

**Village of Walden
Board of Trustees Regular Meeting
June 3, 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

Public Hearing – Local Law #4 of 2014 – No Parking on South Montgomery Street

Trustee Hoffman made a motion to open the public hearing for Local Law #4 – No Parking on South Montgomery Street. Seconded by Trustee Bowen. All ayes. Motion carried.

Jessica Metzger, 4 Gracewood Court, commented that she is not in favor of the new traffic pattern and she was hoping the Board would look further into the intersection and the adverse affects of the change in the intersection. It's a direct affect as to why you are changing the parking there.

David Sperry, 12 Overlook Terrace, asked about making the street a one way street going up but was told that was up to the county. What about making it a one way going down? Obviously the county didn't have a problem when you changed that.

Manager Revella replied that is a Village road, Cross Street.

David continued that if there were no cars on the right hand side, the bridge side, then you wouldn't have to adversely affect the area.

Mayor Maher stated he agrees with Dave.

David suggested asking the county if it can be a one way road in that area as it would eliminate some issues.

Mary Ellen Matise, 21 Clinton Street, stated that Cross Street is now a one way and at the bottom it has a no left turn designation. There is no reason why people can't turn there as there is enough room for two cars to be side by side. Perhaps consider that as it might fix

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the issue and stop people from going down the other street to make a left. Elimination of no left turn there might fix it. The other problem there is the trees on the right; the limbs have to come off as you can't see oncoming traffic. Taking parking away from there is going to have people pull out without looking from those spots. It's an issue.

Trustee Hoffman replied that a no left turn wouldn't eliminate this issue as they are still not able to turn left onto South Montgomery.

Mary Ellen continued that if you wanted to go into town through Cross Street and turn left it would take away some of the traffic from going that way.

Trustee Hoffman replied that there would still be the problem with the geometry. The problem is the turning radius.

Mary Ellen stated she understands but it would mitigate it and make it easier to turn there.

Trustee Hoffman replied he was not disputing that but the problem of the cars making a left would not stop the issue.

Mary Ellen replied she understands that and that is why the Board took out the grassy median away to make it wider.

Deputy Mayor Rumbold made a motion to close the public hearing for Local Law #4 – No Parking on South Montgomery Street. Seconded by Trustee Bowen. All ayes. Motion carried.

Mayor Maher asked the Board for more time on this law to give him more time to ask the County to make it a one way.

Manager Revella stated that we did ask and they said no.

Mayor Maher replied that he'd like to ask a little harder and asked the Board for just two more weeks to see if it is an option to consider. He would rather not eliminate the parking for the business district.

Trustee Carley stated that making it a one way would still not eliminate the problem. When you make that turn the parking area is the problem so it wouldn't make a difference.

Mayor Maher stated that he understands but would not like to take away the parking if we don't have to. Many of us went on the fire trucks and made the turn and in a firematic incident they have the ability to go the wrong way if they have to, not that we want them to. He would like to reach out to the County Executive.

Trustee Leonard reminded him that it's not just fire trucks, its dump trucks and large tractor trailers.

Presentation - Greentrack

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 this matter.”

Charlie King, Consultant for Greentrack, explained that he is proposing to put a world class destination at Stewart airport space. By referendum the gaming selection committee can choose up to 4 sites throughout NYS. Let's assume there would be 4, they would generate a certain amount of revenue that would be taxable. That money would be used for education and property tax relief across the state. A county fortunate to be selected for this project would be receiving additional revenue that comes to the county and the municipalities. They are proposing a 14 story 315 room motel, a 120,000 square foot gaming room with slot machines etc., a 2,000 seat auditorium for entertainment and local communities to use, a resort spa and health club and a variety of retail, restaurants, and shops. Half a billion dollars would be put into this with lots of jobs, approximately 1,800 union construction jobs temporarily and dozens of partnerships with local organizations and businesses. They have already gotten support from the Town of New Windsor and are hoping to get support of the Village of Walden. One component to get selected is to have broad based support in the area. If Orange County got behind one facility he is confident the governor would support the notion of having one world class destination facility in OC. He hopes for the Board's support but if not urges you to consider one in this county as there are several proposals.

Deputy Mayor Rumbold explained that she has been to Atlantic City and has to say that while interested in promoting the positive side of economic tourism there is also ancillary issue that come when you have places like that; 2 blocks off Boardwalk you can see it. Her concern is who else is coming along with the casino and resort. Who will provide the financial help in that buffer zone? The burden will likely fall on our tax payers for more police, more schools, etc. What happens to areas like ours when this goes in?

