

**Village of Walden  
Board of Trustees Meeting  
July 28, 2009  
Motions and Resolutions**

**Introductory Local law I-3 of 2009, “Vehicles & Traffic”**

Deputy Mayor Rumbold moved to introduce Introductory Local Law I-3 of 2009, “Vehicles and Traffic”. Seconded by Trustee Leonard. All ayes with the exception of Trustee Millspaugh voting no. Motion carried.

Deputy Mayor Rumbold moved to set a public hearing on Introductory Local Law I-3 of 2009, “Vehicles and Traffic” on August 11<sup>th</sup>, 2009 at 6:30pm. Seconded by Trustee Leonard. All ayes. Motion carried.

**Introductory Local Law I-4, “Zoning” to Change the Definition of Day Care Center**

Deputy Mayor Rumbold moved to introduce Introductory Local Law I-4 of 2009, “Zoning”. Seconded by Trustee Leonard. All ayes. Motion carried.

Deputy Mayor Rumbold moved to hold a public hearing on Introductory Local law I-4 of 2009, “Zoning” on August 11, 2009 at 6:45pm. Seconded by Trustee Hurd. All ayes. Motion carried.

**Request for Tax Bill Penalty Refund**

Trustee Leonard moved to waive the tax bill penalty of \$69.16 for Carol Mathieu, 44 Windingbrook. Seconded by Trustee Millspaugh. All ayes. Motion carried.

Deputy Mayor Rumbold moved to waive the tax penalty for Mr. and Mrs. Ekblom of 41 Wileman Avenue. Seconded by trustee Wynkoop. All ayes. Motion carried.

Trustee Hurd moved to waive the penalty for Bernard Bowen of 18 Princeton Drive. Seconded by Trustee Leonard. All ayes. Motion carried

**Resolution No. 03-09-10, A Resolution Authorizing Submission of a Grant Application to the State of New York under the Justice Court Assistance Program**

Trustee Leonard moved to adopt Resolution No. 03-09-10, Authorizing Submission of a Grant Application to the State of New York under the Justice Court Assistance. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

**Valley Avenue Block Party**

Trustee Millspaugh moved to grant permission for the residents of Valley Avenue to hold a block party on Saturday, August 15, 2009 from 11am to 5pm. Seconded by Trustee Leonard. All ayes. Motion carried.

### **Police Officer**

Deputy Mayor Rumbold moved not to hire an officer until the consolidation process comes to an end. Seconded by Trustee Wynkoop. All ayes with the exception of Trustee Hurd voting no.

### **Approval of the Minutes**

Deputy Mayor Rumbold moved to adopt the minutes of July 8<sup>th</sup>, 2009. Seconded by Trustee Leonard. All ayes. Minutes adopted.

Trustee Leonard moved to adopt the minutes of July 14<sup>th</sup>, 2009. Seconded by Deputy Mayor Rumbold. All ayes. Minutes adopted.

### **Audited Bills**

Trustee Millspaugh moved to pay the audited bills of July 28, 2009. Seconded by Trustee Leonard. All ayes. Motion carried.

### **Agenda**

Deputy Mayor Rumbold moved to change the agenda from public comment on discussion items to public comment on business of the board. Seconded by Trustee Leonard. All ayes with Trustee Hurd voting no. Motion carried.

### **Executive Session**

Deputy Mayor Rumbold moved to hold an executive session pursuant to 105-(d), litigation, of the Public Officers Law. Seconded by Trustee Leonard. All ayes. Motion carried.

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

Trustee Leonard moved to authorize settlement of Daryl Carr's case for \$3,000. Seconded by Trustee Wynkoop. All ayes. Motion carried.

Mayor Maher moved to set public discussion on police consolidation for August 6<sup>th</sup>, 2009. Seconded by Trustee Leonard. On roll call Trustee Millspaugh, Deputy Mayor Rumbold and Mayor Maher voted yes. Trustees Wynkoop, Hurd and Leonard voted no. Motion defeated.

Trustee Leonard moved present and hold a public hearing on police consolidation as stand alone. Seconded by Mayor Maher. On roll call Trustees Millspaugh, Leonard, Deputy Mayor Rumbold and Mayor Maher voted yes. Trustee Wynkoop and Hurd voted no. Motion carried.

### **Adjournment**

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

**Village of Walden  
Board of Trustees Meeting  
July 28, 2009**

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

Also Present:	James C. Politi, Village Manager
	Victoria Kurtz, Deputy Village Clerk
	Kevin Dowd, Village Attorney

Absent:	Mary Jean Norman, Trustee
	Nancy Mitchell, Village Clerk

**Moment of Silence**

A moment of silence for observed for the passing of Marion Pangia and Douglas Glass.

