

**Village of Walden  
Board of Trustees Meeting  
April 14<sup>th</sup>, 2009**

**MOTIONS AND RESOLUTIONS**

**Public Hearing – Proposed Village Budget for Fiscal Year 2009-2010**

Trustee Norman moved to close the public hearing. Seconded by Trustee Wynkoop. All ayes. Public hearing closed.

**Public Hearing – Consideration of Project Suggestions from the Public for Fiscal Year 2010 Orange County Community Development Block Grant Application**

Trustee Norman moved to open the public hearing. Seconded by Deputy Mayor Rumbold. All ayes. Public hearing opened.

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

**Public Comment**

Trustee Norman moved to go into public comment. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

**The Friends of the Good Samaritan BBQ-Request**

Deputy Mayor Rumbold moved to give permission to the Trinity Lutheran Church to hold a barbeque on May 2, 2009 using two parking spaces. Seconded by Trustee Wynkoop. All ayes. Motion carried.

**Request by Dean Stickles, Building Inspector, to Set a Hearing Date for 31 Madison Avenue on April 28<sup>th</sup>, 2009 for Unlicensed, Overweight Truck Violations**

Trustee Leonard moved to hold a hearing for 31 Madison Avenue on April 28, 2009 at 6:30pm. Seconded by Trustee Wynkoop. All ayes. Motion carried.

**Request by Dean Stickles, Building Inspector, to set a Haring Date for 32 Seeley Street on April 28<sup>th</sup>, 2009 for Property Maintenance Violations**

Deputy Mayor Rumbold moved to hold a hearing on 32 Seeley Street on April 28, 2009 at 6:30pm. Seconded by Trustee Norman. All ayes. Motion carried.

### **Assignment of Special Counsel for Village Election Litigation – Langdon Chapman**

Trustee Hurd moved to appoint Langdon Chapman to defend the Village Clerk as of March 24<sup>th</sup>, 2009 and to authorize his retainer at \$200.00 per hour. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

### **Bond Resolution for Water Telemetry System**

Deputy Mayor Rumbold moved to adopt A Bond Resolution Authorizing the Issuance of \$100,000 Bonds of the Village of Walden, Orange County, New York, to Pay the Cost of Replacement of the Water Telemetry System. Seconded by Trustee Hurd. All ayes. Resolution adopted.

### **Litigation-DEC Violations**

Trustee Millspaugh moved to hire Mr. Young to represent the Village of Walden with regard to the DEC violations. Seconded by Trustee Hurd. All ayes. Motion carried.

### **Assignment of Special Prosecutor**

Trustee Hurd moved to retain Mr. Coburn as a special prosecutor for those times that State Troopers have tickets in the village. Seconded by Trustee Millspaugh. All ayes. Motion carried.

### **Special Meeting**

Trustee Leonard moved to hold a special meeting to review General Code revisions on May 6<sup>th</sup>, 2009 at 7PM and also to review the priority list. Seconded by Trustee Millspaugh. All ayes. Motion carried.

### **Engineering Services RFP's – Review & Process**

Trustee Hurd moved to hold an executive session on April 28<sup>th</sup>, 2009 at 5:30pm in order to do engineering interviews with Fusco, Lanc and Tully and Larry Paggi. Seconded by Trustee Wynkoop. All ayes. Motion carried.

### **Approval of Minutes**

Deputy Mayor Rumbold moved to adopt the minutes of March 3<sup>rd</sup>, 2009. Seconded by Trustee Norman. All ayes with the exception of Trustee Leonard abstaining. Minutes adopted.

Trustee Hurd moved to adopt the minutes of March 6<sup>th</sup>, 2009. Seconded by Deputy Mayor Rumbold. All ayes with the exception of Trustee Leonard abstaining. Minutes adopted.

Deputy Mayor Rumbold moved to adopt the minutes of March 10<sup>th</sup>, 2009. Seconded by Trustee Norman. All ayes with the exception of Trustee Leonard abstaining. Minutes adopted.

Trustee Leonard moved to adopt the minutes of April 6<sup>th</sup>, 2009. Seconded by Trustee Hurd. All ayes. Motion carried.

