



TOWN OF PLATTEKILL
PLANNING BOARD
P.O BOX 45, MODENA, NY, 12548

Minutes of: Tuesday July 28, 2026

Salute to the Flag (7:00 P.M)

Roll Call: Darlene Eisenhardt, Richard Gorres, Richard Dmytry, Ernie VanDeMark

Excused: Nathaniel Baum, Eric Merritt, Joseph LaFiandra

Old Business:

Orin Zelenak of Old East Road

Proposing: 4 lot Subdivision

Will Farrell Plattekill Library

Cross Landscaping

Approval of Minutes:

Vouchers:

Adjournment:

E. VanDeMark: So I will defer the approval of minutes to the end of the meeting. We have old business. Mr. Zelenak, I know you were here. Come on up and grab a seat. Okay, where's Pat's comments on? You guys have this, I'm sure. So you've reduced the limit of disturbance down to .81, which is good. We're good there. And Pat has noted that. He's requesting that the limits of disturbance be delineated when you do the work, just so we know we're not going outside the parameters. I'm sure that's not an issue. Our town attorney has identified that he has signed off on the easements and the private road access and maintenance agreement. The easements and access agreement must be filed with the county clerk's office. Has that happened yet?

J. Nosek: So usually, you can correct me if I'm wrong, that the filing of the maintenance agreement and the easement is at the same time as the filing of the subdivision map. So once the subdivision map is signed and stamped, everything is filed in one shot.

D. Eisenhardt: Patti says yes. Okay.

J. Nosek: So we don't have a problem. It's all done at once.

E. VanDeMark: You're going to do it all at once.

J. Nosek: I'll do it all at once.

D. Eisenhardt: So then they just have to proof of filing before you sign the maps.

E. VanDeMark: Apparently, you're going to receive DEC Article 24.

R. Gorres: No. No, because he's got to file all that at once.

D. Eisenhardt: Proof of filing.

J. Nosek: We will give you proof of filing. It's all done at one time. You have proof of filing of the subdivision map, of the easements, of the maintenance agreement. We'll give it all to you.

E. VanDeMark: So we have already declared a Nec Deg.

J. Nosek: Yeah, that's comment seven, so to make a SEQRA determination, which I believe you've already made.

E. VanDeMark: Right, we have. The security for the construction of the private roadway must be posted prior to stamping of the plans, which it has to go before the town board for approval. So I cannot sign the maps, but we can give you conditional approval.

R. Gorres: Have you made an appointment? Do you have it made on the agenda for the town board?

O. Zelenak: I talked to the supervisor. He said he was going to find out what the fastest way to get that.

E. VanDeMark: The next meeting for them is August 5th.

O. Zelenak: Yeah, and he also said, I think, that it was, at least Dawn said that, or somebody told me that it would be that the town attorney just needs to specify where they want to receive the funds.

R. Gorres: You want that clear?

D. Eisenhardt: Yeah, it says that the security in a form acceptable to the town attorney must be provided.

E. VanDeMark: Okay, so we make a motion to have conditional final approval based on

R. Gorres: approval from the town board of the \$89,000 bond.

E. VanDeMark: Proof of filing?

R. Gorres: No. The proof of filing will come after they get final approval. They'll file it all, and then they'll send us the proof of filing. So that's not a condition. It can't be.

J. Nosek: Because we can't give it all to you and provide proof of it all until you sign the maps for us to take a look at it.

E. VanDeMark: So you've got to wait on that then.

J. Nosek: But we will give it to you.

R. Gorres: So that's the only condition.

E. VanDeMark: Do we have a motion on that so we don't forget anything?

R. Gorres: We make a motion to grant conditional final approval for Orin Zelenak, 44 East Road for subdivision, and conditional final based on \$89,000 bond being approved by the town board.

E. VanDeMark: I'll second it.

All Ayes on the vote.

D. Eisenhardt: This includes maps and mylars and fees, right? And just so you know, there is a \$1,750 rec fee that is part of the fees.

