

Minutes of the Regular Meeting of the Board of Trustees of the Village of Montgomery held at 133 Clinton Street, Montgomery, NY 12549 on Tuesday, **March 2, 2010** at 7:30 p.m.

PRESENT: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, Trustee Roepe; Atty. Dowd; OIC Luffman; DPW Supt. Nelson; Bill and Carol Freeman; John Ingrassia; Mr. & Mrs. Meres; Richard Kurisko; Claire Pahuc ki; Joe DiBello; Ross Winglovitz (Engineering Properties, PC).

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

**RE: MINUTES**

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board approved the minutes of February 16, 2010. Motion carried 5-AYES, 0-NAYS vote.

**RE: ABSTRACT NO. 03-10**

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, all bills listed on ABSTRACT No. 03-2010 were audited and approved for payment, subject to two trustees final review, with \$222,355.15 from the General Fund, \$14,228.98 from the Water Fund, \$ 46,675.83 from the Sewer Fund and totaling \$283,259.96 Check Nos: 37343-37359; 39969-40066. Motion carried 5-AYES, 0-NAYS vote.

Treasurer Benedict reported a CASH BALANCE for the month ending February 28, 2010, as follows: General Fund \$1,432,196.13, Water Fund \$206,939.14, Sewer Fund \$100,763.55.

**RE: SENIOR CENTER**

Mayor Brescia advised Bob Hayes was asked to attend along with Dir. D'Angelo who is unable to attend this evening to discuss the new programs planned for the senior center. Bob Hayes suggested looking into getting another card game like bridge as there may be seniors interested. Mayor Brescia said the Senior Center is run by the Village and the director oversees the programs. Deputy Mayor Scheels assured Mr. Hayes she is actively working on the programs and will continue to work with Dir. D'Angelo. Also, a new modern-dance program is scheduled for the seniors during the day at the senior center. Also, a questionnaire was given out to the seniors and we are in the process of compiling the information to see what the seniors are interested in doing.

**RE: AHRB PROPOSED SIGN AMENDMENT**

Joe DiBello, Richard Kurisko and Claire Pahucki (members of the Montgomery Business Association) requested to meet with this Board and the AHRB to go over the proposed rules and regulations for business signs. They have reviewed the proposed changes and have some questions and recommendations. Rich Kurisko added the spring event they

have planned has been coordinated with Little League and will be held on opening day at the park. It should be fun.

Mayor Brescia advised they will be working on the guidelines in March and the business association will be invited to attend. At that time, we can go over the proposed sign changes. Public input will be received on the changes before amending the Village Code. Trustee Roepe said when the guidelines are adopted, they will apply to the historic district as well as other zones. Atty. Dowd agreed saying a separate public hearing will be held to expand the sign guidelines to the B-1 and I-1 zones.

Joe DiBello said it will make it easier knowing the intent of the proposed sign changes when going over the new guidelines with the businesses and when new businesses come into the Village.

## **RE: DEPARTMENT REPORTS**

OIC Luffman advised he does not have anything new to report for the month. Trustee Hembury asked if there was increase in crime during the recent power outage. OIC Luffman responded saying 'no', only in number of vehicle accidents.

DPW Supt. Nelson reported during the last snowstorm there were power outages and a generator broke down, but said he was lucky to find a replacement. He asked the Board to consider a new natural gas generator for the Holt Well mentioning the difficulty getting diesel fuel to keep the generators going throughout the power outage and storm.

Mayor Brescia and the Board commended the D.P.W. for the great job they did during the snowstorm in keeping the roads open and the water and sewer going throughout the power outage. Trustee Hembury agreed saying he had an opportunity to ride along with the working foreman to see what actually was done during a snowstorm.

Mayor Brescia advised it was brought to his attention the possibility of having a warming center for the residents due to the number of days the village did not have electricity. The fire department provided a warming center but few people knew about it. Maybe the Teen Center could be considered in the future. Deputy Mayor Scheels thought this is something the Board can work on and to let the residents know by putting it in one of the newsletters and on the cable bulletin board. Mayor Brescia stated we will have someone on duty at the police station the next time to field questions. A resident suggested letting the State Police know if there are warming centers set up because they probably get calls as well.

Mayor Brescia reported DPW Supt. Nelson is working on brown water complains which were brought up by residents. He is working with the Department of Health getting an approval to use a new method to control the amount of brown water. He will be at the next meeting to update the Board.

**RE: SMART GROWTH PLANNING AWARD**

The \$50,000 award will allow Orange County in partnership with the City of Newburgh and villages of Montgomery, Walden and Maybrook to conduct an inventory on vacant buildings and to develop an adaptive reuse plan intended to direct growth to existing developed centers to utilize their infrastructures. Mayor Brescia asked Trustee Roepe to pursue the grant with the Orange County Planning Department and report back to the Board.

**RE: ZBA RESIGNATION**

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board accepted the resignation of Zoning Board of Appeals Member Linda Bartle effective March 2, 2010. Motion carried 5-AYES, 0-NAYS.

**RE: LEGISLATION TO ENCOURAGE ECONOMIC DEVELOPMENT**

Moved by Trustee Roepe, seconded by Trustee Hembury, the Board authorized Atty. Dowd to draft a letter to Congressman Maurice Hinchey and John Hall and Senators Charles Schumer and Kirsten Gillibrand to support the legislation to encourage economic development. Motion carried 5-AYES, 0-NAYS vote.

**RE: DOCES SEWER BACKUP – SMALL CLAIMS**

Mayor Brescia and the Board acknowledged a Decision & Order in the matter of Amy Doce and Jason Doce against the Village of Montgomery whereby the Village is liable for the damages incurred on December 24, 2007 by the plaintiffs.

**RE: OC CITIZENS FOUNDATION**

Ross Winglovitz (Engineering Properties, PC) advised his company is sponsoring the Orange County Citizens Foundation one-day seminar entitled “Reinventing Our Places” on March 12<sup>th</sup> at Mount St. Mary College. It is a great opportunity for the boards to learn about using community planning techniques to effect change and make great places by planning the future by reflecting on the past. They will have the opportunity to work with planning experts.

Mayor Brescia and the Board agreed saying they continually encourage any board members to attend continuing education classes and will let the different boards know of the upcoming class. The Montgomery Business Association was encouraged to send three members as it could benefit the organization. Atty. Dowd cautioned the Board paying for those members as they are not an employee of the Village. Mayor Brescia asked Atty. Dowd to look into a little more to see if could be done.

Moved by Trustee Hembury, seconded by Trustee Andolsek, the Board approved for members from the Village Board, Planning Board, ZBA, and AHRB to attend the Orange County Citizens Foundation one-day seminar entitled "Reinventing Our Places" on March 12<sup>th</sup> at Mount St. Mary College and for up to three members of the Montgomery Business Association to attend contingent upon further review by Atty. Dowd to determine if the Village can sponsor said members. Motion carried 5-AYES, 0-NAY vote.

**RE: EXECUTIVE SESSION**

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board entered EXECUTIVE SESSION at 8:12 pm under Public Officers Law §7 (f) to discuss DPW personnel with DPW Supt. Nelson, Atty. Dowd and with Vlg. Clerk Thompson in attendance. Motion carried 5-AYES, 0-NAYS vote.

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board went out of EXECUTIVE SESSION at 8:33 pm. Motion carried 5-AYES, 0-NAYS vote.

**RE: ADJOURNMENT**

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board adjourned the meeting at 8:34 p.m. Motion carried 5-AYES, 0-NAY vote.

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Village Clerk Linda L. Thompson