

**Village of Walden  
Board of Trustees  
Regular Meeting  
April 27, 2010  
Motions & Resolutions**

**Public Hearing - 2011 CDBG Application**

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 Trustee Hurd. All ayes. Public hearing closed.

**Discontinuance of Fluoride in Water**

Mayor Maher moved to discontinue adding fluoride to the villages water. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

**Executive Session**

Mayor Maher moved to hold an executive session pursuant to 105-(f), DPW Personnel, of the Public Officers Law. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

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

**MS4 Adopting**

Mayor Maher moved to adopt the MS4. Seconded by Deputy mayor Rumbold. All ayes. Motion carried.

**Resolution No. 14-09-10, Budget Transfer**

Trustee Hurd moved to adopt Resolution No. 14-09-10, Budget Transfer. Seconded by Trustee Leonard. All ayes. Resolution adopted.

**Resolution No. 15-09-10, Arbor Day Designated as April 29<sup>th</sup>**

Mayor Maher moved to adopt Resolution No. 15-09-10, Arbor Day Designation, April 29<sup>th</sup>. Seconded by Trustee Hurd. All ayes. Resolution adopted.

**Resolution No. 16-09-10, Adopting 2010-2011 Budget**

Mayor Maher moved to adopt Resolution No. 16-09-10, Adopting 2010-2011 Budget. Seconded by Trustee Bowen. All ayes. Resolution adopted.

**Bond Resolution Authorizing the Issuance of an Additional \$250,000 Bonds of the Village of Walden, Orange County, New York, To Pay the Cost of the Partial Rehabilitation of the Village Sewage Treatment Plant, in and for Said Village**

Deputy Mayor Rumbold moved to adopt the Bond Resolution Authorizing the Issuance of an Additional \$250,000 Bonds of the Village of Walden, Orange County, New York, To Pay the Cost of the Partial Rehabilitation of the Village Sewage Treatment Plant, in and for Said Village. Seconded by Trustee Hurd. All ayes. Motion carried.

**Approval of Minutes**

Mayor Maher moved to adopt the minutes of April 12, 13, 14 and 20, 2010. Seconded by Trustee Norman. All ayes. Minutes adopted.

**Audited Bills**

Trustee Norman moved to pay the audited bills of April 27<sup>th</sup>, 2010. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

**Extending the Village Attorney's Contract**

Trustee Leonard moved to extend Kevin Dowd's contract for one month until June 4th. Seconded by Trustee Bowen. All ayes. Motion carried.

**Executive Session - 105-(f), DPW & Parks and Recreation Personnel/105-(d) Litigation**

Mayor Maher moved to hold an executive session pursuant to 105-(f), DPW and Parks and Recreation Personnel and 105-(d) Litigation. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

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

**Adjournment**

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

**Village of Walden  
Board of Trustees  
Regular Meeting  
April 27, 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
		Bernard Bowen

Absent:	Trustee	Randi-Lee Penney
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Also Present:	John Revella, Village Manager
	Nancy Mitchell, Village Clerk
	Kevin Dowd, Village Attorney

**Presentation - Gary Theodore, Nugent and Haeussler, Audit**

Gray Theodore, Nugent and Haeussler stated that they have been doing the audit for the village for many years. All the board members have a copy of the financial statement for the year ending May 31, 2009. There are different types of reports that can be issued on financial statements, four types of reports. This one is an unqualified opinion which is the best type of report for a financial statement. The management discussion and analysis of the financial statement shows a comparison of the revenue and expenses of the village for the prior year, May 31, 2008 compared to May 31, 2009 and on there you will see the total revenue for each year. For the 2008 your revenue was 8.3 million and 2009 it went down to 7.9 million. Part of the reason it went down was because the village received grant money for the year before that the village didn't receive it this year. The expenses went up from 7.5 million to 7.8 million. You don't see anything out of line, business is as usual from one year to the next. On the balance sheet your assets were 12 million, your liabilities were 4 million, so there were net assets of 7.7 million and that is a fantastic looking balance sheet. There are a lot of balance sheets out there where the liabilities are greater than the assets and you have a negative net asset balance. The village has a very strong and healthy statement of net assets. The income and expenses for the year combining all funds, your change in net assets is \$80,000 which means that your income was more than your expenses, so you ran a razor tight budget during the year, but at least there

