

**Village of Walden
Board of Trustees Regular Meeting
September 2, 2014**

Deputy Mayor Rumbold 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:

Deputy Mayor	Sue Rumbold
Trustees	Sean Hoffman
	Willie Carley
	Gerald Mishk
	Edmond Leonard

Absent:

Mayor	Brian Maher
Trustee	Bernard Bowen

Also Present:

John Revella, Village Manager
Tara Bliss, Village Clerk
Dave Donovan, Village Attorney

Hearing – 54-56 Valley Avenue

Jay Buchalski, Code Enforcement Officer, explained this is an abandoned property and the couch has been on the porch with no response from the property owner.

Trustee Hoffman made a motion to authorize the Village Manager and the Building Department to remove the couch on the porch of 54-56 Valley Avenue and any expenses incurred to be charged back to the property owner. Seconded by Trustee Carley. All ayes. Motion carried.

Village Manager's Report

- Introduction of new dispatchers, Craig Dudas and Nicole Morrissey, and new Full Time officer Justin Hall were made by newly appointed Sergeant Roy Werner.
- Viewed the Orange County financial status. We need to be mindful that there is potential that some of our programs may not receive the grant funding that they have in the past. Most grants are pass throughs. We have a sales tax agreement with the county and he has spoken with County Executive Neuhaus and he has asked the governor to allow them to increase the county sales tax budget to help all the municipalities in the county.
- We do have a grant for building the Bradley park pavilion \$50,000 from Senator Larkin's office, we are finalizing paperwork for that.
- Finance Department has completed and reviewed asset reports and submitted to the state for the audit. We are compliant with all the obligations for that.
- Reviewed locations for the speed zone signs during school hours around the Elementary School. You will see school zone signs now. Mapped out areas for students loading and unloading at the back of the school on Maple Street this year.

- Picnic at Olley Park with Walden Community Council which was lovely as it is every year.
- Met with the engineer and signed the contracts for all the bids we had out. Scofield House, Sidewalks & Curbing, Paving and the Wait Street water tank.
- Met with Chief Holmes and the new Principal of Walden Elementary School to see what we can do to make traffic better around the school.
- Village Square Improvements meeting we had here was good and there were no strong objects, just cost concerns to be discussed during budget sessions.
- Dias is being finalized with the flooring decision, difference of \$1,700 for hardwood versus pergo laminate flooring.
- Met with the Recreation Coordinator to go over their programs such as Soccer which starts today, the Jets Game Trip, Harvest Fest layout for vendors for Main Street, and the Main Street and Square Tree issue with the planners, sample planters available for viewing tonight. It would be a large cost to do the whole project over \$100,000. Depends on the cost of the planters and flowers selected.
- Met with pastors of Methodist Church and Fox Hill for their September 28th community day working on some projects in the Village for their Community Awareness project with them as well as other groups.
- Attended the OC Association of Towns Villages and Cities with Clerk Bliss, Trustee Hoffman, Trustee Carley, Trustee Mishk, Trustee Leonard, and Mr. Sebring from the Planning Board, where Rod Freeman was the speaker who spoke about Freedom of Information Law which was very informative.

Trustee Hoffman asked about the report of brown water and if there was a resolution to that.

Manager Revella replied no. Iron issues at Well 7 will be an ongoing issue. We have been minimally using Well 7 because of that issue. We do not have a long term solution for this problem yet. Some of the brown water concern was also related to the Bradley Lane Project and some other water digs.

Deputy Mayor Rumbold asked about the adjustments we need to make to adjust for the Sales Tax issue.

Manager Revella replied we are being conscious with funds. We made some adjustments last meeting and some others are on for tonight. We are monitoring as we go forward to make frequent adjustments. Will likely see adjustments at almost every meeting. Will get periodic updates from county about sales tax revenue.

Trustee Hoffman said that he read a report from the State Comptroller that said it was good but county says it's not. It's good for the State but doesn't mean it's good for Orange County.

Deputy Mayor Rumbold asked about how we check with the state for accuracy with what we receive from the county. How do we check that number based on projections?

Peter Sullivan, Village Treasurer, replied that we got a check in February that was less than expected which is what prompted us to call the County. Our number in the budget was optimistic. Our supplemental payment received was not received this year but we

were not warned ahead of time that that money would not be coming. Now we get updates and projections because he asks the county frequently.

Approval of the August 12, 2014 Minutes

Trustee Hoffman made a motion to approve the August 12, 2014 minutes. Seconded by Trustee Leonard. 4 ayes, 0 nays, 1 abstention (Trustee Mishk). Minutes approved.

