he doesn't pay attention to the comments.

Ms. Weiner stated, not to the comments, because they were way off, they had nothing to do with the health insurance. It was an attack on the Manager.

Chief Holmes stated that it was on the community part and she was asked the question and in here, "Matise said Thursday she was talking specifically about retiree benefits when she made an off the cuff comment to the clerk and got inflated. "I need to set the record straight," she said." So the record straight is that you were talking about retirees.

Deputy Mayor Matise stated, in that comment, yes.

Chief Holmes stated that this was related to what you were talking to the clerk about. You were talking about retirees.

Deputy Mayor Matise stated that it was all related to nothing that we haven't discussed before. When we discussed Trustees benefits and health care and we discussed trying to find comparable coverage at a lower premium. No one is looking to short change anyone, Jeff.

Ms. Weiner asked if that is how the Board feels, to look at other health insurance policies.

Deputy Mayor Matise stated no, it's not been an issue, Jan.

Mayor Pearson stated that they had discussed it before at budget time. We have talked to Jim and said is there something we should be looking at differently. Are there other health care plans that we should be looking at. That is part of his responsibility to see if there are other things out there comparable that are out there. Not taking it away, not changing, giving you something comparable and that is part of the job of a trustee and part of a manager to see if there is a cost savings somewhere for the same services you are already getting.

Ms. Mitchell stated that at least once a year someone comes in and asks for....

Mayor Pearson stated, I understand that.

Ms. Weiner stated that your not going to match Empire Plan.

Mayor Pearson stated that it's there job to make sure that they are looking at all the avenues. Whether they change or not that is not what is going to happen. Who knows what's going to happen. That is part of there job, to make sure that they are looking at everything. Is it comparable, is it not, and that is what she stated to you the other night at the meeting. That part of their job is to do that. It doesn't mean it is going to happen. She had no idea that conversation had even taken place. We have talked about it at budget time, we have talked about health care and what direction it needs to go and are there going to be changes. That is something they have to look at. It doesn't mean it's going to happen, but for her to sit in this seat and not look at that, she is not doing a service to the whole community, not just to the employees. Maybe there are things out there that are just as good for less money and if we don't look at that we're not doing the service to our community. It doesn't mean it's going to change but we still have to look at that. That is how she feels about it.

Manager Politi stated based on that we have done that search and we did it with the group that is here which could be taken to a large group, but we didn't find that.

Mayor Pearson stated right, but every year we should be looking at that.

Manager Politi stated so, you've already done the research and yet the comment still comes out and that is what prompted this, because they've heard these conversations, you've given up your health care in your group.

Trustees Wynkoop and Norman stated that they would never do that to somebody else.

Manager Politi asked to finish his point. And at that point you've already done all that and yet you still bring it up and that is what triggers this. Even though you did the research, you did it for your reasons, but now you've transferred that and you say it again. That is where the threat comes in and then you transfer it to retirees. That is an even bigger blow to people who have spent how many years building their career here making an assumption down the road for themselves.

Chief Holmes stated that it starts with you and the next employees it could start with is your executive employees here. And then when you make comments like retirees or make the comments that were made we get to worry. We've been watching what is going on, we've been watching all along. We saw the Board was going to get rid of their health care and we say okay we're next. It's a slippery slope.

Deputy Mayor Matisse stated that she doesn't think that anybody would take health care away from an employee right now.

Chief Holmes stated that is why we're here.

Trustee Norman asked what happened a few months ago.

Deputy Mayor Matisse stated that is not what the comment was.

Trustee Norman asked what was the comment.

Deputy Mayor Matisse stated comparable coverage at a lower premium. The research that was done only dealt with companies that would give us a small group.

Manager Politi indicated that this is a small group.

Ms. Weiner stated that you're not going to get a good price for a small group. If you reach out to the retirees, CSEA and the PBA, then you will.

Ms. Mitchell stated that you're not going to get good coverage.

Deputy Mayor Matisse stated that he didn't cover every program that is out there when Bob Adams came here. That lead her to think maybe there were others.

Ms. Mitchell stated that you're not going to get good coverage.

