

**Village of Walden
Board of Trustees Regular Meeting
June 17, 2014**

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	Bernard Bowen
		Willie Carley
		Sean Hoffman
		Edmond Leonard
		Gerald Mishk

Absent:

Also Present:	John Revella, Village Manager
	Tara Bliss, Village Clerk
	Dave Donovan, Village Attorney

Introduction of new Village Employees

Manager Revella introduced and welcomed the following new Village employees: Lawrence (Jamie) Williams, Motor Equipment Operator for DPW, Shawn Salyer, Laborer for DPW, and Marisa Kraus, Full Time Deputy Treasurer in the Village offices.

Sgt Herlihy introduced and welcomed the following new Police Department employees: Michael DeFrance, PT Police Officer, Kevin Greany, PT Police Officer, and Larry Senn, PT Dispatcher. There is one more PT Dispatcher Craig Dudas who couldn't make it tonight but will be introduced at a future meeting.

Presentation – Genting Resorts World

Trustee Hoffman recused himself from the presentation and any discussions making this statement before leaving the room:

“I am publicly recusing myself from Board discussions, deliberations and voting on the resolution of support for the proposed Stewart Airport Casino. In my professional capacity as a consulting engineer, a municipal client of my firm is considering whether to support an application of a competing casino. I have discussed my personal situation with the Mayor, Manager and Village Attorney and, although a conflict of interest does not exist per se, and my ability to make impartial decisions in the public interest is maintained, I believe my participation in discussions could be perceived as improper. As such, I will remain in audience as the Board considers and this matter.”

Kevin Jones, Deputy General Counsel for Genting Americas Resorts World, presented information about a proposed project for the Town of Montgomery. He stated they were excited about it and looking forward to possibly being in the Town. The company is a

global company and he is counsel for Genting America which includes properties in Miami, Bahamas, Massachusetts, New York City just outside of LaGuardia Airport, and Las Vegas. This company has the ability to have a high quality of employment. In November 2013 the State amended the constitution of NY to permit casinos that are not on Indian Reservations and excludes NYC. The process to date is such: in order to be a bidder in this Economic Development Project you had to put down a \$1 Million application fee which they submitted in April 2014 just to be able to move forward. Now they are at the point where they will be submitting a bid due by June 30, 2014 for each bidder that wants to compete for a license. In the fall they are expecting NYS to award the licenses. 24 months after licenses have been awarded construction must be completed and the facility operational. They are not sure if all 4 counties will be granted the licenses or not. Albany and the Finger Lakes are anticipated and then 2 other locations that are highly competitive are what they are currently applying for. Genting has 58,000 employees with 40 years of experience operating Integrated Resorts under the Resorts World brand. NYC was opened in 2011 and over \$1.2 billion has been generated for state's education fund within 2 years. 80% of the work force is local and are the highest paying employer in the gaming industry in the world. Minimum wage is \$22 per hour, which is all union work and all with full benefits. They already have a collective bargaining agreement with the union that includes this project as well. They are highly invested because they believe that NY is at a cross roads at this point and Montgomery is the "Transportation Hub of the Northeast" which is ideal for this project. The proposed location is off of Interstate 84 in between 17K, Maple Avenue, and 747 encompassing 275 acres of land where they are proposing to build the project. They just found this location 2 weeks ago and quickly moved on the property. To mitigate traffic they have already said they are willing to commit to \$25 million to pay for the entire project to have a direct entrance to their facility from I-84. There are 2 separate projects proposed, one in Tuxedo and one in Town of Montgomery. They feel they are the only company to submit 2 bids and feel that both bids can complement anything else in the State. Tuxedo is its own project and comes with its own separate set of issues that they are working on. They think their project will stand above all others in the state. The Town of Montgomery project will also stand above all other bids submitted in their opinion. Tonight he is not asking for the Village's approval of the project. He is only asking for a resolution for support which allows them to take the next step to be able to submit a bid and begin submitting paperwork to get it started. They would like to invest a few million dollars to move forward with the project. He presented a rendering which included a casino, hotel, and gardens. He recently got confirmation that it is extremely important for economic development and he is pleased to report it will include an indoor water park as well. They would like it to be a true destination resort and this feature will aide in that. The entrance would be from I-84 directly to mitigate traffic concerns. A big investment is required to make that happen but they are committed to it. The inside would have a full nature exhibit including live animals and a butterfly garden. The benefits to the community are local construction jobs, significant investment well above the minimum required, and it would be built in accordance with LEED (Leadership in Energy and Environmental Design) standards. They anticipate more than \$500 million in investment in this project. They are committed to public safety including a sophisticated security system with cameras, facial recognition, and license plate readers. They will reimburse the Town of Montgomery for all public safety costs including emergency services such as additional fire equipment, police equipment and man power needed to handle the new development. They have already offered additional security to local neighborhoods in the area if they so choose at Genting's cost to make them feel safer. He has met with Chief Amthor as well as the Coldenham Fire District already to discuss their needs. Projected economic growth