O. Zelenak: Yeah, I paid \$4,150 so far.

D. Eisenhardt: Yeah, and I've got your balance there. So that would come out of that, just so you know. Just wanted to let you know that's a fee that's in there. It's a required recreational fee.

O. Zelenak: Sure. So is there a balance that comes back to me after this?

D. Eisenhardt: After you have left over, after all your fees are paid, then they'll issue you back the refund.

R. Gorres: We'll issue back how much it is. And we'll remind them if they don't.

O. Zelenak: I'll take it. I'm sure they will.

J. Nosek: Okay. Okay, so it was approved? Yes. Yes, yes. Conditional final. Thank you.

E. VanDeMark: Okay, Plattekill Library. Hey, Patti.

W. Farrell: I just wanted to start quickly. As you all know, we're doing a project for hopefully the new library.

We got involved with DOT back in December over the sidewalk that we agreed to do for the town. And we've agreed from day one to do it. And this has just been way too long, drawn out, drawn out. I just called a couple weeks ago. They assured us we would have it for the 23rd because we've gotten on the schedule for the 28th. Instead, they sent us another whole round of nothing really important, real pertinent

things like what kind of paint we could use on the crosswalk. And this is holding us up. What we have to do, we've been on a timeline. We're trying to get in position where we can go for our bond. And we hoped to do it this spring. Now it got pushed back again. We're looking to do it in October. We're looking tonight just to get contingency approval based on their information that they need. What they need now is absolutely minimal. We've done everything. All the engineering, all the architecture work, all the surveying has been done for months.

R. Gorres: You've got everything done except for? The DOT telling us. DOT. And they added this to the list after the fact.

P. Brooks: DOT is fully done with stage one of the permit process. And as this board knows, we used to get e-mails from DOT after stage one was done saying we've conceptually approved everything. The access is okay. The sidewalks are okay. Now do the full design. Instead, what they did is they gave this entire list, which is the full design, stage two and stage three of the permit. You never do that until you have the funding to be able to build it. Because it's tens of thousands of dollars for that design.

R. Gorres: I remember you saying something about that a couple years ago.

P. Brooks: Yeah. And what ended up happening is because DOT has changed their standards and you can't even e-mail back and forth with them anymore, they have an online approval process. And everything has to go through that portal.

W. Farrell: I want to make one point, though. So that whole thing, what Chris mentioned, months and months and months, obviously we've been paying for this. We've spent thousands of dollars that wasn't in our budget. So we're at the point now, either we have to do something to move forward, because all this we didn't count on. We didn't really count on. We thought this would be such a slam dunk, such a simple, a sidewalk.

R. Gorres: Right, for a sidewalk that nobody's going to use.

W. Farrell: I would agree with that. But anyway, that's where we're at. So just on Chris Arkin and Al Ross Architecture, the project manager. So to follow up on what Patty said, we have been in constant communication with DOT since December, basically every month, working with them to figure out how we can move this along. And we did make a point to them to say that we are specifically looking for a stage one approval, and we were kind of told that it doesn't really work that way anymore. So that's where we're at. And at this point, we're looking for a conditional site plan approval from the board so we can proceed with the bond, and the condition would be that we meet all the requirements of DOT. And I think as long as the board has any comments, we've had the public hearing. We've changed all the particulars. We're basically in DOT's court at this point.

R. Gorres: Time to move on.

W. Farrell: Yeah, exactly.

D. Eisenhardt: Yeah, and I spoke with Pat, and he didn't have any issues with it.

P. Brooks: I think we can also put this in the record, because basically it is an acknowledgment from DOT that these are all the things that we need now. To me, this email almost is the stage one approval.

R. Gorres: And they'll grant you a permit to build the sidewalks until that's all satisfied?

P. Brooks: Correct. And they never would. I mean, that's always part of the process, but they generally will send you an email saying.

E. VanDeMark: How many feet is that sidewalk? You told me when we had a conversation.

R. Gorres: Yeah, I was going to say 150 feet maybe, right?

D. Eisenhardt: Can you email that to Plattekill Planning so I have a copy?

W. Farrell: There is no retaining wall. We're able to manage the grades, and we spent a significant amount of energy working the filling of the water, the curbs, how to drain that. I mean, we are well beyond preliminary approval. I know where every inch of water is going on that road, so I think we're past preliminary.