**Village Manager's Report**

Manager Politi stated that in the Chief's report there are id cards. He asked if the board approved the logo format.

Deputy Mayor Rumbold asked if the price would be the same.

Manager Politi stated yes.

Manager Politi indicated that they received a contract for the well head protection program which is a grant that came out of planning. They will move forward with that.

Manager Politi stated that there will be two more additions to Action Item #3, when all the taxes came in there are a couple penalties they would like the board to consider removing.

Deputy Mayor Rumbold stated that she feels it would be nice if parks and recreation reports were expanded. Where it states that the daily attendance remains very high, what does that mean, how much, how many kids? The trips the kids go on, do they pay for that?

Manager Politi stated that there is a partial payment on their part.

Deputy Mayor Rumbold asked if they knew how many kids do not get to go on trips because they can't afford it.

Manager Politi stated that it would be hard to tell.

Deputy Mayor Rumbold asked if they knew of any kids that did not get to go on the trips because they can't afford it.

Mr. Bliss stated that they work with them.

Deputy Mayor Rumbold stated that she has the same concern with DPW's reports, July 15<sup>th</sup> he has three things, she's sure they did more than that.

Manager Politi stated that if you look at the size of your crew, just the fire hydrant alone you're eating up most of your crew.

Deputy Mayor Rumbold asked if that was the water department.

Manager Politi stated that you still need an operator, truck driver and an MEO and the water department. When you change a hydrant that is a busy day, it's a lot of work.

Mayor Maher stated that he saw the John Marone sign and it looks great. He asked for the contact information so he could send a letter to his wife.

Trustee Millspaugh asked for more information on fixing the fire hydrant, how many men were there, and how many hours were spent to see if that would be something to contract out.

Trustee Millspaugh asked about the May 31<sup>st</sup> cash report, water department engineering fees, where did that \$14,000 come from.

Ms. Weiner stated that it came from reimbursements.

Mayor Maher asked what the status of the roads is.

Manager Politi stated that based on the bonding it pushed it out to the first week of August. Mr. Lamendola is scheduling for the second and third week of August.

Trustee Millspaugh asked if the engineer was actively involved in this.

Manager Politi indicated that he was.

Mayor Maher asked about the bid for the tennis court.

Manager Politi stated that the plans were finished today, we will receive them tomorrow and then it will go out to bid.

Deputy Mayor Rumbold stated that a while back Trustee Millspaugh brought up an issue of sidewalks, did those ever get done.

Manager Politi stated that there were no change orders on his part.

Trustee Millspaugh stated that there was a piece of sidewalk that needed to be replaced and it's still not replaced.

Manager Politi stated that he's just being paid now so we can have him come back and make that change. There were four panels that had to come out and that will be changed.

Trustee Millspaugh asked if they used rolled reinforcing.

Manager Politi stated that the first 100 feet he used rolled and that was according to the inspector on site, which was Mr. Stickles.

### **Public Comment**

Brenda Adams asked about the consolidation and having patrols, not for emergencies but just having their presence on the streets.

Mayor Maher stated that there is also a portion of the DPW budget that will be taken out as well which could be as high as \$47,000 on top of the \$176,000 of initial savings.

Ms. Adams asked if it all gets turned over to the town after that.

Mayor Maher stated that it would be a three year contract and after the three years there would be a committee made up of representation from the town and the village to renegotiate any further contracts.

Ms. Adams asked if village taxes will always include the police.

Mayor Maher stated yes. He further stated that during the public forum the two chiefs will be available to speak on those matters. He will also speak later in the meeting on this.

Ms. Adams stated that the Times Herald put out that both funds equal the same amount, but the payroll that it shows is \$391,000.

Mayor Maher stated that the full time village officers will be full time town officers.

Ms. Adams asked if it will be broken down by full time equivalents.

Diane Sandbothe, 90 Liberty Street asked about the public hearing for the property owner at Seeley Street and Madison Avenue. There is still a fuel truck and one unlicensed vehicle.

Manager Politi stated that this has to go to village court.

Anita Vandermark stated that at the end of Highland Avenue you can't see left when you try to turn onto Route 52, because of the high weeds.

Manager Politi stated that it's the state's responsibility, but we have gone in and trimmed it.

Becky Pearson stated that in February the village was to sign the contract for the CDBG grant for the water tank, where do we stand on that.

Manager Politi stated that we can't do anything until Orange County Community Development office signs off and they haven't done that.

Ms. Pearson also asked about the grant for the scout cabin.

Manager Politi stated that too hasn't been signed off on.

Ms. Pearson asked if the dpw truck was totaled and if it was did we get insurance money for that.

Deputy Mayor Rumbold stated that she was advised that the insurance is doing something with it.

Ms. Pearson asked about the solar lights.

The manager stated that he did go to see them.

Mayor Maher stated that they are going ahead with the new person.