will bring \$7 million per year in gaming tax revenue in addition to property taxes. These funds can be used however the Town chooses. If they get Walden's support they would then move forward with the paperwork required for the project proposal. They already have the unanimous support of the Town of Montgomery. This project will bring 2,500 careers and the average salary will be \$50,000 with benefits for full time employees. It would also bring over 2,000 construction based jobs separate from facility employees. This will mean approximately \$13 Million a year in school tax revenue that could be used for full day kindergarten and full support of extra-curricular programs. They are committed to binding themselves to say that this amount is the floor and would only go up from there, not down. This project would bring an exorbitant amount of revenue to Orange County, Town of Montgomery, Valley Central School District and would be in addition to the \$7 revenue sharing. The next step would be to build a finalized financial term sheet so they can see that they are legally bound to provide the financial support, submit the bid by June 30th, and then do a host community agreement. Tonight they are looking for support but this is just a preliminary step in a long process. Each Village reached out to them and said they had projects that they are looking for funding for and Genting would like to come to an arrangement to help with those projects. Genting would like to start at 30% financial support. They would be guaranteeing \$1 Million to each Village to use as they would like in addition to all the other revenue previously discussed. They would also be willing to advance the monies before the facility is even up.

Deputy Mayor Rumbold asked if they were aware of the Town and the fact that there are 3 Villages within the Town. The Villages will have to deal with their own security issues that trickle down to the other areas. The add equipment add officers \$1 million doesn't go that far when you look at it. How long do these agreements go for?

Kevin replied that the license is for 10 years and land access for 70 years. They have never shut down a facility. Also to clarify that \$1 million is in addition to the Town monies which does include the Villages for emergency services. They will fully fund any additional emergency services.

Deputy Mayor Rumbold asked which fund it will go to the A fund or B fund.

Kevin stated he can't bind the Town but can say that they will be providing the money to the Town, what they will do and then the stake holders will determine how that will be divided up.

Deputy Mayor Rumbold stated that it all sounds wonderful, the money sounds great, we need an economic boost and jobs but her concern is places like Dynege who is not there anymore. She thinks about Sullivan County but some of the resorts in Sullivan are gone now and the areas are devastated. She doesn't want us to be romanced with this prospect and the money is flowing we get used to certain things, you forget where you came from, and begin living outside of their means. People will get mesmerized by this and forget about that rainy day fund. There is always a first time for anything. Why is this going to be more attractive then something closer to NYC how do we know it's not going to run dry?

Kevin replied that the NYC facility is theirs and the only one in NYC and they have plenty of room to expand there. They can develop something when NYC expands and still have this project as well. They are one of a kind and other companies can't build one that could be as successful as their company can. More experience, more investment dollars you

bring the more likely you are to have the benefits that they are coming here to legally bind themselves of providing.

Mayor Maher stated that though you stated this isn't for approval of the project, we can't minimize that this is an important step that you need to be able to move forward. 72% of the Village of Walden voters voted yes when they thought it would be in Sullivan County, but might vote differently if they knew it would be here. NYS aide, based on the current formula from what he read there doesn't seem like there is any kind of exemption that would make that NYS Aide go down. The state is committed to not lowering the revenue was a statement you made at the Town of Montgomery.

Kevin replied that the state has stated that they will not reduce the state funding formula just because a region got a casino. That doesn't change at all. VCHS thought the same thing and they verified that on their own as well.

Mayor Maher continued that he said he would not want a pilot but they challenge and go on a Tax cert. Is that something you will do?

Kevin replied no, they don't want a pilot now or in the future.

Mayor Maher stated that this was a great presentation but to get out of the bubble we need more resources. Some people will have good intentions but some will have bad intentions. Already committed to providing us with our means and he's going to hold him to that. Tuxedo why is it that they needed a second site as opposed to just having Tuxedo site.

Kevin replied they don't need a second site but they can't read the minds of Albany. Tuxedo is hands down the highest revenue potential site in the state because it is in an area where you can directly target high end dollars there. But to compare to Ulster we are talking 10-12 times the amount, like nothing the nation has ever seen. Not sure if the state will do that or not and may say they want a project that compliments Sullivan, or they may say they want a project closer to the Villages here that need the economic development. They may say that but he is happy to front run the best possible project.

Mayor Maher stated that no one has a clue what that number will be for the 80% of total gaming to go towards education. Do you have an idea? Ballpark number?

