

Minutes of the Regular Meeting, of the Board of Trustees, of the Village of Montgomery, was held in the Court Room, at 133 Clinton Street, Montgomery, NY 12549 on Tuesday, May 4, 2021, at 7:30 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, Trustee Lindner, Atty. Dowd, Police Chief Herlihy, Lt. Arteta, Village Clerk Rivera-Fernandez, Maria Beltrametti, Don Berger, Brian Fitzpatrick, Marc Devitt, Keith Studt, John Vero.

CALL TO ORDER

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

MINUTES

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board approved the minutes of April 27, 2021. Motion carried, 5-Ayes, 0-Nays.

REQUEST TO MEET WITH BOARD

None.

ABSTRACT NO. 04-2021

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, all bills listed on ABSTRACT NO.04-2021 were audited and approved for payment with \$112,208.04 from the General Fund, \$3,167.75 from the Water Fund, \$17,923.41 from the Sewer Fund and totaling \$133,299.30. Check No: 78527 – 78590, 1731-1739. Motion carried 5-Ayes, 0-Nays.

Treasurer Griffith reported a CASH BALANCE for the month of April 30, 2021, as follows: General Fund \$1,019,274.94, Water Fund \$213,719.06, Sewer Fund \$463,964.80.

OLD BUSINESS

None.

REPORTS – POLICE DEPARTMENT

Police Chief Herlihy mentioned the next EO-203 quarterly meeting is scheduled for June 10, 2021, at 6 pm, held at the Senior Center, 36 Bridge Street, Montgomery, NY 12549. The Memorial Day parade is scheduled to step off at 11 am. He plans for the speed trailer to be set out tomorrow on May 5th, on Goodwill Road. However, the other speed recorder will also be set out and the location will not be disclosed, in order to effectively track the speed violators.

Ms. Beltrametti inquired about where the speed trailer is being stored. Why aren't the Police Officers patrolling the downtown business district? She mentioned almost being hit by on coming traffic in the crosswalk of Union and Clinton Street, and there is never a police officer around to be seen.

Police Chief Herlihy replied, its being stored at the Police Department. In response to Police Officers patrolling the downtown business district, the officers have been out walking the beat and patrolling the downtown business district and checking in with the shop keepers.

Mayor Brescia asked Atty. Dowd to provide a summation on the Introductory Local Law 3 of 2021, repealing Chapter 77 in its entirety of the Code of the Village of Montgomery entitled “Noise” and enacting a new Chapter 77 entitled, “Noise”. The Chapter shall be known as the “Village of Montgomery Noise Control Law.” The policy of the Village of Montgomery to safeguard the right of its residents within the privacy of their homes to be free from intrusive and unwanted sounds. Problems concerning the disturbance of peace and quiet by noise from various activities are best solved by thoughtful discussions and cooperative agreements between effected parties. However, to resolve remaining problems of noise which are disturbing the other, it is the policy of the Village of Montgomery to establish standards, variance producers, enforcement procedures and penalties. The provisions of this chapter shall be enforced by the Police Department of the Village of Montgomery, Building or Code Enforcement officials of the Village of Montgomery, or other officials designated by the Board of Trustees.

NEW BUSINESS:

SET PUBLIC HEARING DATE FOR INTRODUCTORY LOCAL ALW I-3 OF 2021

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board set a Public Hearing date, to be held on May 18, 2021, at 8 pm, at the Senior Center, 36 Bridge Street, for Introductory Local Law I-3 of 2021, a local law repealing Chapter 77 of the Code of the Village of Montgomery entitled “Noise” and enacting a new Chapter 77 entitled “Noise”. Motion carried, 5-Ayes, 0-Nays.

CONSIDER WAIVING THE 30-DAY ADVANCE NOTICE FOR ROSEMARY’S GRILL & PUB TO SERVE ALCOHOL AT 11 UNION STREET

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board waived the 30-day Advance Notice for Rosemary’s Grill & Pub to serve alcohol at 11 Union Street, Montgomery, NY 12549. Motion carried, 5-Ayes, 0-Nays.

CONSIDER APPROVING DELAWARE ENGINEERING, D.P.C. CONSULTING FIRM CONTRACT PROPOSAL FOR THE DOWNTOWN REVITALIZATION INITIATIVE.

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board approved Delaware Engineering, D.P.C. consulting firm contract proposal for the Downtown Revitalization Initiative up to \$15,000.00. Motion carried, 5-Ayes, 0-Nays.

EVENTS

- Village Wide Yard Sale Day, May 15th, 10 am to 5 pm.
- Memorial Day Parade, Monday, May 31, 2021 at 11am.
- Summer Recreation Day Camp begins June 28th through August 6th

APPROVE FIRE INSPECTION REPORT FOR APRIL, 2021

Moved by Trustee Andolsek, seconded by Trustee Hembury, the Board approved the Fire Inspection report for April, 2021. Motion carried, 5-Ayes, 0-Nays.

APPOINT TEMPORARY DEPUTY CHIEF OF POLICE FOR 90 DAYS

Mayor Brescia asked the Board to consider appointing Paul Arteta as the Temporary Deputy Chief of Police, for 90 days, with an 8-week probationary period, so moved by the Trustee Andolsek, seconded by Trustee Hembury, the Board appointed the Temporary Deputy Chief as said. Motion carried, 5-Ayes, 0-Nays.

DOT CULVERT REPLACEMENT PROJECT CONSTRUCTION EXPECTED ON 17K, IN 2022

Department of Transportation has informed the Village of Montgomery, of commencing with the design phase of a transportation project that will rehabilitate or replace six culverts in Orange County. The propose scope of work is Route 17K over unknown an stream, in the Village of Montgomery, in the County of Orange, scope work is replacement. At this time, it is anticipated that this project will be constructed in 2022.

PUBLIC PORTION

Mr. Berger asked about I-LL 2 of 2021, about section 14 regarding the deletion of certain special exception uses.

Atty. Dowd said the deletion of the special conditions and safeguards for certain special exception uses have been deleted as listed and amended as detailed beginning with section 15 in alphabetical order.

Mr. Berger suggested the Village should consider using the same landscaper designer the Town is using, for a uniform look to transition from the Town into the Village.

Atty. Dowd said the applicant pays these services and not the Village.

Mayor Brescia said the Village does not want to see cross dock trucking. Keep in mind there is a height restriction of 35 ft.

Mr. Berger also suggested asking the developer to add a walking park and possibly connecting to the Village walking trails and linking to the Town Park as well.

Mayor Brescia said on Saturday, May 7, 2021, at 9:30 am the residents on Weaver Street are invited to attend a meeting with the Board of Trustees and the Planning Board to discuss the I-1 zoning considerations, and provide their thoughts and ideas, at Rory and Dave Holbert's driveway, at 79 Weaver Street.

ADJOURNMENT

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board adjourned the meeting of May 4, 2021, at 8:14 pm. Motion carried, 5-Ayes, 0-Nays.

Monserrate Rivera-Fernandez, Village Clerk