Deputy Mayor Rumbold asked if the poles were interchangeable with his technology.

Manager Politi stated that it's the control boxes that you are after.

Deputy Mayor Rumbold asked if they indicated how long it would take to get a proposal together.

Manager Politi stated that he called him today, but hasn't gotten a call back.

Ms. Pearson asked about the donated trees, are they dead or alive.

Mayor Maher stated that they didn't look to good.

Manager Politi stated that they are still alive.

Ms. Pearson asked if they were going to be planting them. She has received emails from people who want a tree.

Mayor Maher stated that they will work on that.

Ms. Pearson said thank you for putting the agenda on line. She also stated that at the last meeting there was a vote about policing private property. She feels that would be an issue, why are we spending tax payers' dollars on private property. Also, in regard to the law tonight that the board hasn't had much discussion on that came out to weeks ago about parking. She does have concern with the parking in front of the municipal building that will be 15 minutes, how the signage will be and where it will be located. Will they be defacing the front of the building with a bunch of signs? She doesn't see too much of an issue with people parking there except for police cars and employees of the village. They are also discussing about parking on Lafayette Street, Wileman Avenue and Woodruff Street. There has been no discussion so she doesn't know how that came about.

John Revella, 16 Church Street stated that he sees they are doing the lines in the business district. If DOT moved the lines you would have better parking.

### **Introductory Local Law I-3 of 2009, "Vehicles and Traffic"**

Mr. Dowd stated that law was amended at the board's request to add two handicapped spots, one on Wileman Avenue and one on Woodruff Street. He started to add and then took out the handicapped spaces in the private parking of Walden View Apartments. They need to describe where they're located. The building inspector has written to the owner stating that the spaces have to be properly marked and properly described.

Mayor Maher stated that when you have people parking on opposite sides of the street, lower Woodruff Street by Route 52. Does this address that?

Manager Politi stated that it's the 73 feet from the corner based on Chief Kurtz and then they are adding a handicapped parking space.

Deputy Mayor Rumbold stated that at the end of Woodruff Street by Masci and Hale's office is where people are parking on both sides; you can barely fit a car through. Will that be addressed?

Manager Politi stated that if the board wants to discuss that they can.

Deputy Mayor Rumbold stated lets do the whole street, not half the street.

Manager Politi stated that you're not; you're only doing a piece of that street at the top.

Deputy Mayor Rumbold stated that if you're addressing the north side why you wouldn't address the south toward Route 52. She thought she mentioned that at a meeting.

Trustee Hurd stated that there are many streets in the village especially in the winter because people park on the street they are very tight.

It was the consensus of the board to look at that area of Woodruff Street.

Trustee Millspaugh stated that we use those tremendous curbs in the village, they are eighteen inches and that narrows the street.

Manager Politi stated that if you go with a thinner curb they break up easy. That is why they use that.

Mayor Maher asked why the 15 minute parking in front of the municipal building was brought up.

Manager Politi stated that there is a problem during school time where parents will park there. We are collecting taxes in June and that was pushing people to park far away.

Mayor Maher asked if there were enough complaints and enough of a problem to warrant the 15 minute parking.

Manager Politi stated that they've heard enough during tax season. You would only need one sign.

Deputy Mayor Rumbold suggested they mark the pavement.

Manager Politi stated that they could do that. They were trying to see if there was a pedestal sign.

Trustee Millspaugh suggested that during tax time put portable stanchions that say 15 minute parking.

Mr. Dowd stated that it could be a specific time of the year. It doesn't have to be daily. It could be hours per day. It could be January to June.

Manager Politi stated that you couldn't limit it to June because there are people still coming in with the water bills. They will do the best they can with the signage.

Deputy Mayor Rumbold moved to introduce Introductory Local Law I-3 of 2009, "Vehicles and Traffic". Seconded by Trustee Leonard. All ayes with the exception of Trustee Millspaugh voting no. Motion carried.

Deputy Mayor Rumbold moved to set a public hearing on Introductory Local Law I-3 of 2009, "Vehicles and Traffic" on August 11<sup>th</sup>, 2009 at 6:30pm. Seconded by Trustee Leonard. All ayes. Motion carried.

#### **Introductory Local Law I-4, "Zoning" to Change the Definition of Day Care Center**

Mr. Dowd stated that based upon a petition the board received at their last meeting asking that the definition of day care center in your zoning law be expanded to include before and after school programs.

Deputy Mayor Rumbold moved to introduce Introductory Local Law I-4 of 2009, "Zoning". Seconded by Trustee Leonard. All ayes. Motion carried.

Deputy Mayor Rumbold moved to hold a public hearing on Introductory Local law I-4 of 2009, "Zoning" on August 11, 2009 at 6:45pm. Seconded by Trustee Hurd. All ayes. Motion carried.