Kevin replied that 5% of the number goes to OC and Town of Montgomery which comes to \$14 million. So take \$10 million as the rough number which is 5% so that gives you a sense of the number. They anticipate getting tax revenue of \$51 Million out of OC and not taking into account a project like theirs.

Mayor Maher asked about Stewart Airport and possibly building off an MTA spur and building up the airport which we do need but wish it wasn't with a casino. Can you talk about the rail conversations you've had.

Kevin replied that we are not in the flight path and have not had conversations with them but DOT has suggested that and they will be excited and very willing to fund things that would specifically enhance the transportation here. They have a fleet of aircraft that would benefit from the Stewart Airport relationship and begin to develop it further.

Trustee Bowen asked there would be live tables at this location and there is only 1 casino in NYC at this time.

Kevin replied yes.

Trustee Bowen asked if the one in Yonkers is considered outside of NYC.

Kevin replied yes and it employs 17,000 people and is the largest in the state of NY. They currently have 1,000 but had to adjust an increase for salaries. In 10 years all 4 facilities would have to authorize more casinos and has a 5 year moratorium.

Trustee Leonard stated that other applicants said they will build the facility and hire outside firm to run it. Do you do that?

Kevin replied, no we build and operate the entire facility, we are different than other applicants in that manner.

Mary Ellen Matise, 21 Clinton Street, asked about the cemetery and see that they are taking the option on the Colden Farm. How will you protect the cemetery?

Kevin replied that their development doesn't go up that high, it only goes to the first few houses and then turns totally to the east. Buffer of at least 500 feet of the cemetery.

Mary Ellen confirmed that they would own the parcel up to 17K, the parcel surrounding the cemetery. She asked if part of the host agreement would be to help us protect it, it belongs to the Colden family and are trying to protect the ruins at Colden house.

Kevin stated he would be happy to include that project at the Town and Village levels. Could do a host of different things with \$20 million.

Brenda Adams, 31 Valley Avenue, asked about the conversation about money to the school district and paying jobs. She presumes they are looking for skilled labor and we have a lot of undereducated and under skilled people in this area. For our area to develop we would need to have resources to educate the local people so they could attain these jobs. You would most likely get people outside our community that have those skills. We would want people to have opportunities that you probably won't even look at.

Kevin stated that most employees are entry level including valet parkers and security. Most people don't have college degrees, they have high school diplomas or equivalencies. They will have access to these types of jobs. They are partnering with Orange County Community College to have a training program in order to train these people. Most effective programs, study after study has shown, are the ones that have the real jobs at the end of these types of programs.

Mary Ellen asked the Tuxedo proposal included the 17 interchange off the Thruway.

Kevin replied that the 15B interchange was approved in 1985 but wasn't built because they didn't have the money for it. In 2000 they did a study and came up with a plan that would take 15 acres of park land. Our experts reviewed that and found that it will take less than half an acre to complete which is part of the proposal.

Nanette DeGroat, 80 N. Montgomery Street, asked if in 10 years does anyone know if the state will allow more of these things to come in. If so, what will the impact be if we have more opening in NYS?

Kevin replied that in 10 years if the state proceeds and allows a facility in NYS they would surely try to expand that facility. He is happy to guarantee that the expansion would still have a guarantee of a 10 year of operation.

Nanette continued that there is a large project in the Village recently at Oak Street and the paving company that came in came from Plattsburgh and seeing that was annoying as she would have liked to see a local business get that contract but they weren't given the opportunity. Local works is great but what kind of insurance do we have that local companies would get that type of business from you.

Kevin replied that the day after they got the support from Town of Montgomery they arranged to move into the facilities of the guy that was at that meeting. They moved into the office space yesterday and hired a number of local firms yesterday that are in the room today. There are at least 5 professionals they have hired above and beyond the places that they have originally planned to hire so if there is someone local that isn't hired for paving or something like that, it won't be for a lack of trying.

Nanette asked if after 10 years the host agreement expires.

Kevin replied no, it goes with them for as long as they are operating.

Nanette asked if there would be discounts for Town of Montgomery residents.

Kevin replied they will most like instill a point card for Genting and for use in local restaurants etc. They want local businesses signed up to use those points.

Manager Revella commented that it's natural to be skeptical of a project like this. Seems too good to be true, but can we afford to say no. How often do opportunities like this come across our table? What do we have going for us in the next 10-15 years? What other alternative do we have forthcoming. Personally he likes the opportunity of the internships for local schools with the facility and hopes it comes to fruition. Whatever company wins the bid it would be great for our county. He likes partnering with local businesses and getting support from residents. One question he had was about the host agreement, you said it stays with you, so, if you sell what happens.

Kevin replied they are not able to sell without another licensee stepping in to operate as a licensed operator and the state would require them to continue that host agreement. But again, they have never sold a facility and have never shut down a facility, you would have the benefit of host community agreement from them and if beyond them would be a requirement.

