

**Village of Walden
Board of Trustees Regular Meeting
December 13, 2011**

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
	Randi Lee Penney
	Tara Lown
	Sean Hoffman

Absent

Also Present:

John Revella, Village Manager
Lori Pinckney, Village Clerk
Kevin Dowd, Village Attorney

Presentation

Walden Business Association

Mayor Maher commented it was an exciting Christmas on Main Street, which was lead by the Walden Business Association with coordination from every other Village organization. He presented Dale Hammond, president of the WBA with a Certificate of Appreciation.

Dale thanked the Village and the Mayor and commented this was a collaboration of many groups and wished everyone a Merry Christmas.

Lanc & Tully Presentation

John O'Rourke from Lanc & Tully provided an update of the improvements in the Village over the past year. Some projects included roads, sidewalks, curbing and parking lots. The Village is proceeding with the MS4 program. The water department has been doing very well. The fencing has been completed of the Highland tank. Well #4 has been rehabbed and the water loss is going down to a more acceptable level. Wells #4, 5 & 6 culvert washout at the access road replacement has been worked on with the DEC. The replacement of the generators for the wells has been worked on. The Cherry Street buildings are being rehabbed due to the flooding. Walnut Street and Westwood Drive have been paved and curbed. Lanc & Tully is continuing the INI program. The New York State required inspection of the dam was done and it's in good shape and has been brought into compliance. Lanc & Tully has been scanning maps into digital format and creating a mapping database which will be coordinated with utility mapping. Most recently they've been working with FEMA and the tropical storm damage.

Town of Montgomery Volunteer Ambulance Corp

Deb Hansen, Captain of the Ambulance Corp, requested the ability to purchase their fuel from the Village's Department of Public Works. She provided some background; the Corps were formed in the Village in 1962 as Walden Ambulance Corp, they filed a dba in 1993 as Town of Montgomery Ambulance and as a not for profit. They asked the Town of

Montgomery to contract with them for services and have been on the Town payroll, for about \$100,000 per year, since. They have asked the Town to break their contract because Medicare will not pay for emergency medical services for any agency other than the transporting agency. This is costing the seniors \$700 each since it's being refused by insurance. She cited General Municipal Law 207.122b which says the Town can contract with them to provide services and Town Law 176.19a which says they can't make an appropriation for public health, but that law is for public health nursing. Their contract is a mixture of those two laws which contradict each other. They used to purchase their fuel through the Town of Montgomery, but since breaking the contract they can't purchase their fuel through them anymore. Deb asked the Village if the Ambulance Corp could purchase the fuel through the Village of Walden.

Kevin Dowd commented he did some research and indicated the Village can not allow them to buy fuel from us at the reduced rate. They are a not for profit corporation and we can not, as a municipality, give away or give them the benefit of our bid price without a contract. The contract under general municipal law must be for them to provide us general ambulance services, like they had with the Town. As part of that contract, we could allow them to get gas or park their rigs, or something else, but the same issue might pop up with them charging. 122b of the General Municipal Law does not allow them to charge if they have a contract with the Village. He does not see how the Village could do this, for any other not for profit, the Village couldn't provide the cheaper gas/locked in price, and we can't give it to the Ambulance Corp either.

Sue Hansen commented she has a copy of the Municipal Law and there is no place where it forbids the Ambulance Corp to charge for services.

Kevin responded it is the Comptroller's opinions, over the last number of years that clearly indicate that 122b never allows them to charge, but in the contract the Town or the Village could charge the residents on the taxes. If the Ambulance Corp were allowed to charge, then the money they get from the people who get the service would have to be given back to the Village, according to the opinion of the State Comptrollers office. Kevin provided an opinion from the Comptroller's office involving a fire district and the Municipal Law 122b. 122b allows the Village to have a contract with the Ambulance Corp, it does not allow them to charge, but the money has to come back to the Village. Everything is being done as part of the contract, the Village is getting emergency medical services for its residents, that is in return for whatever we pay the Ambulance Corp whether it be housing the rig, buying the rig or giving gas for the rig, etc. The Comptrollers opinion has consistently said that they can not charge when there is a contract like that.

