

**Village of Walden  
Board of Trustees Regular Meeting  
September 11, 2012**

Mayor Maher called the regular meeting of the Village of Walden Board of Trustees to order at 6:30 pm.

On roll call the following were:

Present:

Mayor	Brian Maher
Deputy Mayor	Sue Rumbold
Trustees	Edmond Leonard
	Bernard Bowen
	Tara Lown
	Sean Hoffman
	Willie Carley

Absent

Also Present:

John Revella, Village Manager  
Lori Pinckney, Village Clerk  
Austin DuBois, Village Attorney  
Michael Blustein, Village Attorney

### **9/11 Remembrance**

Mayor Maher introduced Reverend Jim VanHouten.

Reverend Jim Van Houten commented the Village of Walden had the unique opportunity to be the only community to respond to ground zero on September 11<sup>th</sup>. He provided detailed information of how the Village responded and presented a slideshow from ground zero. He offered copies of the slideshow.

Mayor Maher provided the list of personnel who participated: David Green, Steve Neuhaus, Larry Lawless, Anthony Lamendola, Howard "Corky" Edwards, Nina Sheldow, Jim VanHouten, Paul Puller, Rick Penney, George Ronk, Barak Heaney, Bobby Lynn, Fred Williams, Kevin Delmonico, Jason Faso, Chris Ryan, Charles De Martini, John Stabner, Charles Mc Neely.

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

Manager Revella introduced the new Administrative Aide, Christine Ortiz. He indicated the property maintenance hearing has been postponed indefinitely; it's been resolved.

- lots of work on drainage and paving
- contracts signed on curbing and sidewalks, work to start next week
- orientation with Ms. Ortiz
- worked on Comprehensive Plan with Mr. Sorenson, received comments and correspondence
- bids back on various projects, more bids for CDBG funding
- bulk pickup is the week of October 21<sup>st</sup> and it will be on the calendar
- flushing hydrants the month of October
- water issue during work on treatment building; shut down well 4, 5 & 6

Deputy Mayor Rumbold asked about establishing a listing for the Parks bathrooms being cleaned, like a log sheet. She asked if there is a policy if a Village vehicle leaves the Village and maybe someone should be informed. She commented that she's heard complaints from citizens about employees not using seatbelts in the Village vehicles.

Manager Revella responded the bathrooms will be coordinated through the Rec Director. Regarding vehicles leaving the Village, he responded the sewer and water dept leave the Village several times a week for samples to be tested, if there is something out of the ordinary, he is usually informed of it and the police leave the Village often for transporting or warrant pickups. In response to the seatbelts, he commented there is a Vehicle Use Policy and it includes seat belt use; he re-issued the policy recently to all departments.

Trustee Lown asked if there will be a Village wide yard sale prior to bulk pickup. She also indicated there is a sign out front that says the Farmers Market is today; one side says Friday, the other side says today.

Manager Revella responded the Yard Sale is up to the Board; a motion is needed.

Deputy Mayor Rumbold asked who is in charge of removing the weeds/trees behind the police department.

Manager Revella responded either public works or parks, whoever can get to it.

Mayor Maher asked if there is a time limit on the Ulster Avenue Sidewalk project.

Manager Revella responded no because the State hasn't given us one; the Engineers follow up twice a week, all our paperwork is in. Also, the Engineers have contracted with an electrical company to do testing on all the lights to figure out the problem, get a solution and the cost of that solution. He indicated they also did an inspection on our DPW facility and the issues of the structure.

#### **Approval of the Minutes – August 14, 2012 & Tri Board Minutes August 13, 2012**

Deputy Mayor Rumbold made the motion to approve the minutes from August 14, 2012. Seconded by Trustee Lown. All ayes. Motion carried.

Deputy Mayor Rumbold made the motion to approve the Tri Board minutes from August 13, 2012. Seconded by Trustee Bowen. 6 ayes, 1 abstention by Trustee Lown. Motion carried.

