

**Village of Walden
Board of Trustees
Regular Meeting
April 13, 2010
Motions and Resolutions**

Public Hearing - 2010-2011 Budget

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

Mayor Maher moved to close the public hearing. Seconded by Deputy Mayor Rumbold. Mayor Maher withdrew his motion.

Trustee Leonard Moved to continue the public hearing on April 20th, 2010 at 6:30pm. Seconded by Mayor Maher. All ayes. Motion carried.

Most Precious Blood Church Request to be Exempt from Refuse Program

Mayor Maher moved to table the request from Most Precious Blood Church to be exempt from the refuse program until April 27, 2010. Seconded by Trustee Hurd. All ayes. Motion carried.

Permission to Hold Memorial Day Parade

Mayor Maher moved to grant permission to hold the Memorial Day parade. Seconded by Trustee Norman. All ayes. Motion carried.

Bradley Assembly Room Construction Committee

Mayor Maher moved to form the Bradley Assembly Room construction Committee, enhancement to court facility and that Trustee Norman and himself be on the committee. Seconded by Trustee Hurd. All ayes. Motion carried.

Resolution No. 13-09-10, Main Street new York Program

Mayor Maher moved to adopt Resolution 13-09-10, Main Street New York Program. Seconded by Deputy Mayor Rumbold. All ayes. Resolution adopted.

Trustee Leonard moved to authorize the interim village manager to sign the letter to the Community Council pledging the support of staff such as the building inspector, treasurer, Mr. Barnes and Mr. Sorensen and committing \$150,000 of small

cities money and \$50,000 from the Orange County Home Consortium funds of the village to the grant application of the Community Council contingent upon the funds being there. Seconded by Trustee Penney. All ayes. Motion carried.

Set Public Hearing for CDBG Program FY 2011 Citizen Participation

Mayor Maher moved to set the public hearing for the CDBG Program FY 2011 for April 27, 2010 at 6:30pm. Seconded by Trustee Hurd. All ayes. Motion carried.

Approval of Minutes

Trustee Hurd moved to adopt the minutes of March 19, 2010, March 23, 2010, April 5, 2010 and April 7, 2010. Seconded by Deputy Mayor Rumbold. All ayes. Minutes adopted.

Audited Bills

Trustee Hurd moved to pay the audited bills of April 13, 2010 contingent upon the interim village manager signing them first. Seconded by Mayor Maher. All ayes. Motion carried.

Attorney/Client

Trustee Hurd moved to hold an Attorney/Client session. Seconded by Trustee Penney. All ayes. Motion carried.

Mayor Maher moved to reconvene the regular meeting. Seconded by Trustee Hurd. All ayes. Meeting reconvened.

Adjournment

Mayor Maher moved to adjourn. Seconded by Trustee Hurd. All ayes. Motion carried

**Village of Walden
Board of Trustees
Regular Meeting
April 13, 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 Susan Rumbold
 Trustees Mary Jean Norman
 Richard Hurd
 Edmond Leonard
 Randi-Lee Penney

Absent: Trustee Bernard Bowen

Also Present: Nancy Mitchell, Interim Village Manager
 Kevin Dowd, Village Attorney

Public Hearing - 2010-2011 Budget

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

Keith Millspaugh, 52 Main Street stated that he didn't realize the budget was done yet.

Mayor Maher stated that it isn't done yet.

Keith Millspaugh asked how can they have a hearing when you don't even know what it is.

Mayor Maher stated that there is a preliminary budget that was prepared by the village manager and they are working on it now and will continue to work on it.

Mr. Millspaugh asked if they should have the hearing after that so they know what they are talking about.

Mr. Dowd stated that the board can continue the public hearing if they wish, but they don't have to. The preliminary budget is what the hearing is on. The final budget is what they are working toward through budget sessions.

Mr. Millspaugh asked if a copy of the budget goes somewhere for the residents to view.

Interim Village Manager Mitchell stated that there is a copy in the library.

Mr. Millspaugh asked if it was noticed that a copy was at the library.

The Interim Village Manager stated no.

Mr. Millspaugh asked then how does the community know where it is.

The Interim Village Manager stated that there was a notice in the paper stating that the budget could be viewed in the village clerk's office.

Mr. Millspaugh requested that the board holds the public hearing over until the next meeting.

Becky Pearson, 167 Walnut Street stated that she is also not prepared for this this evening she does have lots of questions. She also asked that the hearing be held over until the next meeting. She asked that the board members tell her what they are changing.

Mayor Maher stated that traditionally, from his understanding, is the public comes and tells the board what they think of the budget or what they would like to see and the board takes those comments into account.

Ms. Pearson stated that the board is looking at a new manager and she would like to know what the salary would be. She also feels the raises in the budget were a little extensive.

Deputy Mayor Rumbold asked her to be specific.

Ms. Pearson stated that she is looking at the DPW supervisor and what the title entails. Is it a civil service job and what does the title entail.

The Interim Village Manager indicated that the job is civil service, non competitive.

Ms. Pearson asked if there were qualifications that they would have to meet and can she get a copy.

The Interim Village Manager stated yes.

Ms. Pearson stated that the salary for that job went from fifty some thousand dollars to eighty some thousand dollars, a 25% increase. She is not sure that salary is justifiable. Maybe a part time engineer could be hired for that position.

