

Village of Walden Board of Trustees
Regular Meeting
September 28, 2010
Motions and Resolutions

Set Times for Village Trick or Treat – 6 pm – 8pm October 31

Trustee Norman made a motion to approve trick or treat time for the Village, Trustee Penney seconded. All ayes. Motion carried.

Surplus Former DPW Truck 4 – 2000 Chevy 1500

Trustee Leonard made a motion to set minimum of \$1000 for Surplus DPT Truck 4, Trustee Hurd seconded. All ayes. Motion carried.

Village Website - Tabled

Resolution to name Teen Center – John H Howland

Trustee Norman made motion to dedicate the teen center as the John H Howland Teen Center. Trustee Bowen seconded. All ayes. Motion carried.

Grant Permission to the Village Attorney to assist prosecution – 154 West Main Street.

Trustee Hurd made a motion to grant permission for the Village Attorney to assist prosecution on 154 West Main Street. It was seconded by Trustee Rumbold. All ayes. Motion carried.

Bond Resolution

Trustee Hurd made the motion to approve the bond resolution from \$800,000 to \$1,450,000 which is an increase of \$600,000. It was seconded by Trustee Rumbold. All ayes. Motion carried.

Town of Montgomery Gasification Project – zoning issue.

Trustee Leonard made a motion for Kevin Dowd, Village Attorney, to write a letter to the Town Board to change the local law zoning. Seconded by Trustee Norman. All ayes. Motion carried.

Motion to go into Executive Session

Trustee Penney made a motion to go into Executive Session to discuss 105 (f) Personnel, and Ethic Board appointment and litigation. Seconded by Trustee Bowen. All ayes. Motion carried.

Trustee _____ moved to reconvene the regular meeting. Trustee _____ seconded. All ayes. Meeting convened.

Adjournment

Trustee _____ moved to adjourn. Seconded by Trustee _____. All ayes. Meeting adjourned.

Village of Walden Board of Trustees
Regular Meeting
September 28, 2010

Mayor Brian Maher 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 Maher
Deputy Mayor	Sue Rumbold
Trustees	Midge Norman Richard Hurd Edmund Leonard Bernard Bowen Randi Lee Penney

Absent:

Also Present:

John Revella, Village Manager
Victoria Kurtz, Deputy Clerk
Kevin Dowd, Village Attorney

Presentation – UR Energy Audit

Dan Tomassi representing UR Energy completed an Energy Audit about 1 month ago regarding the Village's interior and exterior lights. The audit was over a 12 month period. Three proposals:

- 1) Energy Efficient Lighting for Exterior – \$16,048 to install and maintain exterior lighting. Annual savings per year \$4400.00
- 2) Indoor Lighting – Change all interior lighting for all buildings (8-10), putting in energy efficient lighting. No upfront cost of this, it'll be financed through savings. Total project value amount \$31,430, customer payment after the incentives will be \$22,450. Monthly savings for village: \$1247.18. \$623.59 (= ½ the savings) will be paid to UR Energy for 36 months. The amount paid can/will be adjusted based on actual savings. Example: if village is only saving \$1000 per month, payment to UR will be \$500 per month

Total monthly payments = \$22,450 over 36 months.

Trustee Hurd asked if the interior lighting is the same as the exterior lighting. He asked about the mercury in fixtures and is it hazardous if a fixture is broken.

Dan indicated the lights are different quality. He will find out about any hazardous material and special protocol for broken fixtures.

Trustee Rumbold asked about if the monthly payment is reduced, then is the length of payments extended. Or is the cost of the project based on the Village's monthly savings.

Dan will get answers tomorrow regarding the cost.

Trustee Leonard asked if any of the buildings are unheated.

Manager Revella stated all are heated.

Dan continued with third proposal:

- 3) Reduce the amount paying per Kw – Supply. 10-15% savings by changing supplier.

Trustee Leonard asked how long you have to sign on with supplier

Dan stated as long as you want. Possibly 1, 2 or 3 years.

Trustee Rumbold asked the average cost of a lamp.

Dan will get answer tomorrow.

Kevin Dowd asked about the Indoor Contract, customer obligation with HVAC equipment.