#### **Trustee's Committee Reports**

**DPW liaison – Trustee Leonard** – nothing to report

#### **Village Office Liaison (Clerk, Treasurer) – Trustee Bowen**

Trustee Bowen commented we received FEMA reimbursement of \$52,031, total expected is \$250,000. He indicated the applications for MasterCard and visa charges approved. The Audit is going well. The Summer Youth program has ended and all the reimbursement papers have been completed.

#### **Police Department Liaison – Trustee Rumbold**

Deputy Mayor Rumbold commented she's discussed with Chief the change in the crossing guard locations. The crossing guards are placed in locations where the most children are.

She referenced Chief's reports in the packets which include statistics such as monthly mileage, fuel consumption, and foot patrol statistics.

### **Community Liaison & Library Board Liaison – Trustee Lown**

Trustee Lown congratulated all involved in the Music in the Grove Concert Series, finished 8/25. She indicated the Teal ribbons have been placed for Ovarian Cancer Awareness month. She announced the Walden Community Council meeting at State Farm at 7pm. She thanked the Big Apple Circus for their rehearsal shows all weekend. She announced the Historical Society's Yard Sale at the Walden House Saturday from 9-3, the final Harvest Festival Meeting at NY School of Music on 9/18 at 7pm, Library Board meeting on 9/24 and Leadership Day is 1/10 and she is seeking volunteers.

### **Building Department Liaison & Planning & Zoning Board Liaison – Trustee Hoffman**

Trustee Hoffman commented there are a couple applications in front of the Planning Board; one is at 81A West Main Street for a tattoo & body piercing shop, the other is AMPAC for a storage building. The Zoning Board had a hearing for a use variance for 175 South Montgomery Street and there are several enforcement issues Dean is looking into all pertaining to downtown.

### **Parks and Recreation Liaison – Trustee Carley**

Trustee Carley commented he spoke with Mike Bliss regarding concerns at the skate park; the park is open but there are still issues. The Bradley park drainage design has been done by the Engineers. The soccer program has started and the concert series has ended. He announced the current programs at Wooster's Grove.

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

Manager Revella indicated action item #3 is off the table, #5 will be setting the date/time for Halloween, #6 is amending CDBG Resolution from 2007 to receive more money, and #7 is setting the date for Village-wide yard sale.

Jerry Jacobowitz, member of Orange County Planning Board, submitted a letter with comments concerning the Comprehensive Plan (attached). He talked about the Orange County Greenway Compact. He mentioned the 9/11 memorials and monuments in Orange County and the respective scholarships.

Mayor Maher commented we will be discussing Chapter 10 of the Comp Plan this evening and will hit on the points Mr. Jacobowitz mentioned in his letter. The discussion will not be closed after this evening and there will be more discussion prior to approval in order to respond to all the comments received. He indicated Mr. Jacobowitz had some good points.

Manager Revella commented that the Comp Plan Committee needs to take into consideration the comments made by the Board with the Planner and see how the comments can be integrated. It will be a public meeting.

Trustee Carley asked that meeting be posted on the website.

Mary Ellen Matise asked if the public's input will be shared with the Committee.

Manager Revella responded yes, absolutely.

## **Action Items**

### **Award Bid for Village Hall Window Replacement**

Manager Revella commented we received four valid bids; the lowest was Hearthstone Contracting Inc for \$65,868.00 for the rest of the windows in Village Hall.

Trustee Bowen made the motion to approve Hearthstone Contracting bid for \$65,868.00 for Municipal Hall windows. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

### **Award Bid for Village Sidewalks**

Manager Revella commented we received seven bids, six were compliant; the lowest bid was by Precise Landscaping, Inc for \$17.20 per sq ft.

Trustee Leonard made the motion to approve Precise Landscaping, Inc bid for \$17.20 per sq ft for Village Sidewalks. Seconded by Trustee Lown.

Trustee Bowen asked if we have references.

Manager Revella responded yes, they have done work for us in the past. They haven't done sidewalks for us but there weren't any complaints. We have checked references where they've done sidewalks. They've done work for the school district.

Deputy Mayor Rumbold asked if the concrete is reinforced and she confirmed Lanc & Tully is overseeing the project.

