

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 15, 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, Maria Beltrametti, Robert Kiernan, Johanna Sweikata, Don Berger, Sean Jordan.

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

**RE: MINUTES**

Moved by Deputy Mayor Scheels, seconded by Trustee Lindner, the Board approved the meeting minutes of March 1, 2016. Motion carried, 5-Ayes, 0-Nays.

**RE: OLD BUSINESS**

Marc Devitt submits a letter the Board on the proposed Chandler Lane PDD Amendment Application.

Deputy Mayor Scheels reads, after consideration of the feedback that you volunteered at the March 1<sup>st</sup> Village Board meeting concerning the above-referenced matter, please be advised that we are withdrawing the application to amend the Chandler Lane PDD. Although we still believe that the proposed amendment represents an improved development for the Chandler Lane PDD zone, it is clear from this meeting that you have a difference of opinion.

Mayor Brescia states, a letter of acknowledgement was received by DOT for a formal investigation study for a Speed Reduction on Route 211 entering into the Village of Montgomery.

**RE: APPROVE BORLAND HOUSE BED AND BREAKFAST 30 DAY ADVANCE NOTICE NEW APPLICATION TO THE NYS LIQUOR AUTHORITY**

Moved by Trustee Hembury, seconded by Trustee Andolsek, the Board approved the Borland House Bed and Breakfast 30 advance notice new application to the NYS Liquor Authority to serve Wine, Beer and Cider. Motion carried, 5-Ayes, 0-Nays.

**RE: APPROVE VIC'S PIZZA 30 DAY ADVANCE NOTICE NEW APPLICATION TO THE NYS LIQUOR AUTHORITY**

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board approved Vic's Pizza 30 day advance notice new application to the NYS Liquor Authority to serve Wine and Beer Only. Motion carried, 5-Ayes, 0-Nays.

**RE: APPROVE \$500.00 PAYMENT IN SUPPORT OF THE D.A.R.E. BIKE RODEO ON MAY 7<sup>TH</sup>, 2016**

Moved by Trustee Andolsek, seconded by Trustee Lindner, the Board approved \$500.00 payment in support of the D.A.R.E. Bike Rodeo on May 7<sup>th</sup>, 2016. Motion carried, 5-Ayes, 0-Nays.

**RE: PUBLIC HEARING SET FOR THE 2017 CDBG PROJECT APPLICATION GRANT FOR THE CLINTON STREET WATERMAIN REPLACEMENT**

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board set the Public Hearing on April 5, 2016 at 7:00 pm for the 2017 CDBG project application grant for the Clinton Street Watermain Replacement. Motion carried, 5-Ayes, 0-Nays.

**RE: MAYOR'S 2016-2017 TENTATIVE BUDGET IS PRESENTED TO THE BOARD**

Mayor Brescia stated, he has submitted the 2016-2017 budget with a .71 increase of which is below the tax cap of .73. It is sound and commended the Village Clerk Rivera-Stanley, Treasurer Benedict and all the Department Heads for making this possible.

**RE: 2016-2017 TENTATIVE BUDGET PUBLIC HEARING SET**

Moved by Deputy Mayor Scheels, seconded Trustee Hembury, and the Board set the 2016-2017 Tentative Budget Hearing Public Hearing on April 5<sup>th</sup>, 2016 at 7:15 pm. Motion carried, 5-Ayes, 0-Nays.

**RE: EVENTS**

March 19<sup>th</sup> St. Pat's Ramble Mass at 11:00 am, Run for the Gold at 10:00 am, Parade at 1:00 pm  
March 26<sup>th</sup>, 11:00 am Village of Montgomery Easter Egg Hunt at the Veterans Memorial Park  
March 31, 2:00 pm D.A.R.E. Graduation at MES 141 Union Street

**RE: PUBLIC PORTION**

Robert Kiernan stated, in lieu of what Mr. Mandelbaum had proposed for the property by the airport and the amended application of Chandler Lane PDD, he feels it is in the best interest of the Village that the PDD be looked at very carefully. He suggests a decision be made to adopt another local law to modify the PDD, making it not as flexible as it is.