Dick Casper, 131 South Montgomery Street, asked about the history and getting the approval from the Town Planning Board. They have dragged their feet on more projects. Will they cooperate and give you adequate time to accomplish the project in the required time period.

Kevin replied that is a fair question and what they do is they will do an analysis of how long it will take. What they like about that property is that there was a prior EIS which is the last step to get permits for your site. We can update the EIS which puts them a year and a half ahead of the project and far ahead of other bids on this project.

Deputy Mayor Rumbold commented that if this passes and the majority supports you she implores him to remember that it is a Town with 3 Village within it. We feel like step children in it at times, but we have our own services and our own budget. Just remember us. We are here too, our citizens are important and we are important. We each have things to offer people that come to your facility.

Mayor Maher echoed her words and encouraged him to get to know everyone.

Trustee Mishk made a motion to approve Resolution 3-14-15 in Support of the application to develop and operate a destination casino resort on land located adjacent to NYS Highway 17K in the Town of Montgomery by RW Orange County LLC. Seconded by Trustee Bowen.

Roll call was taken:

Trustee Mishk – Aye.

Trustee Carley – Aye.

Deputy Mayor Rumbold – Aye.

Mayor Maher – Aye.

Trustee Bowen – Aye.

Trustee Leonard – Aye.

Trustee Hoffman recused himself from any deliberations.

6 Ayes, 0 nays, 1 abstention. Motion carried.

Kevin thanked the Board and announced that they have offices nearby located at 469 Route 17K and anyone can stop by with any concerns or questions, no appointment necessary. He looks forward to putting together the best bid in the state.

Trustee Hoffman re-entered the Board room.

Hearing – 33 North Montgomery Street

Deputy Mayor Rumbold made a motion to clean up the debris at the property of 33 North Montgomery Street and charge the property for any costs associated with said clean up. Seconded by Trustee Carley. All ayes. Motion carried.

Hearing – 13 Windrift Lane

Dean Stickles stated that the property is being cleaned up today and should be done tomorrow. No need for a hearing today.

Village Manager's Report

- Finished interviews for summer employment. Beach opened today at Olley Park.
- Continuing to work at well 6; waiting for pump to come up.
- Deputy Treasurer position interviews were completed and hired as you saw tonight.

- Engineer reviewed 32 Overlook which is off the agenda now as they came to an agreement with the owner for shed placement.
- Punch list for Hannaford was reviewed with Dean. They did open and doing well, wish them all the best. The whole shopping area is revitalized. Minor things that need to happen still but for the most part they are all complete.
- They reviewed lawn maintenance with the Code Enforcement Officer and the Recreation Coordinator.
- Attended a Human Resources seminar with the Clerk in Middletown
- Went over the new hires with Chief Holmes and some grant applications for this year as well.
- Did get the speed hump placed on Oakland Avenue. Still have a little bit of striping in that area to do. If it works out we'll likely put in additional ones in that area. Check out that area.
- Contacted via letter residents in the areas for sidewalk improvements. Meeting on Thursday to address concerns of residents in the Highland area.
- Police Department issued 22 citations in 3 hours in the buckle up NY effort.
- We are now taking credit card payments for taxes.
- The Library got a grant for \$38,000 for building improvements. Trying to help them get their other capital reserve to match the grant for the work they want to do.
- Flag football practice begins tonight. Summer camp registration is ongoing. Entrance signs have been installed, still have to put in landscaping and paint the posts. SYLA registration is up and being accepted. The movie in the park went well and had about 290 attendees. Local business donated refreshments which was great.
- Farmers market begins this Thursday.
- Building department has been very busy with permits, there is a lot of activity in the Village which is a good sign of the times.
- New gas station going in on Main Street will be a Sunoco station.

Deputy Mayor Rumbold asked about the status of the Ulster Avenue sidewalk project.

Manager Revella replied he received the DOT response today with their comments about our application that was sent in months ago. One comment is that our time schedule is off along with some other minor comments that our Engineer is responding to. It is budgeted for 2014 federal fiscal year. Head of DOT said won't be lagging on their end. Not sure the exact dates, September of 2014 to August of 2015 is when the funding is available according to them. We projected this year as we had our stuff in that long ago.

Deputy Mayor Rumbold asked what the duration of the project would be.

Manager Revella replied less than 2 months.

Approval of the May 20, 2014 and Special Meeting June 13, 2014 Minutes

Deputy Mayor Rumbold made a motion to approve the May 20, 2014 and the June 13, 2014 Special Meeting minutes. Seconded by Trustee Hoffman. 6 ayes, 0 nays, 1 abstention (Trustee Carley). Minutes approved.