Mayor Maher commented the law is open to interpretation, and asked if there are any past precedents of laws being enforced where we would be absolutely unable to do this or is it just the opinion of the Comptroller.

Kevin responded the State Constitution prohibits municipalities from giving any of their money or resources to a not for profit, any private citizen or any private corporation.

Mayor Maher commented that they are purchasing it from us. He clarified that the giving is they would get our rate.

Kevin gave the following example: The Village locks in at \$3 per gallon for gas and the gas goes up to \$4 per gallon. The Ambulance is paying the \$3 per gallon and receiving a gift of \$1 per gallon of gasoline.

Sue Hansen commented 122b under section 1e says the contract can not provide services to any emergency rescue or first aid squad or fire department subject to section 209b, which the Ambulance Corp is not.

Kevin clarified that he is not talking about that, he is only talking about 122b. The Village can have a contract with the Ambulance to provide services to their citizens and under that contract, according to the Comptroller, you use tax payer money to pay for the services but the Corp is not allowed to charge the citizens for the same services their taxes are paying for. There are some provisions for a pass through of services or costs that are exceeding what in fact you have contracted for, but those services if they bill for it, must come back to the Village or the Village must have an additional contract for additional services and can provide money to the Corp, but the Corp can not collect from the same people that are paying the taxes that are paying for the services.

Deputy Mayor Rumbold asked if the \$100,000 that the Corp received from the Town was from the A fund or B fund. She asked what is going to happen to that.

Kevin responded the A fund.

Mayor Maher clarified that the Ambulance Corp is looking to purchase fuel from the Village.

Sue Hansen confirmed that they would like to purchase fuel from someone and came to the Village first. Not only will the Corp save money, but the convenience.

Kevin commented the only way this could be done would be to have a contract with them to provide emergency medical services to the citizens of the Village and in that contract the Village agrees to pay them, like the Town did, \$100,000 per year to provide services free to our citizens, but there is no provision for allowing a pass through of additional funds to that Ambulance Corp.

Deputy Mayor Rumbold asked if the Town is collecting our share through the A fund through our taxes through the town.

Kevin responded correct, but as of Dec 31 that contract will be terminated. He doesn't believe there is anything in the A fund except perhaps with the cost of the rig.

Sue Hansen confirmed the Town guaranteed the Corp's loan and they are changing it over.

Kevin commented other than that, there would be nothing now with the A fund going forward for 2012.

Deputy Mayor Rumbold asked if all money in the A fund has been expended.

Kevin responded it is his understanding that for 2012, there may be funds there guaranteeing the funds to pay for the rigs.

Mayor Maher clarified that the Ambulance Corp is looking for fuel. He indicated that the NYS Comptroller's opinion is that the Corp purchasing the fuel through the Village would be considered a gift since it is a not for profit and we are giving them this benefit, what is to stop other not for profits from taking advantage of it. That would still be our decision though if we wanted to take that risk and say we are going to sell you fuel anyway.

Kevin responded the Comptroller is saying in that case you would be violating the State Constitution that prohibits the giving of public funds to any private individual or private corporation.

Mayor Maher asked if we could try to put something together and look into it.

Kevin responded if the Board wants to investigate it, certainly.

Trustee Bowen commented it could be looked into to get more particulars. It might be opening a can for other non profits in the Village who could be looking for the same scenario.

Manager Revella responded we used to have our own fire department and when that broke off there were some issues initially.

Kevin responded the fire district is something different; that is essentially a municipally created entity. This is not a district, it is a not for profit corporation.

Mayor Maher responded he thinks there is a bit of a distinction because it is an emergency services organization.

Trustee Hoffman asked if there are any problems with it, no obstructions moving rigs around there.

Manager Revella responded logistically no, they would have a separate key for the pump, and it would be easily kept track of, just like the police department.

Deputy Mayor Rumbold asked if we know if that fund is totally expended every fiscal year.