Approval of the August 14, 2014 Special Meeting Minutes

Tabled

Trustee's Committee Reports

Town of Montgomery & Library Board liaison – Trustee Leonard

Trustee Leonard stated he had nothing to report.

Village Clerk & Village Treasurer Liaison – Trustee Bowen

Trustee Bowen was absent.

Police Department Liaison – Deputy Mayor Rumbold

Deputy Mayor Rumbold reported that we met the new employees and saw the taser demonstration this evening. Police Department doing more trainings and had a busy summer, going into fall and hopefully less busy.

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

Trustee Hoffman reported that Dean was on vacation this past week but the department has had a lot of activity mostly residential improvement projects. In two weeks we have our Tri-Board meeting. Let him know if you have anything to discuss for the agenda.

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

Trustee Carley stated that summer camp ended August 14th. The last summer movie was August 30th and was well attended. Music in the Grove concert on September 6th. Soccer registration is currently open. Farmers market is moving along. Working on the SYLA grant reimbursement. Teen center hours are now changed for the school year to Friday & Saturday nights 7 to 11. Will attend the next School Board meeting coming up.

Village Justice and DPW Liaison - Trustee Mishk

Trustee Mishk reported the dais work is going well. DPW seems to be going well.

Public Comment on Business of the Board

Deputy Mayor explained there was a correction for the 9/11 ceremony it is at 8pm not 8:30pm. There are 2 additional action items of setting a hearing for 42 Bank Street and 16 Northern Avenue for property maintenance.

Becky Pearson, 167 Walnut Street, asked about the plan for the trees and asked if anyone thought about what it would look like if you cut all the trees down.

Manager Revella replied that we have talked about phasing the plan in if we can. It also includes the square. We have prices for options. The issue is that the trees are larger than they were intended to be and are affecting electric there as well as the wires. The roots

are at gas/sewer/electrical line levels so putting new trees will be difficult. Additionally, there is sidewalk heaving of the sidewalks and grates.

Becky asked about the garbage contract and asked if the Board was looking at doing it in house or contracting with Village of Montgomery as a shared service to save money. She asked about the office hours and if there has been consideration about changing for after work hours. Commuters are something to consider when setting them.

Manager Revella replied that we have a payment drop box that is open 24 hours a day.

David Sperry, 12 Overlook Terrace, asked if there was a speed limit sign near the stop sign on Oakland and Highland and if anyone figured out how many tickets have been given there before putting in another stop sign.

Trustee Hoffman clarified that the stop sign is not being put in to deter speeding.

David replied that he understands that you can't put a stop sign in to control speed but that is a reason for the request. How many tickets have been posted? Parking in that area has been tight on both sides of the road; maybe eliminating parking on one side of road in that area would help. He asked about the Bradley Lane project curbs, were they there before? Why is the road narrower now?

Manager Revella replied yes. When they reclaimed the road it was widened to 24 feet.

David asked why it's not 31 feet as he had been told in the past by previous Village Managers.

Manager Revella replied that we'd be too close to telephone poles if it was 31 feet. To clarify, it's not narrower, it's the same width. It was widened at the top to Ivy Hill but the rest is 24 feet.

David asked why they didn't upgrade the drainage in the area, the water is just going to flow right down there.

Manager Revella replied the curbs are the same height that was there.

David asked about the Ulster Avenue project and if there was an update.

Manager Revella replied we are waiting on the state.

David complained about the retaining wall that fell down on Ulster Avenue that still just sits there and takes up part of the sidewalk and the Board told the owners to not do anything about that because this project was happening. That was over 2 years ago. Can the Village remove the wall from the sidewalk? It affects the kids walking to and from school and is not 2 feet in width as required. Additionally the new driveways and sidewalks are gone, anything be done about that? This should have been done during the summer.

Manager Revella replied that the project is not happening until next year. The Building Inspector needs to follow up with that, not sure about the solution at this time.

Trustee Hoffman asked if we were to do any work ahead of time would that be included in the grant or would the cost go to the tax payers.

Manager Revella replied we do not have any approval to do any work and they would not reimburse for it, the tax payers would pay for it.

Trustee Hoffman stated that the walls are privately owned and we would need to cite them if they didn't do anything to repair it. This issue is not the homeowners fault however it's the State's fault for delaying the project so long.

David stated that School is starting and he's concerned about that. This should have been corrected 2 years ago when it fell. He understands that DOT is funding the repairs but it will not happen until next year. In the meantime, who fixes the dirt on the sidewalk, the homeowner?