Approval of the June 3, 2014 Minutes

Tabled.

Trustee's Committee Reports

Town of Montgomery & Library Board liaison – Trustee Leonard

Trustee Leonard stated the Manager gave the Library report in his report.

Village Clerk & Village Treasurer Liaison – Trustee Bowen

Trustee Bowen reported that moral is up in the office with new employee and new payment system. Doing an update on the budget transfers tonight.

Police Department Liaison – Deputy Mayor Rumbold

Deputy Mayor Rumbold reported that summer is coming along with vacation time, inform Police Department if you are out of town and they will do drive bys to check on your residence. Traffic studies in various areas around the Village to see what the traffic is like in those areas to see if we need to address issues in those areas. Been busy working on National Night Out. Had meeting 6/12 and August 5th is the date of the event.

Planning and Zoning Boards as well as the Building Department Liaison – Trustee Hoffman

Trustee Hoffman reported that he spoke to Building Inspector today and it is busy in there. Several outstanding applications the largest is Hannaford and they have some minor things to do down there. Auto Zone status is on the agenda for tomorrow's Planning Board meeting as well as the Kidd Farm who is seeking an extension. Discussed the Sunoco station and redoing the sidewalk there. Rental inspections will be starting soon so anything with 3 or more units will be inspected.

Recreation & Parks Department, Emergency Services, and Valley Central School Board Liaison – Trustee Carley

Trustee Carley stated John gave a good report on the Recreation & Parks Department for me and the school board meeting they had on Monday commended all their retirees and took a very long time.

Village Justice and DPW Liaison - Trustee Mishk

Trustee Mishk reported that the Dias is delayed until August now as the contractor has a project that is going longer than he originally planned.

Public Comment on Business of the Board

Dick Casper, 131 S. Montgomery Street, asked about possible speed humps on S. Montgomery Street.

Manager Revella replied that is a County road and they have a meeting tomorrow and can ask.

Action Items

Year End Budget Amendments for Fiscal Year 2013-2014

Peter Sullivan reviewed the handout for the amendments for 2013-2014 budget. Larger deficit than anticipated. Due to significant declines in the revenues in the last quarter we are going to need to take from surplus. Sales tax was projected based on last year which there was no supplemental distribution. County didn't distribute as they didn't receive it. Gave out what they have to per municipal agreement. Disappointing results and economy that lead to that. CHIPS money we applied for last spring and we were due \$143,000 and

\$80,000 was for this year but we had expenditures to apply for it so we had new revenue that was earned last year and was in the fund balance and didn't understand the affect for applying early. Workers comp for 207c cases accounts for some of it as well. They can't give us anything in writing to say we have money that we could book for revenue which was \$50,000. Those are the significant revenue losses.

Manager Revella stated that this year sales tax no one could anticipate that. Insurance money for example. These are all expenditures. In most cases it balances out the expenses versus the revenue.

Trustee Leonard made a motion to approve the Year End Budget Amendments for Fiscal Year 2013-2014. Seconded by Trustee Bowen. All ayes. Motion carried.

Ethics Board Appointment

Mayor Maher explained we have two interested individuals.

Deputy Mayor Rumbold made a motion to appoint Rebecca McNally to the Ethics Board with a term that would expire 4/1/2019. Seconded by Trustee Hoffman. All ayes. Motion carried.

Mayor Maher asked Manager Revella to send a thank you letter to Mr. Lynch for applying.

Hearing Request – 71 Wait Street

Deputy Mayor Rumbold made a motion to set a hearing for 71 Wait Street for July 1, 2014 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Bowen. All ayes. Motion carried.

Discussion Items

None

Public Comment

Anita Vandermark, 76 Highland Avenue, thanked the Board for appointing Becky to the Ethics Board. We have a matter to hear and will have our reorganization meeting as well. Thanks for the Flag Day ceremony, was a wonderful day. With regard to Nation Night Out we had a meeting and have another one on the 26th at 6:30pm. We've been having a poor showing of people coming out to help, please come if you can. There is also a Historical Society meeting at the Buddhist Temple tomorrow.

Lynn Yack, 96 Coldenham Road, asked about 89 Coldenham Road as she is not sure what they are doing there.

Manager Revella stated that Dean cited the property owner.

Lynn continued that over the weekend the company that took the trees down came back in and the police were called. It was heard that it would be a daycare center or a church.

Manager Revella stated that either one would need a site plan not allowed in that area.

Lynn continued that she thought they would need a building permit when you take down the amount of trees they took down.

Manager Revella replied, yes if it's more than 4 yes. There was not one filed so they were cited. He said he would follow up with Police Department also for a report.