Kevin responded he believes they budget that \$100,000 and it goes to the Ambulance Corp and the Ambulance Corp provides a service to the Town.

Sue Hansen responded the Town pays their workers' comp insurance of about \$40,000, they pay the ambulance payment of about \$40,000 and the rest goes for fuel and medical equipment and it's not enough to support the ambulances. That is one of the reasons why we need to bill.

Deputy Mayor Rumbold confirmed the rest of the money comes from donations.

Village Manager's Report

- obtained the holiday tree

- preparations for Main Street Event, electrical work & lights
- attended presentation on debt services and bonding at the Association of Towns meeting
- Met with Trustee Bowen and Treasurer re: accounting and finance matters.
- Leaf pick up concerns from residents – coordinated one additional leaf pick up, collected 20 Tons
- Correspondence with the Town on Code Red – go to VillageofWalden.org website to sign up.
- Went to Labor Law conference in NYC – assistance with negotiations on labor contract
- Went to Spence Engineering – drainage issues – will coordinate with the Village
- OCTC Executive Committee meeting – completed long range study; everything was approved.
- Continue to repair sidewalks and patching roadways
- Completed drainage projects at sewer plant
- Mayor, Trustee Bowen, Trustee Lown, Trustee Leonard, Rec Coordinator along with several youths from the area attended Youth Banquet that celebrated Orange County being one of the 100 best communities in the nation for youth.
- Wooster's Grove and Cherry Street buildings repairs continuing
- Lights are on at the Beazer Development; some lights are out in other developments – lamp heads have been ordered.
- Met with Village Planner to discuss Comprehensive Plan, hoping to have full draft complete before Christmas to go over in January.
- Met at NY School of Music regarding business enhancement.
- Yesterday he and Stephanie met with 5 area Buddhist Temples regarding a pilgrimage tour through our area and how we can help enhance it.

Trustee Leonard asked if there was any resolution to the billing for Code Red.

Manager Revella responded he will not approve payment for the two months we didn't have access.

Trustee Bowen asked if a survey was completed for the left hand turn onto South Montgomery St.

Manager Revella responded not a survey, but there is some concern. The curbing might have to be taken back some and some parking moved further up the road to make the turn wider. There will be some discussion later in the meeting.

Trustee's Committee Reports

Energy Efficiency Committee/DPW liaison – Trustee Leonard

Nothing to report

Treasurer/Clerk liaison – Trustee Bowen

Trustee Bowen commented he spoke with Peter regarding the enhancements with the vendors sending in their PO's directly. They discussed cutting back on sending out checks and paying electronically to save on postage and cost of checks.

Youth & Senior's Initiatives Committee/Library Board liaison– Trustee Penney

Nothing to report

Shared Services Committee/Police Dept. liaison – Trustee Rumbold

Nothing to report

Economic & Community Development Committee – Trustee Lown

Leadership Day Committee meeting last week, recipients were selected and will be passing the information to the Phelps family for the Sam Phelps Award. Leadership Day will be January 12; four awards will be given out. The next committee meeting will be held January 2nd in this room at 5:30. She thanked her committee. She announced the next Community Council Meeting is January 11th at Jacobowitz & Gubits.

Building Dept liaison – Trustee Hoffman

Nothing to report

Business of the Board of Trustees

Surplus 2004 Jeep Liberty

Manager Revella commented it is recommended to set a minimum bid of \$1500; it is a 4 wheel drive vehicle.

Trustee Lown made the motion to surplus the 2004 Jeep Liberty with a minimum bid of \$1500. Seconded by Trustee Leonard. All ayes. Motion carried.

Discussion Items

Property Tax Cap

Manager Revella provided a handout received from the Comptrollers office which provides a formula for determining a local government's tax levy limit. He discussed it with Peter, the Treasurer, and they agreed it is not necessary at this time to pass a resolution.

Winding Brook Pump Station

Manager Revella commented the minutes have been searched, but nothing definitive has been found.

