

Minutes of the Regular Meeting of the Board of Trustees of the Village of Montgomery held in the Meeting Room at 133 Clinton Street, Montgomery, NY 12549 on Monday, April 20, 2015 at 7:30 pm.

Present: Mayor Brescia, Deputy Mayor, Trustee Andolsek, Trustee Hembury, Trustee Lindner, Atty. Dowd (Absent), Deputy Village Clerk Murphy, DPW Supt. Nelson, Marc Devitt, Rochelle Osnuhi, Patricia Carlucci, Eric Grzeszezak, Maria Beltrametti, Steve Magynor, Don Berger, Sara Hall, Erin Schneizer, Dennis Hulihan, Ross Winglovitz, Barbara Conroy, Walter Pahucki, John Byrnes, Gina Coyne, Kim Allard Morina

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

RE: MINUTES

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board of Trustees approved the Public Hearing Minutes of April 7, 2015. Motion carried, 5-Ayes, 0-Nays.

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board of Trustees approved the Regular Meeting Minutes of April 7, 2015. Motion carried, 5-Ayes, 0-Nays.

RE: REQUEST TO MEET WITH THE BOARD

No submissions

RE: ABSTRACT NO. 03-2015

Moved by Trustee Hembury, seconded by Deputy Mayor Scheels, all bills listed on ABSTRACT NO 03-2015 were audited and approved for payment with \$ 271,752.02 from the General Fund, \$ 9,861.53 from the Water Fund, \$ 29,888.10 from the Sewer Fund and totaling \$ 311,501.65. Check No: 4722 – 47248 and 48245-48313, Motion carried 5-Ayes, 0-Nays.

Treasurer Benedict reported a CASH BALANCE for the month of March 31, 2015, as follows: General Fund \$ 1,202,443.84, Water Fund \$ 332,317.47, Sewer Fund \$ 236,520.16.

RE: OLD BUSINESS

Borland House Petition to serve food to the public. No one present from the Borland House, therefore, deferred to the next meeting of May 5, 2015.

RE: REPORTS

DPW Supt. Nelson reported on the status of cleaning Holt Well #4 with regards to Water Edge and Dunn Drive. Subsurface Technologies is in the process of cleaning Holt Well #4 and the cost is at \$25,318 thus far. Furthermore, I have shown Trustee Lindner the

temporary filters that are on the well. A determination has yet to be made on the type and size of the filters that are needed for the well, in addition to the County's approval. It also depends how the filters collect the manganese in the well that determines the type and size of the filters needed. Three weeks ago we tried reverse flushing, closing down Pleasant Avenue and drawing from Weaver Street to Waters Edge the water was fairly clean. When the valve for Weaver Street was closed off and opened up on Dunn Drive flushing from Pleasant to Waters Edge Hydrant on the cal d sac, the water was brown. We may be getting brown water from Pleasant Avenue and Dunn Drive. I want to repeat this process at least several times each month to see if it improves. The neighbors will be notified prior, Jake has been knocking on the doors before flushing. I have called the Orange County Water Authority, and I have not had a response back as of yet. I do know they will not do any type of water treatment; they will direct you to the Health Department. I have also tried to keep Lee Burgess apprised of what we are doing with the well. Anything permanently done to the well has to be signed off on by the Engineers and the Health Department. Pleasant Avenue has a six inch line water main line, where as Weaver Street is now an eight inch, and River is also an old six inch. If replaced, it would be a larger pipe in diameter. My goal is to replace River Street water main and come down 211. I feel once the filters are set up, it will alleviate a lot of the problem. Over the years sediment builds up in the pipes.

The Cardinal Drive Water storage tower is full and the County wants to additional VOC tests; that were not in the specifications. It just needs to be approved and it may be as soon as next week. It will increase the water pressure in Viking Heights to 30 lbs.

Don Berger states; he is aware of the work being done on the water for Waters Edge, however the problem still exists.

Dennis Hulihan states; that since 2010 having a problem with water always being dirty and changing filters every month for four years.

Don Berger states; I want you to know all these people here have the same issues. I have been told that I am the only one complaining. You said in five years, maybe you have had five complaints. I feel the Board should do something about this, we can not continue with this type of a problem. Several people here can tell you about damaged equipment due to this issue. I have asked for bottled water. I am trying to come to you to resolve this; I do not want to hear about litigations. I am asking for a good faith gesture from the Board and resolve the problems that we do have. I feel things should have been moved along sooner than it has. I do not understand why we can not come to an agreement, with out Mr. Dowd's comments regarding lawsuits. No one has mentioned any type of lawsuits at all.

Dennis Hulihan states; this has been happening since 2010, I feel what has happened is that people have complained here and there but have never come together. I was on vacation for the last meeting, which Don had informed me of. It upset me to hear Don say he is going to come and be the biggest complainer. So therefore, I am here to state my case as well. As I see it, the DPW is doing everything they can, but you can only do with what you have. I am asking for one thing, want the same water you receive coming through my house. I changed my filter on Saturday and the filter I took out is solid black.

