

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 August 1, 2016, at 7:30 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, Trustee Lindner, Atty. Dowd, DPW Supt. Nelson, Chief of Police Walsh, Village Clerk Rivera-Fernandez,

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

**RE: MINUTES**

Moved by Andolsek, seconded by Deputy Mayor Scheels, the Board approved the meeting minutes of July 5, 2016. Motion carried, 5-Ayes, 0-Nays.

**RE: REQUEST TO MEET WITH BOARD**

Chairman Conero presented the updated Master Plan to the Village Board of Trustees for the Village of Montgomery. He recognized and commended all the committee members for all their hard work and efforts on a job well done. He gave a brief summary on the changes of each chapter.

Mayor Brescia asked for clarifications on the population numbers noted in chapter 1.

Chrm. Conero said he will get clarification and make the necessary changes.

**RE: PUBLIC HEARING SET FOR THE MASTER PLAN**

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board set the date for the Master Plan public hearing on September 20, 2016 at 7:00 pm at the Village Hall. Motion carried, 5-Ayes, 0-Nays.

Trustee Linder said Frontier Communications will make a presentation to the Board on September 6, 2016.

**RE: ABSTRACT NO. 06-2016**

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, all bills listed on ABSTRACT NO. 06-2016 were audited and approved for payment with \$85,579.85 from the General Fund, \$4,354.39 from the Water Fund, \$17,343.83 from the Sewer Fund and totaling \$107,278.07.

Check No: 49647 - 49726. Motion carried 5-Ayes, 0-Nays.

Treasurer Griffith reported a CASH BALANCE for the month of June 30, 2016, as follows: General Fund \$3,209,044.51, Water Fund \$346,083.40, Sewer Fund \$367,656.16.

I.

1.

**RE: DEPARTMENT REPORTS**

Trustee Lindner expressed a concern regarding the reduction in court revenue, after reviewing the Traffic and Court Dispositions report provided by the Chief of Police Walsh. This is something that we will need to keep in mind for the next budget preparations, with the cost of operations,

salaries increasing and revenue decreasing. A thought of consolidation with the Town of Montgomery Court may be an option. The Mayor and the Board are hopeful that there will be a change in the immediate future, in favor of the Village Court, for the Village of Montgomery, and therefore keeping the Village Court as is, only time will tell.

Chief of Police Walsh reported on the departments activities over the previous year. The car stops are up to 1,251 from 991. Summons issued are down by 31%, more warnings are being given, but the activity level is higher than last year. Service calls have increased from 1,751 to 3,855, which is 121%. The arrests are up from 43 to 75 this year, which is a 74% increase. The case reports are up from 94 to 124, which is 32% increase and are service calls the officers need to follow up on and or further documentation is needed on a case. The traffic accidents are also up to 38 from 26, which is a 26%, increase this year, he believes. This is attributed to the quality of officers that we are hiring. They are more proactive, of which some of the stops have turned into penial arrests, such as marijuana possession.

Secondary to that, he met with Chief Amthor from the Town of Montgomery, and Chief Holmes from the Village of Walden. We have resolved to meet at least monthly or every other month, in an effort to update the Inter-Municipal Agreement with the Village of Walden. We will then be able include the Town of Montgomery, with regard to mutual aid, such as active shooter calls. They have agreed to assist with a couple of staff for General Montgomery Day. If they ask, we will do the same for Walden Days.

DPW Supt. Nelson reported on the update from the Orange County Department of Health on the Holt Well #3 filter system. They have eight comments that need to addressed, which was sent to Gregg Mapstone from Optimus Engineering. In Gregg's email to me, he has answered all the questions regarding the Pilot Study. After he reviews it, it will be forwarded to the Department of Health.

He also reports on having to publish the call for a water drought emergency for residents to conserve water. The Department of Health and Lanc and Tully both suggest that we pump and test the Holt Rock Bed Well as a means for an emergency. It is not a developed well, it is actually a hole in the ground, and it yields approximately 55 to 60 gallons a minute, which is about 500 feet deep. It has no iron and very little manganese in the Holt Well rock bed well. It may be possible to dilute Holt Well #4. Subsurface and Rick Tompkins will be providing estimates on developing it. What we are doing is the to treat Holt Well #4 is the most expensive option there is and believes the DOH is trying to help us to do something different.

#### **RE: BUDGET ADJUSTMENTS**

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board approved the budget adjustments for fiscal year end 2015-2016. Motion carried, 5-Ayes, 0-Nays.

#### **RE: QUARTERLY INSURANCE BUYOUT INCREASE**

Moved by Trustee Hembury, seconded by Deputy Mayor Scheels, the Board approved the quarterly insurance buyout increase from \$2,000 to \$2,250.00 for all eligible employees, keeping In-line with the Police Department buyout. Motion carried, 5-Ayes, 0-Nays.

