

Minutes of the Public Hearing of the Board of Trustees of the Village of Montgomery held in the Meeting Room at 133 Clinton Street, Montgomery, NY 12549 on Tuesday, June 16, 2015 at 7:20 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, Trustee Lindner (absent), Atty. Dowd, Village Clerk Rivera-Stanley, Maria Beltrametti, Johanna Sweikata, Stewart Rosenwasser, Anne Frumes, L. Frumes.

Moved by Deputy Mayor Scheels, seconded Trustee Hembury, the Board opened the Public Hearing for the Introductory Local Law I-1 of 2015. Motion carried, 4-Ayes, 0-Nays.

Mayor Brescia asked the Village Clerk Rivera-Stanley if all the necessary paperwork is on file to hold a Public Hearing.

The Village Clerk Rivera-Stanley replied, yes; all the necessary paperwork is on file to hold this Public Hearing.

Mayor Brescia entertained comments from the public. Stewart do you have anything?

Atty. Dowd states, I just handed him the revised; I forgot to send it to him. There was one issue that he asked that I change. It is on the ancillary uses; a Bed and Breakfast may also have a retail shop that is accessible by the guests and the general public. That is what I put in.

Mr. Rosenwasser states, okay.

Mayor Brescia asks why no more than twenty people at one time in the dinning area. JoAnn, Darlene, Mike and I went there, it look like it can hold more then twenty people.

Atty. Dowd and Mr. Rosenwasser both states, that was in the petition.

Mayor Brescia asks, that was okay with you guys. Okay, so if you have twenty one in there you are in trouble.

Laughter by those present is heard.

Mr. Frumes states, we will keep rotating.

Mayor Brescia states, into the disappearing walls.

Additional laughter is heard.

Mayor Brescia asks, if there is anything else.

Atty. Dowd states, adding the request from the Planning Board that you will find in number six, where they need a full vehicle turn around; except the site does not allow it. I

included that and the issuance of carbon monoxide detectors which is now state law building code.

Mayor Brescia asks, is that for all B&B's?

Atty. Dowd replies that is for all residential uses.

Mayor Brescia states, yeah, I know. I was on the State Codes council for quite a few years and B&B's were a separate kind of. It is good to have it.

Atty. Dowd states, I do not think it is going to be a problem.

Mayor Brescia states, that is alright; just leave it then.

Atty. Dowd states, nobody incorporated changes.

Mayor Brescia states, I did not see the letter from Planning in there but I called Dave Church tonight when I got here tonight.

Atty. Dowd states, the County said there is no evidence of significant impact which the determination frees you and clears you

Mayor Brescia states, I see it, Monsé gave it to me when I got here. I did not see it in the packet. So therefore, I called David Church and he said the same thing.

Atty. Dowd states, Monsé called for it yesterday and only received it yesterday. It is a one liner.

Mayor Brescia states, yes; that is what he gave me, a one liner. If we pass this tonight, it will go to the state and be effecting in about ten days.

Atty. Dowd states, yes; in about ten days.

Mayor Brescia states, Okay; there is no other discussion? I will entertain a motion to close the Public Hearing.

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board closed the Public Hearing of June 16, 2015 at 7:22 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 held in the Meeting Room at 133 Clinton Street, Montgomery, NY 12549 on Tuesday, June 16, 2015 at 7:30 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, Trustee Lindner (absent), Atty. Dowd, Village Clerk Rivera-Stanley, Maria Beltrametti, Johanna Sweikata, Stewart Rosenwasser, Anne Frumes, L. Frumes.

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

RE: PASS A SEQR AND A NEGATIVE DECLARATION FOR THE LOCAL LAW AMENDING CHAPTER 122 OF THE CODE OF THE VILLAGE OF MONTGOMERY ENTITLED "ZONING"

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board passed SEQR AND A NEGATIVE DECLARATION amending Chapter 122, Local Law I-1 OF 2015. Motion carried, 4-Ayes, 0-Nays.