Mayor Maher stated that is a 35% increase.

Ms. Pearson stated that if anyone else would like to talk she will sit down and get her questions together.

Mayor Maher thanked her for orchestrating the public hearing.

Ms. Pearson asked if there were two police cars in the capital budget or is it one.

Mayor Maher indicated it was two.

Ms. Pearson stated that DPW is looking for a truck with a plow, a skid steer loader, a dump truck, sewer cameras and sewer jet. Has that been talked about, did the board change that or is that still in the budget.

Mayor Maher stated that they looked through every line in the budget, they've asked for justification for each expense compared to what they've spent up until this point in last years budget for the same line. They've talked to department heads, made trips into the police department and looked at certain things. This week they will sit down and see what they will be cutting.

Ms. Pearson stated that the budget was proposed for \$639,000 and its down to \$72,376, so her question is out of all that money on the left what was purchased for the manager to be cutting out.

Mayor Maher stated that it wasn't clear.

Ms. Pearson asked if the board was planning on keeping the public hearing open, because then she will have more questions.

Mayor Maher stated that he does not plan on keeping it open.

David Sperry stated that they are not going to have more meetings on this, no one knows anything about it.

Mayor Maher stated that there is a copy of the proposed budget available.

Mr. Sperry asked where the notice was published.

The Interim Village Manager stated that it was published in the Wallkill Valley Times and there is a copy of the budget in the library and in her office.

Mr. Sperry asked about the manager's buy out, what was the final payment given to the village manager.

Mayor Maher stated that he will answer Mr. Sperry's question, but asked him to keep with the budget since this is a public hearing for the budget. That is not in this budget.

Mr. Sperry asked if DPW was a civil service test.

Interim Village Manager stated not for supervisor, superintendent yes.

Mr. Sperry asked what the head of DPW be called now.

Mayor Maher stated supervisor.

Mr. Sperry stated that the supervisor is proposing a 35% raise for that title.

Mayor Maher stated that it preliminary.

Mr. Sperry asked what the libraries budget is.

Mayor Maher stated that the library budget is voted on by the residents of the village. It was a very small increase and the total budget for the library was \$436,000.

Keith Millsbaugh stated that since the mayor said he wasn't going to keep the public hearing open he thought he should ask a couple questions. The paper said that the budget Mr. Politi prepared was a 5% increase over last year. In the February 9th minutes Mayor Maher and Trustee Bowen asked for a zero percent increase. However the minutes do not reflect any vote on that. Was that voted on at that time.

Mayor Maher stated that it was voted on.

Mr. Millsbaugh stated that the minutes do not reflect that.

Mayor Maher stated that it was a five/two vote. They made a motion at the next meeting to correct that.

Mr. Millsbaugh asked if that was the intent of the board to go with a zero increase.

Mayor Maher stated that was asked of the village manager to present a zero percent budget.

Mr. Millsbaugh asked how can we discuss the budget without having a clue what their target is.

Mayor Maher stated as elected officials they hope to do the best they can to get as close to zero as possible and at the same time providing services that you need.

Mr. Millspaugh stated that for years he has talked about the neglect of infrastructure improvements. With the salary increases it sounds as though we will have an increase just in salary increases and still miss out on infrastructure improvements unless they are looking to have a significant increase in taxes this year.

Mayor Maher stated that they are looking to make changes and as they make changes the public will be aware of them. The budget they adopt on April 27th will be the best and they will put a lot of hard work into that.

Mr. Millspaugh asked if it was the intention of a public hearing to have them have a clue to be able to comment on where they are going.

Mayor Maher stated that Mr. Millspaugh should have a good clue as to what it is. This hearing can be based on what they see here. We write down the comments and it's his chance to let the board know what he would like to see changed.

Mr. Millspaugh stated that people are losing their jobs, people are getting decreases in their salaries, people can't afford increases in taxes and therefore, his opinion, is that the board's target should be a 10% reduction in spending. If you look in the paper you see an exemployee of the Village of Walden, Steve Neuhaus, who is getting accolades for cutting significant spending in the budget. That is what Walden should be targeting.

Jessica Metzger, 4 Gracewood Court stated that she attended two department budget hearings and she saw about ten of the people who are present tonight there. They went line by line and the department heads were here going over it. The budget meetings are posted. People know that they are going on. You had a chance to hear the department heads answer questions from all the board members, specifically as to why they were asking for an increase. She doesn't think people who own furniture stores in the village are cutting their furniture prices by 10%, She, as a tax payer doesn't want to see her services in this village cut.

Mr. Millspaugh asked if Ms. Metzger wants to know how many people he had to cut.

Mayor Maher asked that people just comment on the budget.

Ms. Metzger stated that she is sorry that her name is not Millspaugh, its Metzger, and she is allowed to say what she wants to say when she is standing at the podium without being interrupted. It is her constitutional right. She asked if that was understood.

Mayor Maher stated that's understood.

Ms. Metzger stated that meetings were held in this room and on the second floor by all the departments, and they went line by line. She doesn't agree with all of them, it's not her job to agree with all of them. She sat there and listened to what they had to say, that is what the meetings are for. She doesn't want this village to turn into a City of Newburgh where people are being shot on a daily basis, where homes are being burnt down. What the problem is with the economy and the problem is with this village, it's what is happening all over the country. People were given mortgages that they could not afford to be paid back and they were never going to be able to pay their taxes and now you have a tax roll that is not being paid.