#### **Request for Tax Bill Penalty Refund**

Manager Politi stated that the first request is from Carol Mathieu of 44 Windingbrook to waive the penalty on her tax bill of \$69.16.

Trustee Leonard moved to waive the tax bill penalty of \$69.16 for Carol Mathieu, 44 Windingbrook. Seconded by Trustee Millspaugh. All ayes. Motion carried.

Manager Politi stated that Mr. and Mrs. Ekblom of 41 Wileman Avenue is also requesting that there tax penalty be waived.

Deputy Mayor Rumbold moved to waive the tax penalty for Mr. and Mrs. Ekblom of 41 Wileman Avenue. Seconded by trustee Wynkoop. All ayes. Motion carried.

Manager Politi stated that there is another request from Bernard Bowen of 18 Princeton Drive to waive the penalty on his tax bill.

Trustee Hurd moved to waive the penalty for Bernard Bowen of 18 Princeton Drive. Seconded by Trustee Leonard. All ayes. Motion carried

**Resolution No. 03-09-10, A Resolution Authorizing Submission of a Grant Application to the State of New York under the Justice Court Assistance Program**

Deputy Mayor Rumbold asked about the \$8,000 grant that the justice court has already received which was to go toward the speakers.

Manager Politi stated that the original was for the microphones and speakers. This is a little broader and it will include furniture.

Trustee Leonard moved to adopt Resolution No. 03-09-10, Authorizing Submission of a Grant Application to the State of New York under the Justice Court Assistance. Seconded by Deputy Mayor Rumbold. All ayes. Motion carried.

Deputy Mayor Rumbold asked when the other grant is up.

Manager Politi stated that he will find out.

**Valley Avenue Block Party**

Mayor Maher read the letter from the residents of Valley Avenue requesting permission to hold a neighborhood block party on Saturday, August 15 from 11am to 5pm. He asked if this would cost the village anything.

Manager Politi stated that they can block the street off.

Trustee Millspaugh moved to grant permission for the residents of Valley Avenue to hold a block party on Saturday, August 15, 2009 from 11am to 5pm. Seconded by Trustee Leonard. All ayes. Motion carried.

**Village Board Planning Agenda Review**

Mayor Maher asked if the board had anything to add or switch around to the main list.

Trustee Leonard stated that the village should look into getting out of the Masada contract.

Trustee Millspaugh stated that the village has spent a lot of engineering money on a new generator, what do we do now.

Manager Politi stated that it's up to the board. We will be bonding for that.

Trustee Millspaugh asked what the generator does now.

Manager Politi stated that it only carries the police station.

Trustee Millspaugh asked if the gas line was adequate for the generator.

Manager Politi stated yes.

Trustee Millspaugh stated that he'd like to see the Scofield property move forward. It's been over four years that it was determined the building department was over crowded and they wanted to get more room.

Manager Politi stated that it's a significant amount of money to upgrade that building. That will be for the board to discuss at their next budget session. That should be put under short term so it becomes a budget item.

Deputy Mayor Rumbold stated that if we know that we don't have the money to do something like that why would we expend engineering money, wouldn't it be better spent on something we do have a chance of getting done or that we might be able to.

Manager Politi stated that project was started three years ago and once we got started on it that is when we hit our economic problems and that is when we pulled back. If we can get it in at some point we will, so you do have the mechanics.

Deputy Mayor Rumbold stated that she is not arguing the validity of the question. Why can't the engineers take a project from A to D and get it completed. She asked how much engineering fees went into this.

Manager Politi stated that the engineer gave a cost, but once you get into this building and see the complex electronics of the building.

Deputy Mayor Rumbold an engineer should be able to say how much it will cost before we spend that kind of money on engineering fees and now it's in the long term, where we could have spent that money somewhere else for something that was immediate or short term.

Manager Politi stated that the village spent a great deal on the sewer review. You would be ready to go if we could afford to with that project.

Deputy Mayor Rumbold asked about the A Fund taxes.

Mr. Dowd stated that will be coming up in the town budget session, August, September, and October.

Mayor Maher stated that he went to the NYCOM conference and there are so many different issues when it comes to A Fund contributions. He plans on attending the budget sessions at the town and reporting back to the board.

Deputy Mayor Rumbold asked to be notified when the sales tax revenue comes in. She asked what was budgeted for that.

Manager Politi indicated a couple thousand.

Mayor Maher asked about NIMS training.

Manager Politi stated that whenever the board wants to get together as a group they can do the training.

Mayor Maher asked if it was mandatory.

Manager Politi stated that they should have the training.

Mayor Maher asked where they were with the planning and zoning board training.

Manager Politi stated that he's had no response on that.

Mayor Maher stated that he has had a response. He will speak to the manager further. He feels the NIMS training should be immediate, September.