Kevin Dowd asked why indoor and outdoor are different and not the same deal

Trustee Hurd asked if they are wrong what's our recourse.

Mayor Maher asked for information from other municipalities. More opportunities to ask questions.

Dan apologized for not having answers to all questions.

Manager Revella mentioned one of the way to cut down on the savings is by getting NY Serta reimbursements.

Dan indicated the new lifespan of these lights are 4-5 years.

Trustee Leonard stated that was a big savings.

Village Manager's Report

- * Manager Revella mentioned updates from the Engineers first.
- * Bradley Park tennis courts are halfway completed
- * Telemetry – they're compiling the components for the water telemetry to balance water wells
- * Roof was delayed due to weather, held-off until Monday so as not to interfere with Harvest Fest
- * Working with CBGB, transfer of funds approved.
- * Engineer working with DOT on Ulster Avenue sidewalks – going to take a while due to survey work.

- * I & I study. Part of DEC consent order, should be completed within 7-10 days. Then we'll have an idea of what it'll cost to repair
- * Streets have been paved; Old Orange, McKinley, Donna Chrystie & part of Pine and John St.
- * Beazer Homes – hired contractors to fix pipes under roads and to pave the roads, weather delayed. Oct 27 – letter of credit.
- * Roofs for the well buildings & Cherry St building were looked at by contractors
- * Clearing off debris on the Olley Park Dam; mowed.
- * Orange County water authority money for leak detection should be in late winter/early spring.
- * Delaware Engineering regarding sewer plant rehab and the costs. Issue with allocations of the original bond. Need to fix allocation and how to get the rest of the money to pay for rest of project. Ordering equipment to do the upgrades.
- * Installing new meters on commercial buildings; some didn't have working meters in over 15 years. AMPAC, Squire Village, and MPB should be online in a week.
- * Water break on Coldenham Road
- * Time to renew Garbage contract – length of contract, single-stream recycling – no sorting.
- * Special meeting about NYSHIP fees – go up nearly 14%
- * Problem with Well 7, offline for several months, came back online, was tested, required flushing hydrants.
- * Might apply for a grant for our trails and parks.
- * Looking into installing a camera at Olley Park.

Trustee Leonard asked about a time clock for DPW

Manager Revella indicated machine is working fine but there is a software problem.

Trustee Rumbold asked about the total of funds expended from the Bond Account that shouldn't have been.

Manager Revella indicated it was probably around \$200,000, going back to Dec 2008.

Trustee Rumbold asked who makes the decision on what is paid out of that bond.

Manager Revella indicated the manager and the treasurer make the decision.

Trustee Rumbold asked since we are audited every year, wouldn't that be caught in an audit.

Kevin Dowd is not sure what the auditors look at; if it's not every single expenditure then maybe that's why it wasn't caught.

Trustee Rumbold stated we need to look at audit to see if that account was audited.

Trustee Hurd asked about the actual resolution wording.

Kevin Dowd stated it was meant for partial rehabilitation of the sewer treatment plant only. Anything not related to that project should not have been paid out of that account. We need to

replenish the bond fund, capital account, with the proper amount of money. There are over-runs already, around \$70,000. There is a bond resolution tonight.

Trustee Rumbold asked who authors the language of the bond and its process.

Kevin Dowd stated the process is that manager and sometimes treasurer and the engineers determine the need to borrow money for a specific purpose. He goes to Bond Council; they do all the legal paperwork. The Board then enacts it and the treasurer borrows the money based on the authorization of the bond council.

Trustee Rumbold asked if, in the future, when dealing with a specific bond, we get advice from council that a bill can be paid out of that bond.

Kevin Dowd indicated there has never been a problem like this. There had been a change in Engineers, then a consent order and another Engineer firm, Lanc & Tully. All the work and bills submitted were paid out of one bond account since they were all related to sewer.

Trustee Rumbold asked if we can put in some kind of safeguard that before any money comes out of that bond, that it meets the criteria.

Kevin Dowd indicated he has been asked before about various bonds, but not in this particular case.

Trustee Bowen asked what procedures are in place now.