R. Gorres: I make and grant conditional final approval for the Plattekill Library to put their building up, addition up, based on the condition they meet the New York State DOT standards for the sidewalk.

E. VanDeMark: For the sidewalk which they have agreed to construct from day one. It's been in the plans.

D. Eisenhardt: Second.

All Ayes on the vote.

P. Brooks: I'm not leaving yet.

R. Gorres: Huh?

P. Brooks: I said I'm not leaving yet.

R. Gorres: That's okay. I don't mind that. What are you here for?

P. Brooks: You have somebody who wants to do a presentation, but I want to talk about Brian Cross. We had received final conditional approval on him, and then we came back in and said, oh, we'd like to put an apartment on top, which has started the whole thing rolling again.

R. Gorres: When I saw that, I'm like, no.

E. VanDeMark: He's going to put the kibosh on.

P. Brooks: Brian said, forget it. I need to get in the ground.

R. Gorres: He does. He can do that afterwards.

P. Brooks: Yeah, and that's what I said to him. Yep. So I'd like to.

Logging at 442 Crescent Ave.

M. Hollick

R. Gorres: Okay. Just keep this simple. The process is ridiculous. Okay. We'll talk to the people that live around the corner from me. How long has this logging been going on?

M. Hollick: The logging started last April.

E. VanDeMark: For the record, can you state the address where this is happening? Name and address.

R. Gorres: Come on up here. Come on up. Have a seat.

M. Hollick: I'm Michael Hollick, by the way. Nice to meet you all.

R. Gorres: What's your address?

M. Hollick: We live at 448 Crescent Ave. The logging is occurring at 442 Crescent Ave. in Highland, New York. It's over near Indian Ridge.

D. Eisenhardt: This is the Ohioville solar farm?

M. Hollick: No. No. This is on a private residential lot.

R. Gorres: In relationship to Indian Ridge.

Mrs. Hollick: We're just up the hill a little bit. It's just a little bit upwards, and then it's right there.

M. Hollick: So, back in April, the landowner of Vinciota started a logging operation with Craig Ropsey Benjamin Logging, Craig Benjamin Logging, to clear-cut many of the trees on this property. It's a large property. It's about 14 acres of old-growth woods with some assorted wetlands. They took a sizable chunk of the forest out already. Some of the neighbors, including ourselves, were concerned about the logging and found out through the DEC that they did not have the proper permits. The town and the DEC put in a stop work order. We received a letter from the town board on June 26th stating that the logging had

received their permit and their go-ahead to resume on July 1st and that they were expected to end by August 1st. As of now, they have not been up there doing any cutting that we've observed. I haven't seen anything like that. But we are concerned about potential impact to the wetlands on the property and to the forest, especially because it's adjacent to an environmental conservation zone. The town board said that they did not do any sort of environmental assessment. Based off feedback they got from the DEC and from the town engineer, Pat Hines, and they said that we should come talk to you and see if there had been any discussion with you guys about the cutting or any potential construction that might be happening at the site.

R. Gorres: You know, how old that logging law is Patty? the whole logging law is bad. It's been a while. They passed that law a while ago, and it's 10,000 board feet. And it's kind of hard to judge that, but I have a logger that comes in once in a while and cuts the oak trees off my property because we're trying to thin it out with the DEC fortress and there's way too many trees for what you've got on the property. But you do 10,000. If you go over 10,000, you've got to get a permit from there, and I'm not sure what that permit process is besides going to the town board. The town board should, I would think, almost want to do a site plan to figure out what you're disturbing and what you're not disturbing because when they built the solar farm down the road here, they literally clear-cut 20 acres of trees without permission of anybody board. So I don't know what to tell you to do.

Mrs. Hollick: Well, that's why we're getting sent in circles too. The DEC, where we're at with them, they're saying we should get a biologist in.