Manager Revella stated that he will have Dean follow up and give a report at the next meeting.

Action Items

LL#5 - Highland Avenue Stop Sign

Trustee Leonard made a motion to set a public hearing for Local Law #5 of 2014 – Highland Avenue Stop Sign for Tuesday, September 16, 2014 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Mishk. All ayes. Motion carried.

LL#6 – Use Request B-1 Zone

Trustee Mishk made a motion to send Local Law #6 of 2014 – Use Request B-1 Zone to the Orange County Planning Board and the Village of Walden's Planning Board for a 30 day review. Seconded by Trustee Hoffman. All ayes. Motion carried.

Set Town Hall Meeting for LL#7 – Landlord Registry Law

Tabled.

Reschedule 10/7 Board Meeting

Manager Revella explained that the Rising Stars Event is that night and the Mayor, Trustee Hoffman who is being honored, and Manager Revella would like to attend the event. There will be a deputy clerk available if the Board would like to keep that date without the others listed. October 6, 2014 has been suggested as we would have Rob Dickover as our attorney from 6:30-7:30pm prior to the Planning Board meeting that night. October 8, 2014 was suggested but we would not have an attorney present that night.

Trustee Mishk made a motion to cancel the October 7, 2014 Regular Board meeting and reschedule it for September 30, 2014 at 6:30pm. Seconded by Trustee Leonard. All ayes. Motion carried.

9/11 Ceremony Request

Trustee Leonard made a motion to close portions of Municipal Square as needed for the 9/11 Memorial Service on September 11, 2014 at 8pm. Seconded by Trustee Hoffman. All ayes. Motion carried.

Surplus DPW Equipment

Trustee Leonard made a motion to authorize the Village Manager to surplus the list of DPW Equipment with no minimum bids. Seconded by Trustee Hoffman. All ayes. Motion carried

Surplus Police Equipment

Trustee Carley made a motion to authorize the Village Manager to surplus the list of Police Equipment with no minimum bids. Seconded by Trustee Hoffman. All ayes. Motion carried

Budget Amendment – Resolution 10-14-15

Peter Sullivan, Treasurer, explained the resolution in front of everyone tonight. Will move funds from various accounts into one account, Capital 122. Transfers total \$45,088.00.

Trustee Leonard made a motion to approve Resolution Number 10-14-15 Budget Amendment in the amount of \$45,088.00 amending Resolution 39-13-14. Seconded by Trustee Hoffman. All ayes. Motion carried.

Hearing Request – 42 Bank Street

Trustee Mishk made a motion to set a hearing for 42 Bank Street for September 16, 2014 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Carley. All ayes. Motion carried.

Hearing Request – 16 Northern Avenue

Trustee Leonard made a motion to set a hearing for 16 Northern Avenue for September 16, 2014 at 6:30pm or as soon thereafter as could be heard. Seconded by Trustee Hoffman. All ayes. Motion carried.

Discussion Items

Village Office Hours

Manager Revella stated that until further compelling information is presented to him, the Village Office Hours will be Monday-Friday 8am-4:30pm.

Main Street Trees

Manager Revella passed around sample planter photos. The high end is unaffordable at this time. We have been talking about possibly phasing it in but need to be mindful of the consistency to avoid it looking like patchwork. If grant funding becomes available we would cover it and could do it all at once but this is not in our budget at this time. Some are large enough but very expensive. Aesthetically we would rather put a tree in the planter versus flowers as it would be more visually pleasing. Beacon has permanently fixed planters as an example as well as many in NYC. Couldn't find municipality, still working on that. Arborist didn't have information available for this meeting as he had a death in his family, next meeting should be here. If we replant it may cause the same issue again in the same area.

Deputy Mayor Rumbold stated she would hate to remove trees that aren't causing an issue when it could be ok to leave them. If we can't afford to do it all, can we just leave the ones that are not issue and take out the ones that are to alleviate the danger those ones cause. Perhaps we can remove the problem ones and replant a new tree that won't cause the same problems.

Manager Revella stated we could certainly look into that. There are 41 total trees and the figures before you are tremendous. We should definitely deal with the ones that are an issue at this point. Planter will be an eye sore rather than another tree. Other suggestion would be getting rid of the grates and putting in either stones or stamped concrete and leave the trees as the grates are most of the problem. That would be a lot less of a shock on the system. NYSEG will come and trim the trees as needed which isn't always the most beautiful approach but inevitable if the trees grow into the wires.

Deputy Mayor Rumbold asked him to gather other options and other figures and present them at the next meeting to continue this discussion about what absolutely has to be removed.