### **Audited Bills**

Deputy Mayor Rumbold moved to pay the audited bills of April 14<sup>th</sup>, 2009. Seconded by Trustee Norman. All ayes. Motion carried.

### **Board Comments**

Trustee Norman moved to allow the bills to be brought back out on the table before a meeting from 5:30-6:15pm and then they are to be removed so no one is signing them during the meeting. Seconded by Trustee Hurd. Motion carried.

### **Adjournment**

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

**Village of Walden  
Board of Trustees Meeting  
April 14<sup>th</sup>, 2009**

Mayor Brian Mayer 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	Brian Mayer
	Deputy Mayor	Sue Rumbold
	Trustees	Mary Jean Norman
		Roy Wynkoop
		Richard Hurd
		Marcus Millspaugh Jr.
		Edmond Leonard

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

**Presentation – Gary Theodore/Nugent & Haeussler, P.C./Audit Review**

Mayor Maher stated that Mr. Theodore was unable to attend the meeting.

**Presentation to Former Mayor**

Mayor Maher presented Becky Pearson with a plaque for her term of office.

**Public Hearing – Proposed Village Budget for Fiscal Year 2009-2010**

Manager Politi explained that there were two primary goals, one was to set out to maintain a service level, and maintain our employee level in all services that we have. The other was to make sure our capital improvement plans stay in tack, with road improvement and/or replacement of aging equipment within our different departments. Last year we did lose significant revenues in terms of sales tax revenues, so we are coming in short already. It was a ruff time putting those numbers together. In this budget the greatest concern they had developing this budget was the water and sewer funds, which are not making it in terms of cash flow and maintaining those services adequately. Back in December they discussed that they were starting to see signs that we needed to bring the rates up. He did bring that to the Board and they did discuss it. With those general parameters to maintain service and trying to get the water and sewer departments under control financially he did hand off a draft budget at 7.1% increase in

property taxes. It is a different number after the Board sat down with five budget sessions and reworked the numbers bringing that number down significantly.

Mayor Maher stated that when they were handed the budget it was at a 7.1% increase. They took it one day at a time going about five or six sessions and they went line by line. It was an enjoyable experience, as enjoyable as you could have in a budget session. It was the board and the atmosphere in the room and the board getting along with each other that allowed the process to go smoothly that allowed the board to cut the budget from 7.1% to 3.8%, which is where it stands right now. They are still discussing a few other items that they have questions about. They will have more meetings to try and cut that number down as well as listening to public comment. The Mayor presented the affidavit of posting notice, affidavit of publication and notice of hearing, which he read. He further stated that the budget is available for review at the Village Hall.

Mayor Maher stated that water and sewer rates are increasing from \$3.20 per hundred cubic feet to \$4.20 per hundred cubic feet.

Manager Politi stated that there are significant upgrades that are occurring in the sewer plant as well as in the water department. You are carrying a new well and bond issues that you have to plan for going forward. When you take those bonds out of borrowing for water and sewer it has to be paid by the water and sewer funds. It is a significant raise in number, but it's very hard to operate. When they did a survey Walden was at the bottom third with rates.

Mayor Maher stated that one thing that is important for people to realize is that rates are jumping because we haven't raised them in the past. We are making up for lost time. If it was increased last year we would have less of an increase and it would be below \$4.20.

Deputy Mayor Rumbold stated that they did raise it last year. A higher number has been requested and the board discussed it and they wanted to try the lower number to see if they could fund it, but with the bonds that they will have to pay back they had to raise it.

Manager Politi wanted it understood that the bonding is not for fines, it's for work that is needed to be completed.

Mayor Maher stated that the board is working their hardest line item by line item to cut the budget as much as possible.

Mike Ciardullo stated that it was stated that there is a problem collecting money for water and sewer, is that correct.

Manager Politi stated correct.

Mr. Ciardullo asked if the increase is going to make it easier to collect for water and sewer. People are taking their water and sewer fees and letting it lapse in their taxes and writing that off. The residents aren't aware that is illegal to do. People should be made aware of that.

Mayor Maher stated that the public comment isn't a question and answer period. We will be taking comments and taking notes and they will take it upon themselves to find a feasible solution to it.