That is what is happening all through the country. She doesn't envy the board's job, but you have to be real about what is going on here. People have to stop pointing fingers and start working together to get this done. She is confused about the public hearing tonight. What happens after this public hearing.

Mayor Maher stated that they take everything the public says and they evaluate the budget and see where they need to cut based on the current process they have.

Ms. Metzger asked if at the next meeting will the board be adopting the budget that they have decided on. Is that the process?

Mayor Maher stated yes.

Ms. Pearson asked if the soap box derby was still in the budget and was going to continue.

Mayor Maher stated absolutely. The issue is who takes charge.

Ms. Pearson asked about tools and accountability. She hopes there is a system put into place for accountability of tools. She doesn't see the roof for this building in the budget. That is a major concern. The water building on Cherry Street is going to fall down, it's not pointed. That needs to be looked at.

Mayor Maher stated that both those issues have been discussed. The roof for the municipal building is \$46,000, including labor.

Ms. Pearson stated that cell phones are a major issue which they should be looking at less cell phone usage. People have radios. Another big issue is overtime. It can't be eliminated but it needs to be controlled. She also feels it would be beneficial to the village to put the police surveillance tapes on CD. Animal control, the cost difference with doing something with the town and what they spend on insurance, vehicle and gas. It might be a big to do, but it might be a cost savings. Last year there was a major discussion on tennis courts and how much it was going to cost to fix them. There was grant money for that, where did that go. Sewer cameras and jets, at one point the village had equipment that was leak detection equipment and we also have cameras. She doesn't know where they went, if they are still current and still here when Mr. Sweed was here. She knows he had his own equipment, but she knows DPW had some kind of equipment to look at video for leak detection.

Trustee Hurd stated that we have the camera. Anthony explained how it worked.

Ms. Pearson stated that she thought they had two cameras, another one that was bigger. She asked if the village was going to stay with the same firm for sewer and if they've done cost analysis for that, because there are other firms that could run the sewer plant. It might be cost effective to look at what's there and not just the firm that is there right this minute.

Mary Ellen Matise, Clinton Street stated that she knows money is going to be tight for capital projects, she asked what is the village going to do with the house next door.

Mayor Maher moved to close the public hearing. Seconded by Deputy Mayor Rumbold.

Deputy Mayor Rumbold indicated that she would leave the public hearing open until the next meeting.

Trustee Hurd stated that he feels the same way in the sense that they will have disagreement about what we do and what we don't do, but it gives everyone the chance to hear their explanation of what they are doing and why and it gives them another opportunity to explain to the tax payers what they are going and why they are doing it. It has to be done quick.

Mayor Maher stated that they could call a special meeting.

Mayor Maher withdrew his motion to close the public hearing.

Trustee Leonard moved to continue the public hearing on April 20th, 2010 at 6:30pm. Seconded by Mayor Maher. All ayes. Motion carried.

Village Manager's Report

Deputy Mayor Rumbold asked if the boarding on the Ronk house should be painted.

Interim Village Manager Mitchell stated that she will speak to the building inspector.

Mayor Maher stated that it was great to see Officer Watt back after his injury. It is good to see someone working hard to come back after an injury.

Public Comment

Becky Pearson stated that she is not against people getting raises, she is against the extra spending of tax dollars. It's not against the people, it's about the money being spent in that position.

Mr. Sperry asked what the final payout was for the village manager.

Mayor Maher stated that it was a little over \$83,000.

Mr. Sperry asked for a breakdown of the payout.

Mayor Maher stated that it can be FOILED.

Mr. Sperry asked if he got paid for sick time and vacation.

Mayor Maher stated everything was in there.

Mr. Sperry asked if the meeting minutes were started to be copied.

Ms. Mitchell stated yes.

Mr. Sperry asked if the buyout included the payments to the secretaries that are picking up the work.

Mayor Maher stated that its not included.

Mayor Maher stated no.

Mr. Sperry stated that it's \$400 per week until you hire someone.

Mayor Maher stated yes.

Stephen Flickenschild asked about the planning board minutes, when will they be posted.

The interim village manager stated that she sent all the minutes to the web master but he hasn't posted them. She will contact him again.

Mr. Flickenschild asked if there were any openings on the Planning Board.

Mayor Maher stated no.

Keith Millsbaugh, 52 Main Street stated that he wants to talk more about the termination of the manager. He is not comfortable with the way that all came down. The village only had a couple days prior to the next meeting to think about it and come here and talk about it. He thinks it's a positive change for Walden. He thinks the village was stagnant and needed a new directive. Based on the way it went down he doesn't believe it was justified at the taxpayers expense. Looking at the minutes in August he saw that there was a motion to extend the six month contract to two years. However the six month contract had a thirty day severance pay in it. Where in the minutes is he missing the fact that there were changes to that contract as opposed to just extending it.

Mayor Maher stated that he was approached with the same issue and there were negotiations done in executive session that changed the numbers and a vote was taken after executive session to put that into action.