Manager Revella responded yes, there will be wire mesh. Previous issues were due to salt and double coating not being done; we do double coating now.

All ayes. Motion carried.

### **Resolution 11-12-13: Authorization to bid Maple St Sewer Main**

Manager Revella commented this is to redo the sewer main in back of the school.

Mayor Maher read the Resolution.

Manager Revella commented this is through the CDBG funding we received last year.

Deputy Mayor Rumbold made the motion to declare a negative declaration with regard to SEQRA. Trustee Leonard seconded. All ayes. Motion carried.

Trustee Bowen moved to adopt Resolution 11-12-13: authorization to bid Maple Street Sewer Main. Seconded by Trustee Lown.

Manager Revella indicated we can't do this in-house due to the depth.

Trustee Leonard asked if during the replacement a company will need to be brought in to handle the sewer load.

Manager Revella responded that will be their problem; to provide a bypass.

Trustee Hoffman commented about publication date and minimum requirements.

Manager Revella responded it will publish in the Record.

All ayes. Motion carried.

### **Set Date/Time for Trick or Treating**

Deputy Mayor Rumbold made the motion to set Trick or Treating for October 31, 2012 from 6-8pm. Seconded by Trustee Lown. All ayes. Motion carried.

Manager Revella announced that October 27 at 4pm will be the Halloween Parade at Wooster's Grove.

### **Resolution 12-12-13: CDBG Resolution Amending 2007 Resolution**

Manager Revella commented the Board should have a copy of the email from Joanne Fazzino regarding a 2007 resolution that needs to be amended to receive an additional \$2110.00 for the sidewalk on Lafayette Street back in 2008.

Trustee Lown asked for documentation.

Manager Revella responded Ms. Fazzino needs a new resolution from the Board to increase the grant money.

Deputy Mayor Rumbold confirmed we just need to sign off on the extra money.

Trustee Lown made the motion to approve Resolution 12-12-13 authorizing the Village Manager to accept CDBG funds in the amount of \$2110. Seconded by Trustee Leonard. 6 ayes, 1 abstention by Trustee Hoffman. Motion carried.

### **Village Wide Yard Sale**

Trustee Lown made the motion to set the Village wide yard sale for Saturday, October 20, 2012 from 9-4. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

### **Discussion Items**

#### **Police Department**

Manager Revella indicated Chief Holmes is here tonight to provide an overview of the police department; police personnel and the needs of the department, what's been going on with the investigator position. We have been negotiating with the PBA and now have an agreement in place.

Chief Holmes provided a general overview of the department and how they've been looking into an in-house investigator to take over managing cases and investigate crimes that regular patrol can't do. The department is set up right now with 2 officers per shift. Over the past few years the calls for service have increased and the follow up to some crimes like assault is difficult; there is a cost involved as each officer takes his own case and each officer has to follow through with that case, which may include follow up performed off-shift which means overtime. He has added up the overtime associated with investigations and it averages between 250-300 hours per year, but that does not include a part time officer that has been brought in to cover the officer's shift. The cost savings is estimated to be \$15,000-\$20,000 just in overtime and we are at that point where it should be looked at. He indicated that over the past five years the department has always had 10 officers in the budget and 9 officers are needed to fulfill the shifts. The 10<sup>th</sup> officer started off as a juvenile officer and due to officers

getting hurt, etc the department hasn't been able to keep that position open and thought it would be better to make that position an investigator. Over the past 4 years, officers out on injury have taken up that 10<sup>th</sup> man position and recently we've been able to free up that position due to an officer's retirement which made us look at the investigator position again. He has sat down with the Manager to go over a job description, which went through the PBA. He confirmed the Board has a copy of the job description. It now needs to go through the attorneys.

Trustee Bowen asked an estimated timeframe for when the Chief would like this person to start.

Chief Holmes responded we would like it to start as soon as possible. The agenda for Executive Session includes discussion on police personnel including 207c and shift changes. We are going to try a 12 hour shift for 2 months which translates some savings and changing the way we give time off; we have 2 officers out on injury which affects the budget and fill-ins and this could be a way to cut some of it. The department is looking at replacing the officer that goes into the investigator position with a full time officer.