Manager Revella indicated he checks with Kevin, then goes over it with the Treasurer. He will then look at the bond specifically.

Trustee Bowen asked if there is a policy in place.

Manager Revella said yes.

Kevin Dowd stated that the mind set was that if it was related to sewer then it was taken out of that account. We need to put money back in that account from where it should have come from originally. All the expenditures are legitimate for the plant; the problem is it came out of capital account.

Public Comment

Mary Ellen Matise stated she thought NYSEG dealt with street lighting and they do an energy audit. NYSEG has fixed and adjustable rates and nobody can touch their rates.

Manager Revella indicated these are Village owned lights only.

Becky Pearson asked about Compu-tel. Did we save money with that?

Manager Revella indicated this is our last year with that.

Becky asked about General code.

Manager Revella stated he received the index about 3 weeks ago and it'll be on the web. He has not agreed to any other cost.

Becky asked about Taylor Garbage and the contract coming up and CDGB and the water tank money.

Manager Revella indicated the water tank money has not been released yet. We will be painting the water tank.

Becky asked about the \$200,000 bond money. What's the plan on recouping that money? This has been brought up at board meetings before.

Manager Revella stated it has to come from the sewer fund.

Becky commented about the Ethics Board decision. The ethics board needs a policy and procedure, there are no minutes being taken; it should be run like a meeting.

Mary Huber, 55 Main Street, Senior Citizen building. She had complained to the building inspector that the Secret Garden has a sandwich board in the middle of the sidewalk. She commented on needing signs for traffic while paving goes on and the sidewalks up Valley Ave and East Main Street are horrible.

David Sperry, 12 Overlook Terrace, asked about the lights on Main Street and when are they going to get fixed. He asked if the Village keeps light bulbs on hand.

Manager Revella asked the board if lights can be ordered.

Mayor Maher asked the Board and there were no objections, he gave the go-ahead to order some. There are no light bulbs on hand because we were waiting for the Energy Audit.

David Sperry asked about Anthony's job and any update on it.

Manager Revella stated we have not heard from Rosenwasser's office. We should have an answer this week.

Mayor Maher indicated we need an answer this week.

David asked if Anthony was on paid leave.

Manager Revella indicated that after 30 days, civil service requires paid leave. It has been approximately 3 months.

David Sperry asked about job descriptions for every position in the village and is DPW a Civil

Service position.

Manager Revella indicated yes, it is Civil Service.

David asked if a log book was kept on a daily basis of what work around the Village was done.

Manager Revella indicated that Mr. Kennedy put in the large drain on the Glass property and the Village put in the small drain. There is a log of what gets done every day and it's presented to the Board in my report.

David Sperry asked about Ulster Avenue and repairing sidewalks and retaining walls.

Manager Revella indicated there are seven steps required by DOT. The curbs, we have to replace.

Mayor Maher indicated that the Village Betterment Grant will take care of all that. The Village will help the owners fix the walls with this Grant.

David Sperry asked if every village resident could get a new retaining wall at the taxpayer's expense. The village is setting a precedent.

Manager Revella indicated it's through DOT funding and at taxpayer's expense.

David Sperry commented that the recreation supervisor salary of \$50,000 plus benefits is excessive when compared to a part time police officer working 40 hours/week. He asked if we need a full time recreation supervisor and is it civil service.

Mayor Maher indicated that the Board believes it's a full time position because there are programs that the Village runs year round.

Kevin Dowd indicated that there are soccer programs and basketball programs that are indoors.

Mayor Maher indicated that the recreation supervisor is civil service and there is a job description available.

David Sperry asked about the positions that need to be filled from the retirees.

Mayor Maher indicated that all positions were filled except for the part time clerk. Manager Revella hired two individuals and the board hired the treasurer.

Action Items

Set Times for Village Trick or Treat – 6 pm – 8pm October 31

Trustee Norman made a motion to approve trick or treat time for the Village, Trustee Penney

seconded. All ayes. Motion carried.

Surplus Former DPW Truck 4 – 2000 Chevy 1500

Trustee Leonard made a motion to set minimum of \$1000 for Surplus DPT Truck 4, Trustee Hurd seconded. All ayes. Motion carried.