John Queenan, Engineer for Lanc & Tully, commented the Manager requested the pump station be inspected. He indicated the pump station is a simple, duplex pump station. It is in fair condition and operating with no problems while he was present. He feels it is beginning to show its age, which is about 20 years old. He recommends at this time, with everything else going on with the Village's own pump station and our own problems with the collection system, to take another pump station on that is beginning to get to the end of its life, he does not recommend it to the Village at this time. He doesn't feel there is anything wrong with it at this time, it is functioning. He commented the Village would not be taking the collection system internally to the Winding Brook site. If there were problems with the pump station and there is a problem with the collection system, it would need to be coordinated with the Homeowners Association. It doesn't work to take the most expensive part of the system. He can not recommend the Village take the pump station.

Mayor Maher read minutes from 12/10/1997 and January 1998.

Kevin commented in 2000 when Jim Politi was the manager, there was a report from Andy Barone when he was the Engineer who did the inspection and looked at maintenance records. Every couple of years, the request is made.

Mayor Maher commented the concern is a Board trying to bind a future Board by saying they will take it on. A Board member or a Board or something in the minutes saying they would take it on has not been found.

Trustee Bowen commented he would not consider taking it based on John's recommendation.

Kevin clarified that this Board is not bound by prior commitment of the previous Board, because the Board never took the pump station.

Trustee Lown asked to set a time limit for the researching of this, next meeting.

Speed Issues

Manager Revella commented the Chief is available this evening. We did some speed checks and traffic counts on First Street, Oakland Ave and Alfred as well.

Chief Holmes commented since summer we did some road counts as well as speeds counts to determine where we can enforce traffic better. This past summer we did Oakland Avenue, First Street and parts of South Montgomery St. We would base the times we would go out on peak traffic times. There are other areas as well. It has been discussed using road humps to slow speeders down. There are positives and negatives associated with the road humps. He checked with the Town of Newburgh Supervisor, since they are using them in 3 different areas. The Town Supervisor indicated there are two issues, people driving around the humps and providing proper signage. There is a concern from the DPW and plowing, but as long as the plow operator is doing the speed limit, there is no problem. He believes the road humps are effective in slowing traffic. Chief is convinced we can try it and it is recommended to build them into crosswalks. He researched the negatives online which stated not to put too many in one area. He indicated the Department is going to do some road checks and counts on Wileman.

Trustee Leonard asked the cost of a road hump.

Manager Revella responded it would be the cost of asphalt. The width and height standard would need to be determined.

Chief Holmes commented these are not portable and he would not recommend the portable ones.

Trustee Hoffman recommended keeping an eye on drainage.

Manager Revella responded it would work in the Village because we have curbing.

Trustee Penney asked if one was put on Alfred, then everyone would avoid Alfred and start doing it on Sunset and Donner.

Chief Holmes responded that is a complaint the Town Supervisor has, everyone wants one on their street and you can't.

Deputy Mayor Rumbold asked the Chief to address the Orange Avenue/Main Street intersection.

Chief Holmes provided his recommendation in the packets. He has recommended putting an officer at the intersection of Rt 52 by McKinley Monument. While you're out there, you are doing car counts, counting so many cars from East Main St and so many from Rt 208, but you're still at the mercy of the traffic light. The good thing that comes out of it is preventing encroachment of the intersection. A part time officer could be used for maybe 4pm-6pm; usually a part time officer is on for 4 hours minimum. When foot patrol is assigned, we can schedule that officer to come in at 4:30 to be out there for 5 o'clock to prevent the intersection from jamming up. We can direct our c-line (4-12) officers periodically to go out and make sure the intersection stays clear. Those are some recommendations; it would need to be addressed at next budget. This will only stop the encroachment on the intersection; it will not clear up the whole intersection or speed up the traffic any more. We should sit down with DOT to go further. At one time there were questions about putting a light at McKinley or at Valley. That would be the next step.

Manager Revella commented the NYS Department of Transportation and other organizations in the County are well aware of the issue of Rt 52 and Rt 208; it was one of the focal points of their investigation of the long term study. They do recommend further study by the DOT. It was discussed, the possibility of continuing the truck route that used to exist from Grant to Elm to alleviate some of the concern.