was an increase. As they are going into other towns and villages they are seeing a decrease there as revenues are dropping and expenses are increasing. You've done well. Total fund balance by fund you will see there is only one in the negative and that is the capital projects fund and capital projects funds often have a negative balance because when you borrow the money you spend it and the revenue doesn't come in until you go to permanent finance. All the other funds ended with a positive fund balance, that is good. Under the general fund your general fund ending fund balance was \$39,000 which is very small. Going forward you don't have reserves for money from prior years to apply to the budget for the next year and times are getting tougher. At the end of May 31<sup>st</sup>, 2009 you had positive fund balance so that was good. The income statement for each of the funds, change in net assets, the difference between your revenues and your expenses and most of the items are bracketed, the income is less than the expenses. Some of that is planned because when you carry over fund balance one year to the next you expect your income to be less than your expenses and that is what the village has been able to do in the past and that is part of the mechanism that keeps the property taxes down. It is nice that the village has been able to do that, but things are getting tough and almost impossible to do that now. There is a comparison of the general fund of the income and expenses compared to budget. On page 48 for the general fund the present variance column you see \$29,000 which is the amount of income that came in over budget. That is positive that more money came in than what was budgeted. The \$25,000 is the amount of actual expenses that was less than what was budgeted. So, you spent less than what was budgeted and more came in than was budgeted. Kudos to the accounting department for keeping things in line. They have been doing this audit for many years and the accounting department that the village has does an excellent job. They've gone to other places where the numbers weren't in good shape. Jan and the crew do an excellent job and it is a pleasure to come in and do the audit when they know that they will get good information and every paid bill they ask for they are going to get and every document they want will be produced for them.

Mayor Maher stated that he would like to also give kudos to the staff, Jan and Judy. They do an excellent job.

### **Public Hearing - 2011 CDBG Application**

Mayor Maher read the notice of hearing.

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

Mary Ellen Matise, 21 Clinton Street suggested they apply for a grant to renovate the bathrooms at Olley Park and make them handicapped accessible, which would be an approved use of the CDBG money.

Marcus Millspaugh stated that the village got a grant for the park at the foot of Pine Street for Wallkill River access. That has been thoroughly neglected ever since it was completed. He

would like to bring that up to speed.

Becky Pearson, 167 Walnut Street stated that if they are talking about the monument where the road goes, that would be nice to be done. She asked if they could use the money for the water building on Cherry Street.

Mayor Maher stated that will be discussed.

Ms. Pearson asked if the village had money for the match, in the zero percent budget.

Jessica Metzger, 4 Gracewood Court asked how much money is available.

Mayor Maher stated that it is one million for the whole county.

Manager Revella stated that if the village does a three year project we can apply for \$375,000, a single year is \$125,000.

Ms. Metzger asked what the deadline was.

Mayor Maher stated that it's May 28<sup>th</sup>.

Ms. Metzger asked what the match was.

Mr. Barnes stated that it's 100% grant. The only cost would be engineering fees.

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

#### **Presentation - John O'Rourke, Lanc and Tully, MS4**

John O'Rourke, Lanc and Tully stated that the MS4 program is a requirement of New York State DEC requiring the village to adopt and implement storm water management practices. Last year they did the same presentation bringing the board and public up to what has transpired over the past year which will collimate in an annual report which the village will sign and post on their web site. For the last year the village has partnered with Orange County and they have given presentations at Walden Elementary and Valley Central where they came in and educated kindergarten, third grade and fifth grade and high school students on storm water management, so the village gets credit for that under the DEC regulations. They have also mapped the water sheds in the village which is also a requirements of DEC. You previously mapped the out falls which is a pipe that discharges to the stream. This year they will delineate the drainage area going to that pipe. They have worked with the building department and the highway department and water department eliminating seven illegal discharges in the past year. That is an on going project. The village has updated their web site, so if you go to the web site you can get

information for storm water management. Right now the village is in compliance with all the current New York State DEC regulations. Each year, over the last five years they have asked the village to do more and more. They will continue to monitor the new requirements. DEC currently has some draft regulations where they want to modify the regulations further. They are anticipating adopting those in June or July. As soon as they are adopted the engineer will send the village a memo advising what additional reduced requirements the village has. They will finalize the annual report and provide it to the village and it will be posted on the web site and submitted to New York State DEC.

Trustee Hurd asked about the cross linkage from the storm water into the sewer, if they found much.

Mr. O'Rourke stated that last year there were seven that they found and disconnected. It is an on going issue. The village has a very old system so a lot of the storm drainage was tied into the sewer treatment plant. DEC came back in the 60's and 70's and said you can't do that anymore, separate them. Your system is so old that a lot of them are missed. You get credit with DEC for the I & I and for the MS4 Program.

Mayor Maher asked Mr. O'Rourke if he found it advantageous being able to work with Delaware Engineering and the operator as well.