Deputy Mayor Rumbold stated that her day off is Friday.

Mayor Maher set the date tentatively for September 25<sup>th</sup>, 9am.

Mayor Maher stated that he would like to discuss committees for specific departments. Going to meetings and reporting back. He asked if the board was still interested.

Mr. Dowd stated that there are no committees for each department.

Manager Politi stated that you do have liaisons to the planning board, zoning board, parks and recreation and library board.

Mayor Maher asked that this be on as a discussion item at the August 11<sup>th</sup>, 2009 meeting.

### **Police Intermunicipal Agreement**

Mayor Maher stated that this came about after the police had to respond to a call and he's not sure if we did or didn't have to respond to it. Mr. Dowd brought up insurance issues. He asked what happens when we have to go out of county to respond to

a police call. We responded to a call in Ulster County and he was wondering if there is any liability insurance wise and if we need an intermunicipal agreement. Will we need an intermunicipal agreement in the future if that happens again?

Mr. Dowd indicated yes.

Deputy Mayor Rumbold stated that this was discussed before between the town and the village and now we have issues where not only you've transcended village lines into town but now you've transcended into county. Are we still sending officers out of the village limits?

Manager Politi stated that you're only three miles away.

Deputy Mayor Rumbold asked if there was an officer down.

Manager Politi stated that he can't tell the board.

Deputy Mayor Rumbold stated that it was discussed about creating a liability issue for the village. We do not have an intermunicipal agreement with the town let alone with Ulster County. She asked if the village has been allowing officers to go outside village limits thus creating a liability issue for the village.

Manager Politi stated that he is certain it happens because we do respond to car accidents outside the village limits. He will have to find out if they are being allowed by their supervisor.

Deputy Mayor Rumbold stated that our attorney is concerned about insurance issues within the village. The board talked about insurance issues for the concert and other insurance issues, she would think an intermunicipal agreement between the town and the village would be very important and something that should have been done a long time ago given the fact that we still have officers and if there is a call our officers should be able to respond, but at the same time we're creating a liability. What do we do in that case, do we say no officers can go outside the village until we have the intermunicipal agreement. If the supervisor deems that officer should be outside the village limit are we then covered under our insurance because the supervisor gave permission. Where is the liability for the village?

Manager Politi stated that if there is an accident on River Road as you leave the village he's not going to have them stop at the village limit.

Deputy Mayor Rumbold stated that she wouldn't tell her officer not to respond either.

Manager Politi stated that we do need the intermunicipal agreement.

Deputy Mayor Rumbold asked when can the intermunicipal agreement get done.

Mr. Dowd stated that as soon as the attorney's and chief's can meet. Part of the consolidation issue has delayed that.

Mayor Maher asked that Mr. Dowd follow up on that.

Manager Politi stated that he will speak to the chief.

Deputy Mayor Rumbold stated that she would like to know in two weeks that the two chiefs have at least set a date to sit down. This is important. This is a liability issue for the village. It should have been done a long time ago.

### **Joint Meeting – Village Board, Planning Board and Zoning Board**

Mayor Maher stated that he would like to schedule a joint meeting some time in September.

### **Police Officer**

Mayor Maher stated that we are in the process of hiring an officer, which was budgeted. If consolidation process occurs it would be in the next few months and we would not need that officer. His idea is not hire that officer until that process is over. That would save the taxpayers about \$65,000 after fringe. If consolidation is voted down then we hire the officer. We should wait at least three months to see what happens.

Manager Politi stated that the list is in and has been canvassed. We have received responses. That process is under way.

Mayor Maher stated that he would be in favor of holding off of hiring that officer.

Trustee Leonard asked what the status of officer that is out.

Manager Politi stated that he will be back in (the country) October and he will go back into rotation and Officer Morris just left.

Deputy Mayor Rumbold moved not to hire an officer until the consolidation process comes to an end. Seconded by Trustee Wynkoop.

Trustee Hurd asked when would the officer be hired.

Manager Politi stated that it would be after the interviews are completed. We would have to go through the process. We will be losing part time officers within the next month because they will be over the 1040 hours.

Mayor Maher stated that in that month if it's a danger we would revisit and say okay lets hire the officer.

Manager Politi stated that he would like to see if they can go through the interview process to see who is there.

Mayor Maher stated that during miscellaneous comments he was going to discuss consolidation and the process and what has happened after the last meeting. He was going to inform everyone on how it is moving. It is moving forward rather quickly.

Trustee Hurd stated that they haven't met with any of the members of the town board.

Mayor Maher stated that is not true. Trustee Hurd has not, but the committee has met.

Trustee Hurd stated that he knows the committee has, but the board hasn't.

Mayor Maher stated that the board has to act based on the information the committee has found with the town and the village in the same room.