Village Website - Tabled

Mayor Maher indicated there are 3 proposals; website needs to be updated regularly and that's not happening. Website is outdated.

Trustee Hurd indicated the first step is determine exactly what we want. Appoint a department head.

Trustee Bowen suggested a demonstration of website.

Resolution to name Teen Center – John H Howland

Mayor Maher indicated the Village has considered calling the Teen Center the John H Howland Teen Center. There will be an honorary ceremony of John H Howland on October 30, 2010 at 7pm.

Trustee Norman made motion to dedicate the teen center as the John H Howland Teen Center. Trustee Bowen seconded. All ayes. Motion carried.

UR Energy Contract – tabled

Grant Permission to the Village Attorney to assist prosecution – 154 West Main Street.

Kevin Dowd stated that Dean Stickles asked for Village Manager's approval to request Village Attorney's assistance regarding the owner at 154 West Main Street. Hourly rate \$175.

Trustee Hurd made a motion to grant permission for the Village Attorney to assist prosecution on 154 West Main Street. It was seconded by Trustee Rumbold. All ayes. Motion carried.

Bond Resolution

Kevin Dowd stated we are short money for this project. There is a request to increase the bonding amount by \$600,000. The full \$600,000 may not be needed.

Manager Revella stated he had the Engineer do a proposal to get grant funding to pay for this portion of project and upgrade the plant within 5 years.

Trustee Hurd asked if this does not reflect the possibility of recovering some of the money from TAM.

Kevin Dowd stated yes and then that's additional money that will go back into the sewer capital account. It cost \$47,000 for the inspection and that was not part of the original bond. We still would have been over even if we had the \$200,000.

Trustee Hurd made the motion to approve the bond resolution from \$800,000 to \$1,450,000 which is an increase of \$600,000. It was seconded by Trustee Rumbold. All ayes. Motion carried.

NYSERDA 10% Challenge

Mayor Mayer stated this goes hand-in-hand with Energy Audit. Challenges municipalities to become 10% more energy efficient over a period of time and it challenges 10% of the households to become 10% more energy efficient. He is working with Melissa from Sustainable Hudson Valley to get the wording on a resolution to be adopted if it's something the Board would like to do. Educate the public on become more energy efficient.

Town of Montgomery Gasification Project – zoning issue.

Trustee Hurd started the final appeal to sell excess energy to the port authority. The county will be first and they will not use all that's available. It will then go to the three Villages in the Town of Montgomery, then the Town of Montgomery and then to the rest of the county. There will be a public hearing on Oct 14th for the zoning changes in the Town of Montgomery.

Kevin Dowd stated the Village received a copy of the Local Law. There is one thing that he brought to Montgomery's attention and now the Village's. The law re-zones what is part of Taylor's project into the Interchange District and creates a floating zone. This floating zone can go anywhere in the town. A provision states that the floating zone can be anywhere in the town where an industrial use is allowed. For example: the zoning out on 52 is B4, there are some industrial uses allowed, which might allow another such project in the future. He spoke to the Town attorney about removing that from the local law in order to confine any future gasification projects to strictly Industrial Zones.

Trustee Leonard made a motion for Kevin Dowd, Village Attorney, to write a letter to the Town Board to change the local law zoning. Seconded by Trustee Norman. All ayes. Motion carried.

Revised Sign Law

Manager Revella indicated changes to the Sign Law from the Business Association regarding pole signs and signs on buildings. Discussion will be about the size of signs, what kind of signs, and where you want them; calculating dimensions of signs for downtown business district.

Village Square Re-design

Mayor Maher wants a round-table discussion, for anyone to attend, for the potential re-design of the Municipal Square. Informal discussion set for Thursday Sept 30 at 7pm.

Manager Revella indicated it will be advertised in the papers, both Times Herald Record and Wallkill Valley Times, posted on Facebook and emailed by residents.

Sunset Drainage

Mayor Maher indicated he and Manager Revella had meeting with John O'Rourke and John Queen regarding Sunset Drainage Issue.

Manager Revella stated that the Engineers do have some concerns.