Deputy Mayor Matisse stated that Nancy told her that and she accepted that and she walked away. She doesn't know why the comment got carried on.

Chief Holmes asked why it came down to this about retirees.

Ms. Mitchell stated because she was asking the Village Manager if that was the conversation between board members.

Deputy Mayor Matisse stated that it wasn't.

Ms. Mitchell stated then the Deputy Mayor stated that they would go after the CSEA and I advised her that they can't because it's in their contract.

Deputy Mayor Matise stated that she didn't say they were going after CSEA.

Ms. Mitchell stated that she did.

Deputy Mayor Matise stated that she didn't say they we're going after anybody.

Ms. Mitchell stated that she took the CSEA contract out and read it to the Deputy Mayor that you can't take the Empire Plan away from CSEA.

Deputy Mayor Matise stated that she did not say they were going after anybody.

Ms. Mitchell stated that she said employees and CSEA.

Chief Holmes stated that now she is mentioning retirees. Three times she's made some comments.

Mayor Pearson stated that there is one board member making those comments.

Ms. Mitchell asked what the Board's feelings are.

Trustee Hurd stated that this Board or any Board can and could take a position on anything. That would be a discussion first and foremost among all of the Board once they set up goals and decisions based on budgeting and the welfare of their employees. Most of the Board would probably consider that the cost to the Village regarding our employees is actually more than just money. The good will and dedication of our employees is also an asset to this Village that they could jeopardize and we could easily lose if we don't treat them with the utmost respect for the time and expertise and experience that they all bring to our Village. With that in mind everybody also knows that under our Village Manager form of government this Board only speaks if a majority of this Board agrees on anything and he as a Trustee can say do this or do that and he is the one that has zero authority and that applies to everyone who sits in these seats. The main problem is that words have consequences and if they are spoken carelessly they can imply that maybe the Board, comments by the Deputy Mayor may have lead many of you to believe that the Board was considering and he can't understand why they would think that. He can only say for himself that is not the case. He is truly sorry that this happened. The Board has not taken any position on this what so ever.

Trustee Wynkoop stated that the type of help we have in this Village are great people. They have been here a long time and he has no intention of hurting them or their families or our retirees who put a lot of time and effort into this Village. He is certainly not going to vote to cut the health care.

Trustee Norman stated that she would never, ever do that.

Chief Holmes stated that is why we asked to meet to find out what is going on.

Mayor Pearson stated that she thought they were talking about health care and other options. She didn't know where this was going tonight.

Trustee Hurd stated that they would discuss that among themselves before they would ever approach the subject with

Mayor Pearson stated that they have talked about it. They talk about it all the time at budget time. Every year we talk about it.

Trustee Hurd stated that if he came to you and said would two of you care to draw straws and then retire so we can save some money, you might get a little upset. If he said it on his own it would be meaningless. Although it might cause a great deal of concern. The Board, the Board, has taken no position.

Chief Holmes stated, so it's just one person speaking.

Deputy Mayor Matise stated that it was just a comment in conversation.

Mayor Pearson stated that's what the Board said the other night at the meeting also. That it was not something the Board discussed.

Ms. Weiner stated that in the Record on Line if someone saw that they would think you were changing the health insurance.

Chief Holmes stated, and now you're talking about retirees.

Ms. Weiner stated that you have a few of them that it would affect and she told her that night that you can't touch the retirees, they are under their own contracts.

Chief Holmes stated that it gets spinning out of control especially when you keep talking. We have to wonder if there is something going on.

Deputy Mayor Matise stated that there is nothing going on.

Chief Holmes asked, then why would you say this in here.

Deputy Mayor Matise stated because the woman called me, she knew there was a big issue at the meeting.

Chief Holmes stated that she could have said, no comment.

Trustee Wynkoop stated that it wasn't a big issue then, but it's turned into a big issue the more you talk about it.

Chief Holmes asked why Deputy Mayor Matise would say retirees, why wouldn't you say it was taken out of context.

Deputy Mayor Matise stated that she didn't know.

Chief Holmes stated that she is an elected official.

Deputy Mayor Matise stated that right now it was a comment she had with Nancy in conversation and it should have been dropped at that. If Nancy had an issue.

