

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 17, 2015 at 7:30 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, Trustee Lindner, Atty. Dowd, Village Clerk Rivera-Stanley, DPW Supt. Nelson, Police Chief Walsh, Pat Kelleher, Johanna Sweikata, Don Berger, Steve Magyar, Tom Steed, Richard Niedermeyer, Shane Daley, Maria Beltrametti.

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 February 17, 2015. Motion carried, 5-Ayes, 0-Nays.

RE: REQUEST TO MEET WITH THE BOARD

Pat Kelleher informed the Board of the day's scheduled events for the St. Pat's Ramble Parade on Saturday, March 21st. This is the 1st year that the neighboring Village's, Maybrook and Walden, are participating with enthusiasm, to be included in the parade. It was a huge success with the Grand Marshals reception for Marion Wild. The day starts off with the 5K race beginning at 10:00 am, at the Firemen's Museum; there are several hundred walkers and runners registered. Police Chief Walsh is escorting. Last year the racers were impressed by the presence of the Mayor and the Board. If you are able to make it again this year, it will be greatly appreciated. Following the race, is the traditional Grand Marshals mass is at 11:00 am at St. Mary's Church on Union Street. There will be ushers to escort you to your seats. Father Fallon from Most Precious Blood from Walden, including the Mayor's from Walden and Maybrook will be present. We are encouraging the off duty Firefighter's and Police Officer's to attend as well. Furthermore, the parade starts at 1:00 pm sharp; stepping off from River Street onto Union Street proceeding with a left onto Clinton Street, and ending with a left onto Bridge Street. The formation area is on River and Union continuing onto to Weaver Street if needed. All formation areas are clearly marked in advance. Lineup is at 12:30 pm. The Police Chief will close traffic around 12:40 pm on Union Street, possibly earlier if needed. We will try to keep it open as long as possible. Notices will be issued to each of the residents on River, Pleasant and Weaver via a house drop, politely indicating cooperation and no parking on Saturday from 10:00 am to 2:00 pm. We want a joyous occasion. The Mayor and the Village Board will be starting close to the front of the parade, position number 6. Please be in place on time to step off promptly at 1:00 pm. Parade headquarters is at the foot of Union Street and River Street. If you have any questions, there will be parade marshals available to assist the public. We currently have eighty marching elements, it breaks down to fifty units with sub division elements. It is an increase by ten elements over last year. We also have twenty parade marshals, clearly marked wearing vests. Parking will be limited at the Montgomery Elementary, once it is full, it will be closed. Additional parking is available at the little league field with two shuttle buses. Eight Porta potty's have been ordered and strategically placed around the formation area and at the end of the parade. There will be an increased police presences. I am requesting a CodeRed notice to be issued on Friday, March 20th. A news blast will be issued to the residents signed up for event email notifications. The funding for all of these activities are self-funded, through fund raiser's, raffles as so forth. Our biggest fund

raiser is the raffle. It will be held Saturday immediately following parade. I feel, I have covered a lot in a small amount of time; if you have any questions, do not hesitate to ask. The folks on the committee have done a tremendous job. Copperfield's is one our largest contributors, with the last trivia night on Thursday, starting at 7:00 pm. Paul will be having a representative from Guinness with crystal mugs to be engraved at a \$5 donation, starting at 6:00 pm. We have tried not to inconvenience anyone. This is our third year and we continue to receive more inquiries. It is a Village of Montgomery Parade even though we have included our neighboring Villages. In closing, I would like to commend Buddy and Steve Walsh for their outstanding cooperation.

Mayor Brescia and the Board thanked Pat for all his efforts and excellence on a fine job as chairman of the parade.

OLD BUSNINESS:

Chandler Lane PDD amended preliminary site plan deferred to the next meeting.

REPORTS:

POLICE DEPARTMENT:

Police Chief Walsh reported by saying that all the preparations are in place for the St. Pat's Parade on Saturday, March 21st. The D.A.R.E. graduation is on March 26th at 2:00 pm at the Montgomery Elementary. The Little league parade is on coming up as well. The Bike Rodeo is on May 2nd from 9:00 am to 12:00 Noon at the Senior Center.

DEPARTMENT OF PUBLIC WORKS:

DPW Supt. Nelson reported on the brown water issues resulting from Holt Well #4. A consultant from Albany, Jim Dwyer and his engineer, Greg Maston; were here and water samples were collected from Don Berger residence, in addition to other residents from Waters Edge, and the wells. The findings indicate the most of the problem stems from Holt Well #4. A solution is being discussed. A meeting with the County Health Department did not go as well as they had anticipated. It is too early in the process to have a plan in place for the County Health Department to entertain it. We are working on several plans. Our worst case scenario and the most expensive, involves installing a water filtration system to Holt well #4. The water license that Jake and I currently have will not allow us to operate the water system once this option is installed. Going for a higher grade water license would be with a year of training before we could operate the filtration system in house. Therefore, an outside source will be needed to run it. I have contacted JCO and they will be able to assist us, if this is the plan we entertain. Holt well #3 will be cleaned and to be ready to put online. The Jacobson well needs work due to the sulfur before bring it up online. This will allow us to take the Holt Well #4 off line. Holt Well #4 is the largest water producer for the Village. These two wells need to be brought on line in order to provide as much water as Holt Well #4 produces. Once this is done, Subsurface will come in and pull out the pump from the Holt Well #4 and place a camera into the well to determine the cause. It will then be scrubbed and treated with CO₂, hopefully this will take everything out. The process will be repeated, possibly once or twice a month. Keeping Holt well clean it may eliminate the need for the filtration system to be installed. It is not known as of yet, if this is will correct the problem. I am going with the worst case scenario at this point.