Trustee Hurd stated that the board has to have a chance to hear the discussion and questions.

Mayor Maher stated that they will have that chance at the public forum when that information is released and discussed.

Trustee Hurd stated that he would prefer to wait on this vote.

All ayes with the exception of Trustee Hurd voting no.

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

Regis Sonner stated that she would like to comment on the block party.

Mayor Maher reminded the public that comments are limited to discussion items.

Regis Sonner stated that there are questions that need to be answered about the block party.

Mayor Maher stated that he and the manager can answer Mrs. Sonner's questions after the meeting.

Mrs. Sonner asked if they could talk about the rail trail.

Mayor Maher stated no, but they can talk after the meeting. This is just for the discussion items. Mrs. Sonner could have commented during public comment. This is just for discussion items.

Mrs. Sonner stated that she arrived after No. 4 and all the things she wants to talk about have been discussed since the public comment, but now she can't talk about them.

Mayor Maher stated that she can talk about it after the meeting.

Mrs. Sonner asked if she could talk about the vehicle and traffic law.

Mayor Maher advised her that she can talk about anything with him and the manager after the meeting. She could have talked about it publicly during public comment. That is the way the meeting is set up.

Deputy Mayor Rumbold stated that there will be a public hearing on August 11<sup>th</sup> for the vehicle and traffic law. The public will be able to comment then.

Mrs. Sonner stated that she has to talk to the mayor and manager privately and she wants to discuss the block party with the entire board.

Mayor Maher stated that there is another board meeting on August 11<sup>th</sup> where Mrs. Sonner can discuss it publicly, if she is here on time.

Mrs. Sonner stated that she gets up at 4:30am and she travels a long distance, she came directly here from work. She hasn't eaten or gone to the bathroom. She did everything she could to get here on time. The attitude is she didn't get here on time because she was doing something else that was a little less important than coming to this meeting. She is extremely offended.

Mayor Maher stated that he is sorry Mrs. Sonner finds it offensive and he is not being smug.

Mrs. Sonner stated that she feels he is quite smug and the look on his face describes it. He should be embarrassed.

Mary Ellen Matisse asked about the shelter agreement.

Mr. Dowd stated that it is on the list.

Ms. Matisse asked if the planning list was available.

Mayor Maher stated that it is.

Ms. Matisse asked to have it on the web site.

John Revella 6 Church Street asked the board to consider changing No. 6 on the agenda to just public comment.

Mayor Maher stated that is a good point, he was just trying to maintain order at the meeting.

Anita Vandermark asked about the intermunicipal agreement.

### **Approval of the Minutes**

Deputy Mayor Rumbold moved to adopt the minutes of July 8<sup>th</sup>, 2009. Seconded by Trustee Leonard.

Trustee Leonard stated that on Page 14 change Officer Barry to Officer Montanaro.

Mr. Dowd indicated that was the meeting of July 14<sup>th</sup>.

All ayes. Minutes adopted.

Trustee Leonard moved to adopt the minutes of July 14<sup>th</sup>, 2009. Seconded by Deputy Mayor Rumbold.

Trustee Leonard reiterated his correction to page 14.

Deputy Mayor Rumbold stated that it was correct, Officer Barry.

All ayes. Minutes adopted.

### **Audited Bills**

Trustee Millspaugh moved to pay the audited bills of July 28, 2009. Seconded by Trustee Leonard. All ayes. Motion carried.

### **Correspondence**

Mayor Maher stated that he will mail the letter to Mrs. Marone as soon as possible. He will also be writing letters to the police officers, ambulance corp., and letters of appreciation for donating their services. The DJ Battle didn't cost the village a dime.

### **Board Comments**

Trustee Leonard asked how much did they donate to National Night Out from the DJ Battle.

Mayor Maher stated \$350.00.

Trustee Millspaugh stated that he was out during the rain storm yesterday and the northeast corner of Capron Street and northeast corner of Bergen Street the storm water was coming out of the manholes. He went around the block and the catch basin on the northeast corner of Bank and Capron is plugged. He also commented on the Pine Street pump station. He also asked if there could be a desk dedicated to trustees in the village office to review the correspondence coming into the village and going out of the village.

Manager Politi stated it's possible.

Mayor Maher stated that he would be in favor of that.

Trustee Hurd stated that he feels that things shouldn't be voted on unless it's an absolute emergency unless it's put on as a discussion item first.

Deputy Mayor Rumbold asked about the light pole. She also stated that there is a core group and no matter what this village needs they are willing to jump right in and she feels they don't get thanked enough.

Trustee Wynkoop stated that he has ideas of his own, but he has to agree with them about doing a discussion item and giving them a week to come in. Also, you can pick out the people who are always here.