Ms. Mitchell stated no, not when you're concerned about your health insurance.

Deputy Mayor Matise stated that you should have talked to me about it. You talked to Jim and then everybody got upset about it. People came to the Board.

Manager Politi stated that he would not transfer that to Nancy. You made the statement about CSEA. Please don't transfer that to Nancy.

Deputy Mayor Matise stated that it was no different then comments when they've worked on budget.

Manager Politi stated all that was said is your looking for cheaper insurance.

Deputy Mayor Matise stated comparable with a lower premium.

Chief Holmes stated that you won't find it.

Deputy Mayor Matise stated fine, so we won't find it. I dropped it. Nancy said to me you'll never find it and I said fine.

Manager Politi stated that it's not that we haven't looked, we have and you can't. That has to be agreed to by the two contracts with two groups with the Board. That is your contractual obligation. If either party says no, it's no.

Trustee Rumbold asked how is it this group follows the CSEA contract.

Manager Politi stated that through time and history whatever the union receives this group receives. So what ever they do, we do. We get the comparable.

Trustee Rumbold asked, how did that happen, is that a Board resolution or is it something that evolved.

Manager Politi stated that they had the handbook to start and then the unions began and it's always stayed. The Board has always allowed the group to follow the benefits that the other groups get.

Trustee Rumbold stated that in itself a precarious situation, if its something that's been said or something that's been done.

Manager Politi stated that it's in the handbook.

Deputy Mayor Matisse asked if there is a current handbook.

Manager Politi stated that it's the one they are working on.

Deputy Mayor Matisse stated the one we're working on, there isn't a current handbook.

Manager Politi stated that there is a current handbook.

Mayor Pearson stated that it's from the 80's.

Manager Politi stated that we do not have a formal contract, we're afforded health insurance and that could change.

Deputy Mayor Matisse asked if the Board was ever given a copy of that handbook.

Manager Politi stated yes, you've asked that before.

Mayor Pearson stated that she asked for it.

Trustee Rumbold asked if the CSEA contract was specific for the NYSHIP.

Manager Politi stated yes.

Chief Holmes stated that it's the same for the PBA. What you're looking at is staff here that never had to come before a Board. We always thought if we deal fairly we'd be treated fairly. Over the last few years the way the legal systems are and the liabilities, etc. We have to think about the old gentlemen's agreements, you know what, that is what he has. He doesn't have a contract, he has a gentlemen's agreement, which our attorney says there is no such thing as a gentlemen's agreement. Over the past 16 years he's worked under a gentlemen's agreement with this village. Nothing legally written down, that could change at any time. Perhaps with him being outspoken like this it could change drastically. He doesn't feel outspoken, he feels he is talking to the Board. However the comments were made, whatever intent Deputy Mayor Matisse had to say affects all of us. You're an elected official it's not like sitting in the audience being a regular taxpayer. As an elected official what you speak people will take as gospel. People take what he says as gospel. So when you speak, whatever your intent was you affect some people here and that is why we're here to talk to the Board about it. The blog is more important now to him than what she said to Nancy. This may be showing your true feelings, He doesn't know if that does or not. Just because a reporter says something to you and you have to answer, you could of said no comment, but for what ever reason you said well I was looking at the retirees. In a few years he'll be a retiree. You have retirees out there. Looking at what you're looking at. All of us here have over 20 years

of service and we'll be retirees. So your small comment has exploded a little bit. That is why we're talking to you. He doesn't know what her intent was.

Deputy Mayor Matise stated that she has no intent because she is one member on the board.

Chief Holmes stated that he doesn't want to keep beating this. Where else can we go, but to speak to the Board? This could be the future.

Deputy Mayor Matise stated that this could be the whole future for the whole country. We don't know.

Chief Holmes stated that he's not talking about the country; he's talking about the Village of Walden and himself.

Deputy Mayor Matise stated that they are not doing budget until March 20th and that is when you talk about everything.

Chief Holmes stated that is why we're here because he mentioned that night that this is important enough, we don't have time to discuss this at budget. He guessed the intent of this Board is not to do anything with healthcare.