- 1) if the village fixes the drainage here, do we fix it everywhere
- 2) did the village get too involved already
- 3) cost of swale along back line of property and who will bear that cost

Mayor Maher indicated it was his understanding that the Village was not at fault. The Village tried to help as much as they could. The Engineer's believe the Village is not liable. The Board would have to make a decision to go in and fix it.

Manager Revella stated there's an issue with the sub-division because the Metzger property was not on the plans because it was a pre-existing lot and did not require that kind of scrutiny.

Mayor Maher indicated that the Engineers would put together a plan to solve the problem but it would have to be mediated between all the homeowners. He would volunteer to get the homeowners together and the Engineering firm would try to help. The Village should not get involved.

Kevin Dowd indicated that it is the Engineering firm's opinion that it's not anything the Village Planning Board did or the Village Engineer did. There's no potential liability on the Village's part and we have no authorization to pay for a private drainage issue.

Trustee Rumbold asked if the law is the same now as it was then and that because it was an existing lot they added it to the subdivision and was not under the same scrutiny.

Kevin Dowd indicated the law is stricter now.

Trustee Rumbold asked why did we talk about a swale there in the minutes. In Aug 2006, Mayor Pearson asked about the Glass property and Manager Politi indicated it would be fixed but easement paperwork was needed.

Kevin Dowd indicated that the Village asked Mr. Kennedy to put in the drain because Ms. Glass was complaining about the water. Mr. Kennedy put that small catch basin in and piped it into the existing detention pond. The discussion in the minutes is about a swale and if the Village was to do the work, the Village would need easements across the properties and we have no authority to do the work because we can't spend public money on private matters. The discussion never went any further since it's not our fault.

Trustee Rumbold read the minutes from 2007 and Manager Politi's statements regarding the swale.

Kevin Dowd stated that it wasn't clear who was going to do the work.

Trustee Rumbold indicated that the developer did everything for the development, but snuck that piece of property into that development and because it's an existing lot, it didn't have to go through the scrutiny of the planning board. She presented a letter from Ms. Glass' neighbor to

submit into the minutes and read it. She stated yes we need to determine liability, but just because the law says you can do something, doesn't make it morally right.

Kevin Dowd indicated that the downstream property owners do have legal remedies if they want to pursue them.

Pat Glass asked about the money she's already spent trying to fix the problem

Kevin Dowd stated that she could recover that money in a lawsuit.

Mayor Maher would like to bring all residents to a round-table discussion to determine how the problem would be solved and this is what it would cost. I would invite the developer and the engineer to be there as well.

Kevin Dowd stated that's what government can do, to mediate some of these issues. His concern is that the Village is prohibited to spend money to fix a problem that they did not create or contribute to.

Mayor Maher indicated he's going to do what he can do.

Trustee Bowen asked if the developer is still building in the Village.

Mayor Maher indicated no.

Kevin Dowd stated he still owns Gracewood Court

Trustee Rumbold asked if everything was finished there or is there a punch list.

Kevin Dowd stated he is waiting for legal paperwork. There are a few issues that are being resolved and hopefully they will be resolved quickly.

Trustee Rumbold asked if the issue with the paving was resolved.

Maher Maher will have to put the paving out to bid. Deadline is Oct 27th.

Kevin Dowd stated there are three options: 1) take dedication; keep additional bond money for tree planting in the spring. 2) give them an extension of time to complete the 10% or 3) don't take the dedication.

Trustee Hurd asked how much of the money is being held.

Mayor Maher indicated it's about \$450,000.

Public Comment on Business of the Board

Jessica Metzger, Gracewood Court, asked about the 10% challenge. It's not the Village Board's

responsibility to educate the masses, the Boards responsibility is to the Village. She attended a special meeting and wants to know who signed the checks for the retirees. Too many things are going by the wayside. The Board voted to offer the early retirement incentive to eligible people without all the information available; completely irresponsible.

Mayor Maher indicated there won't have a double-digit tax increase; we are saving a great deal of money.

Jessica asked about the Administrative Aide position. Have we had this position before? We are also going from a full-time clerk to a part-time clerk. She feels services will be cut.

Mayor Maher indicated we have not had an Aide before and the Aide and part-time clerk will handle all the services.