Garbage Contract

Manager Revella stated that we have an option for renewal or we could go out to bid. If we do that, the time is now in order to have bids back in time to award before December 31st which is the end of the contract we have. We have the option to renew for same price at this time.

Trustee Mishk asked about sharing the service and doing garbage removal ourselves.

Manager Revella replied, if we were to do garbage pickup ourselves we would need to purchase our own truck and have our own employees. We would share a backup vehicle with Village of Montgomery when we needed and help each other for bulk pick up. We would need a year lead time to do it with the Village of Montgomery.

Trustee Hoffman asked about costs of doing it ourselves.

Manager Revella replied that this has been discussed in negotiations and right now is comparable for what we are paying in our current contract. If we did that after the first 4 years we would start to see the return on investment in the 5th year. That is if we keep the toters we have now. We would save more if Taylor opens up and tipping fees would decrease that would be a savings. Tipping fees went up this year but our cost for garbage removal did not go up. Taylor hasn't opened yet which was why we were talking about going into the business of garbage.

Trustee Leonard added that we have to consider that it's a 2 hour wait to dump garbage in New Hamburg these days. Village of Montgomery has to factor that wait and drive time into the hourly rate.

Manager Revella replied we would need a decision from the Board by the September 30th meeting. IWS, our current carrier, has been responsive to our requests, and we only have the normal issues of missing pick-ups, or leaving cans in the street, or a resident who forgot to put their garbage out. We will put this on as an Action Item at the next meeting.

Square Improvements

Manager Revella reported that the Town Hall meeting went well. The majority at the meeting think it may work the way it's been proposed. Consensus was to phase in the project, do stamping, stay like that then gradually add the planters and the benches over the course of a few months. At this point we will look for grant funding for this project or try to put it into our budget next year.

Public No Parking Zone – Ivy Hill Pump Station

Manager Revella reported that the end of the dead end of Ivy Hill Road, where the pump station is, maybe 2 car lengths, there is a car that has been parked in front of the pump station for the past 3 months. If our machines need to access to that pump station we can't because that car hasn't moved. We have gone door to door in the area and no one knows who it belongs to. If the pump station went down it would be an issue because we couldn't access the pump station.

Trustee Hoffman made a motion to have Attorney Donovan draft Local Law #7 – No Parking Zone, Ivy Hill Pump Station for the September 16, 2014 Board Meeting. Seconded by Trustee Carley. All Ayes. Motion carried.

School Zone No Parking (school hours) – Maple Street

Manager Revella explained that since we have met with the school and have made a new plan to have the buses come to the back of the school on Maple Street for drop off and pick up we now need to make the area for the buses to pull in a No Parking Zone during school hours only so that the buses can get in there. Currently the people who park there are teachers and their teacher parking lot is underutilized.

Trustee Leonard made a motion to have Attorney Donovan draft Local Law #8 – No Parking Zone (school hours), Maple Street for the September 16, 2014 Board Meeting. Seconded by Trustee Mishk. All Ayes. Motion carried.

15 Minute Parking Zone (school hours) – Orchard Street

Manager Revella explained that in the front of the school on Orchard Street it is a no parking zone. If a parent comes to pick up a child from the nurse or needs to just come and drop off a child there is no place for them to come and park as it is no parking during school hours. We are suggesting 2 spots for 15 minute parking during school hours only in front of the school on Orchard Street.

Trustee Hoffman made a motion to have Attorney Donovan draft Local Law #9 – 15 Minute Parking Zone (school hours), Orchard Street for the September 16, 2014 Board Meeting. Seconded by Trustee Mishk. All Ayes. Motion carried.

Public Comment

Becky Pearson, 167 Walnut Street, asked who was going to attend the town budget sessions.

Manager Revella replied that he always does and Mayor Maher is the liaison for the Town of Montgomery.

Becky suggested we organize the residents to go to meetings along with Trustees to have our voices heard.

Trustee Leonard commented that since the Comptroller come in and looked at their books NYCOM said couldn't stop it without suing the Town. We need to organize the 3 Villages together to sue them.

Becky commented that on the School tax there is a collection fee goes to the Town not the Villages. We take care of the schools such as the laws you just discussed tonight, someone needs to get control of that. With regard to the trees, she heard some great comments tonight, so thank you. She suggested the Village put in root barriers that could help them from heaving the pavement. Pavement idea would stop water from getting to roots so think about that as well. In the square she suggested starting by taking the tree out of Bedesky Park and put at the end of the Square and try the traffic pattern first instead of pavers. Sidewalk heaving is not an issue with the Bluestone in other communities and if you cut down the trees will cut into the way the community looks. She looked at the Audited bills report, she asked what the \$220 bill for the Barnside was for.