Deputy Mayor Rumbold asked if there has been an increase in traffic, where are the cars coming from, it seems to getting worse.

Manager Revella responded there is a slight increase in traffic, but he also believes the synchronization of the two lights would help some of it. There are some cars that block the box and it has been discussed with the Chief. He spoke with the traffic engineer to come out and look at the lights and one recommendation was to put turn arrows on the synchronized lights.

Deputy Mayor Rumbold asked if the left turn off Route 52 onto Route 208 was addressed.

Manager Revella responded yes, it is in the study, but they don't have a solution yet.

Chief Holmes commented one thing discussed with the Manager was roadway markings to mark the box, like in NYC.

Trustee Bowen asked if the police would enforce it and ticket someone in the box.

Chief responded a local law would be needed or we could write tickets for blocking the intersection.

Deputy Mayor Rumbold asked what the timeframe is for the next phase of the study for DOT.

Manager Revella responded he did not know, but will ask.

Trustee Bowen asked what the peak time is, 3pm-6pm.

Chief Holmes responded 4-6pm; except maybe on a Friday. He indicated that on foot patrol days, he could have that person come in a little early.

Deputy Mayor Rumbold asked about the DOT study of that intersection and if the traffic counters were used.

Manager Revella responded yes, the report is on the Orange County Planning website. Traffic counters were used on Scofield as well.

Mayor Maher asked when this could be started.

Chief responded he will take a look at the foot patrols. It wouldn't be done on Saturday's since it doesn't seem to be an issue; we will start with Fridays.

Trustee Leonard recommended do it for a while, then review and see if it's working before we commit to budgeting.

Manager Revella noted that the monthly overtime has been significantly lower from last year's numbers.

Healthy Orange

Manager Revella commented the Orange County Dept of Health is recommending healthy options in our vending machines or places where items are for sale. They would like to see water as an option in a soda machine and a low calorie/low fat option in a snack machine. We do provide these options in our vending machines.

Mayor Maher asked if they are looking for a proclamation.

Manager Revella responded it is a campaign and if the Mayor would like to designate someone from the Board to work on it that would be helpful.

Mayor Maher asked for a volunteer to be a liaison to the OC Dept of Health.

Trustee Lown volunteered.

Deputy Mayor Rumbold commented the government needs to keep their noses out. She can't understand how toxins are allowed in the water and they call it fluoride but they are worried about someone buying a pepsi. She commented we offer choices in our machines and feels we are adults, the coin thing is high enough to prevent a child from purchasing themselves.

Mayor Maher commented the proclamation itself is just to encourage healthy options.

Deputy Mayor Rumbold responded we have healthy choices in our machines, we don't need a proclamation.

Public Comment

Lynn Schwandt, 143 N Montgomery Street, commented the rail trail is splitting again. She asked about the fire company having a money drop at the corners by the traffic light and if her cancer team could do it.

Manager Revella responded regarding the rail trail that the guys were working on the branches but the Town is waiting for the FEMA money to do the repairs. He responded regarding the money drop to discuss it with him after the meeting; he can not say yes or no.

Lynn commented regarding the pump station at Winding Brook that the alarm goes off all the time so if the Village took it over it would be a lot of problems. She asked Brian about a few meeting ago and his making a motion to fire Kevin Dowd and the vote was 3-3-1 and he made the motion to fire him again and the vote was 3-3-1 again. She asked why he wanted to fire Kevin right then and there.

Mayor Maher responded it wasn't a me thing, it was a group Board discussion. We had a discussion, came to a vote, the vote went the way it went and we are all working together now for a better future and that's what we are concentrating on.

Lucille Raymondo, 200 Orange Avenue, commented about speed on Route 208 in front of her house by the Glass place. She indicated there are cars that are stopped to make the left turn into Guardian or the glass place and the cars behind are very impatient drivers. Drivers hit that bridge and they hit the gas, they are laying on the horn, swerving around the cars that are stopped. They've hit her mailbox twice. Cars coming into the Village don't slow down until they get to Old Orange Ave, coming up over that bridge. She asked if an officer could be placed there or a traffic counter could be put there; it is getting worse. She indicated her house is the only one that opens onto Route 208; the others come out onto Old Orange Avenue. She commented that one of these days there will be a head on collision in her driveway.