Mr. Millsbaugh stated that the motion was to extend the contract for two years, it doesn't mention changes in that motion, so that should be included in the motion. Otherwise we're to assume that the contract stays the same. He asked who Jim reports his sick and personal time to.

The interim village manager stated that the treasurer keeps track of the time.

Mr. Millspaugh stated that he assumes for \$83,000, half is salary or more than that.

Mayor Maher stated that guesstimating about \$42,000 was portion salary and over \$30,000 was sick and accrued.

Mr. Millspaugh stated that if the treasurer kept track of the time, what entity verified whether it was sick, personal or whether he was here or not here, isn't that the oversight of the board. He used to have discussions with Becky about this, because he felt there was no accountability and now it's costing the village \$30,000. He asked who signed the checks.

The interim village manager stated that the treasurer and herself signed them.

Mr. Millspaugh stated that when he was on the board checks required two signatures, one which was a trustee and one that was an employee.

The interim village manager stated that changed.

Mr. Millspaugh stated that he knows a meeting comes out of executive session saying go ahead and do it. What is the process and what is the time to accumulate all that information. It all happened within a small time frame. How do we know how accurate the numbers are. What time did the executive session end and what time were the checks cut. Why was it cut that day and not verified by board members. At the February 9th meeting the mayor and trustees made a motion and seconded it for a zero percent increase. On 3/17 the Wallkill Valley Times had an article, the day after the election, and it's titled, Mission Impossible, and Jim is talking about how impossible it was to do that and yet Jim was directed to do a zero increased budget. The budget that is in front of the board is a 5% increase. On 3/16 or somewhere in there he knows Trustee Leonard was quoted in the paper for talking about the balance of power and how it has changed. Two years ago Trustee Rumbold and his father were both elected and he thinks the balance of power changed then also. Now there are rumors that come about with this possible change of power and he thinks the same rumors existed back then. Certainly there is a total change in results with Jim being terminated which brings him to the point that he is making because this is what bothers him, that there was such an urgency to do something. They wanted to release Jim with benefits, with severance and making it appear that coming up on whatever meeting if he didn't present a budget with a zero percent increase, but only have a 5% increase to present.

Trustee Hurd stated that he voted no on that.

Mr. Millspaugh stated that Mr. Hurd made a statement at the following meeting that it was all based on rumor.

Trustee Hurd stated that he is talking about the budget, what is he talking about.

Ms. Pearson stated Jim.

Mr. Millspaugh stated that he is talking about Jim. Because of rumors and the change of balance of the board, because of rumors we have to go to this urgent action. We go to this urgent action, which cost the taxpayers eighty some thousand dollars. The point is maybe if we came to a meeting of this board we would have seen that there was a presentation of a five percent increased budget, rather than a zero percent increase budget and suddenly there is cause for dismissal. Cause for dismissal could also mean that there is no severance package. It stinks. Jim Hiller was right to bring up the code of ethics, because without public trust the community doesn't work. We expect things like this, we've seen things like this in Washington, but we don't want to see things like this in Walden. Prior to the election, 3/18/09, Trustee Hurd filed a, whatever you file, against then Mayor Pearson, for making photo copies and that was all based on hear say. If something like photo copies and something that we are talking about, five, ten or fifteen dollars, is so important to go to the Board of Ethics, what about this action here. He thinks that this action here being an \$83,000 action is certainly worthy of an investigation of some kind. He thinks that they should be at least looking at the ethics board if not something else just to give peace of mind to the community that things were done on the up and up. If we look at all the facts and try to figure out why we get the report at the last meeting, the summary from the four board members who were there, that it was based on rumor and then they we have Jim talking the next day in the paper.

Mayor Maher stated that peace in the community, he just wants to make this statement, and maybe he will realize where he is coming from. People in this community want peace of mind, but they want the peace of mind knowing that there retaining walls on Ulster Avenue aren't going to fall over on their kids while they are taking a stroll. The peace of mind is not seeing one more time any newspaper article, there is more devisiveness on this board and that is the peace of mind they want and that is hopefully what they can create. Was that petty that was brought up for the ethics violation, maybe, but he is not going to be just as petty to do the same thing. He is more focused on providing for this community, working together with the people they have now and doing good things for this community. We don't need anymore negative and we don't need anymore headlines in the paper about gangs in Walden or being a epicenter between Newburgh and Middletown. We need to start making changes. He will not be worrying about this stuff one bit. It is Mr. Millspaugh's right to speak and obviously he's frustrated as a lot of people are, but he is not going forward with any of these violations on ethics. That is his personal opinion and he is the one sitting at this table and they will move forward and they are not going to deal with all this negativity.

Mr. Millspaugh stated he's been involved with coming to the board meeting most recently, since 2003 when the East Main Street DPW was trying to be pushed through behind closed doors. That is what happens when you get a coalition of the manager and four trustees. That things get done behind closed doors. Twenty five dollars is petty, eighty three thousand dollars isn't petty in this case. It breaks down to \$11.00 per person to say goodbye to Jim. During those years, 2003 to present he has been here many times talking about open government and nobody wants to hear that. He has sent letters to be put into the record saying this is how government is supposed to work, not the way you guys are doing it. Three or four years ago he called the board with Becky sitting on it dysfunctional, because everything was being done behind closed doors. Here is another issue that was done behind closed doors and three potential dissenting voices were not at that meeting. It was the four voices that had just extended the contract back in August, four votes to three, who voted to terminate him, it doesn't make sense. He asked the village to do a better job looking into it.