RE: ADOPT LOCAL LAW I – 1 OF 2015 TO AMEND CHAPTER 122 OF THE VILLAGE CODE OF MONTGOMERY ENTITLED ZONING

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board adopted Local Law I – 1 of 2015 to amend chapter 122 of the Village Code of Montgomery entitled "Zoning" to permit Bed and Breakfast uses as a special exception use within the Village of Montgomery. Motion carried, 4-Ayes, 0-Nays.

RE: SET BID OPENING DATE FOR THE VILLAGE OF MONTGOMERY SURPLUS VEHICLES

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board set a bid opening date for the Village of Montgomery surplus vehicles on July 6th at 10:00 am at the Village Hall meeting room with a minimum bid of \$300.00. Motion carried, 4-Ayes, 0-Nays.

Moved by Trustee Andolsek, seconded by Trustee Hembury, the Board authorized the Village Clerk to publish a notice to bidders and accept sealed bids from qualified bidders in the Wallkill Valley Times and the Times Herald Record. Motion carried, 4-Ayes, 0-Nays.

RE: 2015 VILLAGE OF MONTGOMERY SUMMER RECREATION DAY CAMP

Summer Recreation day camp is at full capacity with registrants and begins on June 29th at 9:00 am, parent orientation is at 9:45 am.

RE: WATER/SEWER PAYMENTS ARE DUE

Water/Sewer payments are due without penalty on July 6th by the close of business at 5:00 pm, post marked payments are accepted.

Mayor Brescia and the Board asked the Village Clerk to issue a CodeRed announcement as a kind and gentle reminder to the residents of the Water/Sewer payments being due without penalty on July 6th.

RE: SET A PUBLIC HEARING TO AMEND THE CBDG FOR CLINTON STREET WATER MAIN REPLACEMENT

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board set a Public Hearing to amend the CBDG for Clinton Street Water main replacement on July 7, 2015 at 7:20 pm, at the Village Hall meeting room. Motion carried, 4-Ayes, 0-Nays.

RE: APPROVE CONTRACT AGREEMENT FOR RETAINER OF PROFESSIONAL SERVICES WITH OPTIMUS ENGINEERING, PLLC.

Mayor Brescia and the Board of Trustees agree to defer this to the next meeting of July 7th at 7:30 pm; in order to discuss several items in questions.

RE: HOT DOG VENDOR REQUEST TO MOVE LOCATION FROM UNION STREET TO FACTORY STREET

Moved by Trustee Hembury, seconded by Trustee Andolsek, the Board approved the Hot Dog Vendor to move his location from Union Street to 9 Factory Street due to the construction of the 211 West Bridge construction and authorization has been obtained by the property owner to do so. Motion carried, 4-Ayes, 0-Nays.

RE: SUN UP REQUEST FOR PAYMENT NO. 2, WITH A FIVE PERCENT RETAINAGE HELD

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board approved the Sun Up request for payment no. 2 in the amount of \$157,011.84 with a five percent retainage for the contractor to obtain their Maintenance Bond. Motion carried, 4-Ayes, 0-Nays.

RE: PUBLIC PORTION

Mayor Brescia addressed the public present for any comments or concerns.

Silence from the public present.

RE: EXECUTIVE SESSION

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels the Board entered EXECUTIVE SESSION at 7:41 pm under the Public Officers Law section §7(f) to

discuss police department personnel (Officers Feola, Briere, and Coscette) with Police Chief Walsh, and with Atty. Dowd, Village Clerk Rivera-Stanley in attendance. Motion carried 4-Ayes, 0-Nays.

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board went out of EXECUTIVE SESSION AT 8:18 pm. Motion carried, 4-Ayes, 0-Nays.

RE: RECONVENE

Moved by Trustee Hembury, seconded by Trustee Andolsek, the Board reconvened the meeting at 8:19 pm. Motion carried, 4-Ayes, 0-Nays.

RE: EMPLOYEE PROBATIONARY PERIOD LIFTED

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek the Board lifted the probationary period for three police officers, Joseph Feola, Brian Briere, and James Coscette; effective June 18, 2015. Motion carried, 4-Ayes, 0-Nays.

RE: ADJOURNMENT

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board adjourned the meeting of June 16th, 2015 at 8:21 pm. Motion carried, 4-Ayes, 0-Nays.

Monserate Rivera-Stanley, Village Clerk