R. Gorres: There's people that usually enforce that stuff. Because when we decided to do the logging, the first thing we did was call DEC, and we had a logger come out and mark the trees. When they're forced to come out and mark the trees, that way it was done properly. But it sounds like everybody's just passing the buck around.

Mrs. Hollick: And they're all saying that the others are doing that too.

P. Brooks: DEC said they gave a permit for it?

M. Hollick: DEC doesn't approve it for that. What we heard from the town board was—

E. VanDeMark: This town board here?

M. Hollick: Yes, this town board from Michael Lembo's office is that they had spoken to a biologist at the DEC, Weston Mason out of New Paltz, told them they were aware that the land was a threatened and endangered zone and that it contained wetlands, but that there wasn't any reason to halt the logging and that they could go ahead.

Mrs. Hollick: Well, they said they didn't have specific recording features.

R. Gorres: I see that look, Patti. Something doesn't sound right there, because when you do a site plan before us, they want to flag everything. And I would think if you're working cutting trees near a wetland, DEC would require you to have a buffer to the wetland just like you do when you build a house.

Mrs. Hollick: And the DEC mentioned that buffer, but they haven't sent anyone, and the town hasn't sent anyone to check on that.

R. Gorres: So why was he allowed to keep cutting until they straightened that out?

M. Hollick: I don't know, and that's kind of why we're coming to ask questions. My concern isn't, like, him properly maintaining his property or taking out a few trees. My concern is, like, clear-cutting and potentially impacting this environment in a way that can't be reversed.

R. Gorres: The reason for the law was because we had that problem in the past. In fact, Judy was the supervisor when they passed that law because they had people clearcutting land and just taking trees out whole sale. And when you do that, you've got to do it planned better.

Mrs. Hollick: Well, we talked to a neighbor.

P. Brooks: If you're doing more than an acre, there's got to be a soil and erosion control plan, too. Who's approving that?

R. Gorres: That's the town board. That's all on the town board.

Mrs. Hollick: We've talked to the town about that as well, and they said the town engineer, who I don't think is actually a certified engineer, approved it.

R. Gorres: We used the same engineer. The firm is, and they review it.

Mrs. Hollick: But the person they said approved it wasn't even on the site. It didn't visit.

R. Gorres: Something doesn't seem right.

M. Hollick: Michael Lembo said no one had been out to the site to look at it.

Audience Member: Like, they need a site plan.

R. Gorres: That's what I thought.

E. VanDeMark: Are there any silt fences put up? Anything at all? Or is it just an area you put a hack in and out?

Mrs. Hollick: So what we heard from a neighbor who is close to who this person bought the rest of the land from, the person, the parcel owner, Vince, is out of money for renovating this house, and he just

wants to clear cut the whole acreage to just make the money back, is what a neighbor who sold him the land mentioned. Yeah, and he's done more than 10,000 square feet. Because you mentioned three, four trucks. There's been more than six or seven.

R. Gorres: Yeah, but if you've got a permit from the town, he can.

M. Hollick: That's a letter from our neighbor, Steve. See if I have any extra. Yeah. Just with his concerns. He shares a driveway with the property that is being bought. Oh, okay.

Audience Member: There's already a lot of trees taken down up the hill there, right?

Mrs. Hollick: Yes. Near a wetland, too.

R. Gorres: Can you see it from the road?

M. Hollick: Partially, and that's a photo.

R. Gorres: Let me see a map.

M. Hollick: That's a photo.

Mrs. Hollick: That's just a before and after.

R. Gorres: I can't really tell where that is.

M. Hollick: This is coming down the hill. That's the driveway.

R. Gorres: Oh, this is your driveway.

M. Hollick: And this is Crescent Avenue. Crescent Avenue would be right here.

R. Gorres: Coming from Clintondale.

Mrs. Hollick: Yep.

R. Gorres: It's this way, so it's the left.

M. Hollick: Yep.

R. Gorres: And now is it the bottom of the hill? Where is it in relation to the apple farm?

Mrs. Hollick: Up the hill a little bit from the apple farm. The one that's by Indian Ridge.

