

Minutes of the Regular Meeting of the Board of Trustees of the Village of Montgomery is held in the Meeting Room at 133 Clinton Street, Montgomery, NY 12549 on March 1, 2016 at 7:30 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, Trustee Lindner, Atty. Dowd, Village Clerk Rivera-Stanley, Police Chief Walsh, DPW Supt. Nelson, Recreation Dir. Taylor, Recreation Supvr. Jackson, Leigh-Ann Quaqlietta, Kevin Conero, Johanna Sweikata, Maria Beltrametti, Marc Devitt, Frank Iovino, Carolyn Iovino, Ross Winglovitz, Joe Catalano, Thomas Steed, Sophia Romano, Jane Anderson.

Mayor Brescia opened the meeting with the Pledge of Allegiance to the flag.

RE: MINUTES

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board approved the Meeting Minutes of February 16, 2016. Motion carried, 5-Ayes, 0-Nays.

RE: REQUEST TO MEET WITH THE BOARD

Boy Scout Frank Iovino with Troop 386 requested permission to do his Eagle project at the Village of Montgomery Museum. His Eagle project would entail refurbishing the front porch of the Village Museum by sanding, staining and painting. In addition, to improvements to the garden and the concrete as well.

Mayor Brescia stated the Museum garden was a previous Eagle project. It could stand to be spruced up a bit. Will you use a clear stain on the mahogany deck, such as a CWF stain?

Boy Scout Iovino relied, yes.

RE: APPROVED EAGLE SCOUT PROJECT

Moved by Trustee Hembury, seconded by Deputy Mayor Scheels, the Board approved Boy Scout Frank Iovino Eagle Project at the Village Museum. Motion carried, 5-Ayes, 0-Nays.

Mayor Brescia and the Board thanked Frank they look forward to his project.

RE: ABSTRACT NO. 02-2016

Moved by Trustee Deputy Mayor Scheels, seconded by Trustee Andolsek, all bills listed on ABSTRACT NO.02-2016 were audited and approved for payment with \$229,145.89 from the General Fund, \$18,695.90 from the Water Fund, \$ 24,936.15 from the Sewer Fund and totaling \$272,777.94. Check No: 47497-47512, 49232 - 49314. Motion carried 5-Ayes, 0-Nays.

Treasurer Benedict reported a CASH BALANCE for the month of February 29, 2016, as follows: General Fund \$ 1,478,824.83, Water Fund \$ 372,377.47, Sewer Fund \$303,876.50.

RE: OLD BUSINESS

Acknowledge receipt of the Chandler Lane Planned Development District Draft Supplemental Environmental Impact Statement (DSEIS).

Deputy Mayor Scheels stated wanting to express her own feelings and then ask the other Board members of their feelings. She is personally not wanting to accept the roads. Her feeling is that the Village cannot afford it or have the staff for the maintenance of them. In addition to the garbage collection. Furthermore, the Wells are not developed or usable without added cost to the Village. Her understanding is that the Wells have manganese and we have the same issues with the Holt Well. It is very expensive. She would like to see the commercial space opened up again. You do not have to develop it right now but possibly at a later time. It is pretty much a dense project now. She opened it up to the rest of the Board members for comments on the project.

Trustee Hembury stated sharing JoAnn's feelings on not taking over the roads and the wells. After speaking with the DPW Supt. Nelson, and he has said it would be an incredible tax burden on the Village, taking over the roads. It would include the plowing and sanitation of which he is not in favor of. As far as the wells, we have problems now with the manganese that is affecting with residents on Weaver Street and Waters Edge. We believe to be getting a handle on it now and the process it has not yet been completed. This would be a larger issue to take care of. In turn, he is not in favor of voting for it. He has also spoken to numerous residents on this and they are not for it either. A social media site has been brought to his attention and the comments are against it, none of which are positive. The density does not reflect the community around it much like Viking Heights. This is his feelings on this; and his stance is not going against management with the roads. The people have elected us to speak for them, they do not want this. In addition to our Planning Board. The density is not wanted.