Charlie replied that it depends on who is doing it. Greentrack is a community oriented company based in Alabama in the second poorest County. The County was in bankruptcy when Mr. Wynn took over and made it a top performing County in Alabama now. You raise a valid question. We do have to be aware of law enforcement, gambling and alcohol addictions, and our job is to provide the maximum amount of support to deal with these issues. Working with government and community organizations to make sure there is as little issues as possible.

Mayor Maher asked about any discussions there might be with the possibility of Metro North Rail going into Stewart with this project.

Charlie continued that there are of course some issues we weren't aware of in the area. One is the MTA rail extension coming from airport to connect other communities as well. Greentrack is very interested in doing that to get that done but also other ideas that you may have. He has heard about helping improve the infrastructure and education. Creating classes at a certain age with a parallel track if kids want to be in the profession of

PR, entertainment, security, etc. there are possible career tracks available. How do we creatively embed that into our younger generation? Our kids get educated and then move elsewhere for better jobs. We want to keep them close. They are very interested and would love to work with you to get that done.

Trustee Leonard asked about expanding the rail connection. Benn trying to get money to develop shuttle service between Walden, Montgomery, and Campbell hall station. Currently Senator Mahoney is looking at that. If you were able to bring in the Maybrook spur and connect to Stewart that could work for everyone.

Charlie replied if you had information on that that you could share he would love to see it.

Mayor Maher stated we have a phase one study John can get to you.

Charlie stated that there are wonderful things we can do but other things we want to avoid. We are very interested in maximizing the upside which is the economic advancements and that will only happen if we get this right. It can't be a stand-alone project, it must be connected to the community; it wouldn't make sense that way. Greentrack is not a corporate culture.

Deputy Mayor Rumbold asked how someone in Alabama ended up in Orange County NY with this idea.

Charlie answered that they first were looking at potential sites in NY and they were looking in Seneca County but in December we were in Rochester and he has had the benefit of coming through OC and asked the CEO Luther Wynn if he had thought about OC as a place. After explaining area which has great communities and some wonderful advantages not only geographically and economically but also have places that have challenges such as Newburgh. The legislation is all about putting a facility like this in a place where it would benefit the community as well as be a great destination resort. He found that OC has a wonderful balance of possibilities and tough challenges that if you do this you can begin to turn communities around which is ultimately the reason we picked Orange County.

Trustee Mishk asked if you build there we will be impacted so would there be support for us as well as the communities you already have support from such as New Windsor.

Charlie replied yes. It's a two-fold answer where the revenue comes in that will benefit the Village but secondarily they are interested in things beyond what is required. They want to have a regional impact and looking to be helpful to Ulster and Dutchess as well. Strategically they feel they have the best site at Stewart but also the politics of it makes it a great place because we can get the widest array of people to support it.

Brian, 16 Bergen Avenue, asked where exactly at the airport the facility is proposed to be.

Charlie showed a map and described that it is near where the barracks are which would be taken out and the hill there. Basically across the street from the airport. Jet blue is excited about our proposal as it will reenergized the airport and increase their air traffic. Currently it is their worst performing one in the nation at this time. Creative thinking may come up with ways that will create more positive things for Stewart as well.

Manager Revella stated that they would have internships in local high school students as well.

Charlie stated that the goal is that they want the jobs to be homegrown, not outside the area at all. For all of us and our kids coming up and prepare those ideas as well through the school coming up with classes but also internships. It would create many opportunities for kids.

Becky McNally, 52 Oakland Avenue, asked what their time frame was and how would the wetlands be affected or protected.

Charlie replied that the faster you can begin the better it is. We are fortunate that we could be shovel ready by the end of the month. Wetlands are one of the reasons we chose Stewart because we don't want to disturb it at all. 40 acres of undeveloped space will be left so we won't be bothering the wetlands at all if we do this.

Jessica Metzger, 4 Gracewood Court, asked Charlie to confirm that GreenTrack currently operates one resort in Alabama.

Charlie replied that yes, there is one place in Alabama but we need to build a world class facility with gaming operators that we will be announcing in the next 48 to 72 hours. They are working with operators who work with Hard Rock Café and some of the operators and investors who will be working with us have built and run these types of places that are world class as well.

Jessica continued that her question was about the location of casino now has a population of about 3,000 people. She can't imagine there are many competing school districts or Police Departments competing for the project. You are proposing to come to our community with a much larger project than in Alabama, so she would like to know what you have done since December to show our County what you can propose? She feels this is something our community should vote on tonight without any documentation.