Mr. O'Rourke indicated certainly with the operator and Delaware to a limited degree, more on the I & I Program then it is in the MS4 Program. Anything they've ever asked for they've been very cooperative.

Manager Revella stated that there will be some drainage projects this summer that our public works department will be able to handle to alleviate a lot of those other concerns. As they go through the mapping process they will be eliminating those twelve.

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

Manager Revella stated that during his first week he met with the engineers and talked about the sewer plant renovations updates and the status of the infrastructure. There were comments about the failing aspects of the infrastructure which will be addressed through this years budget and grants. The wells and pumps will be addressed this year. We do have funding for it. The well houses and some of the roofs need to be repaired, there is some leaking. Some of the projects he would like to apply for through the CBDG are water and sewer mains throughout the village and CBDG money can be used to start the process. There was a slight scare with the Cherry Street building. There was a wall issue and there was a structural engineer there today from Lanc and Tully and assured him that there is not a danger of the building collapsing so we can use it. They will be giving the village a report this week. We need to discuss intermunicipal agreements on the rail trail, repairs, maintenance and patrolling. The police part has been squared away. He has been contacted by the business owners regarding the

sign law and if it can be made more user friendly. He attended the architectural review board meeting this week and there was some confusion. He is looking into doing summer hours to cut cost but not cutting services. After the presentation from Hunter Insurance about risk management and discussed implementing a risk management policy at the department head meeting. Selective should be able to look through the program within two months and see what can be done to cut costs. He knows they have given discounts to other communities for having programs. The library is applying for a grant to do renovations to the municipal building. That is a matching grant. The Main Street grant has been set in and it includes improvements to McKinley Park. In regard to paving projects and capital projects, they can do Westwood Drive drainage, well head protection and pump station repairs. He discussed the paving program with the DPW Supervisor and they felt doing the short roads could be done and it would alleviate traffic problems and doing the roads that have been neglected, Old Orange Avenue, Route 208 to the railroad tracks, John Street from Orange to Hepper, Donna Chrystie Lane and McKinley Avenue.

Trustee Leonard asked if the retaining walls on Ulster Avenue is in the upgrade to Ulster Avenue that was postponed until 2011.

Manager Revella stated yes, but that is 2012. If we can repair the retaining walls it would alleviate safety concerns and save the sidewalks until later.

Mayor Maher stated that they are looking at several options. The Betterment Grant that they are talking about through New York State, they believe and they are still waiting for confirmation from the state that if we do go in there and do the retaining walls as an emergency will it affect the Betterment Grant.

Deputy Mayor Rumbold stated that she thought when the rail trail was done it was determined whose responsibility it was for which section. That's not working out?

Manager Revella stated that he is not sure if it was established.

Mr. Dowd stated that the town took the lead on that. He was in contract with the town attorney when they found out that part of the trail sunk. Jan Ool was to get back to him and he was to get back to Mr. Dowd regarding anything in place between the three municipalities as to repairs as they pop up. He hasn't heard anything.

Mayor Maher stated that talking to the town supervisor there is a stack of papers they are sifting through and it is taking them a while to figure out what the agreement is.

Manager Revella stated that policing is okay.

Deputy Mayor Rumbold asked if an intermunicipal agreement has been received from Wallkill.

Mr. Dowd stated that the village police will not go past Lake Osiris Road.

Deputy Mayor Rumbold stated that if our officers saw something going on they wouldn't just sit there. She asked if the village was going to pursue an agreement with them.

Mr. Dowd stated that was never discussed beyond the town. He doesn't believe the Chief would want his people to go out of the county.

Mayor Maher stated that he thinks this was discussed because if there is some kind of accident there has been cases where the police have gone across the county. He believes an intercounty agreement was discussed. He feels they should look into this.

It was the consensus of the board to look into an intercounty agreement.

### **Public Comment**

Diane Sandbothe, 90 Liberty Street stated that she has been coming here for the past two years with the same complaints. There is a man who lives on the corner of Madison and Second Street and he does blacktopping. She knows he was fined \$250 for having his blacktop equipment on his property. However, there has been an oil truck sitting on Madison and Seeley for the past two years. It smells and leaks oil and nothing has been done. Mr. Stickles told her it was going to court and it never went to court here. She would like to know what is happening with that. When Mr. Politi was here in November she emailed him and he was to give the email to Mr. Stickles that there was a house at 20 Seeley Street with a garage that the roof was bowing. The roof has now collapsed. She asked what the code enforcement officer does. She also gave a list to the manager and building inspector where there are two more unlicensed cars parked. Across from the Alfred Place park people are dumping there. On Seeley Street there are two televisions and one computer. If you ride around there are computers and televisions out. There was a meeting last night on the budget, it wasn't advertised. Meetings should be posted.

