

Minutes of the Public Hearing of the Board of Trustees of the Village of Montgomery is held in the Meeting Room at 133 Clinton Street, Montgomery, NY 12549 on Tuesday, September 2, 2014 at 7:15 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, (Trustee Lindner, absent) (Atty. Dowd, absent) Village Clerk Rivera-Stanley, DPW Supt. Nelson, Police Chief Walsh, Maria Beltrametti

RE: INTRODUCTORY LOCAL LAW I - 2 OF 2014

Moved by Trustee Andolsek, seconded by Trustee Hembury, the Board opened the Public Hearing of the Introductory Local Law I - 2 of 2014, to amend Chapter 97 of the Village of Montgomery entitled "Skateboards" to prohibit the operation or use of Skateboards at the Village Bandstand Park. Motion carried, 4-Ayes, 0-Nays.

Mayor Brescia asked the Village Clerk Rivera-Stanley if all the proper papers are filed to hold a Public Hearing.

Village Clerk Rivera-Stanley said, yes, all the proper papers are filed to hold a Public Hearing.

RE: PUBLIC COMMENTS

Mayor Brescia addressed the public present for any comments.

Public response: Silent

Mayor Brescia said it will take ten days to take affect.

Maria Beltrametti asked, Are there any penalties?

Mayor Brescia said yes there are penalties, any person using, operating or riding a skateboard in violation of the chapter any police officer shall take possession of and impound the said skateboard. A warning will be given initially.

The first offense, the skateboard will be returned with a parent present.

The second offense, the skateboard will be not being returned for 15 days.

The third offense, the skateboard shall be forfeited to the Village and destroyed.

Maria Beltrametti asked, how is this made public once it is passed? How is it disseminated? How will the kids know?

Mayor Brescia said it is published in the newspaper after the adoption. We will be put up signage.

Police Chief Walsh stated the first time will be a warning.

Mayor Brescia said there is not a monetary fine, it is a warning. Once the kids receive a warning and tell their friends, the word will get out that way as well. It should be a good deterrent.

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board closed the Public Hearing on the Introductory of Local Law 1-2 of 2014 at 7:19 pm. Motion carried, 4-Ayes, 0-Nays.

Monserate Rivera-Stanley, Village Clerk

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 Tuesday, September 2, 2014 at 7:30 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, Trustee Lindner, Village Clerk Rivera-Stanley, DPW Supt. Nelson, Police Chief Walsh, Maria Beltrametti, Randy Wasson, Suanne Wasson, Johanna Sweikata

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

RE: PASS A LEAD AGENCY NEGATIVE DECLARATION

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board passed a lead agency negative declaration for the local law amending Chapter 98 of the Village of Montgomery entitled "Skateboards" to prohibit the operation or use of skateboards at the Village Bandstand Park it will not have an adverse impact. The motion carried, 5-Ayes, 0-Nays.

RE: ADOPT LOCAL LAW I-2 OF 2014

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board adopted Local Law I-2 of 2014 amending Chapter 98 of the Village of Montgomery entitled "Skateboards" to prohibit the operation or use of skateboards at the Village Bandstand Park. The motion carried, 5-Ayes, 0-Nays.

RE: MINUTES

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board approved the meeting minutes of August 5, 2014. Motion carried, 5-Ayes, 0-Nays.

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board approved the meeting minutes of August 18, 2014. Motion carried, 4-Ayes, 1- Abstaining (Lindner)

RE: ABSTRACT NO. 08-2014

Moved by Trustee Andolsek, seconded by Trustee Hembury, all bills listed on ABSTRACT NO.08-2014 were audited and approved for payment with \$ 789,192.03 from the General Fund, \$23,353.70 from the Water Fund, \$ 45,944.86 from the Sewer Fund and totaling \$858,490.59. Check No: 46748 - 46875. Motion carried 5-Ayes, 0-Nays.

Treasurer Benedict reported a CASH BALANCE for the month of August 31, 2014, as follows: General Fund \$ 2,260,640.74, Water Fund \$ 330,228.22, Sewer Fund \$ 281,374.84.

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ount of \$ 1,760.00, with the electrical work to be done by our electrician; for the
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RE: BASIS SECURITY SYSTEMS Ayes, 0-Nays.

the Bandstand. Motion carried, 5-Ayes, 0-Nays.

Moved by Trustee Lindner, seconded by Deputy Mayor Scheels, the Board approved the

RE: REQUEST TO USE OF VILLAGE HALL MEETING BY ORANGE COUNTY CITIZENS FOUNDATION 760.00, with the electrical work to be done by our

Moved by Deputy Mayor Scheels, seconded by Trustee Arnold, the Board authorized Orange County Citizens Foundation to use the Village Hall Meeting Room to sit on Sunday, September 20th at 10:00am for a public meeting and, waiving all insurance is provided. All are welcome to attend. Motion carried, 5-Ayes, 0-Nays.

ORANGE COUNTY ORANGE ARTS GRANT AWARDED
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ge Arts Grant awarded in the amount of \$ 1,900.00 for the Grand Chamber Music Series.
County Citizens Foundation awarded in the amount of \$ 900.00 for the Music Series.