Charlie stated they have provided documentation which is on their website: www.gamingforny.com and you can see the video presentation as well. Take a look at what we have done already which is one way to gauge. They are unique in many of the competitors in their company culture. In Alabama for example, a housekeeper earns \$42,000 per year and we pay top of the line with top of the line health care. You should know that Mr. Wynn is an African American guy who started as a part time security guard and worked his way up. We have a strong commitment to community and workers at Greentrack. Green County is smaller than many places in NY but he has offered scholarship money to anyone who graduated from any Green County High Schools.

Jessica asked what the largest city population closest to their facility is.

Charlie replied most likely Birmingham Alabama which has 242,000 population.

Jessica asked if they had any studies of the area since they opened showing the impact on local crime prior to the casino and after.

Charlie answered yes, that is on the website never had a bad situation at Greentrack.

Jessica asked how many miles Birmingham was from their facility.

Charlie replied about 45 miles away.

Jessica commented that it is not an 8 minute drive.

Manager Revella commented that most of the applicants throughout the state won't be the operators they are just partnering with the applicants. Only a few will be owners and operators.

Jerry Berger, Liberty Street, stated he was against casinos for OC. Sullivan County has been after this for years, you don't have to ask those people, they already want it. All the sudden OC got into this the last minute and he doesn't think it's a good idea.

Mayor Maher stated that he recommends the Board wait two weeks to get documentation to the Board and have on agenda again. We should think about it and have time to reach out to Charlie with any questions until the next meeting.

Charlie stated that time is of the essence as the application has to be complete by June 30th.

Trustee Carley asked if in order for you to bid you have to have 100% support.

Charlie replied no, but it helps and we want to show our commitment is to the community and want to reflect that in our application.

Trustee Carley commented respectfully, this didn't come up overnight, so why so late are we hearing about it. He heard about it in the news but not so much, so why not talk to us a month ago or two months ago.

Charlie replied that there was a perception that OC was not in the running and some thought this was a place that didn't have a chance to be selected for a variety of reasons. Some would argue that there are some in Ulster and Sullivan Counties that have been pushing for years for this which lead to this perception. We were actually the first group to come to OC and select our space and research and come here. There is a way for Sullivan and Orange County to receive two for the four sites and that our site doesn't conflict with the Sullivan site as other sites in Orange County might. He respectfully disagrees with that. Make no mistake that people are coming to the realization that Orange County provides same sort of challenges that Sullivan does. If someone wants to tell me that the City of Newburgh is somehow better off than any other place in NYS then he would be happy to speak with them. He fees the City of Newburgh is in desperate need of help and one of these things done right could make a dramatic change in a community that hasn't had a chance for generations.

Trustee Leonard asked if Port Authority has signed on or supporting this project.

Charlie commented he couldn't speak for them but it is fair to say that they are excited about their proposal.

Mayor Maher told Charlie we would be in touch and thanked him for his presentation.

Trustee Hoffman re-entered the Board room.

Village Manager's Report

- New fiscal year has begun so we are getting proposals for the year and lining up everything and closing out the prior year. Should have a report by next meeting on that.
- He has had correspondence with Orange County regarding Sales tax. There was a dip this year in sales tax revenue across most of the Southern Tier and they didn't say why it happened.
- Bradley Lane water line is nearly complete, down at the sewer buildings making connections there. Keeping progress on the belt filter press room and getting that ready also.
- Hannaford site is nearly complete and will have their grand opening on June 14th. Sporting goods and wine and liquor will have their opening shortly after. They may also have their own grand reopening ceremony.
- He attended a briefing on some additional heroin arrests we made including 5 arrests attributed to Walden's work. There will be more in the future.
- Part time police officer and part time dispatcher interviews completed, going to try and fill those positions shortly.
- Met with our Village Engineer regarding sidewalks and curbing improvements. The Board did approve some improvements and we are looking at Highland Avenue, Jessup Street, Woodruff Street, and Wileman Avenue as well as a few other small sites in the Village.
- Been meeting with department heads and our Village Treasurer regarding year end.

Trustee Hoffman asked about the Landlord Registry Law and asking him to reach out to a Special Prosecutor to get him to come see us.

Manager Revella replied he will likely have an update at the next meeting as he is having a meeting about that.

Trustee Hoffman stated he would like to participate in that process.

Approval of the May 6, 2014 Minutes

Deputy Mayor Rumbold made a motion to approve the May 6, 2014 minutes. Seconded by Trustee Leonard. 5 ayes, 0 nays, 1 abstention (Trustee Hoffman). Minutes approved.

Trustee's Committee Reports

Town of Montgomery & Library Board liaison – Trustee Leonard

Trustee Leonard stated he had nothing at this time.