R. Gorres: Before Indian Ridge when you're going that way. Yeah, that used to be chasing the apple farm.

Audience Member: It's up on a higher point before you go down that big hill.

Mrs. Hollick: Yeah, right at the top of that.

P. Brooks: Is the driveway the old Crow Hill Road?

R. Gorres: That's what I was thinking, Patti.

Mrs. Hollick: No, this was a newer road put in.

R. Gorres: Is it on the left or right?

M. Hollick: I have plot maps. Highlighted.

E. VanDeMark: This is what we are talking about, and this is Crescent Avenue.

M. Hollick: Yep. Let me see if I have some more.

R. Gorres: The buildings are close to the road I believe used to be the labor camp.

E. VanDeMark: This will help you out a little more. This is Crescent, This is what we're talking about.

R. Gorres: Oh, that's Elliswood.

Mrs. Hollick: It's not on Elliswood. It's a little more east.

R. Gorres: It's a little bit beyond it. There's a trailer up front here.

Audience Member: Right, it's in front of Elliswood.

R. Gorres: And to answer your question about Elliswood, there's plenty of room back there because that road's been there forever. That used to be a – Wasn't Elliswood used to be the place where people used to stay during the summer, right?

P. Brooks: Yeah, it was a boarding house.

R. Gorres: Boarding house. So I've been down there. There's plenty of room back there for fire trucks. That's as I knew. Right, Chief?

Mr. Brooks: Yes.

R. Gorres: Former Chief?

Mr. Brooks: You are correct. But may I make two points? First of all, there's 10,000 feet. It's not an area. It's not square feet. It's 10,000 board feet. Which is the volume of boards those trees would produce. And unless you're a forester or a surveyor, you don't know how to calculate board feet. Number two, it's a town ordinance, town law that was passed, I think, in the early 90s or late 80s. So get in the code and find out what that pruning process is. Because you're talking to the wrong board.

Mrs. Hollick: We were at the other board until this come here.

P. Brooks: Yeah, I was at that board meeting as well when you were there.

R. Gorres: The problem is this town board doesn't – Yeah, but the problem is they don't know about it. They don't have the ambition to look.

Mr. Brooks: And that's your ammunition.

P. Brooks: Right, right. At the end of the day, the bottom line is that it's a fairly new town board. So unfortunately, you're in a position where you have to do your due diligence. You have to go into town code. You have to be able to go to that town board and say, you sent us to the planning board, but it's the town board that implements the logging regulations, and this is what you should have been doing.

Mrs. Hollick: We gave them – we probably came across that code and just need to re-present it to them.

R. Gorres: So the question is, if Pat Hines reviewed it, Pat should know what to look for in the town code.

P. Brooks: And that's where it doesn't make sense, because usually the town board doesn't send stuff to Pat.

E. VanDeMark: I don't think it was even sent to him.

R. Gorres: I think somebody gave a cursory glance and said – Go for it.

P. Brooks: I just find it hard for Pat not to comment on those things.

R. Brooks: Exactly. He likes to comment.

M. Hollick: I know that they were trying to pay \$7,500 to the town board for not having the correct permits at the time, and I do know that they uprooted trees and that the DEC said they still didn't have the permits as of July 1st for disturbing groundwater. I do not know if that's changed. I don't know if there's any construction that they're planning, like if they're building a new house.

R. Gorres: Were they cutting any trees near the wetlands?

M. Hollick: They were starting to come down the hill towards the wetlands, and the wetlands are not flagged or marked in any way.

P. Brooks: So probably what happens is when they're just cutting the trees and they're not uprooting them, they don't consider that to be land disturbance.

M. Hollick: Yes. But they did uproot many of them.

R. Gorres: So they're just dropping the trees.

P. Brooks: They're just dropping them. That's why they didn't need the stormwater permit. But if they uprooted them, that's why they got the permit.

Mrs. Hollick: They are. Most of them are being uprooted. Because we can see it from our backyard, because they started to go down into this little ditch.