**RE: SENATOR LARKIN SECURED GRANT FOR VILLAGE HALL ROOF**

Senator Wm. Larkin confirms securing a grant in the amount of \$100,000 for the Village of Montgomery, Village Hall roof through the State and Municipal Facility Program (SAM) and is to be Administered by the Dormitory Authority of the State of New York (DASNY).

**RE: BLOCK PARTY APPROVED FOR 112 WALLKILL**

Moved by Trustee Andolsek, seconded by Trustee Hembury, the Board approved the Block Party request for the resident of 112 Wallkill Avenue on September 3<sup>rd</sup>, closing Sears Street from Union to Wallkill Avenue from the hours of 12:00 noon to 9:00 pm, and with the same conditions as previous years. Motion carried, 5-Ayes, 0-Nays.

**RE: BID RESULTS FOR THE CLINTON STREET WATER MAIN REPLACEMENT**

1.	Boyce Construction.....	\$220,690
2.	Grant Street Construction, Inc.....	\$259,000
3.	Jorrey Excavating.....	\$304,570
4.	Sun Up Enterprises.....	\$314,680
5.	Ben Ciccone Inc.....	\$341,855
6.	Sita Construction.....	\$448,150
7.	Legacy Supply LLC.....	\$473,524

**RE: CLINTON STREET WATER MAIN REPLACEMENT BID AWARDED**

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board awarded the Clinton Street Water Main Replacement Bid to Boyce Construction in the amount of \$220,690 contingent upon the approval from Orange County. Motion carried, 5-Ayes, 0-Nays.

**RE: O.C. ADOPTS A RESOLUTION IN SUPPORT OF THE HOME RULE FOR THE VILLAGE**

Orange County Legislature Resolution No. 48 of 2016 in support of the Home Rule authorizing the Village of Montgomery to discontinue use as parkland of certain lands, and to use such lands for the installation and operation of solar panels to generate energy to be used for Village purposes.

**RE: RESOLUTION ADOPTED IN SUPPORT OF “THINK DIFFERENTLY”**

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board adopted a resolution in support of “Think Differently”, which would be a great step forward for residents with special needs, promoting awareness and acceptance of all people, and advocating for inclusion of all individuals living on the Autism Spectrum. Motion carried, 5-Ayes, 0-Nays.

**RE: PRESENTATION OF PHASE II OF CLINTON STREET WATER MAIN REPLACEMENT**

August 11<sup>th</sup> at 10:45 am, DPW Supt. Nelson and Dawn Kalisky present Phase II of the Clinton Street Watermain Replacement to the Office of Community Development.

**RE: EVENTS AT THE CLINTON STREET BANDSTAND**

August 4<sup>th</sup>, New York Swing Exchange, a Jazz Orchestra  
August 11<sup>th</sup>, Robonic, Reggae  
August 18<sup>th</sup>, Hurley Mountain Band, 60's – 70' & Beyond  
August 25<sup>th</sup>, Dr. Papi the Jazz Patients, Jazz Orchestra

**RE: PUBLIC PORTION**

Mr. Berger asked is the Police contract just service time to the Village of Montgomery, or is it combined years of service with other agencies? What was the back pay total and which year was it paid out of? He commended the Board on a job well done on the budget year end.

Police Chief Walsh answered, the Police contract is years of service worked for the Village of Montgomery.

Mayor Brescia said the retro pay was about \$100,000. The funds were paid out of several fiscal years. A reserve account was established with the anticipation of a settlement. The balance on the reserve account was calculated less than needed and therefore an additional \$20,000 was added.

Moved by Deputy Mayor Scheels, seconded by Trustee Lindner, the Board approved DPW Supt. Nelson to purchase several cases of bottled water for the residents of Waters Edge, Dunn Drive, and Weaver Street. Motion carried, 5-Ayes, 0-Nays.

DPW Supt. Nelson stated receiving a complaint about the taste of the bottled water that is being provided. This is not within his control and he personally does not drink bottled water.

**RE: EXECUTIVE SESSION**

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board entered into Executive Session at 8:55 pm under the open meetings law section § (d) for the discussion of a potential litigation with the Chief of Police Walsh, Attorney Dowd, and Village Clerk Rivera-Fernandez in attendance. Motion carried, 5-Ayes, 0-Nays.

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board went out of Executive session at 9:20 pm. Motion carried, 5-Ayes, 0-Nays.

**RE: ADJOURNMENT**

Moved by Trustee Lindner, seconded by Deputy Mayor Scheels, the Board adjourned the meeting of August 1, 2016 at 9:21 pm. Motion carried, 5-Ayes, 0-Nays.

---

Monserrate Rivera-Fernandez, Village Clerk