Village Clerk & Village Treasurer Liaison – Trustee Bowen

Trustee Bowen stated he had nothing to report at this time.

Police Department Liaison – Deputy Mayor Rumbold

Deputy Mayor Rumbold reported that foot patrol will be back on schedule in June. If you look at the attached schedule it will show you where we will be filling the foot patrol hours. Going in September to a Missing persons training that will focus on people with special needs that go missing. We will be purchasing street cameras one in last fiscal year and other one in this fiscal budget. Still doing stop DWI road checks, so be warned.

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

Trustee Hoffman reported that he spoke to Building Inspector today to discuss Hannaford and the final things they need to do to get their CO. They are on schedule for 2 weeks and things are going smoothly. The hot topic issue is the proposed Auto Zone topic. The Planning Board had a public hearing on this topic and it was well attended by residents. He wanted to commend the Planning Board on their efforts. It's a difficult balance of the public and they worked hard to listen to every side and deserve a lot of credit. It was on the agenda last night and the Board is waiting for information to be reviewed by Planning Board Engineer. The developer submitted information on the traffic impact and several other topics which is on the next agenda possibly for action for the Planning Board.

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

Trustee Carley stated with regards to the school board, the budget passed on May 20th. Recreation & Parks Department reports tennis is going well, June 15th flag football begins, summer camp registration is next week, the beach permit is done and will open 6/16, Parks Department is working hard to keep up with the ground maintenance of all the facilities. SYLA applications are available now and the last movie night was great and very well attended. The next one is 6/14 showing Monsters University. Farmer's Market will be in Village Square on Thursdays this year beginning 6/19/14 and will run through October 2nd from 2-7pm.

Clerk Bliss added that we are in desperate need of a Produce vendor for the market as the one we had recently backed out. Without a produce vendor we don't have a farmers market. Please send any information to the Village Clerk for any possible produce vendors.

Village Justice and DPW Liaison - Trustee Mishk

Trustee Mishk stated he had nothing to report at this time.

Mayor Maher stated there was one addition to the agenda tonight, a private property request for 32 Overlook Terrace on as a discussion item as well as an Action item to award the bid for the James W. Olley Park Pavillion.

Public Comment on Business of the Board

Jessica Metzger, 4 Gracewood Court, asked about the possible resolution regarding the Orange County resort and casino and which location it was in reference to.

Manager Revella replied it is the one proposed to be across from the terminal at Stewart.

Jessica asked the Board to think about this. She feels this is putting the cart before the horse. She understands there is a time frame for the company but they should have come

here sooner and she would say the same for any other sites. Where they have their casino the population is less than 3,000 people so naturally there are not a lot of people there applying for a job so they will pay the high rates for jobs there. Here there will be hundreds of people applying so it will likely be different and a lower pay scale than what was presented tonight. She asked the board to make sure they got a lot of information on the crime stats, census, dynamic of the population, and highway studies. She would like to know what would be going on 8 miles away from us prior to giving anyone the support of our beautiful Village. She requested that when there is an action item or discussion item added after the agenda is posted, can you update the agenda to correspond with the minutes. It's not easy to search things because they don't match up.

Mary Ellen Matisse, 21 Clinton Street, commented about the historic marker application wording is in the packet. She sent the supporting documents so they are reviewing and show that we are going to do it. She is looking for the approval to submit the application.

Mayor Maher announced that the RFP will be out next week to the next Board meeting so it can be submitted for the 3rd party utility for the Board to review.

Action Items

Hearing Request – 33 North Montgomery Street

Deputy Mayor Rumbold made a motion to set a hearing for 33 North Montgomery Street for June 17, 2014 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Bowen. All ayes. Motion carried.

Resolution 1-14-15 – Lustig Court Name Change (amended)

Attorney Donovan stated that when he made the original resolution to change the name, that he inadvertently changed the whole length of Old Orange Ave., not just the dead end portion which was intended. This is an amended resolution to correct that error.

Deputy Mayor Rumbold made a motion to approve Resolution 1-14-15 – Lustig Court Name Change (amended). Seconded by Trustee Hoffman. All ayes. Motion carried.

Manager Revella stated that once 911 makes changes we will adjust the street signs at the corner.

Historic Markers Grant Application

Deputy Mayor Rumbold made a motion to authorize that the Village Historian and the Village Manager can apply for the grant for the 2 additional Historic Markers to the William G. Pomeroy Foundation. Seconded by Trustee Mishk. All ayes. Motion carried.