Keith Millsbaugh stated that recently Central Hudson had a public hearing for a rate increase and the reason was that revenues were down and they cited the revenues were down because the users were conserving the energy, so they were looking to increase their rates because people were cutting back on their use, which is counter productive. Cutting back on the budget is tough work and it requires doing things that you don't want to do. The board has to look at the tax payers, how many are out of work, how many have not had a raise in how many years. People are limited to their incomes, they don't have a source to go to and retrieve more money. Businesses that are paying taxes to the Village are limited to what customers are spending. They don't have a source to get additional income. He feels the Village needs to look at the people who are paying for the services in the Village; there might be services that can be cut back. He challenges the board to take the budget down to six million dollars rather than 6.3. If you go back a few years you will see where the spending jumped five and six hundred thousand dollars a couple years in a row. What caused those increases, what did we add that can be taken out. We really need to look, not just line by line. You need to look line by line with a number, a bar. If six million is your bar or 20%, 10% or 5%. Have that be what you are looking at line by line. Because you have to have the fund in water and sewer those rates are going to go up. You can offset that by lowering the tax rate on the other side. The general fund budget was down \$100,000 and one of the reasons for that; he knows Becky was instrumental in finding other garbage sources. We save \$110,000 from last year to this year by changing garbage companies. You need to do that with every line item. He knows he gets up there to talk and a lot of people would like to turn him off because they think he is here to be negative. He's not here to be negative. He's here to be helpful. He's offered his services. He's tried to talk to Brian about the budget. He said he was going to talk to him sometime. He has to hope people keep coming in the store to pay his bills.

Trustee Norman moved to close the public hearing. Seconded by Trustee Wynkoop. All ayes. Public hearing closed.

### **Public Hearing – Consideration of Project Suggestions from the Public for Fiscal Year 2010 Orange County Community Development Block Grant Application**

Manager Politi stated that each year the village makes application to the county for block grant funding for projects in the village. One project we just finished up was the sidewalks on East Avenue. Lafayette Street will soon be done and the Gladstone Avenue water tank will be repainted with that funding. The public has the opportunity to

suggest projects that the village can apply for. He read the categories that can be applied for.

Trustee Norman moved to open the public hearing. Seconded by Deputy Mayor Rumbold. All ayes. Public hearing opened.

Becky Pearson 167 Walnut Street stated that she has been talking about Maple Street for about four years, new sidewalk and road and she would like that considered as a project.

Mike Ciardullo, 83 Walnut Street stated that he is here on behalf of the business association. Two things he would like to see considered with this grant are; start up of a roller hockey program and to help out businesses with signage. With the Main Street grants that are available right now they can get half the money for the signs and they are looking for more funding to help the businesses pay for it.

Manager Politi stated that would be worth making application for that.

Mayor Maher asked when the project would actually get started.

Manager Politi stated that it would be after the New Year.

Mary Ellen Matise 21 Clinton Street suggested they apply for grant money for the storm drain curb inlets.

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

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

Manager Politi asked if there were any questions on the department reports.

Trustee Leonard asked about the Cherry Street property.

Deputy Mayor Rumbold asked if there's been a resolution for the property where they are trying to figure out who owns it.

Mr. Stickles stated no. He will be discussing it further during discussion items.

Manager Politi stated that there is a letter from the PBA stating that they have terminated their contract with NYSUPA and they will be represented by a Teamsters Local. 445. Negotiations will begin shortly.

Manager Politi also stated that Trustee Leonard has come to the Village Board which left a vacancy on the Planning Board. The manager has appointed Jose DeJesus.

The Manager advised the Board that there are two events with the Town of Montgomery Chamber of Commerce that is coming up. Their annual dinner and appreciation dinner and the Walden Women's Club luncheon.

### **Public Comment**

Trustee Norman moved to go into public comment. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

Anita Vandermark, 76 Highland Avenue congratulated the new Board members and she looks to a very successful term of office for all of them.

### **The Friends of the Good Samaritan BBQ-Request**

Mayor Maher stated that the Friends of the Good Samaritan would like to hold an outdoor barbeque.