Mayor Maher advised Mrs. Sandbothe that the village does post and advertise when there are meetings.

Mrs. Sandbothe stated that the lights on S. Montgomery Street are still not there and its very dark. Also, she asked about the retention pond behind Jacobs Ridge and who is responsible for the swale behind her property. She feels it's the village obligation. She asked about the code enforcers responsibility. He gets paid \$16,000/\$17,000 per year, she would like to know what he does for that money, she would do it for free.

Manager Revella stated that it's an hourly position and we do not have a code enforcement officer at this time. He asked Mr. Stickles about the televisions and he said he sent letters to those addresses. He asked Mrs. Sandbothe to email him her list.

Lynn Schwandt, 143 N. Montgomery Street stated that it looks like the village is going to bond the police car and DPW truck. You may not have increase now, but the taxpayers will have to pay for it. It seems like the board is hiding it.

Mayor Maher stated that they are not hiding it, because these are public sessions and they are open. It's a difference of philosophy. We don't have the money, so you either raise taxes or you bond it. He feels that they can get creative and increase the revenues to make up for what the percentage increase is later so they can have a budget that makes sense.

Ms. Schwandt stated that they will just see it in the paper that Walden's budget went up 0.2%. They won't see that they bonded everything.

Mayor Maher stated that they will see that in the paper, we have very good reporters. It is the village's responsibility to do what is right for the village and in the next budget find a way to make up for that.

Pat Eiseley, 26 First Street asked Mr. O'Rourke how old are the sewers.

Mr. O'Rourke stated that they are close to 100 years old.

Mary Ellen Matisse asked about the summer hours for DPW.

Manager Revella stated that as per their contract they are allowed to go on summer hours. They work nine hours per day Monday - Thursday and work limited hours on Friday.

Ms. Matisse asked what the status of the well head protection is.

Mr. O'Rourke stated that they developed a well protection zone around the wells. They submitted that to the town and they reviewed them. The supervisor and planner were in acceptance of their request and because they were going through rezoning they indicated that the next round of zoning they would incorporate that. They are going to do a two phase zoning analysis. They are going to redo their zoning to address the law suit issue and when they did that other issues came up that they want to address but they didn't want to tie it to the same rezoning.

Jessica Metzger, 4 Gracewood Court stated that discontinuance of fluoride in the water, how much will the village save.

Mayor Maher stated that will be discussed by one of the water department employees.

Manager Revella stated that just chemical is \$4800 per year. It also would increase the life of the parts, double them.

Ms. Metzger asked if this decreases the budget by taking this out.  
Manager Revella stated that wasn't discussed in the budget.

Ms. Metzger asked how many years has the fluoride gone into the water.

Mr. Perna stated that its over 20 years.

Ms. Metzger stated that it is known that if you live in Walden you don't need fluoride.  
She also asked if the residents have to vote on this.

Manager Revella stated that it would be a board action.

Ms. Metzger stated that during the work sessions she heard the board discuss changing who is in charge of running the web site. Just like anything else that should be put out to bid every couple years. She also hopes that whoever is in charge of the web site that they will be insured and bonded if anyone other than an employee is doing it. She did not hear the board speak as to the budget with regard to the attorney and salary. Shortly after the election there was a thirty day extension put on the village attorney's contract. She asked where the board is on that and what was budgeted.

Mayor Maher stated that they kept the budget the same. They are accepting RFP's right now and May 5<sup>th</sup> is the deadline. They will review them at that time and have an interview process and chose who is best for the village, firm or attorney.

Ms. Metzger stated that it seems there should be more than a 30 day extension because we are close to the thirty days. She doesn't think its prudent at this time to change the village attorney. There is a lot going on, a lot of transition. She spoke about hasty decisions and at this point with what we have going on bringing in a new attorney or a new firm based on cost is not going to be worth the experience that Mr. Dowd has given this village for the amount of years he has been here. She thanked Mr. Dowd. She also congratulated Manager Revella. She asked if the village manager had a contract.

Mayor Maher stated that will be discussed in executive session tonight. As of right now he does not and they will put something together.

Ms. Metzger stated that in the future she feels it should be 100% attended when the board is voting on the budget. Trustee Penney is not here tonight, it was a planned vacation. Some provision should have been made for this vote to take place. She doesn't know if in the past board members have been absent during a budget vote. That is one of the most important things that they do during the year and it is important to hear how each board member votes. She heard something last night at the work session and there were changes discussed and the one thing she was unclear to, and when there is a work session the public is not allowed to comment or ask

questions. The DPW supervisor position, in the 09-10 budget was not a salaried position. The position itself was not in the budget. Was it an hourly wage and he could collect over time.