Manager Revella responded that is an area the police try to focus on during patrols; they try to get there as often as possible. He indicated DWI stops are near there and he agreed it is definitely a problem.

Greg Raymondo, 200 Orange Avenue, agreed it is a problem and it has been a problem forever. He commented he has a large collection of hubcaps. He commented when there is a school bus stopped over the bridge it is not visible from the other side of the bridge. Cars entering do not see the stopped bus and there is screeching tires and beeping horns as soon as the kid crosses the road, they want the bus to move. The police are very aware of the problem. He indicated that maybe the speed limit sign is too small. He asked everyone how fast they drive through the Village of Montgomery, if anyone dares to go over 30 mph. He asked how can we educate the Village of Walden to do the speed limit. He likes the idea of the speed humps and realizes it's not just himself and his wife complaining.

Becky Pearson, 167 Walnut Street, asked if we have a Village Planner and who is it.

Mayor Maher responded Alan Sorenson has historically been our Village Planner. He didn't believe we have used any other Planner.

Manager Revella responded we have been using him to do some edits; he has the documents on his computer, it's cheaper and faster. We've also had a lot of incite from Orange County Planning Dept.

Becky asked how he gets paid and asked what his salary is. She asked if we have a contract with him.

Manager Revella responded he doesn't have a salary; it's as a consultant. The hourly rate could change depending on the job. He didn't believe we have a contract with the Planner.

Becky indicated the Comprehensive Plan Committee had some discussion regarding a planner and wanted to see a new set of eyes. She recalled Ed and Sean being in on that discussion. She asked who made the decision to go with that Planner and how would he be paid and where are the funds were coming from.

Mayor Maher responded the Manager has been using who we've been using; it is his discretion.

Trustee Bowen commented if Becky has a recommendation, it would be advantageous to bring that person's documents in or introduce him to John.

Becky responded she doesn't have anybody, but it was discussed at the Comprehensive Plan Meeting possibly getting new eyes to look at it. She was surprised we are using somebody we already had.

Trustee Hoffman commented it was discussed at the last Comp Plan meeting and right now the Planner is really on a limited basis; going over the old plan and reviewing it.

Trustee Leonard commented we had a lengthy discussion about how we could get County Planning or how we could get someone to do some volunteer work or pro bono, which hasn't worked out. He thinks the Committee is stalled because we've gone through the Plan; John wanted to move things along so he brought in Alan to get things moving since it's been quite a while since we had the last meeting. Alan does come in with a lot of information on this Village.

Manager Revella responded there is nothing preventing us from obtaining another consultant if that comes up in the near future. His goal was to get a draft together for January.

Becky responded she was just hoping for a new set of eyes. Looking to see something new, another direction, sometimes when you have the same people doing the same thing, the results are the same.

Trustee Hoffman commented the task of the Comprehensive Plan is to take a second look.

Mary Ellen Matise, Clinton Street, commented she is happy Chief Holmes is considering road humps and having someone direct traffic at the Rt 208 and Rt 52 intersection. She asked if Albany Avenue can be added to the list for possibility of a road hump. She commented she's been catching comments about Cross Street now being one-way and she recommended considering removal of the no left turn at the top of Oak Street onto

North Montgomery Street. She applauded the ambulance corps for breaking the contract with the Town; she feels the Town has been doing everyone an injustice. She commented that on several occasions, the Town Board has been told they support the Ambulance going to a billing system and we wanted the issue with Medicare resolved, but it had no effect on the Town's contract. She commented that no past Board can bind a current Board but it is for the benefit of our citizens.

Dave Sperry, 12 Overlook Terrace, commented the one way street sign as you come from South Montgomery Street is confusing. He asked if there was a study done on that intersection and if a fire truck can make that turn.

Manager Revella responded changing that one way sign has been talked about. He indicated the fire trucks have made that turn before because Cross Street is not wide enough.