Manager Politi stated that the Trinity Lutheran Church would like to hold a barbeque on Saturday, May 2, 2009 from 11am to 1 pm. They would like to use two parking spaces. He did let them know that is the same day as the Rail Trail opening and they said it would not interfere. He spoke to the Chief of Police and DPW Supervisor and they feel confident they will be safe out there. They will give insurance.

Deputy Mayor Rumbold moved to give permission to the Trinity Lutheran Church to hold a barbeque on May 2, 2009 using two parking spaces. Seconded by Trustee Wynkoop. All ayes. Motion carried.

### **Request by Dean Stickles, Building Inspector, to Set a Hearing Date for 31 Madison Avenue on April 28<sup>th</sup>, 2009 for Unlicensed, Overweight Truck Violations**

Mr. Stickles stated that he would like the Board to set a hearing for the owner of a fuel truck which is located at 31 Madison Avenue to explain why he can't move it. There is a licensed truck that parks on Madison Avenue so he is going to find out if it's registered properly.

Trustee Leonard moved to hold a hearing for 31 Madison Avenue on April 28, 2009 at 6:30 PM. Seconded by Trustee Wynkoop.

Deputy Mayor Rumbold asked how many times has Mr. Stickles contacted the owner.

Mr. Stickles stated that he has contacted him numerous times, at least four times.

Mayor Maher asked if Mr. Stickles has talked to the owner.



Mr. Stickles stated that he has talked to him and he keeps saying he's going to license it and move it and he hasn't.

All ayes. Motion carried.

**Request by Dean Stickles, Building Inspector, to set a Hearing date for 32 Seeley Street on April 28<sup>th</sup>, 2009 for Property Maintenance Violations**

Deputy Mayor Rumbold moved to hold a hearing on 32 Seeley Street on April 28, 2009 at 6:30pm. Seconded by Trustee Norman. All ayes. Motion carried.

**Assignment of Special Counsel for Village Election Litigation – Langdon Chapman**

Mr. Dowd stated that this was done because of the law suit that was brought and the need to respond quickly. The Board would be authorizing Mr. Chapman's retainer at \$200.00. You are employing him the date he was hired which was March 24, 2009.

Trustee Hurd moved to appoint Langdon Chapman to defend the Village Clerk as of March 24<sup>th</sup>, 2009 and to authorize his retainer at \$200.00 per hour. Seconded by Deputy Mayor Rumbold.

Mayor Maher asked what the legal fees were?

Mr. Dowd stated that all he knows is its \$200.00 per hour. We haven't seen a bill yet.

All ayes. Motion carried.

**Bond Resolution for Water Telemetry System**

Mr. Dowd stated that the Board had previously approved the improvements of some wells as well as the replacement of the water telemetry system. Before the Board tonight is a bond resolution that would authorize up to \$100,000 in bonds to be borrowed to pay for those improvements.

Deputy Mayor Rumbold moved to adopt Bond Resolution Authorizing the Issuance of \$100,000 Bonds of the Village of Walden, Orange County, New York, to Pay the Cost of Replacement of the Water Telemetry System. Seconded by Trustee Hurd. All ayes. Resolution adopted.

**Litigation-DEC Violations**

Manager Politi stated that it has been suggested by Delaware Engineering as well as our attorney that you should hire an environmental attorney to represent the village. Mr. Dowd and Delaware Engineering have recommended someone for this process.

Trustee Millspaugh moved to hire Mr. Young to represent the Village of Walden with regard to the DEC violations. Seconded by Trustee Hurd.

Deputy Mayor Rumbold asked what he charges.

Mr. Dowd stated that he thinks it around \$200.00 per hour. He is well versed with everything.

Deputy Mayor Rumbold asked if representatives from the board will be sent.

Manager Politi stated most likely yes, but he will let the board know. He will ask the attorney what the best course of action is.

All ayes. Motion carried.