Nanette DeGroat, 80 North Montgomery Street, commented about North Montgomery Street and the speeding coming into the Village which is out of control. There is some kind of state truck that goes through 3-4 times a week and he comes in 40-50 mph. She is hoping that Police Department would show more presence on that side of Village. First time in 12 years her car was broken into in her driveway. Farmers Market, she may have a vendor for produce. What is the status with the Fluoride? Last time we were looking for the toxicology study last time. Scheduled to go in on July 1st?

Manager Revella replied yes.

Nanette stated we were moving forward without a toxicology study showing that it's safe or effective.

Mayor Maher replied yes.

Nanette asked for the contact information for the new owner of the Sunoco. Event flyers needed. Getting bigger players involved and are talking to small businesses check out www.discoverwaldenny.com and encourage everyone to see it. Looking to get everyone to have same day event on August 9th. Website will be permanent. Marketing fee is to help pay for the website. She will come to the Board with everything all together at the next meeting for requests. This is kind of evolving into the WBA as the WCC is considering reopening the WBA. She's looking to get everyone fired up and encourage them to come back to the WBA. July 12th band there at Sweeney's with donations at the door to benefit the event.

Trustee Mishk suggested National Night Out might be a good venue for everyone to get ideas and information out there.

Mary Ellen Matise, 21 Clinton Street, presented a photo of the Walden Elementary School History Club to the Board to hang in Village Hall. She asked the Mayor about the Civil War Anniversary event for next year.

Mayor Maher replied they would set a date for a committee meeting and go from there.

Mary Ellen asked about the puddle at the end of the parking lot in Hannaford its de ja vu.

Heather Martin, 15 Walden Estates Road, stated she is disheartened and discouraged feeling like the Village wants her to leave. She is talking about the manhole issue in her yard. She didn't have the problem when she purchased her home but now she has an extreme slope and a man hole that continues to go in disrepair. She would like to get a response to her October 2012 letter that was written to the Village where 2 engineers said the same thing, that it was not properly compacted when it was installed. She feels pretty beaten down as she hasn't received anything even though they said they would reply. She has spent \$3,100 already on this project. Her understanding was that Dean told her builder that all that is waiting on is the agreement. There is not one statement of responsibility of the Village to the tank or the ground or the slope or the swale in said agreement, it states that everything will be her responsibility. Letter advised her to have

an attorney look over the agreement. Used to be a happy, ordinary citizen here, and now she's running out of energy. She feels like she's being asked to take responsibility for pipes that weren't there and a tank that she's been asking to be fixed since 2007. Where does she go from here? What does she do next?

Mayor Maher stated that the last time they met she was going to be given a written response from the engineer.

Attorney Donovan stated he prepared an agreement about the retaining wall not the tank issue. The retaining wall that encroaches into the Village easement and more of her back yard. The agreement says if you want to build it you are responsible for maintaining it. There has been no response from Ms. Martin's engineer since his last request that he's aware of.

Heather replied that was not true, Dean said he was only awaiting the agreement.

Trustee Hoffman said he spoke to Dean today and he mentioned fees for the Village Engineers' to review the plans. Queenan said to extend wall further back that it shouldn't be any problem, he said go and draw up the plan and the Village will probably approve it. Now she is told they said no such thing. She's already spent \$1,000 for the first plan and then \$750 for the revised plan. Now she's told differently than what she was originally told and that she needs more plans prior to her investing this money.

Attorney Donovan stated that Ms. Martin had indicated if the wall could go on property of others. Mr. Revella and Mr. Queenan both said no. The plans from her engineer show the retaining wall on Ms. Martin land not on the land of others. The agreement states that the retaining wall cannot adversely affect the Village's drainage easement. The agreement is for the wall not the entire easement a Ms. Martin has stated here tonight.

Trustee Bowen asked about the fees.

Trustee Hoffman stated that we had considered doing this and asked the Village Engineer to review it but it's not fair to have the taxpayers pay for these fees.

Heather asked what the fees were; he was at her house for 10 minutes.

Manager Revella stated that the Village will maintain the tank as it's outside the scope of the agreement.

Heather stated that she is building it because of the malfunctioning of the tank that has pulled the ground down; her entire side yard is pulled down.

Manager Revella stated that is her perspective and she understands but the agreement has nothing to do with the manhole, it is Village responsibility, but not the wall. If you want to build the wall you have to maintain it.

Heather asked why she has to maintain the back of her property that has nothing to do with the easement.

Attorney Donovan stated that if the wall fails and it's not serving the purpose it was intended for then who is responsible for the retaining wall is responsible for it. The Village is not going to go on private property so the maintenance falls on the property owner.

Heather commented that there is not a wall there now. It's bound to eventually not work. No where in the agreement does it say that the Village will maintain the tank. She is hoping becoming clear that the tank issue is why she needs the wall.