Manager Revella replied it was catering for the Summer Youth Employment Program.

Becky asked about the invoice for Ron Clum for CPA services.

Manager Revella replied that he is doing the HODAG work for us.

Becky asked if we could do that work ourselves.

Manager Revella replied perhaps.

Becky asked about money for trees from NYSEG that was \$9,000. Do we still have those funds?

Manager Revella replied that we used most of it at Bedesky Park.

Brenda Adams, 31 Valley Avenue, asked for clarification on the budget adjustment; is it coming from the General Fund.

Manager Revella replied it is from Sewer.

Brenda asked if this transfer was planned or because we ran short on funds.

Manager Revella replied we ran into problems at the plant because of the overflow of the road that is causing DEC violations. It is sewer work which is why it's coming out of the Sewer Fund. That fund is doing better as well as the Water fund than they were before.

Brenda commented that the breakeven point for buying a garbage truck would be after 5 years; what is the lifespan of the truck?

Manager Revella replied most likely about 15 years, depends on the wear and tear. Figures include employees and benefits.

Brenda asked if there was a decision on the Investigator position, will it be filled.

Manager Revella replied we will fill it but not sure when at this point.

Anita Vandermark, 76 Highland Avenue, asked if we took out the trees, would it be done by an Independent contractor or would the Village do the work on the trees if decided.

Manager Revella replied we would use an independent contractor.

Anita asked about the work on East Main Street near the Hill Street Bridge.

Manager Revella replied the State has a contractor doing bridge work.

Anita asked about the Highland Avenue sidewalks.

Manager Revella replied should be the week of September 15th starting. We posted the information on the website.

Anita asked if we did garbage removal what department would that be.

Manager Revella replied that it would be the department of sanitation and public works.

John Joseph, VS Walden LLC (Thruway Plaza owner), asked about the Outdoor café license for Franco's. He thought it would have been on the agenda tonight as he did get approval from the Planning Board.

Manager Revella replied that he just needs the information from the Planning Board and we can put it on the agenda for next meeting.

Payment of the Audited Bills

Trustee Leonard asked about the bill from Healey Brothers. It didn't have any break down on what it was for.

Manager Revella replied he wrote it on the bill itself.

Trustee Leonard made a motion to pay the audited bills. Seconded by Trustee Hoffman. All ayes. Motion carried.

Correspondence

The Board received a letter from the resident at 16 Oakland Avenue.

Miscellaneous Comments from the Board of Trustees

Trustee Mishk talked about the speeding in the Village on the main roads. Since we've done the speed hump on Oakland, traffic has picked up on Highland and the Police Department has written tickets for speeding on Highland. There are other areas that are in need of speeding monitoring especially with school starting again such as Wait Street and South Montgomery Street. He asked if we could get more police presence to issue speeding tickets there too, not just Highland. He asked if Trash cans could be put by Highland Avenue by the rail trail. The area is getting bad there with garbage.

Manager Revella replied that we have one at the end of the switch back as well as at Wooster Grove. Perhaps after we finish the sidewalk project we could do that in that area.

Deputy Mayor Rumbold asked about the Tin Brook bridge weeds and getting the DOT to cut them.

Manager Revella replied that we have made calls but we have cut it back ourselves.

Deputy Mayor Rumbold talked about an issue at the School bus stop near Highland. Parents sit there waiting for the kids to get off the bus but if there were an emergency an emergency service vehicle could not get up there.

Manager Revella stated that we are looking to move the curb back to make it a little wider to help but that won't alleviate the issue. One side of the street is already no parking, but they are not parked they are standing. We could look into the code to do a no parking or standing. He tried to get the bus company and the school to move the bus stop.

Deputy Mayor Rumbold suggested looking into making it a no standing zone for next meeting. We need to keep it clear for traffic and emergency vehicles. Woodruff is an issue also.

Manager Revella announced that we can eliminate Executive Session by stating that the PBA Negotiation is scheduled tentatively to go into mediation on Monday, September 8, 2014 at 3pm.

Attorney Client

Trustee Hoffman made a motion to go into an Attorney Client Session to receive legal advice from our Attorney on a Village easement. Seconded by Trustee Mishk. All ayes. Motion carried.

Reconvene

Trustee Hoffman moved to reconvene the regular meeting. Seconded by Trustee Mishk. All ayes. Motion carried.

Adjournment

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

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

Hearing – 54-56 Valley Avenue

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