### **Assignment of Special Prosecutor**

Mr. Dowd explained that about two years ago State Police decided as a policy that their troopers would not negotiate plea bargains. If you get a ticket from the State Police you cannot negotiate with the officer like you would do with an officer from the village or town. You have to either have a trial or plea guilty to the charge. What some municipalities have done is they have hired special prosecutors to intercede between the State Trooper and the court. Judge Ozman suggested the board consider that option because you may cut down on court time and plea bargains may bring more money into the court. The prosecutor can also plea to local codes which means the village may get more revenue. The Town of Montgomery is doing it. It would be once a month when all State Trooper tickets would appear so your special prosecutor would only appear on that one night to keep the cost low. The town uses Mr. Coburn.

Trustee Hurd moved to retain Mr. Coburn as a special prosecutor for those times that State Troopers have tickets in the village. Seconded by Trustee Millspaugh. All ayes. Motion carried.

### **Review of Fire Code Violations @ 154 West Main Street**

Mr. Stickles stated that since he asked to have this on the agenda he has found out that there are no tenants, other than the former owner living at 154 W. Main Street. He has a meeting with the former owner to go through this building next Wednesday. He will update the board after the meeting.

Mr. Dowd stated that the actual title to this property appears to be in Wells Fargo due to bankruptcy. The former owner filed a bankruptcy proceeding in which he alleges that his rights were violated so therefore he is seeking to get title back to the property. The bank has put a freeze or restraining order on Wells Fargo from doing anything with the building until the claims from the former owner can be litigated. If the owner is not successful then the bank owns the property and they are responsible for doing any repairs

or maintenance to the property. There is a stay in affect by the bankruptcy court that prevents them from doing anything such as repairs. The former owner may have done some damage to the property that they need to know and they may take him back to bankruptcy court to prevent him from doing any further damage to the property.

Deputy Mayor Rumbold asked if that releases the village from any liability because we know this is an unsafe building and we are allowing a human being to occupy that building.

Mr. Dowd stated that he is living in a legal apartment and the building itself may not be totally unsafe in the sense of that apartment.

Trustee Leonard asked who gave the owner permission to live on the property.

Mr. Dowd stated that he is claiming ownership. He is claiming they took something that they shouldn't have taken.

### **Manager/Board Plan Review**

Mayor Maher stated that this list was put together before he and Trustee Leonard were on the board. It's the village board planning agenda for 2008. He asked for comments from the Board.

Deputy Mayor Rumbold asked about the calendar on the web site.

The Village Clerk stated that she hasn't been able to do the additions.

The Mayor stated that he will contact Patrick.

Trustee Millspaugh asked if they could go down the list.

Manager Politi asked if the Board had any concerns with the first page.

Trustee Millspaugh stated that he feels they should get an audit of the heating system in the building.

Manager Politi stated that an audit was done. There were a couple conflicts. Some of the items are significant cost items which would have to be a capital plan. Window replacement is an enormous cost.

Mr. Stickles stated that you would have to provide a heating system for each floor. They want us to turn lights off in the evening and risk management wants us to add lights for security purposes.

Trustee Millspaugh stated that a heating system would pay for itself in a relatively short time.

Manager Politi stated that you will get back, but it's a long term capital improvement project.

Deputy Mayor Rumbold asked when they were going to do the next General Code meeting.

Trustee Leonard asked about the traffic light on Main Street.

Manager Politi stated that they did put in a turning arrow. They are coming back for another look at the intersection.

Mayor Maher stated that there should be another arrow by the bank and also going down Route 208.

Deputy Mayor Rumbold stated that she thought they were going to look at that left.

Trustee Millspaugh asked about the wall by the McKinley monument.

Manager Politi stated that is a capital item and they have cut back on that quite severely. The last cost estimate was \$5,000.

Trustee Millspaugh stated that DOT should play a part in that.

Deputy Mayor Rumbold asked if there was a list of streets that are going to be paved.

Manager Politi stated that they are looking at the roads right now. He is working on the list. It's better to do a whole neighborhood at a time.

Trustee Leonard asked about the NIMS training.

Manager Politi stated that this is done in house.

Mayor Maher suggested they take the list issue by issue and cut down the list.

Manager Politi stated that the list should be updated because a lot has been completed.

Mayor Maher suggested that this be tabled until April 28<sup>th</sup> so the Manager can update the list and shorten it. A lot of these should be prioritized.