Mayor Maher stated that he doesn't have a problem with changing public comment on business of the Board of Trustees to that. He would have had no problem hearing anything, but he feels it is important to adhere to the set up we have. He is all for changing that to public comment on business of the board.

Deputy Mayor Rumbold moved to change the agenda from public comment on discussion items to public comment on business of the board. Seconded by Trustee Leonard. All ayes with Trustee Hurd voting no. Motion carried.

Mayor Maher stated that if he was to say he feels this is something they need to be discussed we put it on as a discussion item for the following week and then make it an action item for the following.

Trustee Hurd stated that he would like as an elected official to have some time to gather facts.

Mayor Maher stated that he doesn't disagree. During discussion they could say on each issue that they need more time to discuss it. It could be voted down and put on as a discussion item.

Trustee Leonard reminded the board that the month of August there is only one meeting.

It was the consensus of the board to take it issue by issue.

Mayor Maher stated that at the last meeting the board made a motion to move forward with police consolidation talks. The process he set forth was to have that committee meeting and after that committee meeting if they had all the information solidified to release it and send it out to the papers, to set the public forum and then after the public forum to see if they would go forward. They had the committee meeting, Mr. Dowd was there and he raised concerns about the intermunicipal agreement and the wording so that is being worked on. The funds and how much savings was there is basically solidified and a sheet of eleven most frequently asked questions. Based on those two things and the hopefully the speediness of Mr. Dowd's diligence on rewording some of the documentation of the IMA he has released that information onto the web site and set a public forum for next Thursday, August 6<sup>th</sup> at 7pm. If there are any questions on the consolidation and if it's going to save money, the eleven most asked question, please visit the web site its all on there and he looks forward to the public forum on August 6<sup>th</sup> at 7pm.

Mr. Dowd indicated that there is a zoning board meeting that night. The deputy mayor won't be able to attend it because of that meeting.

Trustee Wynkoop stated that they want it clear of any other meetings.

Trustee Hurd stated that he thought the procedure was the committee was to gather the information, discuss the pros and cons and if this board, after due consideration decides to dissolve the police department. The only action is to dissolve our police department then it becomes permissive referendum.

Mr. Dowd stated that the way this was set up was the committee of the three would meet and bring the information back to the whole board for discussion and then go forward from there.

Mayor Maher stated that is not the way he understood it.

Trustee Hurd stated that it should be the whole board. We are the representatives with an equal vote.

Mayor Maher stated that when they went forward that is what his understanding was what they were agreeing to. To go forward with the committee meeting and after the committee meeting the information would be decimated, released to the public, and set the public forum. He said all those things and then the motion was made and voted on. It was his understanding that was the motion. Then the motion was made and voted on. It was his understanding that was the motion that the board was making that action and the action will be finalized by Thursday's public forum. After the public forum the board will discuss where to go from there.

Trustee Hurd stated that the board has not taken the committees proposal and done their discussions.

Mayor Maher stated that will come after the public forum.

Trustee Hurd asked if all the discussions will be held in public.

Mayor Maher stated that this will be on the next agenda under discussion. That is when the board will say if they want to go forward. That is what he said at the last meeting.

Deputy Mayor Rumbold stated that is what she understood.

Mr. Dowd asked if it will be a board meeting.

Mayor Maher stated that it will be a presentation by the committee members and the chiefs.

Mr. Dowd stated that if a fourth member of the board shows up you have a meeting. He suggested they call a meeting and notice it properly.

Trustee Hurd stated that he'd like to raise an objection to this and his objection is that they have a study. There are differences of opinion. He has several issues with the contract or agreement that was written by people who he considers in direct conflict of interest because they wrote it and they benefit from it. He's always believed that the elected officials, people who will be in charge of policy should be involved in the discussion. For them to have a public session where they present to the public this particular document as if it was a finished and unchallenged agreement in his view is completely wrong.

Mayor Maher stated that he had a say, Deputy Mayor Rumbold had a say and Trustee Wynkoop had a say.

Deputy Mayor Rumbold stated that it's not etched in stone. She also indicated that Trustee Hurd will be at the public hearing.

Trustee Hurd stated that he believes that the document that they are going to present is flawed for realistic reasons.

Deputy Mayor Rumbold stated that it is a proto type. It's not etched in stone.

Trustee Hurd asked why don't you get a proto type to the public and have them do questions and answers.

Deputy Mayor Rumbold stated that is what the meeting is for.

Trustee Hurd stated that committees report back to the board.

Deputy Mayor Rumbold stated that they did.

Mayor Maher stated that at the last meeting he reported back as to the progress and then plan forward.

Trustee Hurd stated that he has nothing.

Mayor Maher stated that he gave them documents.

Trustee Hurd stated that they gave him documents without a chance to present his ideas to the board.