After the new filter is installed, three to four days pass and the water pressure drops. I have been instructed to let the water run until it runs clear. Now it can do this but who is paying for the water that I am not able to use. I can let the water run for ten to fifteen minutes with no changes at times. Flushing the toilet you have dirty water, making a cup of coffee you have dirty water. I was shocked to hear the Village purchased someone a washing machine, why is that? I have been buying filters for four years. I happened to speak with Buddy and he informs me the Village is providing filters for the residents. The filters indicate lasting for six months, maybe in China but not in the United States; I change my water filter every month. I do not think we are being unreasonable. To buy bottled water this is very expensive. It is ruining the washing machine and what it is doing to the pipes is unreal. I was here in March and brought in pictures and I still have the same dirty water, nothing has changed.

Ms. Kim Allard Morina brought before the Board a new article of clothing that she has washed and the coloring shows a grayish tint. The white clothing does not come out white even with the use of bleach.

Mr. Eric Grzeszezak states; he is the resident the Village replaced the washing machine for back in 2010 due to the brown water issues. In addition, he purchases bottled water to cook and drink; he only showers and does the wash with the Village water. The new washing machine is in the same conditions. This brown water has put wear and tear on all the household appliances. It is just not healthy. I tell everyone not to drink the Village of Montgomery water. I have a newspaper article from October 6th, 2010 regarding the water conditions in the Village of Montgomery. I will place it here in the back of the room for anyone wanting to read it or take a picture of it. I know the DPW is doing an awesome job.

Mayor Brescia states; the Village Board over the past five years has not had any complaints of this severity at the Village Board Meetings, until now.

Mr. Berger asked Mayor Brescia, How many complaints are needed?

Mr. Grzeszezak stated; the problem with the water started in 2010.

Mr. Dennis Hulihan states, the water issue began eight years prior to 2010. We had thought at the time it was our hot water heater and had it replaced. We know where it is not coming from. We just do not know where it is coming from.

DPW Supt. Nelson states; that actually in 2010 is when we started the poly over phosphate system, which is a softener system. This is the first step in treating hard water as instructed by the Health Department. It also strips the old pipes and coats the pipes, therefore, that is why you see things worse since 2010 into 2011. The next phase in 2011 was to replace the Weaver Street line.

Mr. Berger states and asks; that is all well and good but in the meantime what do you do with the dirty water? We are collateral damage, only a few people are suffering.

DPW Supt. Nelson said, yes; we are trying to take care of it and determine why Waters Edge and Dunn Drive have it so bad.

Ms. Sara Hall states; not being able to attend the Board meetings is due to her work schedule. Her neighbors, experiencing the same issues, have spoken amongst each other and their schedules also pose a challenge to attend the meetings. I am having problems with my heating system and was just informed I need to replace my boiler and hot water heater. In addition, my washing machine is brown on the inside. I'm trying to take a positive spin on this whole thing. I would like to increase the value of my home and add another bathroom. However, this issue of the water always poses a problem. I'm very disappointed, I would like to take a bath but not in the tub that has turned black. To replace these items, it would cost a lot, just to have them ruined again. It is hard from day to day to manage homeownership. I love the Village and my street a lot, but we need to take care of this now. I would like to take a bath at night; however, this is not American in 2015.

Mayor Brescia and the Board agree that this is frustrating and depressing. We have spent quite a bit of money on the waterline installed in 2011 on Pleasant Avenue also due the brown water issues. The Pleasant Avenue waterline was a \$300,000 project.

DPW Supt. Nelson states; installing an additional filter and switching the wells, it could be a while. I am waiting for additional new guidelines. We are working on it with Subsurface. I have a video of the before and after; on the process of cleaning the well. If this does not correct the issue, I do not have another option at the moment. The filter system will be at the source of the well directly and it produces seventy five percent of the water for the Village.

Mr. Berger states what can be done today, provide us with bottled water. It is a simple solution, have you spoken to the insurance adjuster about this. The water samples may have come out with no contaminants but come on do you want to drink black or brown water. What can be done immediately for us?

Mayor Brescia states; he will speak with the insurance and the Village Attorney and see what we can be done. I am not promising anything at this moment. We want to try and stay positive and resolve the water issue.

Mr. Berger asked, what is the protocol on receiving water filters? Is it based on just asking for it, how we know you provide filters?

DPW Supt. Nelson stated; he will look into the possibly providing bottled water prior to the next meeting. He will provide filters for the homeowners present due to the water issues and the neighboring residents of Waters Edge and Dunn Drive.

Mayor Brescia suggested to DPW Supt. Nelson having John Tracy assist in issuing the filters door to door and doing a survey of the filters, as well.

Marc Devitt states; the Water Authority may be able to assist with grants that maybe available.

DPW Supt. Nelson states; the Water Authority usually refers us to the Health Department. In addition, our engineers have been there.

Mr. Berger asked the Mayor Brescia if he can do anything at the County level.

Mayor Brescia states; the Health Department is the agency that is to be advised. He urges DPW Supt. Nelson to send a letter to the Water Authority.

Mr. Berger reported on two houses being abandoned on Waters Edge, specifically at 172 and 176.

Mayor Brescia stated; the B/I Yancewicz will be informed and is able to notify the bank. Mike can taken pictures.