Trustee Andolsek stated the commercial density in the center is a concern.

Trustee Lindner stated not having quite the same reservations. He felt things were going to be done before any final decisions were made, which was to have a public meeting. This meeting was going to show the original approval. He also stated not being on the Board when the original project was approved. The Board at that time felt it was a good plan. He sees some of the changes and suggests mapping out where the original approval began and what was done to improve it. He understands the gap in the commercial space and that it is just not available any more. He further suggests demonstrating what is good and what is not as good. He feels this is the next step to show the community.

Deputy Mayor stated receiving feedback from the public. The Board is pretty much saying the same thing. This is what we are hearing. We want to let you know so maybe this can get moving.

Mr. Catalano appreciates the Board being forthcoming with their personal opinions. Let me just reiterate at this stage, what is before the Board tonight is to accept this document for the purposes of public review and further comment. By accepting this document, it does not mean you are for it or against it.

Trustee Hembury stated the public feels every time we accept something, we approve it.

Mr. Catalano stated this is just to start the review process. Based on the document that the Board has determined to be adequate for purposes of continuing the review. We spent a couple of meeting with JoAnn and Walt present in the late fall and early winter reviewing the draft of the document. We have made all the revisions. By you saying you do not want us to spend any

additional money, the bulk of it has already been spent in creating this document. We are reluctant to letting it go without hearing from the public. We were hoping the Board would accept this document as complete for the purposes of public review. Perhaps we can discuss when an appropriate hearing could be held. This is subject to a public hearing as well as a written comment period. Our hope is to have the hearing several weeks from now. The thought is sometime in April thus allowing for an informational meeting. This project is less dense than the original approval. For instance, the last project has a vast majority of condominiums. The Village can only assess at sixty six percent of their value. The tax break provided us the financial ability to be able to retain the maintenance of the interior Street. Based on the feedback from the public several years ago, we made changes. The change were the condominiums, thought to be too dense and lower value homes to higher priced, fee based home ownership. Each unit is going to be a separate dwelling with property surrounding. There is no tax break with this type of development and therefore the Village benefits with the increased tax revenue. This allows for the Village to handle the additional utilities. This report includes the cost analysis.

RE: PUBLIC HEARING SET FOR CHANDLER LANE PDD AMENDMENT

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board set a Public Hearing for April 12th at 7:00 pm at the Senior Center for Chandler Lane PDD Amendment review of the Draft SEIS and accept to the Resolution. Motion carried, 4-Ayes, 0-Nays.

RE: DEPARTMENT REPORTS

Police Chief Walsh reported receiving the four radar units acquired with a grant through Senator Larkin office. The new radar units are now portable. They will be brought into the station after each shift. The units can be used in or outside of the vehicle, it is more versatile than the older version. All of our officers now have completed the Taser training course. The Tasers are a ready carry device with a belt clip. In addition, AED and CPR training has also been completed. Firearm training went very well. The weather has been very cooperative and therefore the officers have been out walking the neighborhood.

DPW Supt. Nelson reports on the Holt Well Study, it is approximately about ninety percent completed. Greg Mapstone the engineer has started with the design. We have more tests to do. The testing company has a ten day turn around. This ten day turn around has delayed our progress. We are fine tuning this now with a second chlorine and oxidizer. The need for a second oxidizer catches anything the first one is not able to. Hopefully by the end of the month the design may be ready for the Health Department. Central Hudson has been busy with gas leaks in the Village. Therefore, causing delays for our project needs.

Mayor Brescia asked about the two telephone poles in front of the Village Hall the wires have not been changed. What about passing a local law, would it be helpful to expedite the process.

DPW Supt. Nelson stated the two poles are Frontier and Time Warner lines but not Central Hudson lines.

Atty. Dowd stated most of these agencies have franchise agreements. The franchise agreements have to be followed in order to have them do what is needed. He is not certain a local law would make them become in compliance. He feels if this is how you want to proceed, a suggestion is to start with a formal written communication to both agencies.

