

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 February 3, 2015 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, Maria Beltrametti, Don Berger, Steve Magyar, Marc Devitt

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

RE: MEETING MINUTES

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board approved the meeting minutes of January 20, 2015. Motion carried, 5-Ayes, 0-Nays

RE: REQUEST TO MEET WITH THE BOARD

No requests received

RE: ABSTRACT NO. 01-2015

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, all bills listed on ABSTRACT NO. 01-2015 were audited and approved for payment with \$ 305,925.30 from the General Fund, \$ 32,619.89 from the Water Fund, \$ 30,840.56 from the Sewer Fund and totaling \$ 369,385.75. Check No: 47172 - 47204, 48071 - 48163. Motion carried 5-Ayes, 0-Nays.

Treasurer Benedict reported a CASH BALANCE for the month of January 31, 2015, as follows: General Fund \$ 1,553,404.34, Water Fund \$ 352,144.23, Sewer Fund \$ 286,577.45.

RE: OLD BUSINESS

Amended PDD Preliminary Site Plan with a response letter, the submission will be reviewed on the meeting of February 17, 2015.

RE: DEPARTMENT REPORTS

POLICE DEPARTMENT:

Police Chief Walsh reported on the year end statistics for 2014, they are consistent with the Year to Date numbers with 182 arrests, 272 case reports, responding to 3,518 calls, 1,670 citations, and 44 accidents which is actually down.

Mayor Brescia asked if everything is set for the Run for the Gold 8K Race and for the St. Patrick's Ramble Parade. The routes are the same; however, the race starts at 10:00 am, the Mass is at 11:00 am, and the Parade starts at 1:00 pm.

Police Chief Walsh stated the last meeting for the St. Patrick's Committee meeting was canceled. Therefore, He is unsure of when the next meeting is scheduled to be.

Marc Devitt confirmed that the routes for both race and parade are the same as the previous year.

Mayor Brescia and the Board thanked Marc.

DEPARTMENT OF PUBLIC WORKS:

DPW Supt. Nelson reported having three water main breaks in January. One on Sunday, January 11th and two on Sunday, January 18th with an ice storm as well. It is an expensive January for water. We have found three abandoned houses that were frozen with a little bit of a thaw just after the 18th. All three abandoned houses had water running and he is not sure of how many days it had been this way. The locations of the abandoned houses are on Angelo Drive, Union Street, and one on Waters Edge. This is now two abandoned houses on Waters Edge.

Mayor Brescia asked if the banks or owners have been notified.

DPW Supt. Nelson stated two of the houses have abandoned stickers on them and the other does not. Water was running out of the front doors. The water was turned off at the curb boxes.

Mayor Brescia asked if all the leaks were found, where we were losing thousands of gallons of water.

DPW Supt. Nelson said yes, it took a week and a half to find the six water main breaks. One was a surface break and with so much ground frost, the others never surfaced. We were losing two hundred thousand gallons a day. We had to utilize the services of Rural Water and I also called Mike in, he was listening to the hydrants. The largest water main break was on Blue Jay Lane.

Trustee Hembury asked about the water loss on the abandoned houses and reaching the responsible owner to recover the cost.

DPW Supt. Nelson said the water meter will be read at the time of the closing for the property. In most cases, these properties go several years, if not more without selling. Unless we have access to the meters for a reading, it is impossible.

Mayor Brescia asked if a search can be done on the property as it was done for the property on Roosevelt. B/I Yancewicz will be able to do a search on the abandoned properties to locate the owners, contact the bank and or the creditors.

DPW Supt. Nelson stated contacting the bank about a house on Blue Jay Lane requesting to gain access. The bank had the tenants evicted. I wanted permission in writing to turn off the water. The bank refused and said whatever happens happens. This is the same property that had all the garbage left on the front lawn.

Mayor Brescia said when we get into situations like this, when the warm weather is upon us, it poses problems of mold, rotting and structural issues. Let us try and contact the bank.

Atty. Dowd said you would think the bank would not take this type of attitude; it is in their interest and for the property.