RE: PEDDLERS PERMIT MOBILE FOOD VENDOR

year to EB's Eats located at the Airport Inn with the conditions that the proper fees be
Moved by Deputy Mayor Scheels, seconded by Trustee Arnold, the Board approved to
paid to peddlers for a year to EB's Eats located at the Airport Inn with the
Ayes, 0-Nays.
yes, 0-Nays.

RE: RESOLUTION TO AMEND AGREEMENT WITH THE ORANGE COUNTY OFFICE OF AGING DINING PROGRAM USE OF THE SENIOR CENTER

Monthly funding is \$525.00 thru December 31, 2014.
Moved by Trustee Arnold, seconded by Trustee Arnold, the Board approved to
the actual cost of supplies, wages and benefits of the Senior Center by the Orange County
he actual cost of supplies, wages and benefits with the Village matching funds of
\$ 3,672.00. Motion carried, 5-Ayes, 0-Nays.
, 5-Ayes, 0-Nays.
5-Ayes, 0-Nays.

RE: AHRB MEMBER REQUESTS TRAFFIC SPEED REDUCTION ON CEMHORN STREET ON THE NIGHTS OF SUMMER CONCERTS TO 5 MPH

5 MPH. Mayor Brescia suggested that speed bumps be used for next year and possibly
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RE: REPORTS - DPW

DPW Supt. Nelson reported on the DPW flooring which should only take 2 days to install. He is requesting the Board to appoint Phil Geras, Lennox Cambelle and Vincent Rhule to install the flooring.

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board appointed Phil Geras, Lennox Cambelle and Vincent Rhule each at the rate of \$ 30.00 an hour as laborer to install the DPW Flooring, provided the applications are completed. Motion carried, 5-Ayes, 0-Nays.

DPW Supt. Nelson reported on the preparations for General Montgomery Day going well. The stages are going up now. Margo is all taken care of. We are all set with the bales of hay also. The Soap Box Derby needs to ensure that the cars have brakes.

Mayor Brescia stated to have Shop Rite make sure all the cars have the proper brakes.

RE: REPORTS POLICE DEPARTMENT

Police Chief Walsh requested the Board to approve the Police Department to entering into a service agreement with FirtheCliffe Technologies for computer information, option one.

- Option 1 @ \$ 3,000, \$80.00 and \$90.00 after business hours
- Option 2 at # \$1,500, \$85.00 and \$95.00 after business hours

Moved by Deputy Mayor Scheels, seconded by Trustee Lindner, the Board authorized Police Chief Walsh along with Mayor Steve Brescia and the Police department to enter into a service agreement with FirtheCliffe Technologies to provide information technology at option one at \$ 3,000, \$80.00 and \$90.00 after business hours. Motion carried, 5-Ayes, 0-Nays.

RE: APPOINT GENERAL MONTGOMERY DAY PER DIEM STREET CROSSING GUARDS

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board appointed up to fifteen per diem Street Crossing Guards for General Montgomery Day at the rate of \$14.50 an hour each. Motion carried, 5-Ayes, 0-Nays.

RE: APPOINT P/T POLICE OFFICER FOR GENERAL MONTGOMERY DAY

Moved by Trustee Andolsek, Seconded by Deputy Mayor Scheels, the Board appointed P/T Police Officer Michael Smith for General Montgomery Day at the rate of \$ 21.55 an hour. Motion carried, 5-Ayes, 0-Nays.

RE: ADOPT RESOLUTION FOR COURT TO APPLY FOR GRANT FUNDING THROUGH THE JUSTICE COURT ASSISTANCE PROGRAM

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board adopted a resolution authoring the Village Court along with Mayor Brescia to apply for Grant funding thru the Justice Court Assistance Program. Motion carried, 5-Ayes, 0-Nays.

RE: CAR SHOW SEPTMBER 28, 2015 ON CLINTON STREET

Trustee Hembury reported meeting with Brain Fitzpatrick and Herb Lorenz who is the head of the Hudson Valley car show. He is steering us and provided a lot of information. Previously, we meet with Paul Teutul also. The way it appears, our plans are for everyone to park on the Village Hall side of Clinton Street with approximately 200 cars. We will have a DJ with wireless speakers down Clinton Street, so the music is not blasting. Registration forms will be available online. We will be meeting again and our biggest enemy is the weather.

Jennifer said to Thank Monse and JoAnn for a perfect year at the summer camp. They had 230 campers registered with an average of 190 a day. There were no incidents with the children. They had one minor incident with the Board of Health and the DPW was quick to fix it right away. The Board of Health had to write them up. The incident was a small amount of water pooling on the outside of the building. Although we have never has any previous violations, they would not let it ride.

For General Montgomery Day, I ordered 3000 flags, last year we had 2800 and ran out of them.

On December 7th, it is confirmed with the Railroad for the Toys for Tots Train with Santa. Skip Chambers will do the rides, DJ, Eric is reserved, Sue will do the announcements as Santa Claus gets closer, the VC JROTC will serve hot cocoa, Chris maybe able to get the Fire Dept. trucks to suspend the flag over the tracks. The weather again, will be our enemy.