Jessica Metzger, 4 Gracewood Court stated that she was hoping that the board could elaborate tonight on where they are in the selection process for a village manager.

Mayor Maher stated that they are currently in an interview process.

Ms. Metzger asked if they had a time frame, when would they hope to hire someone.

Mayor Maher stated that it's been his hope from the beginning to hire someone before the budget process is over, he doesn't know if that will happen.

Ms. Metzger stated that the contract Mr. Politi had with the village is that the same contract that they would extend or similar to. Has the board discussed what kind of changes there would be. She understands that before they hire someone they have to kind of tell the public what they will be spending, if there are to be any changes in the contract. She asked if the village manager's contract is a blanket contract for any village manager or is that negotiable.

Mayor Maher stated that is negotiated in executive session.

Ms. Metzger asked if after executive session the board would come forward and let the public know what the bottom line is.

Mayor Maher stated yes.

Ms. Metzger asked when would Mr. Politi's contract have expired.

Mayor Maher stated that it would have been August 2011.

Ms. Metzger asked, any time up until February 2011 if he were fired and due his severance we would have been on that dollar figure.

Mayor Maher stated yes.

Deputy Mayor Rumbold stated that they voted in August to extend it and it was for two years, so it would be August 2012.

Mr. Dowd stated that it was 2011.

Ms. Metzger stated that she is looking forward to move forward. She is just wondering if there is any validity to rumors that the board was going to let Mr. Politi go and have him fight for his severance.

Mayor Maher stated that is absolutely not. He had every intention and he hopes the elected board members had every intention to work with the current village manager. Maybe if they felt he wasn't doing his job then they would have made some arguments, but they had no intention of going in there and just firing him. They wanted to work with him. He promises he did.

Ms. Metzger stated that she is happy to hear that, aloud in public, where it's recorded. That is part of the problem, there are too many rumors and they come from somewhere. She heard certain people that the mayor wanted to appoint a village manager and one is one of his contenders now. She would like to know why the board is only interviewing people who are residents of the village.

Mayor Maher stated that they basically came to the understanding and they were mixed on this, it was his belief and a majority of the board, they decided that the people really do want someone who lives in the village and if they can't find someone who lives in the village that is qualified they will look at the other applications. In hind sight now it was probably a mistake, it they were going to think to do that first, to have an ad in the New York Times where the cost was \$1600. In hind sight that was probably an issue whereas if they just posted it on the ICMA web site it would have been more cost effective. Things moving as quick as they did nothing is perfect and people make mistakes.

Ms. Metzger stated that there is no shortage of homes for sale in the village, so if someone who came highly qualified for the position couldn't they make that a stipulation that the person would have to move here.

Mayor Maher stated absolutely. They can disagree with it.

Ms. Metzger stated that she is concerned because they gave the attorney a thirty day extension and she is concerned things are going to change to a point where no one is going to know exactly what is going on. You need someone who can pull everyone together during this huge transition. She hopes who they chose has extensive knowledge on how to run the village. She asked what degree are they looking for.

Mayor Maher stated that he would like to see someone who cares just as much as him for the right reasons who is willing to work just as hard. People told him that he didn't have experience and he feels he's been doing a good job and he will continue to do a much better job. He doesn't feel experience is everything. You know what you are looking for when you see it. He hopes the public believes in them that they will make the right decision.

Ms. Metzger stated that anyone can get elected to a board. You don't need a degree or a high school diploma to be elected to the board. When it comes to the village manager or engineer or someone running our DPW this is where they need experience. Passion is important, but experience and know how is important. She asked again what technically is the board looking for to run the village. She is passionate, will they hire her.

Mayor Maher stated that degrees are important, a high degree, not just a bachelors and a second degree, a doctrine or a MBA or equivalent. A higher education degree aside from a bachelors. This is just him talking.

Ms. Metzger asked about them having experience as a village manager in another town or another city.

Mayor Maher stated that they will look at all their options. They are in the interviewing process right now and they will make the best decision that is in the best interest of the village.

Ms. Metzger asked if there was a time frame.

Mayor Maher stated that he couldn't tell her the exact time frame.

Mary Ellen Matise stated that Friday night at the end of the budget presentation there was a comment made that we will be going out to bond three projects. She asked what they were.

Mr. Dowd indicated that they are renewals.

Ms. Pearson stated that there was an executive session the other night for the manager, was everyone present for that meeting.

Mayor Maher stated that everyone came to the meeting.

Ms. Pearson asked if everyone stayed at the meeting.

Mayor Maher stated that he is not going to comment.

Most Precious Blood Request to be Exempt from Refuse Program

Mr. Dowd stated that the board has a letter, apparently the church has acquired 71 Maple Street and they are asking to be removed from the garbage and recycling program. This property was on the rolls for refuse and it's his understanding that they may want to use this property for visiting priests. The rectory is not subject to the refuse tax because it's done by dumpster at the cost of the church. They are asking to spread that to this additional property.

Mayor Maher asked why they shouldn't have that extension. It's being used for similar purposes.