Mayor Maher stated yes.

Ms. Metzger stated that the position paid out approximately \$77,000 in salary and overtime. Did that position have a village vehicle that he takes home.

Mayor Maher stated yes.

Ms. Metzger stated that what she heard last night is the village wants to offer a salaried position where there would be no overtime, a flat rate of \$65,000 with a vehicle. She is wondering how they are getting to that. Is there another employee that will be picking up the slack. She compared the salary with other comparable municipalities and \$65,000 is low. Where is the rational.

Manager Revella stated that there is suppose to be a working leader to alleviate some of that work.

Ms. Metzger asked if there was someone in that position now.

Manager Revella stated no.

Ms. Metzger asked if there was someone in that position last year.

Manager Revella stated no.

Ms. Metzger asked if it was a newly created position.

Manager Revella stated yes.

Ms. Metzger asked how much is budget for that position.

Mayor Maher stated that it is an in house position the way it was explained to him. There is a small increase.

Ms. Metzger stated that it is her opinion that the board reconsiders and meets halfway between \$65,000 and \$80,000. DPW, police and volunteers did an amazing job this year with the big snow storm.

Mayor Maher stated that there are a lot of different issues that go into this.

Ms. Metzger stated that it's important that all these issues be brought out. The word on the street is the board already has someone hand picked to take this position.

Mayor Maher stated that he thought they were done with the word on the street stuff.

Ms. Metzger stated that everything she has discussed with the mayor over the past six weeks has come to fruition. Word on the street starts from somewhere. Before they adopt the budget they owe it to the public to let them know what their rationale is.

Mayor Maher stated that they believe in this job market that they can find a qualified candidate for \$65,000 or the majority of the board would not have agreed to it.

Ms. Metzger asked how long has the village been without a code enforcement officer.

Manager Revella stated a few weeks. Mr. Stickle has received a couple applications for the position.

Ms. Metzger asked what the qualifications were.

Manager Revella stated that they haven't made up any qualifications yet.

Ms. Metzger asked if there are a minimum amount of hours that person should be working and if the salary is in the budget.

Manager Revella stated that the maximum is 20 hours per week. The position pays \$16.07 per hour.

Ms. Metzger stated that last night it was mentioned that we are losing a lot of our water and tonight when she hears the board talk about the sewage and drainage, it would work losing this much water if the water were properly going into the drains, would that be even more taxing on our system.

Manager Revella stated that it's the water and sewer pipes. Some are clay pipes and its easy for water to be absorbed.

Becky Pearson asked if the village could purchase a hybrid car for the police department. It may be cost savings in the long run.

Manager Revella stated that he spoke to the police chief and he informed him that there may not be one available on state bid.

Ms. Pearson asked if the car the town has came out of state bid.

Manager Revella stated that he didn't know.

Ms. Pearson asked if money was put in the budget for the municipal building roof.

Manager Revella stated that it's in capital projects.  
Ms. Pearson asked how much.

Mayor Maher stated \$46,000.

Ms. Pearson invited everyone to come to the Arbor Day celebration on April 29<sup>th</sup> at Wooster Grove, 10am. There will be a dedication for Roderick MacDonald.

Brian Sebring, 84 East Avenue spoke on Anthony's behalf. Anthony is a well qualified guy and he's done a lot and continues to do a lot. If you cut his pay the next guy that comes in and word is on the street, he doesn't know what his experience is. What kind experience is this person suppose to have.

Mayor Maher stated that the board will discuss it as a board.

Mr. Sebring stated that the board should already know.

Mayor Maher stated that he would not like to speak on behalf of the entire board before they've had the discussion.

Manager Revella stated that they have not discussed replacing anybody. He was told that the additional position of working leader would reduce the persons hours.

Mr. Sebring asked what the qualifications would be if he is a new comer.

Manager Revella stated that he has the job specifications from the county if Mr. Sebring wants to see them

Mr. Sebring stated that if you cut someone's hours and they leave you're losing your experienced people. Without the experience you can't lead.

Manager Revella stated that working leader is the same title as working foreman.

Mary Ellen Matisse asked if they could get Jane Alexander to come back and address the traffic on Main Street, headed west. Also, talk to Bill Walsh to see how we can cut some of our electric costs.

Manager Revella stated that the village has cut costs for our buildings by having the sensors in each room.