Deputy Mayor Matise stated no.

Trustee Norman stated that it's not her intent.

Trustee Wynkoop stated him either.

Trustee Hurd stated that you do have a problem, this Board changes every year, so this Board at this particular moment can say this, but on March 18 at 9:15pm things can change. So you really as employees are unprotected. He can say that certainly it is not his intent. Trustees Norman and Wynkoop would surely echo that.

Deputy Mayor Matise stated that she also echoes that. You can include her too.

Trustee Hurd stated that after the comments he doesn't feel he could include her.

Deputy Mayor Matise asked if they've beat this to death enough. She's been asked the same question 10 times. It's been made clear that nobody has spoken for the Board and he did it very well. They can accept it or not accept it.

Trustee Rumbold that her understanding was that they filed CSEA and health care there was negotiated and it was her train of thought that since everybody went together that the only way yours could change was through a negotiation with CSEA.

Chief Holmes stated that in 1993 a resolution was adopted that cleared up a lot of your health care issues. This resolution could be changed by any Board. In that resolution it was specific that any employees up until that date were grand fathered in and any employee that was hired after June 1, 1993 they would now have to pay for healthcare. You have to do 20 years of service to this Village before you get healthcare. It is specific to healthcare. Being in public service this long he knows resolutions can change and that's a concern we've always had and when comments are made, we know we have this resolution in affect now, but that could change. Other issues such as vacation and sick time are in the handbook. For him sometimes he has to follow the police, or the handbook or his own. Holidays and days off we follow CSEA.

Trustee Rumbold stated that it's a tenuous situation because at any moment that could change.

Chief Holmes stated that it's always worked.

Deputy Mayor Matise stated that she's never seen the original handbook.

Manager Politi stated that he gave it to her.

Chief Holmes stated that when comments are made we feel unprotected.

Trustee Rumbold stated that she's never seen the handbook and she would like a copy.

Chief Holmes stated that the Board back then saw the issues with healthcare and this is the way they handled it. It didn't hurt any existing employees. Now sixteen years out of that we are in fairly decent shape.

Deputy Mayor Matise stated that's never been seen by them.

Manager Politi stated that we're going through our handbook review you've seen it.

Deputy Mayor Matise stated that we're not party to the manager's handbook review, so we don't know what he's talking about.

Mayor Pearson asked, we're going through a handbook review.

Deputy Mayor Matise stated that the handbook review hasn't been brought to them. She apologized and said she didn't mean this to get out of hand. She likes chatting with Nancy. She's upset because Nancy is upset.

Chief Holmes asked, what about the rest of us.

Deputy Mayor Matisse stated that there was nothing behind it and she can understand everyone being upset. She's been down this healthcare road before.

Ms. Byington stated that what happens one day changes the next. You just try to keep it even.

Chief Holmes stated that he thinks they got their point across and he hopes that whatever decisions the Board makes they have an unprotected class here.

Trustee Rumbold stated that this was not initiated by the Board and it did not come from the Board. She was appalled that you would think it was just an off handed comment. She would have taken it as a threat if she heard it as well. She apologized and stated that she is sorry that they have those feelings and she hopes the employees know as long as she sits here if anyone has questions they can ask her. She is willing to speak to the employees about anything and everything. Something like this would be a group discussion like we're doing now. It would be something they would discuss as adults. The Board does value each and every one of you whether you feel that way at this moment you are valued. That value is not just based on what you are paid, it's based on respect for what you do and she truly believes that everyone of you come in here every day doing your utmost for the village. She appreciates it and thanked them for it.

Mayor Pearson stated that she will ditto that also. She does hope if there are concerns that you can call her and talk to her. Election time is very tenuous and people have all these feelings. She does value all the employees too. She thinks they are very important. It is necessary work that gets done here. The Village has to run and this Board does not run the Village, it's all of you and we do thank you for that. At any time if the employees have concerns or thoughts let her know.

Trustee Wynkoop also thanked the employees for their time and efforts they put in. It's apparent that they all care.

Trustee Norman stated that they've done a great job for the Village.

Adjournment

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

Respectfully submitted,

Nancy Mitchell
Village Clerk