Mayor Brescia asked how long would it take to put the Jacobson well and Holt well #3 on line to be able to take Holt well #4 off line?

DPW Supt. Nelson stated he is unsure of how long it will take to bring the Jacobson well and Holt well #3 on line to take Holt well #4 off line. When all the tests are done, everything needs to be approved by the Department of Health. Cleaning Holt well #4 should be rather quick. The Department of Health has no problems with cleaning Holt well #4. This was approved fifteen years ago when we started cleaning the wells. We will get them clean. Once Holt well #4 is being cleaned, we will have to call for a water emergency, in the event we are not able to produce enough water. This will be determined down the road, it is based on the amount of water the other two wells will be able to produce. Again, the Jacobson well sulfur issues need to be addressed first.

Mayor Brescia asked if the new Cardinal Drive water storage tower will help exacerbate or change anything.

DPW Supt. Nelson said yes the Cardinal Drive water storage tower will help if it can be filled before we do all of this. The water tower company just came out to seal the concrete base. This is the last process for the water storage tower; it has to set for two weeks before it can be filled. The residual has already been tested from the main right to the tower; it has all been approved. Once it is filled, we will have a regular test done. Everything is brand new, it contains no paint; I cannot imagine that it will not pass. Once the water storage tower is filled, we will have extra water. My hope is to fill it in the next two weeks before taking Holt well #4 out of service. We are trying to run Holt well longer from 14 hours a day to 16 hours a day on low water days. By doing so we back down a gallon per minute, because the longer it runs the cleaner it gets. It is a short term solution. They want us to run it twenty four hours a day, but that is impossible. It would cause overflows in the water tower, and create too much pressure in the system. Wasting water is not an option. Prospect will remain online for now; once it goes off line it will not kill us.

Mayor Brescia asked the public present for any questions relating to the current subject.

Mr. Berger of 158 Waters Edge stated he had requested to be on the agenda and is not sure why he is not. He feels there is no proof that he has attended the previous Board meetings. He expressed his continued concerns regarding the brown and red water and the affects it has had on his appliances. He provided the Board with pictures. In addition, he asked why he and his neighbors are paying for water that is not useable. A discounted rate would be more agreeable. Furthermore, as he has stated at the previous meetings, what is being done to rectify the problem? I would like meet with you to discuss this. In addition to having something I writing, in the event that something fails as a result of the water conditions. We should have a plan, I asked you in October and the answer was no. I think meeting and speaking about the possibilities until this issue is resolved.

Atty. Dowd suggested to Board have talk about it.

DPW Supt. Nelson states that Holt Well #4 is the largest water producer for the Village. I have asked the consultants why it is just happening to the resident in this end of the Village. Yes, there have been several on Pleasant Avenue and Weaver Street with the brown but not red water. Adding bleach to the water would turn the water red. This is

done to park well and therefore, it is treated. I have mentioned the red water to the consultants. This is a new issue for Waters Edge. It has been suggested that we soften the water, it will be adjusted more or less based on the test results. I anticipate having the results back by the end of the week. Once Holt well #4 is cleaned and we are running the other well, which has not particulates. We will be able to flush Waters Edge water main as long as it is above freezing. Holt well #3 will be scaled to bring it back online, it is a low water producer. The consultants feel cleaning Holt Well #4 may resolve the issues. Again, the worst case scenario is installing a water filtration system, which will require a large amount of work with the Health Department. This will require switching the operator in charge and or using JCO that has a higher water operating license.

Mayor Brescia stated to Mr. Berger not being able to have the legalities tonight. It is just unrepresented to reimburse for passed brown water. We will talk about it, stay on top of it, and try to be reasonable. I am not ruling anything out but I'm not promising anything either.

DPW Supt. Nelson also reported a water leak, possibly on Presidential Heights. This also another contributor to having brown water, having a water main break. As I have stated in the past it is the same effect as flushing a fire hydrant.

On March 7th there was a sewer back on Robert Street. A notice of claim has been filed, in addition to the one filed in November for Pleasant Avenue. The DPW are checking the grease traps. A snow storm is in the works for Friday night.

The Police Department roof is having a problem with the ice backing up. It has caused a leak and it has been taken care of. We were not able to find why it was happening. The damage was mainly to the insulation and no damage to the dry wall. This has been a very hard winter.