M. Hollick: The small bit of forest that separates where we are from them and our neighbor Steve from them. And, I mean, you can see the photo of before and after. That was mid-progress. The area that they've locked looks like the surface of the moon at this point, and it used to be an old-growth forest. We know from our experience a bald eagle's nest on the property, and we haven't seen that eagle since. So we're a little concerned.

R. Gorres: You would think, because there are certain years when birds nest. When you clear a property to build housing projects, we're required to, you have to do certain things for, like, bog turtles and spotted owls. Whatever it is, eagles. I can't believe that you would clear-cut a forest and not have to do some kind of a little more rigorous—

Audience Member: That's why I felt it should have come to the planning board, because—

R. Gorres: Yeah, but it's not our purview. We don't even— Town Board decided that was their job.

Mrs. Hollick: And then what the DEC told us to do was to figure out if we can get a biologist to record the animals that are there. But there's a cool phone app that tells you what birds they hear, and there's, like, red-shoulders hawks, which are endangered and other things like that. That are nests that I hear every day out in the backyard. So, I don't know. So now I'm like, do I have to go into the swamp and try and identify all these, you know, salamanders and whatnot? Or any— Bog turtles. Turtles, arans. Or whatever else is over there.

Mr. Brooks: You can find it online.

R. Gorres: Yeah. DEC mapper?

Mr. Brooks: State EAF mapper.

Mrs. Hollick: The DEC says they haven't been able to map that land in decades. They haven't been back there. There's a lot of areas. Every area around it says endangered and threatened, but this is, like, right in the center of endangered and threatened wetlands. That just hasn't been looked at yet.

R. Gorres: Would this still be on the DEC mapper, Patty?

Mrs. Hollick: We have looked at that.

P. Brooks: Not everything is on the mapper.

Mrs. Hollick: They said that to us, too. This is tricky. It is. So, what do you suggest? We'll go back to the other— Go to the town board.

P. Brooks: Read the code. Read the code again.

R. Gorres: Yeah, get a copy of the code. Okay. Go to the town clerk.

P. Brooks: You don't even have to go to the town clerk. Go to ECO360. It's online.

R. Gorres: And get a copy of the town code on the logging law. And if you have any questions, you're free to come back, and we can go over it with you because we're not terribly busy right now. So, yeah, find that stuff. And if you've got any questions, I don't know how you get a hold of anybody because we don't have a clerk. Call the building department and talk to Dawn, and leave her a message to call me or Ernie. And if you want, we'll put you back on the list. And the address I have over here already, right?

Mrs. Hollick: Sorry, the parcel number's not on there.

R. Gorres: No, it's on. Because they're also known for not knowing where boundary lines are? They cut trees off my property. Where, what? The property next door. Yeah, that turned into a nasty flood.

Mrs. Hollick: We are right over here. We're in this little parcel. Oh, the parcel number's right there. We're right here.

E. VanDeMark: This is you.

M. Hollick: Yes. They told us they would be cutting right up to our back door. So we're a little, that's our rule.

Mrs. Hollick: And also when the stop work order was put up, it said it was from July 1st to August 1st, so we're not sure if they're going to continue past that or if there's been anything changed. But they said also during weekends and also holidays. That they'd be cutting.

R. Gorres: At this point, they set up a permit process so they can kind of control what's going on next to the neighbors. It's like when you're building things and you make noise, neighbors might not like it.

Mrs. Hollick: Yeah, we're teachers, so this was what our break was, so we were just awaiting this happening.

R. Gorres: They don't want to stop people. They just want you not to destroy stuff. Good luck. Do what Patty says.

Cross Landscaping:

P. Brooks: So Brian Cross, of course, is very anxious to proceed. He got his approval on May 13, 2025 conditional upon DOT approval, delineation of the wetlands buffer on the approved plans and the lighting levels all of which we submitted on June 8th. So I would like to have permission to run all the final prints and have them signed and I will write a letter with drawing the request for the apartment and I just want to make sure that's okay. Well you granted conditional approval already. Yeah so if I withdraw the apartment upstairs I believe that that conditional approval still stands.

E. VanDeMark: Sure. Because that's why we said to go ahead with the apartment because it was conditional and we could always add that condition.