Mayor Brescia stated the property value for resale will be considerable less because of the damages.

He inquired about the brown water issue on Waters Edge.

DPW Supt. Nelson said he had met with Dennis regarding the brown water issues. I have several things I want to do, however, with the cold weather setting in and the water main breaks, everyone has brown water. I will work on it and call in a company to assist with the brown water issues. When a water main breaks it has the same effect as flushing the hydrants do. One of the two abandoned houses on Waters Edge had the water main break. The repairs were completed on January 20th or the 21st.

Mayor Brescia said it may take some time to resolve this issue of the brown water. We are working on it.

DPW Supt. Nelson asked Mr. Berger if the brown water appears more in the cold or hot water.

Mr. Berger said it is more appears more in the hot than the cold but regardless it is brown on both cases.

DPW Supt. Nelson said some residents have reported the brown water to be a hundred times better while others have said it is worse.

Mr. Berger said the filters become black and my new refrigerator filter light keeps flashing also. I have to change that out, everything keeps clogging up due to the brown water. Most of my neighbors have thrown their hands up in the air regarding this issue. Steve and I are new to the neighborhood, we are aware of the brown water issue being a problem for years. The concern amongst all of my neighbors is; why are we paying for water and sewer if half the water is unusable that comes into the house? There has been no acknowledgement of this. Quite honestly, it is not fair for those of us that are having this problem. We have to fill up our bathtubs and drain it out; you can not take a shower, a bath, run the dishwasher or run the washing machines. On the other aspect of it, we all have furnaces, refrigerators; everything that is water based. It would be nice for the Board and the resident's to sit down and discuss this and tell us what the plan is. With that said, what is the Board willing to do in case of damage? Who is responsible for that? Have an open dialogue and open discussion on how to resolve this issue. It will prove to benefit both the Village and the residents as well.

DPW Supt. Nelson asked if he has spoken with the residents on Weaver Street.

Mr. Berger said the people on Dunn and Weaver do not seem to have a problem.

DPW Supt. Nelson said the problem is the Holt Well; it produces three quarters of the water for the entire Village. Prior to replacing the Weaver Street water line, we had complaints from them as well; it has cleared up for them.

Mayor Brescia stated we have only had a few complaints.

Mr. Berger said his neighbors are disillusioned with the Board not being proactive about resolving the problem, they know the problem exists and nothing is being done.

DPW Supt. Nelson said he finds that hard to believe, three years ago a half of a million dollars was spent replacing a ten inch water main.

Mayor Brescia said that is one of the most expensive water mains that we put in over the years. It was on Weaver Street; however, it also rectified some of the issues on Pleasant as well.

DPW Supt. Nelson said the next water main to be replaced is on Pleasant, which is an older main.

Mayor Brescia suggested bringing in a company as soon as possible to analyze it and see what the recommendation is. Now I am hearing more of this, but we have not had many complaints. I know there was a gentleman in the service that had an issue with his washing machine, he had some brown water. This is the only incident that I recall coming before the Board.

Mr. Berger stated having spoken with him recently and he's disgusted also. I feel as a community of Dunn and Waters Edge, and the Board, let us form an inner circle to communicate with each other to be better informed of what is going on to resolve the problem. In doing so, I will not have to come here to the first meeting of the month and reiterate the same sentiments.

Mayor Brescia said we will have one or both companies out to assess the problem and provide a solution. We want to get this resolved and not have this problem.

DPW Supt. Nelson said it may be a possibility to add a filter to the Holt Well. It seems strange for Holt Well to provide three quarters of the water to the Village and it is concentrated to Dunn, Waters Edge and the beginning of Weaver Street, Mr. Myruski's house. It lessens as it reaches the older portion of the Village.

Mayor Brescia stated having brown water from time to time, when the hydrants are flushed. The name of the company is Hudson Valley Water Resources, Inc. Buddy would have been on this more; he has had several personal issues, and water leaks, in addition to the nine snow storms in January.