Brenda Adams, 31 Valley Avenue stated that experience does count in certain positions

and you are also building loyalty. If you're going to dismiss someone or change their pay, you've moved him from an hourly position where they make overtime and then put them on salary and then serve them an ultimatum when they are not protected by the union anymore. That doesn't seem right. You're also telling the rest of the employees that loyalty doesn't matter. She is not really sure what is going on, but it needs to be addressed.

Frank Lamacchia, 20 Woodruff Street asked if there were any considerations with putting turn around points on the rail trail for emergency vehicles. There are a couple spots but if it rains they will become mud traps. Last year they spoke about the area next to the maze going down to the trail, they are using that, he recommended a fence to keep people from using that. He also asked if the supervisor that they are talking about will be in charge of budgeting and people.

Mayor Maher stated yes.

Mr. Lamacchia suggested they consider giving this man a bonus at the end of the year.

### **Discontinuance of Fluoride in Water**

Manager Revella stated that he spoke with Mr. Perna, Water Department and he also spoke with Mr. Queenin of Lanc and Tully regarding the fluoride being introduced to the villages water and the affect on our water infrastructure. There are cost savings and risks from us using it. There is a lot of fluoride in the food we eat and things we drink besides our drinking water and the benefit may not be there today as it was forty years ago. The pumps and materials are corroding twice as fast with the fluoride in it as it would otherwise. There is a cost for the fluoride too. There is also a risk to the people that handle it.

Mr. Perna stated that the fluoride costs \$4800 per year. The pumps and the maintenance to the pumps is another \$6000 per year. The fluoride just eats them up. When you look on line for fluoride, your bread, wine, soda all have fluoride in them. Our water naturally has fluoride in it and he would like to discontinue using it.

Mayor Maher moved to discontinue adding fluoride to the villages water. Seconded by Deputy Mayor Rumbold.

Deputy Mayor Rumbold stated that she works in the dental field and she did some research and there are different arguments pro and con. The ADA recommends the use of fluoride. The EPA considers fluoride toxin and scientists who worked for the EPA their union came out with eight strong statements about eliminating fluoride in water. The main concern is fluorosis which discolors the enamel and creates pitting in the enamel. This happens when the teeth are forming in the mouth. The EPA used to have forty milligrams per year, they reduced that to two milligrams per year and now they've reduced it to .08 or .8 milligrams per year. They have reduced that because they are finding that people are being over fluoridated because of

the amounts in the foods that we eat and things we drink and its naturally in the water. The main concern is fluorosis. Fluoride does not leave your body, it rests in our bones. While it can strengthen enamel it weakens bone. Infants are not to have any fluoride until six months old.. Small children ingests more water than adults do. They use fluoride in the dental office topically, that is different than ingesting it. There is fluoride in toothpaste and if your child ingests anymore fluoride than what is on a toothbrush you are suppose to call poison control center immediately. Based on the information she has, she believes fluoride has some benefits, her concern is when you put it in our water and not that they've reduced that amount she is starting to wonder if because the health department and EPA is telling the village to cut it back tells her there is a concern with the amount of fluoride that we are ingesting.

Manager Revella asked Mr. O'Rourke if the other communities he deals with that have stopped using fluoride does he see a difference in their equipment.

Mr. O'Rourke stated that they've never said get rid of fluoride or keep fluoride based on monetary issue. They would come from a health issue. Yes, there is definitely heavier wear and tear on equipment with the use of fluoride and there is also safety concerns for the people who handle fluoride. Most of his municipalities do not fluoridate, some do.

All ayes. Motion carried.

### **Executive Session**

Mayor Maher moved to hold an executive session pursuant to 105-(f), DPW Personnel, o the Public Officers Law. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

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

### **MS4 Adopting**

Mayor Maher moved to adopt the MS4 program. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

### **Resolution No. 14-09-10, Budget Transfer**

Trustee Hurd moved to adopt Resolution No. 14-09-10, Budget Transfer. Seconded by Trustee Leonard. All ayes. Resolution adopted.

### **Resolution No. 15-09-10, Arbor Day Designated as April 29<sup>th</sup>**

Mayor Maher moved to adopt Resolution No. 15-09-10, Arbor Day Designation, April 29<sup>th</sup>, rain date April 30<sup>th</sup>. Seconded by Trustee Hurd.

Mayor Maher thanked Ms. Pearson and Ms. Matise for helping to coordinate that.

All ayes. Resolution adopted.

### **Resolution No. 16-09-10, Adopting 2010-2011 Budget**

Mayor Maher stated that there will be a slight change, they will be reducing 8320.463, purification chemicals by \$3000 and adding that to a wage line for DPW supervisor.