It was the consensus of the Board to add the updated list to the May 6<sup>th</sup> agenda.

Trustee Leonard moved to hold a special meeting to review General Code revisions on May 6<sup>th</sup>, 2009 at 7PM and also to review the priority list. Seconded by Trustee Millspaugh. All ayes. Motion carried.

### **Engineering Services RFP's – Review & Process**

Manager Politi stated that he has reviewed the rfp's for engineering services and the board needs to move on this. There is a grouping that he likes. He would like to set a date for them to come in for an interview.

Mr. Stickles stated that his choice would be Fusco Engineering or Lanc and Tully.

Manager Politi stated that the large firms aren't desirable.

Mayor Maher stated that the village wants a firm that will invest in us.

Manager Politi stated that Fusco and Lanc are the ones in the county that have several municipalities and are very responsive. Larry Paggi is also a small group.

Mayor Maher asked what firms do grant writing.

Manager Politi stated that Fusco does, Lanc on a lesser degree and Paggi.

Trustee Millspaugh stated that he took the list and made it large, medium and small and he likes the smaller firms.

Trustee Leonard stated that he was very impressed with Lanc and Tully.

Trustee Hurd moved to hold an executive session on April 28<sup>th</sup>, 2009 at 5:30pm in order to do engineering interviews with Fusco, Lanc and Tully and Larry Paggi. Seconded by Trustee Wynkoop. All ayes. Motion carried.

### **Comptroller's Reply**

Deputy Mayor Rumbold asked if the attorney has received a reply from the state comptroller.

Mr. Dowd indicated that he has and he would like to read the material and summarize it in a letter to the Board. He will not issue a new opinion. It will be best if Mr. Dowd explain it in writing and discuss it at the next meeting. His opinion to the board and his reading the law is accurate.

Mayor Maher asked if discussion items should be on the agenda before the meeting to avoid adding new discussion items.

Mr. Dowd explained that any board member has the right to ask that either an action item or discussion item be placed on the agenda.

Mayor Maher stated that the agenda is set the Wednesday before the meeting so bring it up and he will put it on there.

Mr. Dowd stated the any member can asked to have an item on the agenda, but you usually do that the beginning of the session and then you would clarify why you wanted it and the chair and the rest of the board would decide let's put it on as an agenda item.

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

Becky Pearson asked that the agenda be put on the web site.

### **Presentation**

Mayor Maher presented Mary Ellen Matise with a plaque honoring her service as deputy mayor.

### **Approval of Minutes**

Deputy Mayor Rumbold moved to adopt the minutes of March 3<sup>rd</sup>, 2009. Seconded by Trustee Norman. All ayes with the exception of Trustee Leonard abstaining. Minutes adopted.

Trustee Hurd moved to adopt the minutes of March 6<sup>th</sup>, 2009. Seconded by Deputy Mayor Rumbold. All ayes with the exception of Trustee Leonard abstaining. Minutes adopted.

Deputy Mayor Rumbold moved to adopt the minutes of March 10<sup>th</sup>, 2009. Seconded by Trustee Norman. All ayes with the exception of Trustee Leonard abstaining. Minutes adopted.

Trustee Leonard moved to adopt the minutes of April 6<sup>th</sup>, 2009. Seconded by Trustee Hurd. All ayes. Motion carried.

### **Audited Bills**

Deputy Mayor Rumbold moved to pay the audited bills of April 14<sup>th</sup>, 2009. Seconded by Trustee Norman.

Trustee Millspaugh stated that there is a voucher there for the whole sidewalk and he still has some reservations about them. In front of Shearer's house there had been a tree stump and they narrowed the sidewalk down to three feet or less and he doesn't feel

that is acceptable. He has concerns about the specifications and there should be a credit to the village.

Deputy Mayor Rumbold asked who the clerk of the works was.

Manager Politi stated Mr. Stickles and he asked Mr. Stickles if he was comfortable with what he saw.

Mr. Stickles stated that he was. He does agree with Trustee Millspaugh about the sidewalk in front of Shearer's. There is another area up the street that is narrower because of a tree.

Manager Politi stated that there is still retainage on that project. That would be the leverage to have them change that.