Possible Resolution regarding the Orange County Resort and Casino

Mayor Maher reiterated this has been tabled until the Board has had time to review all the information on this topic.

15 Walden Estates Road Agreement

Attorney Donovan explained that this was approved by the Board in November. It is for construction of a retaining wall, to construct a new wall which is partially on a Village Easement. The property owner first went to the Building Department and then to the Village Engineer due to the extent of work involved. John Queenan, Village Engineer, reviewed the plans last year and had comments about them. The Board in November

adopted a resolution approving the construction of the retaining wall subject to compliance with the Village Engineer's comments and subject to compliance with an agreement prepared by the Village Attorney. The agreement basically provides that no costs will be incurred by the Village, there will be no responsibility for the retaining wall by the Village in the future, the Village will be held harmless if any injuries are incurred, and that it will not adversely impact the purpose of the easement which is to provide drainage. The applicants need to provide new plans in response to the comments, those were delivered to John Queenan in March and he then submitted a new memo dated May 5, 2014 which showed new needs to be complied with. He has made an agreement describing the terms just outlined which was approved in November. He does not think this requires any further action from the Board at this time. It's approved based on the property owners complying with the Village Engineer's comments and then it is self-perpetuated.

Mayor Maher confirmed that there is not action needed because they already approved it based on the motion made in November, it's been approved; it just needs to comply with John Queenan's comments.

Heather Martin, 15 Walden Estates Road, states that she hasn't seen the agreement. She is thrilled to be at this point finally. She is eager to get it done. This is only half of her concern. The tank on the front side of the property that drains from the street into the tank and then down to the ravine. John Queenan asked that the wall be moved back to be against the ravine and the plan has been revised to meet that request. The problem that is not addressed even though she submitted it in writing and appeared at the Board meeting on June 27, 2013 is that her engineer came out and stated that regarding the tank was that the problem he saw was the man hole. She has paid two engineers have now that have told her that under the piping it was not properly compacted and has settled which is the cause of this problem. She provided a copy of this information in October 2012 that said the same thing stating that the dirt did not get compacted properly so the lip has lowered 3 to 4 inches. There was a repair done there before but it has since lowered again and needs attention. She is thrilled to spend money on the back side of the property but on the front side of the house where the significant erosion has created about a 4 foot drop over the last 15 years because of the issues with the tank she doesn't feel she needs to spend her money because of this erosion. She feels no one is addressing this issue. Her worry is that she will invest money in the back to benefit the Village property to preserve the back of the property but if the tank is not properly repaired she is spending a lot of money and she will continue to see the land drop lower and lower towards the back of the property. She has not received a response verbally or in writing about the attention to the manhole. She felt like she hit a wall. She spoke to the EPA and DEC who have told her there are requirements on maintenance of the tank. In 15 years it has never been cleaned. There was once a problem and it was repaired. Since then she continues to have sink holes that are 1-2 foot holes around the manhole. She feels the piping needs to be compacted and that fill dirt is not sufficient. If this is not done it will undermine what she is trying to do with this rather expensive retaining wall which is her concern at this point.

Manager Revella stated that he and the Engineer have spoken with her regarding what we can and can't do at the property and he has a plan to rectify whatever we can do around the manhole.

Mayor Maher asked for the Village Engineer to send a memo to the Board to update us about that.

Trustee Hoffman asked to see the letter from October 2012 that was previously submitted.

Clerk Bliss said she had it her office for his review.

Award Bid - James Olley Park Pavilion

Manager Revella stated that this needs to be done by the end of July 4th, prior to the start of summer camp. This is the same contractor who did the last one which was done in less than 3 weeks last time. We budgeted \$30,000 so this is within budget.

Deputy Mayor Rumbold made a motion to award the bid for the James Olley Park Pavilion Project to Seldom Rest Construction in the amount of \$29,000.00 to be completed by July 4, 2014. Seconded by Trustee Hoffman. All ayes. Motion carried.

Discussion Items

32 Overlook Terrace Request

Manager Revella stated that Mr. Torres, property owner, submitted a building permit to put a shed on his property but Dean found it was on a Village easement so he declined the application. We aren't sure if it's active or not but it is a drainage easement with the swale that begins on his property.

Mayor Maher asked if an alternative location was suggested.

Manager Revella replied yes, Dean had given him a different location to put it.

Justo Torres, 32 Overlook Terrace, commented there is no specific reason they want it to be there, it is just that it needs to be 20 feet off the property line. He doesn't feel that the drainage easement doesn't do anything and doesn't see why it's there as it doesn't benefit him or his neighbor. He would like a variance to put it where the area begins. It's just a dip in the soil and he would like the Village to lift the easement.