Mr. Dowd stated that is a decision of the board. The only issue is if in fact they decide to resell it in the future as a residential property it would have to go back on the rolls. You want to make sure it won't get lost in the shuffle.

Trustee Hurd asked if they know that this is for church use or is it an investment property.

Mayor Maher stated that he knows for a fact that its for church use.

Mr. Dowd stated that whatever that cost is it will now be spread over other property owners. It would be easier to take them off at the end of the cycle.

Mayor Maher asked if there was precedent for this.

Mr. Dowd stated that the village has never done this as far as he knows. There may be properties that are exempt because they are not in the district because of the religious use, but this is in and they want to take it out.

Trustee Hurd stated that the board made this program this way so rather than a tax base program specifically because we didn't want tax exempt properties for any reason being exempted from this expense.

Mayor Maher asked, not even non profits and churches.

Mr. Dowd stated that residential properties are subject to collection. The church proper is not. If the church proper is also the same as the rectory then that would also be. This is a property that is separate and distinct.

Mayor Maher stated that it's been residential, its not right now. They need more information to confirm that and also to have something in writing saying that if it ever becomes residential it will be put back on.

Mr. Dowd stated that if this is taken off the rolls then the cost of that is spread among everybody.

Trustee Hurd asked if a religious property which has garbage collection, not a dumpster, are you saying we exempt that garbage cost.

Mr. Dowd stated that if they are using the system, they pay for it. In this case they've acquired this property and they want to take it out of the system and just pay for garbage pick up along with the church and the rectory. They would not be receiving services.

Trustee Hurd stated that it crosses over to where people are asking to be exempt because they have a small bag of garbage and want to take it somewhere else.

Mayor Maher stated that they would have to set a specific policy for this.

Mr. Dowd stated that they have in the past where people may have a commercial with residential on top and at one point they were in the garbage program and at another time they were out. There were a series of issues and you don't want to open that up. If you give them the exemption you give exemptions to others individuals who are not in the churches.

Mayor Maher stated that has to be made clear.

Trustee Leonard asked if it could be put in the deed, about if the property was sold..

Mr. Dowd stated that a deed restriction is the appropriate way of doing it. The question is do you exempt them or do you not exempt them. If you're discriminating because it is a church as opposed to just a private individual, non sectarian or any other use. This board has to make that decision. He doesn't know if the board wants to make that decision tonight or at all.

They should look to see how the other churches and religious properties deal with accessory properties.

Mayor Maher suggested they get more information before the board makes a decision.

Mayor Maher moved to table the request from Most Precious Blood Church to be exempt from the refuse program until April 27, 2010. Seconded by Trustee Hurd. All ayes. Motion carried.

Permission to Hold Memorial Day Parade

Mayor Maher moved to grant permission to hold the Memorial Day parade. Seconded by Trustee Norman. All ayes. Motion carried.

Bradley Assembly Room Construction Committee

Mayor Maher stated that Judge Ozman has requested a Bradley Assembly Room construction committee be formed. Trustee Norman and the mayor volunteered to be on the committee.

Mayor Maher moved to form the Bradley Assembly Room construction Committee, enhancement to court facility and that Trustee Norman and himself be on the committee. Seconded by Trustee Hurd.

Deputy Mayor Rumbold asked Trustee Leonard if he was involved with the sound system.

Trustee Leonard stated that things changed and nothing has happened with the committee so it would be better to start over.

Mayor Maher stated that they will be working with the judge and other individuals who were involved in the last process to use the funds that have been allocated through grant money and get the sound system improved.

All ayes. Motion carried.

Resolution No. 13-09-10, Main Street New York program

Mr. Barnes stated that he has been working with the Walden Community Council for a couple months on a grant that would assist the buildings on Main Street. This is the second grant from the state. The grants are extremely competitive. The program last time was funded for \$200,000. All the money has been allocated except for \$3000. He requested the board to pass the resolution supporting the Community Council's efforts and in the last grant program the village supported that with the use of small cities funds in the amount of \$150,000, plus another \$60,000 from the IDA. He drafted a letter for the acting manager's signature and they are asking for a commitment of up to \$150,000 toward the Main Street New York Program. What that does is if you have a property owner who has two store fronts and two apartments, the small cities money can be the bank that provides the property owner with part of the share. He checked today and the community development/small cities fund currently has \$321,000. They are processing three cases now. We do get income if someone sells a house or makes monthly payments. The money does come back to us.

The Interim Village Manager asked the board to approve the commitment of the \$150,000 and the \$50,000 before she signs the letter.

Mr. Dowd stated that he is just seeing this letter and if the board wants the interim village manager to sign this letter the board needs to commit \$150,000 of small cities money and \$50,000 from the Orange County Home Consortium funds of the village to this grant.

Mayor Maher moved to adopt Resolution 13-09-10, Main Street New York Program. Seconded by Deputy Mayor Rumbold. All ayes. Resolution adopted.

Trustee Leonard moved to authorize the interim village manager to sign the letter to the Community Council pledging the support of staff such as the building inspector, treasurer, Mr. Barnes and Mr. Sorensen and committing \$150,000 of small cities money and \$50,000 from the Orange County Home Consortium funds of the village to the grant application of the Community Council contingent upon the funds being there. Seconded by Trustee Penney.