P. Brooks: Right right and we thought that it was going to be simple but when I got the list from I said and then without there being a secretary right now you know now it's two more months and he just can't wait anymore. So all right thank you guys. I really appreciate it.

Discussion:

D. Eisenhardt: The map said they were going to submit. He says he's writing his final map. That becomes the final. So these don't say final?

E. VanDeMark: I don't know that they need to. Question for you. Does the map need to say final on it?

R. Gorres: It should.

D. Eisenhardt: Zelnick said these are his finals, but it doesn't say final.

R. Gorres: It should say final on it somewhere.

D. Eisenhardt: Okay, so we'll have to get new maps from him.

R. Gorres: Yeah, just tell him that. Just to add it.

E. VanDeMark: Okay, so we got a couple more things on the agenda to do, other than vouchers. We got minutes and we've got a discussion on Great Pyrenees.

R. Gorres: Let's stay in that discussion on Great Pyrenees.

E. VanDeMark: Let's do that.

R. Gorres: What to discuss?

D. Eisenhardt: So they have a noise study. And we're supposed to be having somebody review the noise study. The noise study is going to cost, the review of it is going to cost \$2,500. Pat has stated that we should not pay for it, that the applicant should pay for it.

R. Gorres: Absolutely, 100%. That's why you got an escrow account. And if they don't have enough money, they need to be asked for more.

D. Eisenhardt: She'll have to add some more money because she just gave us \$1,000. When I spoke with her the other day about this, she had offered to pay for half of it, but Pat said, no, we can't do half.

E. VanDeMark: Set a precedent, we can't do it.

R. Gorres: Yeah, she's going to pay for all of it.

D. Eisenhardt: When I told her it was \$2,500, she said that's more than what the noise study costs.

R. Gorres: Yeah, we understand that problem. The problem is we don't pay for your studies.

D. Eisenhardt: And we don't have the money in the budget to pay for the review of the study.

R. Gorres: No, all that money is there for, it's for legal fees. If we have a question about the code being confusing, then we pay for it. There's nothing confusing about this.

D. Eisenhardt: We have to reach back out to her and let her know that the board has stated that they will not...

E. VanDeMark: And the noise is basically the number one complaint from anybody living around here.

D. Eisenhardt: The board is not going to pay for that.

E. VanDeMark: It's got to be done.

R. Gorres: It's got to be done. We have to address that. If we address it and say, look, they spent \$5,000 total on all this, and the study says no. It's not my problem. I don't care how long it takes. As long as we do our due diligence, there's no room for a lawsuit.

E. VanDeMark: Okay. Okay, so we had that discussion. And we all agree on that, that we're not paying half. Yep. And it has to be done.

R. Gorres: So, I'm going to ask this question. Are you going to write her a letter? Or send her an email?

E. VanDeMark: I think we should email on a minimum.

D. Eisenhardt: I'll email her. I'm not going to call her, because normally her and I call. I'll just email her.
R. Gorres: Email her and tell her, based on our engineer, you have to add \$2,500 to your escrow account to pay for it.

D. Eisenhardt: Yep, I will let her know.

R. Gorres: And if she doesn't want to do it, project's on hold.

E. VanDeMark: Project's on hold.

D. Eisenhardt: Okay, I will let her know.

Review of Minutes:

E. VanDeMark: O.K. Want to get the minutes out of the way?

D. Eisenhardt: As far as the minutes go I go some stuff from Joe LaFiandra already. And I'll work on those when I get back from vacation. If anybody else has any other things.

R. Dmytry: I wasn't here for that.

D. Eisenhardt: Right, you were not here for it. Rich wasn't here either.

E. VanDeMark: We can't vote on it, approve it then anyway.

R. Gorres: Anyway, just put it off.

E. VanDeMark: So, we're going to table the minutes of the June 9th.

D. Eisenhardt: Nope. That's the wrong date on there. It should be June 23rd. That's the date on the computer. So, table the minutes of June 23rd to the next meeting.

E. VanDeMark: To the next meeting.

Recorded battery died. No more to this meeting.