Dave commented the lights on Main Street are terrible; the ones on the bridge have never worked either. He commented that Lanc & Tully gave their recommendation on the pump station and this Village should not accept any private work that was done unless it is 100% and up to today's code, not from the 60s, 70s, 80s or 90s. He commented over the past couple of months, there have been many kids hanging around on Main Street. He asked if there is a loitering law. It is starting to deter people from entering those businesses and it's stopping the flow of pedestrians.

Mayor Maher responded there was a meeting with the business owners and it was good for a few weeks. The problem is the business owner; sometimes it's the business owner standing in their own doorway. The sidewalk is public and not owned by the Village and we get in trouble even moving people along. Unfortunately, that is the case.

Dave recommended passing a loitering law; otherwise we'll be driving businesses out.

Mayor Maher responded we tried it.

Manager Revella responded we can't do a loitering law, most have been rendered unconstitutional; we have been getting business owners to sign on to a no trespassing system that the police dept has helped with. It has helped with the gas stations, but since there really isn't a front yard in front of these two properties, the kids are on public property.

Dave commented it has also affected the businesses on each side.

Trustee Lown commented it also affects the traffic.

Dave commented way back there was a traffic study in front of Walden Federal and there used to be a turning lane, and it was done away with since it was blocking up traffic. He doesn't know if adding more red lights will help. He commented people go slow through Montgomery because it's not a main road like Rt 52 and 208 are. He can't foresee anything to fix it. He commented the Christmas tree looks spectacular this year and commended everyone that worked on it.

Debra Hansen, 30 Richardson Street, thanked the Board for listening to the request of the Town of Montgomery Ambulance Corps on behalf of the 70 volunteers that spend thousands of hours providing emergency medical services.

Becky recommended putting an officer to direct traffic at a time when school is in since maybe there is more traffic during those times.

Approval of the Minutes – November 22, 2011

Deputy Mayor Rumbold moved to approve the minutes from November 22, 2011. Seconded by Trustee Leonard.

Trustee Lown commented she has a severe problem with the timeline of the minutes. She can not read minutes that were given to her at 2:30 in the afternoon and be prepared to vote on them in the evening. There has been three weeks between meetings this month. She realizes there is an obligation to our residents.

Kevin responded draft minutes should be available in 14 days.

Trustee Lown recommended Lori shuffle the priorities of her job responsibilities.

Lori responded she will work on that.

6 ayes, 1 abstention by Trustee Lown. Minutes approved.

Payment of the Audited Bills

Deputy Mayor Rumbold moved to approve payment of the audited bills. Seconded by Trustee Bowen. All ayes. Motion carried.

Correspondence - none

Miscellaneous Comments from the Board of Trustees

Trustee Leonard asked Manager Revella to update the public on 14 Northern Avenue.

Manager Revella responded that according to Dean's report, he advises he has been in discussion with the County and they have an investor that will purchase the property and renovate the exterior and interior. The Orange County Legislature will vote on it tonight and hopefully it will be approved so work can start immediately. If not the County is willing to get an environmental company in to abate the mold issue.

Trustee Leonard commented that Hidden View sidewalks look very good.

Trustee Bowen commented the Montgomery Youth Movement is doing a Youth Evening here in the Bradley Room on Saturday. There will be a movie with burgers and fries; all free.

Deputy Mayor Rumbold clarified no food is allowed in this room.

Trustee Bowen confirmed the food will be downstairs.

Deputy Mayor Rumbold commented Christmas on Main Street was a great success and the Historical Society's Tea was wonderful. She asked if there was a reading comprehension issue with the garbage company, since the garbage cans are in the street again.

Manager Revella responded Marissa Ellis is our marketing director and she's speaking with the Forman, Mark in the morning to give the Manager a response before noon. He doesn't expect the response to be something that alleviates our concern, so if the Board wants to make a recommendation to Kevin to send them a letter regarding the contract issue.

Trustee Leonard supports it.

Mayor Maher supports it too.