The interim village manager indicated that before she signs this letter she will have the treasurer check to make sure the funds are there.

All ayes. Motion carried.

Set Public Hearing for CDBG Program FY 2011 Citizen Participation

Mr. Barnes explained what the CDBG program was. He passed out a list of the type of eligible projects to the board and the calendar.

Mayor Maher stated that he would like to apply for money for the repair of the McKinley wall.

Mr. Barnes asked the board to think about what projects they would like to see done.

Mayor Maher moved to set the public hearing for the CDBG Program FY 2011 for April 27, 2010 at 6:30pm. Seconded by Trustee Hurd. All ayes. Motion carried.

Bartlett Building Parking Access

Mr. Dowd explained to the board that Mrs. Bartlett was before the board asking for an easement for the back end of the Maple Street parking lot into her property at 11 Orchard Street so she can get some cars onto the back of her property because they have no on site parking. He spoke to Mrs. Bartlett about this and also walked the property with the building inspector. There are pictures but they don't do justice to what you actually see when you go out there. In looking at it he sees some obvious concerns and the board needs to figure out how they want to address these. He raised these concerns to Mrs. Bartlett. If you look at the parking lot the center aisle which you would drive down to get to her property is not lined up with the fence that is on the property and her property line. As you come down the aisle you would have to make a veer to the left to get down into her property. There is a possibility that if you make a standard driveway exit and a curb cut that you may lose access to that one parking space in the far left hand corner. The way the parking lot is designed it has a slope and there

is a large concrete curb at the end of the parking lot to catch the rain water and it takes it all the way down along the curb to the far right hand corner where there is a storm drain. In order to put a driveway in there you will have to cut out the curb and as soon as you cut out that curb the drainage will not work the way it is presently working. The property of the parking lot is about two or three feet higher than Mrs. Bartlett's property in the back as well as even higher than Mr. Spanos's property. Also, the rain water will come down into her property and the neighboring property. She is talking about three parking spaces and in order to do that she will have to pave her parking area in the rear of the building so she can park three cars. Three cars will be very tight. Once she paves it there will be more impervious surface which will create more run off further onto her neighbors property. If you give her an easement at the end of the village's parking area to get into her property, in the future, if you ever want to discontinue the use of that as a public parking lot you would have a piece of property that would have almost no value at all. There is some engineering that needs to be done. You need to know how is the drainage going to be caught and how is it going to work if you allow the property owner to cut through that curbing and change the course of the water. Mrs. Bartlett stated that she has no intentions of doing any of that work at this time, but if we give her the easement then a subsequent owner would be the one who would be required to do the engineering as well as the work itself. If that happens three years from now and personnel changes in the village who would know what the conditions of the easement are. You are going to want her or her successor to do the work which means you are going to want to make sure there is insurance in place for the life of the construction. He advised the board to go out and look at the property. There are a whole range of issues. It's not that simple. There will also be some SEQRA before you do any action. There will also be some drainage issues that need to be addressed. He needs the board's guidance.

Mayor Maher stated that the question is do we want to take the time, energy and money to have our engineer look at it. How much effort do we want to put into this.

Deputy Mayor Rumbold stated that it should be the property owners responsibility.

Mr. Dowd stated that without an engineering study being done, where is the water going to go and how are you going to guarantee that the next owner is going to do it the right way.

Trustee Hurd stated that this board in good conscience could ever consider granting this unless they understand what they are granting and with the ramifications, she would have to obligate herself to do the engineering work so we would know what we are looking at. She can't ask the village to do the engineering costs, it's her property.

Mr. Dowd stated that she figures the future owner will do it.

Everyone agreed with Trustee Hurd and it was the consensus of the board that Mrs. Bartlett have an engineering study done before they would consider an easement.

Mr. Dowd stated that he will convey that to Mrs. Bartlett.

Small Cities Loan Request

Mr. Dowd stated that Trustee Bowen, Mr. Barnes and himself met last week to discuss this application. This is a mixed use property on N. Montgomery Street.

Mr. Barnes stated that they met with the owner and went over the details of the case. The consensus of the group was that the owners current mortgage is greater than the value of the house. It is 105% of value which is beyond our normal standard. If you look at the person and the business you want to give it careful consideration. Their conclusion was that some of the proposed improvements will increase the income from the rental property, three family house which will create three heating systems instead of one and three electrical systems with three meters. The increase will be \$380 per month. The other improvements would add debt to the property without changing the income. He discussed this with the owner and he wasn't too happy with the results of the meeting, but he did say he would rather replace the porches. The way Mr. Barnes would like to do this is to figure out what the minimum amount of work is and the porch replacement and have the building inspector write up the job and do a cost estimate. He can't see putting a new roof on.

Mr. Dowd stated that the more they lend and the more debt he incurs the worse it will get. It's already not meeting the guidelines. They are trying to find out the minimum amount of money they can do to increase the income of the property which would be separating the heating system. When you talk about a loan you are talking payments and you don't want him earning \$380 in extra income and spending \$250 to pay back the loan. They are starting out with a small number just to generate income to the property and then if he satisfactorily pays that and works that out then come back for some other bigger items. He needs to generate income to make the payments.

Trustee Leonard asked if he had a firm estimate for breaking the service down.