Trustee Bowen asked within the current budget and putting the person in the position if the allotted overtime will be eliminated. He asked how much of the overtime funding will cover for a new employee.

Chief Holmes responded not all of it will be eliminated; there is contractual overtime. He commented right now filling shifts is the primary overtime usage due to the 2 officers out on injury. It is hopeful that 12 hour shifts will help since only 8 officers are required. He indicated right now we have the 10<sup>th</sup> position that we are calling 207c and that's \$44,000 which is an entry level police officer contractually, some of that money went to the Sergeant promotion but within our budget there is a way to fulfill the investigator position as well as shift coverage. The 2 officers that are out right now is hurting us.

Trustee Bowen asked what is the projected revenue needed for the police budget line.

Manager Revella responded we expect shift coverage and overtime expenses to decrease by about \$20,000.

Deputy Mayor Rumbold asked the difference between burglary and larceny.

Attorney Blustein responded burglary involves going into either a building or dwelling where larceny is stealing.

Chief Holmes agreed; larceny is stealing on the street or wherever and burglary is categorized burglary 1, burglary 2 which has to do with the dwelling that you're in.

Manager Revella commented another problem in the police department is the case closure rate.

Chief Holmes agreed and cited the uniform crime closure reports, the village police department has been very good in their closure rates, 96% of our cases have been closed and we've been above the national average. That rate has been decreasing over last three

years and we are now roughly 79%. Our follow up is slower and not consistent with two full time officers out and needing officers to cover shifts.

Trustee Bowen asked who an investigator would be reporting to.

Chief Holmes responded himself and the Sergeants, but primarily himself.

Trustee Lown asked what hours would be worked.

Chief Holmes responded they would be doing a regular 4/2 according to the collective bargaining agreement as well as a flexible schedule; there would be certain times they won't be on day shift but on the evening shift. He indicated back in 1985 this was tried and it worked out very well. It would be great if we could devote someone who does nothing but case management; the department would have a greater closure rate.

Manager Revella commented some of this may be discussed in Executive Session regarding personnel and there may be a motion made following Executive.

### **Comprehensive Plan Review – Chapter 10/Overview**

Manager Revella commented the maps in the back will be updated to the most current maps available up to the date of adoption. He also indicated some of the implementations may be accomplished prior to adoption and they will be removed as well.

Mayor Maher asked the Manager his opinion on the capital plan.

Manager Revella responded essentially it is a capital plan and as we go through the budget, we try to do a 2-3 year projection on all our departments for capital projects and it is in the budget now. Funding is a bit different; we try to obtain as much grant money as possible for projects as it becomes available otherwise we have to discuss how to fund it.

Mayor Maher asked if amounts should be attached or put a large amount together.

Manager Revella responded it is difficult to put amounts on something that might be done in 5 years. He asked the Board to review timeframes of projects and prioritize.

Mayor Maher commented about the pedestrian bridge being long-term, but what if a grant pops up and they say why is it a long-term and not immediate.

Manager Revella responded that is what you want to look at.

Trustee Carley asked are we talking this year or calendar year, 2012.

Manager Revella responded immediate would mean within a year; it's all from date of adoption.

Trustee Leonard commented the priority of the pedestrian bridge should be predicated by the rail trail link so people wouldn't be coming out on Wileman.

Manager Revella agreed and commented it is also in conformance with the County Plan to make more pedestrian trails, even along the side of our existing freight rail.

Mayor Maher asked about #50 – Assess the feasibility of expanding recreational opportunities on other village-owned properties. He commented the assessment wouldn't take too long and is there any way to put an assessment together and see if there are any action items we can put into this Comp Plan.

Manager Revella responded this is an Engineering Assessment and it costs money.

Trustee Lown asked about #52 and she thought we were already working on expanding the waterfront.

Manager Revella responded we received a grant for the Plan, which we are doing now, but it depends on when we get the funds to do the Plan. This is looking at the whole waterfront.