Deputy Mayor Rumbold stated that is what the public meeting is for. What they are trying to say is here's what they have. The board has said numerous times the public deserves to see what work the committee has done.

Trustee Hurd stated that the presentation should be to the board.

Deputy Mayor Rumbold stated that they had a presentation by Chief Holmes and Chief Amthor.

Trustee Hurd stated that there should be recommendations as to what this board should do and at that point this board has an opportunity to question.

Mayor Maher stated after the public forum is when the board will discuss it at the meeting. That is when the board decides to move forward. People need to become better informed.

Trustee Wynkoop stated that he feels the board should discuss it first.

Trustee Hurd stated that they are presenting information that may not fly. The whole idea of a contract may be gone.

Deputy Mayor Rumbold stated that you make a presentation and say here's the scenario.

Trustee Hurd stated that when they had the townhouse law they had a committee that worked on that for months and months and months. They presented it to the whole board for their actions with the public watching.

Deputy Mayor Rumbold stated that before she is going to move ahead she wants to know how the public feels.

Trustee Wynkoop stated that he believes the rest of the board input has to be on it.

Deputy Mayor Rumbold stated that if lawyers are working on it it's always going to be imperfect, it's always going to be incomplete, and you're never going to agree on it.

Trustee Wynkoop stated that he believes the rest of the board's input has to be on it.

Mayor Maher stated that this is the process that was put forth, you can question the way he put it forth, but it was what was brought forward.

Trustee Hurd stated that they are going to have question and answer sessions on their proposal from a committee and the rest of the board is going to set silent because they can't speak.

Deputy Mayor Rumbold stated absolutely not. If they have it as a meeting the board members can be here and put in their input.

Trustee Hurd stated that the board should hear about it before the public.

Deputy Mayor Rumbold asked why did they have a committee.

Trustee Hurd stated that a committee does not have the authority to make a decision.

Deputy Mayor Rumbold stated that they are not making a decision other than bring the public in on the discussions about whether they want consolidation so they can ask questions so that then when the board discusses it you're truly representing the people who elected you and it's not just your thoughts about it, it's their thoughts about it.

Trustee Hurd stated that he agreed, but the village people deserve all points of view from all of their elected officials.

Mayor Maher stated that they will get that eventually.

Trustee Hurd stated that they should have it first. Why would they take the time to listen and discuss arguments that maybe refuted by members of this board. It's backwards.

Deputy Mayor Rumbold stated that their opinion should matter to the board.

Trustee Hurd stated that he does except that their opinion matters, but we have a representational republic. He has a duty to his constituents to listen and to have input on any matter that comes before this board. The committee in congress, in the senate, in the House of Representatives and state legislature report to the whole body and then they go to public discussion. We don't take the committee report and then with a document present it and then come back to the whole board. You're taking time to discuss something that may not be. They would not have time and we would not have time to

prepare our own responses and own questions. He believes the procedure should be that the committees report is presented to the board for discussion of the facts and after that have a series of public meetings where they get input from the public. Where the public can now ask questions, not only of the committee or the police officers who wrote this but of the descending or proposed opponents on the board, so you can get all perspectives and you'll have the opportunity because you would have heard the board's discussion. This way you get it and then it comes back to the board. The board has the right as elected officials to hear the committee report first.

Mayor Maher stated that the board was given the reports and documents and they had a week to look them over before the meeting. Trustee Hurd was against it, but six members voted for it.

Trustee Hurd stated that he's not against the committee going forward to gather information. He's just saying that the report should come back to the board first.

### **Executive Session**

Mayor Maher stated that he is concerned with going into executive session to discuss the village manager's contract without Trustee Norman being here. He would like to wait until the next meeting.

Mr. Dowd indicated that he would like to discuss pending litigation with the board.

Deputy Mayor Rumbold moved to hold an executive session pursuant to 105-(d), litigation, of the Public Officers Law. Seconded by Trustee Leonard. All ayes. Motion carried.

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

Trustee Leonard moved to authorize settlement of Daryl Carr's case for \$3,000. Seconded by Trustee Wynkoop. All ayes. Motion carried.

Mayor Maher moved to set public discussion on police consolidation for August 6<sup>th</sup>, 2009. Seconded by Trustee Leonard. On roll call Trustee Millspaugh, Deputy Mayor Rumbold and Mayor Maher voted yes. Trustees Wynkoop, Hurd and Leonard voted no. Motion defeated.

Trustee Leonard moved present and hold a public hearing on police consolidation as stand alone. Seconded by Mayor Maher. On roll call Trustees Millspaugh, Leonard, Deputy Mayor Rumbold and Mayor Maher voted yes. Trustee Wynkoop and Hurd voted no. Motion carried.

### **Adjournment**

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

Respectfully submitted,

Nancy Mitchell  
Village Clerk