Mayor Maher moved to adopt Resolution No. 16-09-10, Adopting 2010-2011 Budget. Seconded by Trustee Bowen.

Trustee Hurd stated that the resolution on the agenda is 16-09-10 and the resolution is 16-10-11.

The correct resolution no is 16-09-10.

Mayor Maher indicated that the sewer rate was \$4.20 and it is now \$4.95. That is due to the 46% of water we are losing. The budget increase is at 0.4.

Deputy Mayor Rumbold indicated that there are over 200 broken water meters and we are estimating those bills. They will be addressing that to increase the revenue in the water. The issue with the sewer is, water breaks, equipment, we are not paying our bills. The other issue in water is they will be to actively collecting bills that are outstanding and get pro active with it. Also, we have to be pro active in finding leaks and fixing them.

All ayes. Resolution adopted.

### **Prioritization of Project for CDBG Application**

Mayor Maher stated that there were a few comments from the public, one being the bathrooms at Olley Park and the other being the McKinley Monument and Main Street. In the past they have had a lot of smaller projects and it was advised to not to do a larger project over a three year span because it would be putting all our eggs into one basket. Since then the manager has been talking to the engineer and staff and they have been discussing putting together a three year project to fix a lot of projects in our sewer department.

Manager Revella stated that the engineers did say that there are serious issues with water mains and sewer main piping that runs through our streets. He and the mayor discussed laying out a long term project plan to get the piping finished, fixed, repaired and then do the roads. They would like to use some of the CDBG money to do some of the pipe work. They have been awarding that.

Mr. Barnes suggested they don't make the project fit the money as much as find the project you want to do and see what that costs. You will have a large expense for the engineer. He suggested that the village asked the engineer to identify the worse section of the village. Maybe a couple places.

Manager Revella stated that they are doing that now.

It was the consensus of the board to apply for a three year project to get the piping fixed.

### **Prioritization of Capital Projects**

Mayor Maher stated that this has to do with the bond the village has for their roads.

Manager Revella stated that they also want to do the municipal building and Cherry Street roofs and drainage system on Westwood Drive.

Mayor Maher stated that they need to get clarification if they fix the retaining walls on Ulster Avenue, does that destroy their chances with the betterment grant. Also, the streets that were recommended.

Trustee Leonard stated that the decorative fencing on the municipal building roof needs to be fixed. That has hole sin it.

Manager Revella stated that they are waiting for prices.

Deputy Mayor Rumbold asked if the moving of the antennas on the roof of the municipal building were included in the cost of the roof, \$46,000.

Manager Revella stated that was taken into consideration.

Mayor Maher asked if there would be enough money to do everything mentioned.

Manager Revella stated yes. They really need to fix the infrastructure, what is under our roads.

### **Bond Resolution Authorizing the Issuance of an Additional \$250,000 Bonds of the Village of Walden, Orange County, New York, To Pay the Cost of the Partial Rehabilitation of the Village Sewage Treatment Plant, in and for Said Village**

Mr. Dowd that this resolution would increase the bond for the repairs to the sewer plant from \$650,000 by \$250,000.

Manager Revella stated that they still will be going out to seek funding.

Trustee Leonard asked if anyone has seen the inside of the digester.

Manager Revella stated that he did and there is no erosion. It's in good shape.

Deputy Mayor Rumbold moved to adopt the Bond Resolution Authorizing the Issuance of an Additional \$250,000 Bonds of the Village of Walden, Orange County, New York, To Pay the Cost of the Partial Rehabilitation of the Village Sewage Treatment Plant, in and for Said Village. Seconded by Trustee Hurd. All ayes. Motion carried.

### **Public Comments on Business of the Board**

Eileen Brickner, 25 Bank Street asked about the increase in the sewer rates, she has a meter outside her house, are there two numbers on that, one for the water and one for the sewer.

Manager Revella stated that it's one meter reading.

Ms. Brickner asked how can they tell the difference.

Manager Revella stated that they don't. They charge \$4.20 for the water coming in and \$4.90 for what is going out.

Ms. Brickner asked, when she waters her lawn or washes her house and she doesn't use the sewer she gets charged for it.

Manager Revella stated yes.

Mr. Perna stated that last year they were down 3% from the year before on the wells and this year the Tinbrook line broke and it was 150,000 gallons a day they were losing and then they had a leak they spent two months looking for which was a 120,000 gallons a day leak, they found it and fixed it. That is why the numbers were so high.

Derek Penney, 135 W. Main Street thanked Deputy Mayor Rumbold for all the research she did on the fluoride.