Mayor Maher stated that we would need more details about that easement before they would be able to make a decision.

Justo continued that he feels it was put in due to the construction 11 years ago but now with the street, there is no need to have a drainage area.

Mayor Maher asked if he was in a rush.

Justo replied that the shed will be delivered on the 16th. He doesn't want to move it twice, but if he has to, then he has to.

Mayor Maher stated that they would not be able to act without that info. If it's a convenience issue just let us know. We will look into this a little more and we will put it on the agenda for next meeting.

Attorney Donovan clarified that when it is delivered it will not be put in the easement.

Justo replied no.

Trustee Hoffman asked if he had to get a building permit to erect it and then come back for a 2nd permit if we take action on the easement.

Attorney Donovan stated that it may not be another permit fee just an approval if the Board grants the approval. He urged the Board to consider that should they approve this that anything you do does set a precedence. There are other easements in the Village so bear in mind others may ask for the same thing. If it's a good reason and not adversely impact drainage do it, just realize someone else may come and if you've done it in the past you may be obligated to do in the future.

Deputy Mayor Rumbold stated we need to find out if it's an active easement and the impact this will make on it first.

Public Comment

Anita Vandermark, 76 Highland Avenue, even though the Times Herald Record and the Wallkill Valley Times didn't recognize the parade and memorial service Village did well. Looked wonderful and many came to celebrate. Thank you to the Recreation and Parks Department for the planting out in the square. She feels Main Street doesn't have enough flags out, what can we do about that? This is our 6th annual Flag Day ceremony on the 15th and she would like to see stores on Main Street get their flags out to participate. Ethics Board has someone whose term is up and is not asking for an extension to the appointment as she is moving, so there is an opening. She would like to suggest Becky McNally for the position, and think she will make a great asset. TGIF at Stewarts is having a sale on Friday 6/7 for 5 cents off gas and a BBQ. There is a new dog groomer called Bark of the Town on Orchard Street where Flowers by Anita was previously.

Fred Stewart, 53 Albany Post Road, works with Gil Torres of 7 Sunny Place wants to be sure they understand what they need to do next for the 3rd party utility RFP.

Mayor Maher explained that per our Village Policies it is recommended that when a service comes up like this we have a competitive Request For Proposals (RFPs) which will be back to the Board at the next meeting. John will present to us and if you have specific questions you can ask him.

David Sperry, 12 Overlook Terrace, asked if the gate by Hannaford is coming down off Albany Avenue.

Manager Revella stated they do plan on it, the property owner owns and maintains it.

David asked about the Rail Trail and that it's been over 2 years and the Town has not taken one step towards fixing the main problem.

Trustee Leonard replied that they took out the one that failed and put in another drainage last fall.

David continued that once again, he has complained about it since it happened that people think that it's in the Village so they believe it's our property and we aren't taking care of it. The Village wants to put a bridge up, a bridge to nowhere because we don't own the road on either side so where does this bridge go to, nowhere.

Mayor Maher commented that is part of the negotiations taking place for the acquisition of that property.

David said there is no parking there. The Village needs to go to the Town and ask to fix it. Manager Revella replied that on 3 different occasions we have asked and we are told there is no money to fix it. They didn't apply for FEMA didn't think they could or should.

Mayor Maher reiterated that it should have been done with FEMA funds but they didn't apply said they didn't need it.

David asked about Wait Street and the number of cars going up there. The number increases from year to year. Can we get the data of how many cars it is from those surveys that are taken on the road?

Trustee Hoffman clarified that those surveys determine the peak hour of cars hard to make year to year comparison as it doesn't work that way. Intended to determine peak hour.

David continued that from 4 to 6pm the roads are terrible, the main roads so everyone is trying to figure out short cuts. Turning down grant cut through parking lots kids walking it's a disaster. Traffic study to help fix these issues or build up until something happens.

Manager Revella stated the last study was DOT in 2012 and the conclusion was that they have no answers for our problem.

David asked how we stop cars from turning down side roads. Over the years it has gotten worse. Perhaps we can look into speed traps to slow cars down.

Mary Ellen Matise, 21 Clinton Street, unveiled a photo of the Walden Elementary Schools' history club commemorating the work they did and the award they received. She announced that she will be presenting one at the moving up day ceremony for Mrs. Casillo who will be retiring after the 25th. She's been very supportive.

Nanette DeGroat, 80 N. Montgomery Street, asked for a fluoride update.