Trustee Millspaugh stated that there is a bump also in front of Shearer's because the root was not removed. That concrete was subject to sixteen degree temperatures.

Mr. Stickles stated that he didn't see any problem when it was cold it was covered. He walked the job with the county and he was there every day, not every moment, but he was there when they put the wire down.

Manager Politi stated that if its two or three panels you can have them change that out. In order for them to get the final payment you can have them change that out.

Mr. Stickles stated that he doesn't agree with the county, they want everything change, no retainage held. He feels they should hold a retainage.

Manager Politi stated that there are two checks, and you can hold the second one.

Trustee Millspaugh asked if the engineer's services came out of the county grant.

Manager Politi stated that the village paid them.

It was the consensus of the Board to have the two panels replaced.

Deputy Mayor Rumbold questioned the Stantec bill for \$19750 for Ponds at Riverside. She was told that is reimbursed by the contractor, do we pay the bill and then we're reimbursed.

Manager Politi stated that there is escrow, but sometimes you run out of money so then we bill them. You hold 5% of the project cost.

Deputy Mayor Rumbold asked if everything is in from Stantec?

Manager Politi stated yes.

Deputy Mayor Rumbold asked what happened to the bills the village was holding that she questioned them for charging the village to reproduce our materials.

Manager Politi stated that they are being held and will be pulled out.

Deputy Mayor Rumbold asked if they were pulled out and we're just not paying them.

Manager Politi stated, until we clarify those. There are more questions and Mr. Gainer is aware of that.

Deputy Mayor Rumbold asked that they be reviewed again by the board before they are paid so she can see the clarification.

Manager Politi indicated that he would.

All ayes. Motion carried.

### **Correspondence**

Mayor Maher indicated that correspondence has been received regarding the tennis courts and why nothing has been done within the last two years. They are in the process of getting paved right now.

### **Board Comments**

Trustee Leonard thanked the Rotary for the clean up they did. The village and the roads look good.

Trustee Millspaugh asked when the lamp post on Main Street was going to be done.

Manager Politi stated that it has been ordered.

Deputy Mayor Rumbold asked who was paying for the lamp post.

Manager Politi stated that the village is.

Deputy Mayor Rumbold asked what happened to it.

Manager Politi stated that he didn't know.

Deputy Mayor Rumbold stated that she attended the ceremony and the service for Col. Bradley's birthday, it was very nice. She thanked Mary Ellen for that.



Mayor Maher thanked everyone for being in attendance for his first board meeting. He hopes to have a very, very, very pleasant next few years. He has a great board and he appreciates all the work that was done on the budget and they are going to get a lot done. There is a very good board with a very positive attitude. It is a board that is concerned about the needs of the village and they are going through the budget as best they can for all the residents and they hope to get a lot done in the next few years.

Trustee Wynkoop stated that there is still a problem with the house on Sherman Avenue. When he went by tonight someone was unloading the trailer full of crap.

Deputy Mayor Rumbold asked what the answer was.

Mr. Stickles stated that they've been before the board four times. The village has cleaned it up once. He doesn't have an answer.

Mr. Dowd stated that they can bring the process back before the board and have a hearing and order them to clean it up and if they don't the village cleans it up and puts it on the taxes.

Deputy Mayor Rumbold asked about fines.

Mr. Dowd indicated that the fines don't get the property cleaned up.

Deputy Mayor Rumbold suggested they fine them and clean it up.

Mr. Stickles stated that it's a faster process to bring them before the board.

Deputy Mayor Rumbold stated that unless you stop that cycle that he is used to he is just going to continue to do what he feels like doing. Let's make it as uncomfortable as possible.

Mr. Dowd advised the board that there is a cost for prosecution to the village.

Trustee Norman moved to allow the bills to be brought back out on the table before a meeting from 5:30-6:15pm and then they are removed so no one is signing them during the meeting. Seconded by Trustee Hurd.

Deputy Mayor Rumbold stated that she has no problem with that as long as the bills are removed at 6:15pm and there are no bills on the table during the meeting.

All ayes. Motion carried.

## **Adjournment**

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

Respectfully submitted,

Nancy Mitchell  
Village Clerk