Mr. Barnes stated no. He further stated that the apartment building doesn't pay for itself, but the property as a whole does. The biggest expense is principal and interest on the mortgage.

Mr. Dowd stated that they are looking to lend him a smaller amount of money than the \$20,000 that was proposed to do only specific repairs which is separating the utilities. Then each tenant will pay their own gas and electric and he will have income into the property of \$380.

It was the consensus of the board to follow Mr. Dowd's, Mr. Barnes and Trustee Bowen's lead on this.

Mr. Dowd indicated that they will talk to the owner and see if he would be in favor of a smaller amount.

Public Comment on Business of the Board

Eileen Brickner, 25 Bank Street stated that with the church taking the house, will that now come off the tax rolls.

Mr. Dowd stated probably.

Marcus Millsbaugh, 10 Jessup Street stated that with regard to the sound system, the board received a proposal for a sound system and he thought the board accepted the proposal, why hasn't a contract been executed for that.

Trustee Leonard stated that the board received a detailed cost for the sound system, but he thought he could do better shopping on line. There was no follow up.

Mr. Millspaugh asked why didn't they pursue the proposal into a contract. This has been hanging on before he was on the board. The board should pursue this. When the judge brought up his budget he explained it very well. He gave his philosophy and his plans. He explained to the board what he expected from them. He feels all the department heads to start out their budgets in the same manner. Before the public hearing is done the board should give the public their philosophy on the budget.

Ms. Matisse stated that she thinks they approved going ahead with the construction the judge wanted.

Ms. Pearson stated that talking about the CDBG grants, unless you're going to have money in there to match what you need to match they already have programs that they haven't even utilized, painting of the water tank, there is money sitting somewhere for that. We haven't put the fence up or done the scout cabin. For many years we have gotten these grant and not followed through with them. Where's the money for the tennis court.

Mayor Maher stated that he doesn't believe the village was allocated money for those projects.

Ms. Pearson stated that you have to use the grant money or it will be taken away or you can get the projects extended. She asked if the extensions are still usable or is there money in the budget to match what they need to match.

Selena Spencer, Gladstone Avenue stated that all this grant money was available how many years ago.

Ms. Pearson stated that its been many years.

Ms. Spencer asked why it didn't get done when she was mayor.

Mayor Maher stated that he will be looking into that.

Approval of Minutes

Trustee Hurd moved to adopt the minutes of March 19, 2010, March 23, 2010, April 5, 2010 and April 7, 2010. Seconded by Deputy Mayor Rumbold. All ayes. Minutes adopted.

Audited Bills

Trustee Hurd moved to pay the audited bills of April 13, 2010 contingent upon the interim village manager signing them first. Seconded by Mayor Maher.

Deputy Mayor Rumbold stated that she had questions and the interim manager is going to get her the answers.

All ayes. Motion carried.

Correspondence

Trustee Leonard stated that Rotary will be holding their clean up on April 24th.

Mayor Maher stated that he received an invitation to the 2010 Tribute to Women of Achievement of Orange County for Wednesday, May 12th, 2010 at Anthony's Pier Nine at 5:30pm. Amanda Rougier was awarded the woman of the future. The cost is \$75.00 per person. If anyone would like a ticket just let the mayor know and he can arrange it.

Board Comments

Trustee Hurd indicated that this Sunday starts bulk pick up.

Deputy Mayor Rumbold stated that she feels Jessica's comment deserves an answer about what board members might be looking for in a manager. She has asked herself that numerous times and she knows that education is an important aspect of it, but historically boards have hired managers who may not have quite the education they want them to have. We've paid people to attend college classes. Her feelings are that she feels sorry for the person who takes the job, because she thinks that there are going to be certain portions of the community that are not going to like anyone who takes the job because they liked our former manager, they thought he did a good job and this person is going to be taking someone's place that people didn't want to leave. She hopes that who ever gets chosen to sit in that chair is given the same kind of chance that the former manager was given. That the village would find it advantageous to help that person to make this village a better place. She is not in favor of giving anyone a contract. She feels that may discourage people if other board members feel the same way in trying to get that job. If someone takes that job because they want to do it. She can't get her perfect manager with what she wants to spend.

Trustee Penney stated that this Sunday the Walden VFW is holding buffet breakfast and all proceeds will be going to the American Cancer Society in the Hudson Valley. It will be 7am until 11am and its \$7.00 per person.

Mayor Maher stated that this Saturday there will be clean up at Olley Park from 9am until 1pm. ARDAC has weatherization funds available which gets allocated to municipalities in Orange County. This will make your home more energy efficient. They will give you an audit and it will save in your energy bills. He has recruited about 35 young adults from Valley Central School District to go door to door to our reach residents. There will be a forum on April 28th where ARDAC will explain the weatherization process.

Deputy Mayor Rumbold asked how the houses at Olley Park are.

Trustee Norman stated fine.

Attorney/Client

Trustee Hurd moved to hold an Attorney/Client session. Seconded by Trustee Penney. All ayes. Motion carried.

Mayor Maher moved to reconvene the regular meeting. Seconded by Trustee Hurd. All ayes. Meeting reconvened.

Adjournment

Mayor Maher moved to adjourn. Seconded by Trustee Hurd. All ayes. Motion carried.

Respectfully submitted,

Nancy Mitchell
Village Clerk