Mayor Brescia asked Atty. Dowd, Is this possible? The PDD is not a bad thing, however, it seems to open the gates to develop more than the Board had anticipated.

Atty. Dowd stated, that the PDD was always designed so that the Board has the ultimate and final say in anything that is proposed. Even as to the density of the project. In turn, the developer has to go back to the drawing board, before considering a local law. You want the flexibility of doing what you are doing; for instance, Chandler Lane as it was originally proposed. In addition to the Vasapoli Gas Station. You want to have the right as the Board to say no and to have the flexibility in the zoning.

Mayor Brescia suggests bringing this back to the Master Plan committee for a discussion.

Atty. Dowd stated, the Master Plan committee is going to make suggestions to add an expiration date to the PDD's that have not been used. Therefore, the zoning reverting back as it was originally zoned as. The creation of a PDD was meant for the Village Board to be in control for the best interest of the Village. The Board can amend the PDD or do away with it completely.

Mr. Berger asks if the Chandler Lane PDD Public Hearing is still set for April 12<sup>th</sup>.

Deputy Mayor Scheels stated the application to amend the Chandler Lane PDD has been withdrawn. Therefore, the Public Hearing will not take place for the Chandler Lane PDD. In addition, the developer is going back the original plan.

Mayor Brescia asked the Village Clerk Rivera-Stanley to put out a CODERED announcement stating the Chandler Lane PDD Public Hearing has been canceled. It was published in the latest Newsletter and mentioned in the Wallkill Valley Times.

Mr. Berger requests approval to continue receiving bottled water for the residents that want it.

Mayor Brescia stated, only two residents have made use of the bottled water, such as yourself and Steve. He suggested extending the time frame until the supply of the bottled water runs out.

**RE: BOTTLED WATER TIME FRAME EXTENDED**

Moved by Trustee Hembury, seconded by Trustee Andolsek, the Board approved the bottled water to be issued to the residents of Weaver Street, Dunn Drive and Waters Edge until the supply runs out. Motion carried, 5-Ayes, 0-Nays.

**RE: EXECUTIVE SESSION**

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board entered into EXECUTIVE SESSION at 7:50 pm under Public Officers Law §7(f) to discuss matters leading to the appointment of a particular individual and for interviewing for the position of police officer with 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 8:06 pm. Motion carried, 5-Ayes, 0-Nays.

**RE: APPOINTMENT OF P/T POLICE OFFICER**

Moved by Trustee Andolsek, seconded by Trustee Lindner, the Board appointed Sean M. Jordan as Part Time Police Officer at the rate of \$21.55 with an eighteen month probationary period. Motion carried, 5-Ayes, 0-Nays.

**RE: EXECUTIVE SESSION RECONVENED**

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board reconvened the EXECUTIVE SESSION at 8:12 pm under Public Officers Law §7(e) to discuss the collective negotiations between the Village of Montgomery and Village of Montgomery Police Benevolent Association 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 Trustee Lindner, seconded Deputy Mayor Scheels, the Board went out of EXECUTIVE SESSION at 8:39 pm. Motion carried, 5-Ayes, 0-Nays.

**RE: EXECUTIVE SESSION RECONVENED**

Moved by Trustee Lindner, seconded by Deputy Mayor Scheels the Board reconvened the EXECUTIVE SESSION at 8:48 pm under Public Officers Law §7(h) to discuss the lease or real property or the securities, or exchange of securities held by the public body with Atty. Dowd and with the Village Clerk Rivera-Stanley in attendance. Motion carried, 5-Ayes, 0-Nays.

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board went out of EXECUTIVE SESSION at 9:01 pm. Motion carried, 5-Ayes, 0-Nays.

**RE: ADJOURNMENT**

Moved by Trustee Hembury, seconded by Trustee Andolsek, the Board adjourned the meeting of March 15<sup>th</sup>, 2016 at 9:03 pm.

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Monserate Rivera-Stanley, Village Clerk