All State Representative Patricia Carlucci and Rochelle Osnuhi have spoken with Treasurer Benedict, and would like to provide volunteer benefits for the employees, at not cost to the Village. The employees who choose to enroll would pay the premium through payroll deductions, such as disability 20 – 30% less and so forth, packets were provided to the Board and requests to meet with the employees.

RE: ALL STATE TO MEET WITH THE VILLAGE EMPLOYEES TO PROVIDE VOLUNTEER BENEFITS ENROLLMENT

Moved by Deputy Mayor, seconded by Trustee Hembury, the Board approved All State to meet with the Village employees to provide volunteer benefits enrollment. Motion carried, 5-Ayes, 0-Nays.

RE: CREDIT CARD TAX TRANSACTION TO BE EXTENDED

Moved by Trustee Lindner, seconded by Deputy Mayor Scheels, the Board approved a credit card tax transaction to be extended until April 27th without penalty, due to technical difficulties with the credit card machine, or the unpaid water/sewer will added as a tax levy onto the Village Taxes billed on June 1, 2015. Motion carried, 5-Ayes, 0-Nays.

RE: PAYMENT APPROVED FOR THE HEALTHY ORANGE TRAIL EXERCISE EQUIPMENT

Moved by Trustee Andolsek, seconded by Trustee Hembury, the Board approved payment in the amount of \$11,500.00 for the Healthy Orange Trail exercise equipment, Orange County grant funding received through Senator William Larkin. Motion carried, 5-Ayes, 0-Nays.

RE: WALLKILL VALLEY TIMES AD CONTRACT

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board approved the Yard Sale and Memorial Day Ad's and to contract with the Wallkill Valley Times per

display Ad, opposed to a said Ad contract amount for the year. Motion carried, 5-Ayes, 0-Nays.

RE: ACCEPT RESIGNATION OF LINDA OSTERHOUT AS AN ALTERNATE FOR THE SENIOR DINING PROGRAM FOOD SERVICE WORKER

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board accepted the Resignation of Linda Osterhout as the Food Service Worker Alternate for the Senior Dining Program. Motion carried, 5-Ayes, 0-Nays,

RE: NAQUILLE WILLIAMS REQUESTED INFORMATION ON A VILLAGE SPORTS CENTER FOR THE VILLAGE OF MONTGOMERY

Ms. Williams was not present to discuss her request, therefore, deferred to a later time.

RE: PUBLIC PORTION

Jack Byrnes requests to meet in the executive session with the Board of Trustee's.

Mayor Brescia states; meeting with the Board of Trustee's in the executive session, the Village Atty. Dowd will need to be present. Therefore, deferred to the next meeting of May 5, 2015, based on the nature of the subject to enter into the executive session. You can speak with the Atty. Dowd.

Ms. Beltrametti expressed her concerns of how equipment is purchased and the process.

DPW Supt. Nelson explained the nature of Village of Montgomery procurement policy and the process to Ms. Beltrametti. Once the bid process is completed and presented to the Board for a motion to approve and award the bid at the Village Board meeting. The bid is awarded to the bidder, most advantageous to the Village of Montgomery.

Mayor Brescia recused himself from the remainder of the meeting at 8:37 pm. Deputy Mayor Scheels is to carry the remainder of the meeting.

RE: CHANDLER LANE DEVELOPMENT OUTLINE

Mr. Winglovitz presents the Chandler Lane Development District and states that in early February and beginning of March of 2015, it was agreed to do a supplemental environmental impact statement. The outline is the table of contents circulated to the consultants, on March 23rd, 2015. Several comments were submitted and revised and resubmitted to the consultants; just last week all were satisfied. Atty. Dowd spoke with Joe Catalano, Marc's council, today. It was suggested a resolution be drafted to accept the outline based on the document. You should have received a copy of the outline and a copy of the draft resolution forwarded to you by Atty. Dowd.

Deputy Mayor Scheels states; it has been received, read and opened for comments by the Board.

Trustee Lindner states; I thought the next step was to call for a public work session.

Marc Devitt states; it was covered in the table of contents and submitted to the consultants. We made the revisions as suggested by the consultants, they are satisfied with it. Once the Board adopts the resolution as it is in the table of contents, we will then process the necessary information based on the table contents. We will be back the end of June with the prepared traffic and water testing and so forth. After all the information is obtained and presented, a work session will be set. At that point in time, we will let the public know where we are in the process and have a public informational meeting at the Senior Center. This is in order to let the public know they have a say before the Board votes on it. A public hearing has to be held regardless.

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board adopted a resolution to accept the Table of Contents for the Chandler Lane Development Outline. Motion carried, 4-Ayes, 0-Nays.

Deputy Mayor Scheels addressed the public present for any additional comments.

Public present was silent with no further comments.

RE: ADJOURNMENT

Moved by Trustee Andolsek, seconded by Trustee Lindner, the Board adjourned the meeting of April 20, 2015 at 8:45 pm. Motion carried, 5-Ayes, 0-Nays.

Deputy Village Clerk, Tina Murphy

Minutes transcribed by Village Clerk, Monserrate Rivera-Stanley