Attorney Donovan stated he looked into this at Trustee Mishk's request and he spent some time researching with the engineer also. Nanette gave him some information and as best as he can tell there are 3 separate standards and as best as he can understand the toxicology study issue, in order to be NSF certified the toxicology study must be approved annually. He asked the county health department to confirm that.

Nanette stated she FOILED that information last year and they didn't have one.

Attorney Donovan stated he is not an expert, but before NSF would certify they would have the toxicology study.

Nanette commented that each company has to have the study given to them as we have a right to have it.

Attorney Donovan replied that's not the way it is being explained to him.

Nanette asked why the Board wouldn't want to see a toxicology study done on what is being put in our water. It will prove what is safe and efficient. Why are we leaving that up to a company to say we did it right? Why aren't you doing that?

Trustee Mishk asked if they are required to have it why not from the company or agency who certified it.

Attorney Donovan replied he doesn't know if each time you produce fluoride if a new study must be done.

Nanette stated that there has never been one done but no one cares about that. We are part of the 10 state standard.

Attorney Donovan stated that NSF are standards but they are not adopted by NY legislature so it's not exactly the same. He wanted to emphasize that he is not an expert in chemistry. What he sees is to get NSF certified you have to have a proper toxicology report.

Trustee Mishk asked if the supplier has that certification why can't they provide the report and can we request one.

Deputy Mayor Rumbold stated we did that and we didn't get the toxicology report we got the MSDS sheets.

Trustee Mishk stated from what he understands from what Dave just said they have to have it so why can't we have it.

Trustee Hoffman stated that what he knows, the manufacture doesn't do the toxicology report; the NSF does it.

Trustee Bowen stated that there is a certification being done and we want that from whomever that is.

Nanette stated that the companies pay NSF to do this study.

Trustee Hoffman stated that he is not certain who is responsible for that but they certify it.

Nanette says she is not disagreeing, she agrees but the problem is that reading everything from the Thatcher Company and not one place does it say it's safe to drink. Not one place does it say it's effective to help with teeth. All types of companies produce food and name brands are better than non name brand. They are not held accountable for their product. Not effective because no one made sure the toxicology study said it was safe and effective. Not arguing to add it or not, just make sure the company you use is on the up and up and we had a toxicology study report done and we can read it. They say it's too hard to read which is bull, she can read. With regard to the Discover Walden Event, business owners are excited about it and we have about 15 different businesses participating. They are doing an expo type thing and have their grand reopening on that same day which will be the same day as the Thruway Sporting Goods. They are doing some marketing on this and each business has its own activity for the day. Gathering all info for each one and permits or approval will need to get that compiled in one fall swoop.

Heather Martin, 15 Walden Estates Road, asked if she was allowed to ask for a written reply to the letter of October 2012 from her engineer siting the problem and suggestions along with photos. She told you her concerns but have no answers. Very valid concerns about the tank that hasn't been compacted correctly.

Mayor Maher stated that we've requested a written response from our engineer and then we can give it to you.

Heather asked when she will be responded to and how soon can she expect to receive the agreement to get it approved. It will be another year if she doesn't get something firm.

Attorney Donovan replied that with respect to the agreement, once it has been reviewed then he can mail it to you which should be within a few days.

Manager Revella stated he was not sure when John Queenan's memo will be complete but should be within the next 10 days. He may need to do site work

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 stated he received a lot of emails on Auto Zone.

Trustee Mishk stated that the Planning Board handled a lot of yelling and disagreements. There are 2 sides of course to the story but one thing that stands out is there are different insurance agents who said the property values would go up Mr. Joseph said the values would increase because it will be a finished property and the homeowners said the values would go down. He made a suggestion to the Planning Board to call agents and realtors to see what the real answer is.

Attorney Donovan stated this is part of their SEQR review; looking at the economic impacts. You have to be careful with property values because it's a slippery slope as world events can affect values. You have to be careful of values because they are getting a snap shot in time not a forecasting. Not aware of any case law that allows Planning Board to approve/deny based on property values.

Trustee Mishk stated the homeowners are going to do that because they don't want them there but Mr. Joseph was very quick with an answer.

Manager Revella stated that may have been a comment.

Mayor Maher stated the homeowners don't want any additional development there.

Trustee Mishk stated the homeowners were very receptive of the improvements made there. The previous plan with the restaurant was going to be back further why can't the Auto Zone be there. Tenants will want exposure and not be seen in that area.

Miscellaneous Comments from the Board of Trustees

Trustee Carley asked about the last meeting he was at there were issues about snow removal and he felt it was too subjective on how we determine if someone is within the scope or outside the scope of cleaning it and having it done. He would like it to be back on the table to get something to make it more concrete and have clear lines so someone has a disagreement with our CEO based on this we have something to make it very clear. He added that Memorial Day went well but the lack of music was an issue, lack of a band. Maybe we can put something in the budget to help fix that next year.