Mayor Maher explained that the Village Manager and Attorney are handling this issue. We need your engineer to respond. There is nothing that this venue can help you with as you need to deal with Dean and our Village Manager.

Attorney Donovan clarified that he had Mr. Queenan and Mr. Revella both review the agreement before he sent it to Ms. Martin. Also whenever he sends any legal document to anyone he always states that if they would like an attorney to review them, they are welcome to it.

Heather states she needs clarification because to her the drainage easement contains the pipes and the tanks.

Manager Revella replied that the portion described herein is the length of the retaining wall not anything outside of that.

Mayor Maher stated again that this is not something for this forum, she needs to set up something with John.

Trustee Hoffman stated that we can't give you permission to build a wall on others' property.

Heather stated that Mr. Revella heard Mr. Queenan state that she should draw up the plans like that and the Board would likely approve it.

Mayor Maher replied that her engineer needs to reply then something will go forward.

Heather asked about repairing the tank.

Manager Revella stated we are commitment to properly maintaining the structures in the drainage easement. He is not sure what will happen in the future so he can't guarantee what will happen.

Mayor Maher stated that she was not going to get any other answer than this; if you build a wall there is a chance that there will still be an issue. No other statement is going to be given and the Board is behind John with that statement.

Heather stated she is not going to build the wall if tank is not working properly, she would be an idiot to do that.

Mayor Maher explained that this is not the venue for your issues with the Village Manager, she needs to speak to him outside this venue. She is not going to get any other answer. If she needs clarification she needs to speak to him outside of this venue.

Heather said she was told at the last meeting she would be given something in writing so she is waiting for that from engineer.

Mayor Maher replied that is correct.

Becky McNally, 52 Oakland Avenue, said they did a nice job on the speed hump, it's nicely marked and did a nice job. If there might be another one further up it would be most helpful for the children. Also the entrance signs look great throughout the Village. She asked about when coming in the Village on Rout 52 coming into from Newburgh by the beauty salon, what is that there.

Manager Revella stated it is a gas line under the tree stump. We are planning to remove it.

Becky asked about something that a neighbor told her that the stop sign on Highland Ave mid way near Jessup is not legal as it was put in to deter traffic.

Manager Revella stated that if it was put in because of a sight line issue and turning radius issues then it is legal. Due to visual issues. That is the legislative intent in the local law in the minutes.

Brenda Adams, 31 Valley Avenue, stated that she was reading the articles in the WVT about the drug problems and there is a NYS task force and she asked if the Village is addressing this issue.

Manager Revella replied that we have been working with the Sheriff's office, Orange County District Attorney, and other police agencies and have done about a dozen arrests with more to come. Have been working on education and rehabilitation with the DA's office and the State of NY is taking it up as well.

Brenda stated that the police are making arrests but what else can be done before it gets to the arrest point? She was curious to know if we are doing something as a Village.

Manager Revella replied that the Orange County Social Services is helping also.

Kathy Lynch, 39 Pleasant Avenue, asked about possible sidewalk fixing in front of the Sunoco station that's going there.

Manager Revella stated that is correct, they will be repaired by the company doing the renovations at the Sunoco station.

Kathy asked about the sidewalk in front of the Mobil.

Manager Revella replied that we had our Engineers do a Right of Way and Topographical survey because there are issues there. It is a State road so they have to be involved because it's a right away. We have a shovel ready project and anticipate applying for grant for both sides of street in that area.

Dick Casper, 131 South Montgomery Street, reiterated that the entrance signs are beautiful but please talk to the agencies and departments about putting their event signs behind the signs not in front of them as you can't see them.

Payment of the Audited Bills

Deputy Mayor Rumbold made a motion to pay the audited bills. Seconded by Trustee Carley. All ayes. Motion carried

Correspondence

Trustee Mishk received some emails on the Highland Avenue sidewalk project. Basically they are against taking out of the sidewalks. He is also against removal especially the ones that have been here for years. Accustomed to using them especially with addition of the rail trail. Last summer there was a child hit at corner of Highland and Wileman because someone was blowing through the stop sign. Addressing this Thursday night.

Mayor Maher also got emails about the same topic but he wanted to reiterate and to defend Manager Revella that this was spoken about in our budget sessions. Not specific but did speak about removal in some areas.

Manager Revella state this is just a concept and will meet with the residents there Thursday to get their feedback before moving forward with anything.

Miscellaneous Comments from the Board of Trustees

Trustee Leonard said he was impressed with the Hannaford opening on Friday night and heard they did really well on Saturday.

Trustee Bowen complimented the Flag Day ceremony and said it was great.