Trustee Carley commented he would like to see a timeline; something more concrete.

Trustee Bowen agreed and asked if there is an action plan already put in place for some of these projects.

Manager Revella responded some are just implementing policy and some are just plans.

Trustee Lown commented that when we talk during the budget about a capital improvements plan, it is more realistic, then to see this immediate, short-term, etc.

Trustee Bowen suggested a quarterly update of where we are in each stage. There are 15 short terms and when is the first one going to be done.

Manager Revella responded that is what the Board needs to determine; what the priorities are.

Trustee Hoffman commented the Comp Plan is to guide the budget session and not the other way around.

Trustee Leonard commented a priority project should be to extend the sidewalks up S. Montgomery Street to, at least, Galloway; there is a lot of foot traffic.

Trustee Carley suggested having the historian review the "cultural and historical resources" section.

Manager Revella responded the historian is part of the Comp Plan Committee.

### **Public Comment**

Helen Schoonmaker, 7 Westwood Drive, commented how great the 9-11 ceremony was at Stone Lodge and there is a list of all Orange County personnel that died that day and she will provide it to the Village. She mentioned she is a member of the Honor Flight group that took veterans to Washington DC and on this Sunday they are having a spaghetti dinner at the Elk's Club in Middletown and asked the Board to attend. Their next trip to DC will be 4/20. She announced that Andy Komonchak, the purple heart recipient, is having a Veterans Day Ceremony at 10 am at the Veterans Cemetery in Goshen and again at 1pm at the Newburgh Armory. In addition, he is having a Wall of Honor and is looking for veteran's pictures to put up on the Wall.

Jessica Metzger, 4 Gracewood Court, asked at the last meeting if the skate park was mobile and the answer was yes, she knows the park has emotional value to many residents and suggested a discussion between the Chief of Police, Recreation Coordinator and Trustee Carley to include the installation of a camera on the skate park or possibly moving the skate park to a park where there is coverage or cameras, like Wooster's, instead of installing all new at Bradley. She commented that with the growing population of the Village, it was really appropriate the Mr. Jacobowitz was here tonight, the condo/townhouse project could increase our population by 1/6 to 1/8 of what it is now and more public services would be needed such as DPW, Fire Dept, Police and Parks and Recreation. She confirmed build out is 204 units; with 3 people on average per unit, that's 600 more people in the Village. She commented she knows first hand the need for an investigator and she was very happy to hear the discussion this evening. She asked the Board to remember that as the population increases so will the need for services and it is very important to collect all the fees from any developer whether for 1 home, 2 homes or 204 homes.

Mary Ellen Matise, 21 Clinton Street, provided photos of a residence on Clinton Street over the Labor Day Weekend from Saturday morning until garbage pickup Tuesday. She asked how does the Code get enforced when the Code Enforcement Officer is not working. She also provided a copy of minutes from 11/8/2011 (she requested the date be added to each page of the minutes) and commented she was disappointed in what happened with the Big Apple Circus this year. She heard comments including they "went Saturday night for free as a member of an organization from Middletown" and someone from the Rotary said "they were under the impression, the performance they were selling tickets for was the only performance" and two people said they "really wanted to bring children but at \$25 per ticket, couldn't". She commented that instead of doing things with the Village and with the school as they tout on their website as their big thing, she still doesn't see them doing it here yet and they are not living up to their obligation when they moved to Edmunds Lane. She commented that only one organization in the Village got the ability to sell tickets to the public and other organizations that make it a great Village were not even invited. The process excluded the broader base of our community.

Mayor Maher responded the organization made the request of the Circus. He commented the Community Foundation requested the show and invited their network. He indicated they have never had a ticket show; this was a donation. The Circus is on a 2 year contract and can't do additional shows but once that contract is over, we plan for them to do additional shows for everyone in our community.

Manager Revella commented based on their schedule they couldn't extend the rehearsal dates and will try to do that next year.