Mr. Berger stated he has no problems with the DPW Dept., they respond immediately when I call.

Mayor Brescia said things could possibly change with the new water storage tower due to the hydraulics and the way the water is pumped. Things did change when the cistern was

cut off, over on the Ward Street well. It is no longer pottage water. We allow the fire department to fill up there; I believe it has not been used though.

DPW Supt. Nelson said he knows someone is aware when the Park Well is in use. It has a lot of iron particles.

Mr. Berger asked for replacement filters.

Mayor Brescia recalls Wards Bridge Inn calling to complain about brown water. It was due to the Maybrook fire department doing a drill and pumping from a fire hydrant, which they are allowed to do. It is all a matter of filling up in one minute apposed to three minutes. The Wards Bridge Inn had brown water for few hours, it was that simple. We have put in a lot of new water lines in the past few years such as Charles Street, Ward Street, Wallkill, Weaver and Railroad. Railroad never had a water main. Brescia Lumber used to get water off of Mason Street by a K copper line. Let us get this company in and hopefully by the next Board meeting a recommendation will be provided.

Trustee Lindner commended the Department of Public Works for doing a phenomenal job plowing in addition to collecting the garbage as well.

RE: WATER/SEWER PENALTY WAIVED

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board approved the request to waive the water/sewer penalty for Edna & Doug Bivens in the amount of \$ 16.63. Motion carried, 5-Ayes, 0-Nays.

Moved by Trustee Lindner, seconded by Trustee Hembury, the Board approved to waive the water/sewer penalty for Donna Losee in the amount of \$ 20.13. Motion carried, 5-Ayes, 0-Nays.

RE: RESOLUTION TO ADPOTED FOR THE BOARD TO WAIVE WATER/SEWER PENALTY ON A CASE BY CASE BASIS

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board adopted a resolution for the Board to waive water/sewer penalty on a case by case basis. Motion carried, 5-Ayes, 0-Nays.

RE: VILLAGE OFFICES CLOSED IN OBSERVENCE OF PRESIDENT'S DAY

Village office's closed, Monday, February, 16th, 2015 in observance of President's day.

RE: ACCEPT FUNDS AWARDED TO THE MONTGOMERY VILLAGE COURT FOR 2014-2015 CYCLE FROM THE STATE OF NEW YORK UNIFIED COURT SYSTEM

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board accepted funds awarded to the MONTGOMERY VILLAGE COURT for the 2014-2015 cycle from the State of New York Unified Court System in the amount of \$ 4,020.00. Motion carried, 5-Ayes, 0-Nays.

RE: PUBLIC PORTION

Ms. Beltrametti suggested to the Mayor Brescia to hold a debate on whatever format of his choosing. However, she request it be in the earlier part of the week rather than the later part of the week.

Mayor Brescia said he is willing to hold a debate; however, March is more agreeable. He will check on a date and be in touch.

RE: EXECUTIVE SESSION

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board entered into EXECUTIVE SESSION at 8:04 pm under section D, to discuss the possible potential litigation and under section E, to discuss the collective negotiations pursuant to the Taylor law, and section F, to discuss the employment history of a particular person. DPW Supt. Nelson, Atty. Dowd, Police Chief Walsh Dowd the Village Clerk Rivera-Stanley were invited into the executive session. Motion carried, 5-Ayes, 0-Nays.

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board went out of executive session at 8:17 pm with DPW Supt. Nelson. Motion carried, 5-Ayes, 0-Nays.

EXECUTIVE SESSION reconvened at 8:18 pm under section E, to discuss the collective bargaining agreement pursuant to the Taylor Law with Police Chief Walsh, Atty. Dowd and Village Clerk Rivera in attendance.

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board went out of executive session at 8:35 pm. Motion carried, 5-Ayes, 0-Nays.

RE: ADJOURMENT

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board adjourned the meeting of December 3, 2015 at 8:36 pm. Motion carried, 5-Ayes, 0-Nays.

Monserate Rivera-Stanley, Village Clerk