Manager Revella indicated we have two full-time deputy treasurers. There is a treasurer as well.

Jessica indicated that the people who left were eligible to retire and the board voted without the all the numbers.

Trustee Hurd stated that we made the vote without knowing who would take the buyout. We didn't know until Aug 17th.

Jessica stated that the Board should have known what the top number would be before you made the vote.

Manager Revella stated it should be close to \$300,000

Mayor Maher indicated they had estimations, not specific numbers.

Trustee Rumbold stated we didn't know which employee was retiring, how much time they had saved, didn't know the rate at which that time would have to be purchased. There were a number of people that could have taken the incentive.

Jessica stated if she was sitting on the board she would have asked for the information prior to making a hasty decision. You should pay the extra money for a clerk to stay here at night to go through the numbers and get the numbers.

Trustee Rumbold stated she thinks that's a waste of taxpayer money.

Jessica stated that the concert in Olley park was a waste of taxpayer money. She asked who put up the stage and authorized DPW to spend her dime to put that stage up all day.

Mayor Maher indicated the Village approved it as part of the proposal.

Jessica stated that it was not, it was rush, rush, rush. She indicated that those men should have been working in the Village and you let them set up a stage that was not a Village function.

Mayor Maher stated it was part of the proposal and if it wasn't written in the proposal, it was spoken about.

Jessica asked who was the Engineer for the Village around June 2003.

Kevin Dowd stated that Gainer-Wilbur was original; same company just different name due to buyout.

Jessica asked why Lanc & Tully were here at the last meeting and what is their involvement with the project.

Mayor Maher indicated that they are employed by the Village and the Village asked for their opinion.

Jessica asked if there were any issues or complaints in 2003, 2004 or 2005.

Trustee Rumbold stated she was not aware of any.

Jessica mentioned the contractor and his asking for a variance before the planning board. Someone from the village authorized an easement on that paper road for her to access her house.

Trustee Rumbold stated she is entitled to her opinion and there is a law that allows a contractor to do what was done and sneak it in. She spoke with three property owners in that area three years ago and asked them how is it going. She recommended they come to board meetings or write a letter. I stood ankle deep in water on Pat Glass' property and watched the water come down the hill.

Jessica stated that the property was scrutinized and nobody snuck anything in. There should be recourse, by going to the original Engineers. Jessica referenced lots on Overlook and another resident with a cliff of rocks in her backyard and no one's done anything for her.

Manager Revella stated we went up to clean out the swale and tried to clear as much brush as we could.

Jessica asked why the board is handling this and not the planning board.

Manager Revella commented regarding Jacob's Ridge that we're required to maintain it because we accepted it.

Jessica asked at which point this issue goes back to the planning board to go after the Engineer. The Engineer gave the okay on all this and there is no recourse.

Trustee Rumbold stated they didn't do anything wrong. It's a law that allows this property to become part of this. It appears that this lot was subdivided into 2 lots at a later date and lot #7 was constructed with the Gracewood Court plan. This may explain why the drainage was not

reviewed or connected together with the Gracewood Court sub-division. It was not explored and looked at, at the same time Gracewood Court was. The law says you don't have to do that when it's the construction of one lot. The Metzger property was treated differently by the Planning Board than the rest of the subdivision. It was considered a single unit.

Jessica asked about how the easement was granted.

Kevin Dowd stated that no easement was granted.

Jessica indicated there is an easement on her property that runs along the back, for sewer and a drain. She asked about the unauthorized coring on Gracewood court. The binder was laid down more than 5 years ago and a topcoat was put on it but it should only be 2 years old before a topcoat. She is not attacking the board personally.

Becky Pearson asked about the new sign law and she would like a copy of it. She also commented on the letter from Kevin for Town of Montgomery zoning board. It would be nice to have some people there as well. In addition, she asked about the bonds and the \$600.000 more that we need to pay for. Are you just doing the bonding or are you going to rectify the situation of the money transfers.

Kevin Dowd indicated we are going to find out where we can reimburse the capital fund from.

Manager Revella indicated we are also checking the accounting firm's records to see if they looked through that account. We are trying to trace the invoices.