Deputy Mayor Rumbold also complimented the Flag Day ceremony and the park looks great. She is so proud of the hard work the committee does there it's a complement to the Village. Hannaford opening was nice and she's missed having a market there. Everyone was happy to have some place to shop. Good luck to them! Should be a good addition to the Village. She asked about the weeds at the Tin Brook Bridge. Is the Village doing it or is the state.

Manager Revella stated we do it because we would rather not wait for an accident to happen.

Deputy Mayor Rumbold stated that they are double dipping if we are paying our employees to work on state streets. Why are we paying taxes? It's constant.

Manager Revella stated he would give Sue the phone number. They have done it a few times but not as often as we need it done.

Deputy Mayor Rumbold said that if they don't have the time we can do it but not for free.

Manager Revella stated that the Senator has helped a few times but he shouldn't have to.

Trustee Hoffman asked about the Landlord Registry Law status.

Mayor Maher replied that they are working on getting info to move forward with that. We have a meeting with the special prosecutor this week. It's been tough scheduling a meeting.

Deputy Mayor Rumbold asked when he schedules meetings like that if he could email the Board to keep them in the loop with certain things.

Trustee Carley also stated that the Hannaford opening was great. They gave \$1,000 to the Recreation & Parks Department. Flag Day ceremony, sorry he didn't attend had previous commitment. Federal fiscal year is October 1st which is the beginning just to let you know.

Trustee Mishk also commended the Flag Day ceremony. He wanted to complement the Recreation & Parks Department for the great movie night, we had a big crowd again. Also wanted to thank Hunter Insurance for donating the refreshments.

Mayor Maher echoed the sentiments about the great Flag Day as well as the Movie Night. Next movie night is August 2nd, the Lego Movie. Our Music in the Grove FREE concert series is the next great thing we have going on hope everyone will come and support it!

Executive Session

Deputy Mayor Rumbold moved to go into Executive Session to discuss Collective bargaining negotiations with the PBA, the employment history of a particular person, and potential litigation from an insurance claim. Seconded by Trustee Mishk. All ayes. Motion carried.

Reconvene

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

Adjournment

Deputy Mayor Rumbold moved to adjourn. Seconded by Trustee Bowen. All ayes. Meeting adjourned.

**Village of Walden Board of Trustees
Regular Meeting
June 17, 2014
Motions & Resolutions**

Resolution 3-14-15 – In support of a destination casino resort application for RW Orange County LLC

Trustee Mishk made a motion to approve Resolution 3-14-15 in Support of the application to develop and operate a destination casino resort on land located adjacent to NYS Highway 17K in the Town of Montgomery by RW Orange County LLC. Seconded by Trustee Bowen.

Roll call was taken:

Trustee Mishk – Aye.

Trustee Carley – Aye.

Deputy Mayor Rumbold – Aye.

Mayor Maher – Aye.

Trustee Bowen – Aye.

Trustee Leonard – Aye.

Trustee Hoffman recused himself from any deliberations.

6 Ayes, 0 nays, 1 abstention. Motion carried.

Hearing – 33 North Montgomery Street

Deputy Mayor Rumbold made a motion to clean up the debris at the property of 33 North Montgomery Street and charge the property for any costs associated with said clean up. Seconded by Trustee Carley. All ayes. Motion carried.

Approval of the May 20, 2014 and Special Meeting June 13, 2014 Minutes

Deputy Mayor Rumbold made a motion to approve the May 20, 2014 and the June 13, 2014 Special Meeting minutes. Seconded by Trustee Hoffman. 6 ayes, 0 nays, 1 abstention (Trustee Carley). Minutes approved.

Year End Budget Amendments for Fiscal Year 2013-2014

Trustee Leonard made a motion to approve the Year End Budget Amendments for Fiscal Year 2013-2014. Seconded by Trustee Bowen. All ayes. Motion carried.

Ethics Board Appointment

Deputy Mayor Rumbold made a motion to appoint Rebecca McNally to the Ethics Board with a term that would expire 4/1/2019. Seconded by Trustee Hoffman. All ayes. Motion carried.

Hearing Request – 71 Wait Street

Deputy Mayor Rumbold made a motion to set a hearing for 71 Wait Street for July 1, 2014 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Bowen. All ayes. Motion carried.

Payment of the Audited Bills

Deputy Mayor Rumbold made a motion to pay the audited bills. Seconded by Trustee Carley. All ayes. Motion carried.

Executive Session

Deputy Mayor Rumbold moved to go into Executive Session to discuss Collective bargaining negotiations with the PBA, the employment history of a particular person, and potential litigation from an insurance claim. Seconded by Trustee Mishk. All ayes. Motion carried.

Reconvene

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

Adjournment

Deputy Mayor Rumbold moved to adjourn. Seconded by Trustee Bowen. All ayes. Meeting adjourned.