Deputy Mayor Rumbold commented that no matter what the Circus does, they can't make everyone happy and one day they might not do anything. We don't have a right to tell them, as a private entity, what they can and can't do. She commented it is a business and they have every right to invite who they want to invite and if you think there are organizations that are being left out, maybe they don't know about your organization, so write them a letter.

David Sperry, Overlook Terrace, asked when the Bradley Park black topping is starting and shouldn't it have been done before Little League started. He commented the parking should have been set up before the new playground equipment as parking has been horrendous.

Manager Revella responded we had to get the drainage done first.

David Sperry recommended the 3 Maple trees should be removed to make the parking lot bigger with better exits. He asked for an update on lights.

Manager Revella responded first we contacted the company that provided us the materials to see if they could help us and they couldn't, then we changed the bulbs and then the Engineers checked and suggested to get an electrician to run these tests.

David asked if the colors on Main Street are historic.

Trustee Hoffman responded the building inspector followed up on that and there was a communication problem with the owner.

Anita Vandermark, Highland Avenue, also commented about the yellow building on Main Street. She asked about the status of the speed humps.

Chief Holmes responded we are starting on Oakland Avenue and our Engineer is working with the Town of Newburgh Engineer.

Anita announced on 9/19 the First Reformed Church is a presentation of the history of the church at 7pm. She also asked about the status of Highland Avenue.

Manager Revella responded he has had the Engineers take a look at the road width and the sidewalks. We will take out the sidewalk on the left and re-do the one on the right.

### **Payment of the Audited Bills**

Deputy Mayor Rumbold moved to pay the audited bills. Seconded by Trustee Lown. All ayes. Motion carried.

### **Correspondence**

Trustee Hoffman commented Orange County Municipal Planning Federation has the fall schedule of classes out for anyone that is interested.

### **Miscellaneous Comments from the Board of Trustees**

Trustee Leonard commented that Sean, himself, the Mayor, little miss Walden and our Village Justice all participated in the Montgomery Day Parade; it was a great day.

Deputy Mayor Rumbold commented there seems to be an issue with the Parks; they are supposed to close at dusk, but some kids are staying in the playground at Wooster's and were supposedly told by the police they could stay until 9pm.

Manager Revella responded that is not true; the kids need to be in one of the buildings not in the playground after dusk.

Trustee Lown commented the Farmers Market continues until 10/19 on Fridays. She thanked everyone involved in the Back Pack Drive sponsored by Be The Movement; they gave away over 500 backpacks with school supplies, and provided sneakers and haircuts to many.

Mayor Maher thanked Reverend Van Houten and Christine Ortiz. He gave kudos to the Manager for the rough time with the arrival of his new baby girl and his wife, and how John didn't miss a beat and continued to do a great job and thanked him.

Deputy Mayor Rumbold also commented that it was extraordinary that the Dept Heads, Chief of Police and everyone jumped in and the Village ran smoothly, coordinating with John by phone and it's a credit to our employees.

**Executive Session – Personnel – PD, 207c, Parks; Contract Review, Property Purchase.**

Trustee Leonard moved to go into Executive Session to discuss Personnel – PD, 207c, Parks; Contract Review; Property Purchase. Seconded by Trustee Bowen. All ayes. Motion carried.

**Reconvene**

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

**Investigator Position**

Trustee Leonard moved to approve the Investigator Position. Seconded by Trustee Lown. All ayes. Motion carried.

**Approve Appraisal of Village Property**

Trustee Lown moved to approve the appraisal of Village Property. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

**Adjournment**

Trustee Lown moved to adjourn the meeting. Seconded by Trustee Bowen. All ayes. Meeting adjourned.

**Village of Walden Board of Trustees  
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Motions & Resolutions**

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**Award Bid for Village Sidewalks**

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**Resolution 11-12-13: Authorization to bid Maple St Sewer Main**

Deputy Mayor Rumbold made the motion to declare a negative declaration with regard to SEQRA. Trustee Leonard seconded. All ayes. Motion carried.

Trustee Bowen moved to adopt Resolution 11-12-13: authorization to bid Maple Street Sewer Main. Seconded by Trustee Lown. All ayes. Motion carried.

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