I need your permission to distribute the left over flags from General Montgomery Day to use for the Toys for Tots.

Mayor Brescia and the Board all agree to use the left over flags for the Toys for Tots. Summer Recreation program was fantastic, Thanks to you both.

Johanna Sweikata suggested if the fireworks will be held on Sunday, can you have no parking on either side of Bridge Street. It will be easier for people to go back and forth. It is hard getting out and is very congested.

Police Chief Walsh said we can barricade Bridge Street it with a lot of people coming in on foot. We can still have parking at the tennis courts and at the park.

Mrs. Sweikata is concerned about the noise level with the party at the Senior Center two weeks ago on Saturday. I inquired at the Village Hall and it is noted for the renters the music is to stop at 10 pm and out by 11:00 pm. If this happens again, I will be calling the Police Department.

Mayor Brescia said we want you to call the Police Department. A call was made to 911, and it was shut down right away. We kept their deposit and it was a bit messy. We also discourage sweet sixteen parties late a night at the Senior Center. We have the Recreation Center, which is more agreeable because of the distance away from everyone. If the music is loud like that call the Police Department or me. They will receive a warning and if not the party will be shut down. The renters deposit will be forfeited as well. We do not want that and it is unacceptable. Please call.

Suanne Wasson said she would like clarification on having to clear the two vacant lots of all brush on Elizabeth Street. Bruce called me two weeks ago stating to have the corner cleared for the sight distance. That was fine, and then I received another call from Bruce stating the both lots needed to be completely clear. I understand the fox issue has been taken care of. I was told at the directive the Board and the Village Attorneys' that both lots have to be cleared completely. Monse read me the code that it is fifty feet from the Street. I received a code from Bruce, which states anything over ten inches has to be completely cleared. I am getting conflicting reports.

Police Chief Walsh said the DEC denied the permit and made recommendations for the neighboring residents of the fox harassment. We have not had any additional calls. The residents were advised not to feed their pets outside, eliminate compost piles and birdfeeders and to be rude to the fox. In doing so, it will deter the fox from the area.

Mayor Brescia said he was not aware the fox issue has been cleared up. He asked the building inspector Yancewicz if he had spoken to the Atty. Dowd about the maintenance code. Was a copy of the code provided to the Wasson's? He has sent Bruce out to enforce the code at various locations.

Building Inspector Yancewicz said yes, he has been working on this with Trustee Lindner. Yes, a copy of the Village Maintenance code 41.3 was provided for the Wasson's. He has received complaints about the sight distance on the turn. I imagine the maintenance would be about once a month. After seeing what has been cleared for the sight distance and the growth rate. It was taken care of. I have had several other complaints from concerned parents with children. People can hide in there and as well as wild animals. I looked into it more; the Village and State codes state it well. I sent a letter including both codes. I read it to Atty. Dowd; he talked to me and said it had to be cleared as it is stated in the Village Maintenance code 41.3.

Ms. Wasson said why all of a sudden is it a concern and only having ten days to clear both lots. When a few weeks ago it was fine, are you asking all residents in the Village to abide by the ten inches? Ms. Wasson again is concerned with, Why now?

Mr. Wasson received an estimate from a contractor to brush hog the half acre, it will cost \$ 500.00 for each time. Ms. Wasson said the neighbors do not want weed killer to be used. Again, Ms. Wasson does not know how all of this has come about.

Trustee Lindner said the issue regarding the fox is how it has all come out. The dense brush and the sight distance with the corner also. After the Building Inspector and the Atty. Dowd looking into the maintenance code, the vegetation can not be more than ten inches on any lot. It allows for people to hide in there and wild life to nest.

Ms. Wasson is asking for an extension on the ten days with General Montgomery Day coming up this weekend.

Trustee Lindner asked if October 1st more agreeable to clear both lots.

Ms. Beltrametti is concerned with the robberies in the Village and what is being done?

Police Chief Walsh stated there have been no reported robberies; we have had a few burglaries several months ago. The suspects of these burglaries are in jail for parole and probation violations. At this point we do not have proof of these suspects in the burglaries, however, since their incarceration the burglaries have ceased.

Mayor Brescia wants to put something in the newsletter to encourage residents to lock their cars.

Police Chief Walsh said there have been three reported cars broken into that were not locked with missing money and medications. We have not had any robberies since the jewelry store. A robbery is taken by force, a burglary is breaking into a building, and breaking into a car is larceny. When we have burglaries, we do a neighborhood canvas and go door to door notifying the neighbors and telling them what has occurred. They are asked to call in to report anything that is suspicious or any unusual activity.

Ms. Beltrametti said my mother lives across the street from where an incident happened and she was not notified. I feel if we have the mechanism in place for concert announcements. Have the patrols changed in the evening?

Police Chief Walsh said no, there have been no patrol changes in the evening. We patrol the entire Village.

RE: ADJOURNMENT

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board adjourned the meeting of September 2, 2014 at 8:19 pm. Motion moved, 5-Ayes, 0-Nays.

Monserrate Rivera-Stanley, Village Clerk