RE: RENEW INTER-MUNICIPAL AGREEMENT WITH ORANGE COUNTY THROUGH THE DEPARTMENT OF EMERGENCY SERVICES AND THE VILLAGE OF MONTGOMERY POLICE DEPARTMENT

Moved by Trustee Lindner, seconded by Trustee Hembury, the Board approved to renew the Inter-Municipal agreement with Orange County through the Department of Emergency Services and the Village of Montgomery Police Department. Motion carried, 5-Ayes, 0-Nays.

RE: RENEW CONTRACT AGREEMENT WITH ITC TELECOMMUNICATIONS SYSTEM

Moved by Trustee Hembury, seconded by Trustee Deputy Mayor Scheels, the Board approved to renew the 2015 contract agreement with ITC TELECOMMUNICATIONS SYSTEM beginning March 6, 2015 through March 5, 2016 in the amount of \$ 1,006.00. Motion carried, 5-Ayes, 0-Nays.

RE: AUTHORIZE 1ST PAYMENT REQUEST FROM SUN UP ENTERPRISES, INC.

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board authorized the 1st payment request from Sun Up Enterprises, Inc. in the amount of \$400,066.26 for the Cardinal Water Storage Tank #2, as recommended by Lanc & Tully Engineering &

Surveying, P.C. to include \$200,000 from Orange County Community Development Grant. Motion carried, 5-Ayes, 0-Nays.

RE: ABSTRACT NO. 02-2015

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, all bills listed on ABSTRACT NO. 02-2015 were audited and approved for payment with \$ 257,587.36 from the General Fund, \$ 24,527.73 from the Water Fund, \$ 44,300.62 from the Sewer Fund and totaling \$ 326,415.71. Check No: 47205 - 47219, 48164 - 48244. Motion carried 5-Ayes, 0-Nays.

Treasurer Benedict reported a CASH BALANCE for the month of February 28, 2015, as follows: General Fund \$ 1,324,791.08, Water Fund \$ 333,104.82, Sewer Fund \$ 251,499.32.

RE: APPOINT STREET CROSSING GUARDS FOR ST. PATRICK'S PARADE

Moved by Trustee Hembury, seconded by Trustee Lindner, the Board appointed up to 15 Street Crossing Guards for St. Patrick's Parade event at the rate of \$14.50 an hour. Motion carried, 5-Ayes, 0-Nays.

RE: MAYOR'S 2015 - 2016 TENTATIVE BUDGET

Clerk presented a copy of the tentative budget to the Board at the rate of \$14.66, with a 1.66 increase from last year's budget, it is below the tax cap.

RE: SET TENTATIVE BUDGET HEARING DATE

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board set the public hearing date for the tentative budget on April 7, 2015 at 7:00 pm. Motion carried, 5-Ayres, 0-Nays.

RE: RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH ORANGE COUNTY OFFICE OF THE AGING TO COMBINE THE 2015 CONTRACT LEASE USE OF THE FACILITY AND THE SENIOR DINING AGREEMENT

Moved by Trustee Lindner, seconded by Deputy Mayor Scheels, the Board passed a resolution authorizing the Mayor to enter into contract with Orange County Office of the Aging to combine the 2015 contract lease use of the facility and the Senior Dining program agreement.

RE: 2015 D.A.R.E GRADUATION – MONTGOMERY ELEMENTARY

2015 D.A.R.E. Graduation for the Montgomery Elementary is on Thursday, March 26, 2015 at 2:00 pm, at 141 Union Street, Montgomery, NY.

RE: RENEW AD CONTRACT WITH WALLKILL VALLEY TIMES

Renewal is deferred to the next meeting pending further review of the 2014 ad expenses.

RE: BUDGET ADJUSTMENTS

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board approved the budget adjustments as noted on the attached memo. Motion carried, 5-Ayes, 0-Nays.

RE: PUBLIC PORTION

Shane Daley inquired on the status of the Chandler Lane PDD.

Deputy Mayor Scheels stated the Village consultants, Lanc & Tully and Planet Main Street along with the Village legal counsel, have provided feedback on the proposed amendment to the Chandler Lane PDD. A request for a supplemental environmental impact studies be done before proceeding any further. Marc Devitt has requested a work session and a date has not be set. The work session will be open to the public. Marc also mentioned having another public informational meeting as well.

Atty. Dowd stated an agreement has been met by all the consultant for a need for a supplemental environmental impact statement on six or seven different items we have seen, due to the changes to the project. Once the supplement impact statement is done, it will have to be presented to the Board for review. It will be open up to the public. We will then do a local law amendment based on the request, if it does not meet the PDD requirements as it reads. In turn, there would be a public hearing on the local law change and eventually a presentation to the planning board. In the event it reaches that point, an amended site plan would be in order followed by another public hearing. The important part is getting the environmental studies to the Board for further review.

RE: ADJOURNMENT

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board adjourned the meeting of March 17, 2015 at 8:09 pm.

Monserate Rivera-Stanley, Village Clerk