DPW Supt. Nelson reported on cleaning and cutting back the briars along the park trails. The next round for the 2017(CDBG) Community Development Block Grant is now due in April, 2016. The Water Line is a one year grant, we can go with a multiyear grant for the West end of Clinton Street.

Recreation Dir. Taylor reports on the ratio of Town verses Village resident's enrollment for the Summer Recreation Day Camp. The enrollments from the Town residents now exceed more than fifty percent of our attendance. The ratio is seventy percent of Town residents for camp. Therefore, I am requesting additional funding from the town with your approval.

Mayor Brescia suggested adding to the request for funding towards the construction of a 30 X 40 pavilion. This will alleviate the need for leasing tents and providing for an additional covered outdoor area. It will save us money with a permanent structure.

Recreation Supvr. Jackson reported on the registration for Village of Montgomery, Town of Montgomery, Valley Central School District is to be on March 8th and 9th at 6:00 pm to 8:00 pm at the Recreation Center. With open registration on March 12th at 8:30 am to 11:00 am, and on March 14th at 6:00 pm to 8:00 pm at the Recreation Center. The registration fee is \$75.00 and the balance paid in full by June 3rd, 2016. Letters have been sent out the Counselors and (CIT's) Counselors in Training wishing to return. Interviews will be in May with orientation. Camp dates are Monday, June 27th through Friday, August 12th. We have added an extra week to the program. There is no camp on July 4th.

Mayor Brescia thanked Tom and Jen for their report.

RE: APPROVE PAYMENT FOR THE CARDINAL

Moved by Trustee Andolsek, seconded by Trustee Hembury, the Board approved to pay \$60,000 from water fund and taking a 10 year loan for the balance of \$265,000 for The Cardinal Drive Water Storage Tank BAN of \$325,000 that matures March 11th, one bid obtained thus far from Greater Hudson Bank at the rate of 3.24% with the conditions of subsequent bids and accepting the lowest bidder. Motion carried, 5-Ayes, 0-Nays.

RE: APPROVE MASTER PLAN PLANNER PAYMENT OF SERVICES

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board approved the Master Plan planner payment of services, (Alan Sorensen) not to exceed \$7,800 for the final stages of the Master Plan update. Motion carried, 5-Ayes, 0-Nays.

RE: PUBLIC PORTION

Kevin Conero realizes the public option is on the 29th of March at the Senior Center. He pointed out that in this DSEIS, it should be noted that the original approval occurred a month or so before the financial collapse. This made the original approved project unmarketable due to the drastic change economically at that time. They are looking to change something because it is not feasible for them. They contrast what is proposed and what was originally approved. We really should be contrasting what was originally approved in the industrial zone verse what they want to propose. They should be looking at low impact in that area and non-nuisance businesses. This

would really enhance our Village without the overcrowding of housing and students in our schools.

Tom Steed stated his concerns about the service of the Village. This Village won the NYS best Municipal water in 1991. He was very proud. We have aged infrastructure, increased demand with multiple variables. This is what he worries about. Moving forward providing the best services for us is water. Our water resources should be a major concern for everybody.

RE: EXECUTIVE SESSION

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board entered into Executive Session at 8:13 pm under the Public Officers Law, article 7 § (g) in preparation, grading, or administration of; and § 7(h) for the proposed acquisition, sale or lease of real property or the proposed acquisition of securities with Atty. Dowd, DPW Supt. Nelson and Village Clerk Rivera-Stanley in attendance; and 7 §(e) collective negotiations pursuant to the Taylor Law with the Police Chief Walsh, Atty. Dowd and the Village Clerk Rivera Stanley in attendance. Motion carried, 5-Ayes, 0-Nays.

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board went out of Executive Session at 9:28 pm. Motion carried, 5-Ayes, 0-Nays.

RE: ADJOURNMENT

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board adjourned the meeting of March 1, 2016 at 9:30 pm. Motion carried, 5-Ayes, 0-Nays.

Monserate Rivera-Stanley, Village Clerk