Becky commented about Gracewood Court. If there is a developer from 20 years ago that gets approval, is that approval still good 20 years later. As a legislative body this board does have the power to change that planning board law.

Kevin Dowd indicated the state law states that if a project is approved, it guaranteed the same zoning for three years. After three years and no substantial work, they have to come back to the board. If they have done some substantial work, they are allowed to build what was approved even if the zoning has changed.

Becky asked about the approval of the subdivision, except the Metzger house.

Kevin Dowd indicated that the parcel Jessica owns was part of another parcel on Walker Street. The person who owned the property wanted to subdivide, one which would front Walker and one that would front Center. It required a variance, which was obtained and the subdivision was approved. Mr. Kennedy purchased the piece on Center Street.

Becky read the state standards which require that peak rate runoff from the 10 year or 100 year storm must be mitigated to or below pre-development levels. That is the standard and state law. Therefore, it doesn't matter when it was built; those standards still have to be met. Maybe the design was faulty from an Engineering perspective or not designed properly by developer.

David Sperry asked about the website and the minutes are not up to date. Also, the teen center being named after John Howland is a great idea but what about Nancy, Jan or Julia. David asked about the Revised Sign Law. He asked about the pawn shop and signs on the streets; it's out of control. He commented on reduction for developments and he asked that CO's not be given until everything was met. The Village manager at the time indicated that could not be done.

Regarding the bond reduction, there is nothing set in stone saying you have to give this person his money back, he completes 10% of the project, and he gets 10% of the bond back. Keep all of it until it's done. Regarding Sunset Drive, Lanc & Tully stated that it wasn't the developer's problem with the runoff and the water. Mr. Politi tried to rectify the situation. Now we're trying to back out of it. The codes are there on the books, they need to be enforced.

Jessica Metzger commented on the redesign of the Village Square and asked if there is grant money available.

Mayor Maher indicated no we are just having a discussion.

Manager Revella indicated we are having a discussion to put a plan in place in the event funds become available.

Mickey Millspaugh commented on the heating system. He thinks the heating system should be re-designed and looked into. He commented on the drainage problem on Sunset. He stated the problem is the retention basin. There is no provision in that basin to receive water from the Glass side of the property. The Village is into this up to their ears. I think the whole property forms a dam.

Mary Ellen Matise commented that when John is done with the hiring process, we start the meetings for the Comprehensive Plans Review. It should be public meetings coming out of that review. She asked about the \$600,000 bond and voting on it. She wants to know what our debt is now. She commented that the Ethics Board should have their own attorney.

Mayor Maher indicated the bond had already been voted on.

Approval of Minutes - Tabled

Payment of Audited Bills - Tabled

Correspondence

Mayor Maher indicated a letter he received from Mr. Pretiss about the punch list and offer of dedication.

Miscellaneous Comments from the Board of Trustees

Trustee Penney commented about a breakfast at the VFW

Trustee Leonard commented on obtaining a credit card. He contacted various towns and 2 of them have a credit card. The card is issued to department heads for purchases.

Trustee Rumbold commented about the Village Wide Yard Sale. She asked if it could be put on the blue channel with the times. Oct 16th from 9-4. She also commented that the Chief and

Manager Revella write a letter to Senator Gillibrand about money she obtained for crime-fighting in City of Newburgh. She also thanked Vicky for all she is doing during this transition.

Mayor Maher commented that no TV's or computers be put out for bulk pickup. Manager Revella had a comment from Mr. Dudzik from South Montgomery. He wants the Board to think of a way to notify residents if work is going to be done around their homes. It's been discussed using an alert system.

Manager Revella commented about the funds owed to the former treasurer. The check for the balance will be sent to her.

Motion to go into Executive Session

Trustee Penney made a motion to go into Executive Session to discuss 105 (f) Personnel, and Ethic Board appointment and litigation. Seconded by Trustee Bowen. All ayes. Motion carried.

Trustee _____ moved to reconvene the regular meeting. Trustee _____ seconded. All ayes. Meeting convened.

Adjournment

Trustee _____ moved to adjourn. Seconded by Trustee _____. All ayes. Meeting adjourned.