Mary Ellen Matise stated that in regard to the capital projects, are we planning to do anything with the Scofield Street house.

Deputy Mayor Rumbold stated that when she is looking at the stuff the village is facing such as the water, sewer that has to be on the back burner.

Ms. Matise suggested the village sell the house.

Deputy Mayor Rumbold stated that the village really needs to preserve this building.

Mr. LaMacchia thanked the village for fixing the storm drains at the bottom of Highland Avenue.

Jim Corbett, 126 Walnut Street stated that it was mentioned that there are a lot of water meters that don't work, how do we know we're losing 46% if we can't measure how much is going into the houses.

Manager Revella stated that one way you can do that is by measuring how much is coming out of the pumps.

Mr. Corbett stated that he has mixed emotions about the fluoride. It's a very controversial subject throughout the United States. When it was first proposed in Newburgh in 1945 and before that it was tagged to be a communist plot. Today coming hear for the first time hearing the possibility of doing away with fluoride in our water. He hasn't heard anything or seen anything. For this board to do this without any substantial knowledge to the public, no information dispensed regarding this, shame on this board. This is a very big thing that this board has done. The Orange County Health Department will be disappointed to hear that you have taken this action. The state health department will also be disappointed. There are only five communities in the county that put fluoride in the water. There should have been a lot more discussion about this. There should have been some consideration on such a drastic action. This board is acting on public health, shame on you.

Mr. Perna stated that he met with Keith of the county health department and he said he would never support the removal of fluoride and he told him as long as he is a village employee he will try to get rid of it. He feels the village is doing justice by getting rid of it.

Mr. Corbett stated that he's not saying the board did right or wrong, it was the process that was all together wrong.

### **Approval of Minutes**

Mayor Maher moved to adopt the minutes of April 12,13, 14 and 20, 2010. Seconded by Trustee Norman. All ayes. Minutes adopted.

### **Audited Bills**

Trustee Norman moved to pay the audited bills of April 27<sup>th</sup>, 2010. Seconded by Deputy Mayor Rumbold.

Trustee Leonard asked if four board members have signed the bills.

Mayor Maher stated that most had four signatures.

All ayes. Motion carried.

## **Correspondence**

Mayor Maher stated that he received a lot of birthday cards. He thanked everyone.

## **Board Comments**

Trustee Leonard asked if the board had to extend Mr. Dowd's contract.

Mayor Maher stated that he does not believe so. The deadline for the RFP's is May 5<sup>th</sup> and he will call a special meeting to discuss what they will be doing from there.

Trustee Hurd stated that once you discuss them you have to go through the interview process. The board will be talking to several, he assumes.

Mayor Maher stated that he's received five RFP's.

Trustee Leonard moved to extend Kevin Dowd's contract for one month until June 4th. Seconded by Trustee Bowen. All ayes. Motion carried.

Deputy Mayor Rumbold stated that she wanted to assure Mr. Corbett that she didn't take the omission of fluoride lightly. The process could have been handled differently. There are a lot of pros and cons. She's learned being in health care for 32 years you air on the side of caution when you're talking about peoples health. From what she has read she felt it was the right decision for the board to make. She doesn't want Mr. Corbett to think she took that decision lightly.

Trustee Hurd stated that sometimes you have to rely on your best estimates based on information and Deputy Mayor Rumbold has a great amount of experience working with it and her report was interesting. Hopefully the board made the right decision.

Trustee Norman stated that the village used to have nice flags on the telephone poles, she asked the manager to look into that, see where they are and get them back up on Main Street.

Deputy Mayor Rumbold stated that the Historical Society had a great Spring Tea. Everything was delicious.

Trustee Leonard thanked Manager Revella for the outstanding manager's notes and log for the past week. He really got a sense of what the manager covered during the week. He was impressed with the fact that the EPA keeps dropping the amount of fluoride that is in water. That won him over.

Mayor Maher reminded everyone that Thursday is Arbor Day Celebration at 10am at Wooster Grove. The Walden Rotary has a service above self award dinner every year and this years service above self recipient is Anita Vandermark. It will be May 20<sup>th</sup>.

Manager Revella thanked Mr. Spencer for helping out with the concrete at Veterans Park. They will be having a celebration on Flag Day. More details to come.

### **Executive Session - 105-(f), DPW & Parks and Recreation Personnel/105-(d) Litigation**

Mayor Maher moved to hold an executive session pursuant to 105-(f), DPW, Parks and Recreation Personnel, Village Managers contract and 105-(d) Litigation. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

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

### **Adjournment**

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

Respectfully submitted,

Nancy Mitchell  
Village Clerk