Mayor Maher stated it was not a Village parade, it was put together by the VFW and the American Legion and we have offered our help but we could reach out to them again.

Deputy Mayor Rumbold added there is a lack of bands in the area, we share one as there wasn't one but again it was not our event.

Deputy Mayor Rumbold commented on the series in the Wallkill Valley Times about the drug issue; it's good and she hopes you are reading it. It's informative. We had a great movie night with Frozen; had over 400 people at Wooster. Let's keep it up everyone enjoyed it. The Square was beautiful and the monument was wonderful for Memorial Day. There was an issue about flags that was taken care of. She's seen some old postcards from past Memorial Day ceremonies and was struck by the fact that you couldn't move back in the day. We need to get more attendance.

Clerk Bliss stated that there was not a lot of advertising of our event for some reason it was omitted from both the Wallkill Valley Times listing and the Times Herald Record listing.

Deputy Mayor Rumbold continued about the Orchard Street parking lot and the grassy area which is now the main doggie potty area and is ridiculous. She asked if we could pave it over so people can't walk through there. She feels sorry for the DPW who has to mow. She's seen it everywhere around the Village doing it, it's an issue. Do we ever cite people? It's rude and disturbing. Astounding people can't clean up with the dogs.

Manager Revella stated we get a complaint from someone doing it and we have to see the action. Maybe we can try a different type of landscaping.

Trustee Bowen asked about the Little League issue.

Manager Revella stated that the Presidents of both leagues are happy and have no complaints. There was an inquiry and they said everything was fine.

Trustee Bowen said he would relay that back to that person who asked him.

Trustee Leonard commented on the great turn out Saturday night, everyone enjoyed it. Nice work and had a huge turnout.

Mayor Maher reiterated those sentiments and wanted to give kudos to the Village Manager and Mike Bliss; it was a huge hit! Very grateful for the amount of work the Police Department has been doing and does to cooperate with other agencies. Very proud and happy about that and hope it continues.

Manager Revella said anyone who had a suggestion for future family friendly movies to call Village Hall.

Executive Session

Trustee Hoffman moved to go into Executive Session to discuss Collective bargains with the PBA, the employment history of a particular person, and threatened litigation. Seconded by Trustee Carley. All ayes. Motion carried.

Reconvene

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

Adjournment

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

**Village of Walden Board of Trustees
Regular Meeting
June 3, 2014
Motions & Resolutions**

Public Hearing – Local Law #4 of 2014 – No Parking on South Montgomery Street

Trustee Hoffman made a motion to open the public hearing for Local Law #4 – No Parking on South Montgomery Street. Seconded by Trustee Bowen. All ayes. Motion carried.

Deputy Mayor Rumbold made a motion to close the public hearing for Local Law #4 – No Parking on South Montgomery Street. Seconded by Trustee Bowen. All ayes. Motion carried.

Approval of the May 6, 2014 Minutes

Deputy Mayor Rumbold made a motion to approve the May 6, 2014 minutes. Seconded by Trustee Leonard. 5 ayes, 0 nays, 1 abstention (Trustee Hoffman). Minutes approved.

Hearing Request – 33 North Montgomery Street

Deputy Mayor Rumbold made a motion to set a hearing for 33 North Montgomery Street for June 17, 2014 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Bowen. All ayes. Motion carried.

Resolution 1-14-15 – Lustig Court Name Change (amended)

Deputy Mayor Rumbold made a motion to approve Resolution 1-14-15 – Lustig Court Name Change (amended). Seconded by Trustee Hoffman. All ayes. Motion carried. 911 makes changes we will

Historic Markers Grant Application

Deputy Mayor Rumbold made a motion to authorize that the Village Historian and the Village Manager can apply for the grant for the 2 additional Historic Markers to the William G. Pomeroy Foundation. Seconded by Trustee Mishk. All ayes. Motion carried.

Award Bid - James Olley Park Pavilion

Deputy Mayor Rumbold made a motion to award the bid for the James Olley Park Pavilion Project to Seldom Rest Construction in the amount of \$29,000.00 to be completed by July 4, 2014. Seconded by Trustee Hoffman. 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

Trustee Hoffman moved to go into Executive Session to discuss Collective bargains with the PBA, the employment history of a particular person, and threatened litigation. Seconded by Trustee Carley. All ayes. Motion carried.

Reconvene

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

Adjournment

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