Deputy Mayor Rumbold commented she supports it too, but how many letters are we going to send or how many phone calls are we going to make. She was driving down Highland, the garbage man threw the pail and it was rolling in the street. She stopped and asked him to pick up the can in the street. As she continued down, she noticed they were all in the street, so she called the Manager and Dean. She asked what is our recourse.

Kevin responded we have to go back to the contract. They have to be put on notice that it is unacceptable and at some point in time we have to think about terminating the contract. We have to have someone prepared to come in to pick up the garbage and put the bond company on notice that we are going to take the bond. We need to make sure we are on firm ground to cancel, firm ground to grab the performance bond and firm ground to have someone available to collect the garbage.

Manager Revella commented he thinks at this time we have sent them notice of the garbage can issue previously and we are in a position to fine them. He thought a letter had been sent.

Kevin responded no, there was another meeting instead.

Deputy Mayor Rumbold commented she finds it hard to believe we don't have a plan b. It has been a constant issue.

Manager Revella responded he never said there wasn't a plan b.

Trustee Lown thanked the wonderful DPW, the Rec Dept, the Fire Dept for bringing Santa, the Police Dept, the WBA and the Community Council and all the local businesses that participated in the Christmas on Main Street event. She agreed the tree is absolutely stunning. She reminded everyone about the fireworks New Year's Eve at 7pm at Olley Park. She commented how exciting it was to attend the Youth Bureau dinner where 2 years in a row we have been voted one of the 100 best communities in the nation for youth and every year they add more and more communities so it gets harder to get on there. It was exciting to hear the kids describe their experiences. On a personal note, she thanked everyone for their support and kind words on the passing of her grandmother. She wished everyone a Merry Christmas and Happy New Year.

Mayor Maher wished everyone a Merry Christmas and a Happy New Year. He thanked the Walden Women's Club for the pictures with Santa.

IWS

Mayor Maher made the motion for Kevin Dowd, Village Attorney, to write a letter to Interstate Waste Services. Seconded by Trustee Bowen. All ayes. Motion carried.

Executive Session – Property Purchase, Personnel PD, Recreation & Parks

Deputy Mayor Rumbold moved to go into Executive Session to discuss property purchase, personnel PD, Recreation and Parks. Seconded by Trustee Bowen. All ayes. Motion carried.

NYSEG Easement

Trustee Bowen made the motion to approve the NYSEG easement. Seconded by Trustee Leonard. All ayes. Motion carried.

Reconvene

Deputy Mayor Rumbold moved to reconvene the regular meeting. Seconded by Trustee Lown. All ayes. Motion carried.

Adjournment

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

**Village of Walden Board of Trustees
Regular Meeting
December 13, 2011
Motions & Resolutions**

Surplus 2004 Jeep Liberty

Trustee Lown made the motion to surplus the 2004 Jeep Liberty with a minimum bid of \$1500. Seconded by Trustee Leonard. All ayes. Motion carried.

Approval of the Minutes – November 22, 2011

Deputy Mayor Rumbold moved to approve the minutes from November 22, 2011. Seconded by Trustee Leonard. 6 ayes, 1 abstention by Trustee Lown. Minutes approved.

Payment of the Audited Bills

Deputy Mayor Rumbold moved to approve payment of the audited bills. Seconded by Trustee Bowen. All ayes. Motion carried.

IWS

Mayor Maher made the motion for Kevin Dowd, Village Attorney, to write letter to Interstate Waste Services. Seconded by Trustee Bowen. All ayes. Motion carried.

Executive Session – Property Purchase, Personnel PD, Recreation & Parks

Deputy Mayor Rumbold moved to go into Executive Session to discuss property purchase, personnel PD, Recreation and Parks. Seconded by Trustee Bowen. All ayes. Motion carried.

NYSEG Easement

Trustee Bowen made the motion to approve the NYSEG easement. Seconded by Trustee Leonard. All ayes. Motion carried.

Reconvene

Deputy Mayor Rumbold moved to reconvene the regular meeting. Seconded by Trustee Lown. All ayes. Motion carried.

Adjournment

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