

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 Monday, December 5, 2016 at 7:30 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, Trustee Lindner (absent), Atty. Dowd (absent), Village Clerk Rivera-Fernandez, Chief of Police Walsh, DPW Supt. Nelson, Joan Horton, Victor Horton, Maria Beltrametti, Don Berger, Steve Snyder, Marc Devitt, Jessica Cohen

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

RE: MINUTES

Mayor Brescia called for a motion to approve the minutes of November 15, 2016. Moved by Deputy Mayor Scheels, seconded by Trustee Hembury the Board approved the meeting minutes of November 15, 2016. Motion carried, 4-Ayes, 0-Nays.

RE: REQUEST TO MEET WITH THE BOARD

Ms. Beltrametti addressed the Board with issues regarding code enforcement pertaining to her adjoining neighbor Mr. Watson that has been going on for some time.

Mayor Brescia said, the Board cannot address concerns of a private matter that consisted of civil nature and it is handled in Court. Again, civil matters will not be entertained by the Board of Trustees.

RE: ABSTRACT NO. 10-2016

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, all bills listed on ABSTRACT NO. 10-2016 were audited and approved for payment with \$123,409.32 from the General Fund, \$3,351.92 from the Water Fund, \$29,654.39 from the Sewer Fund and totaling \$156,415.63. Check No: 49998 – 50080, 47717 - 47734. Motion carried 4-Ayes, 0-Nays.

Treasurer Griffith reported a CASH BALANCE for the month of October 31, 2016, as follows: General Fund \$2,398,343.97, Water Fund \$310,555.28, Sewer Fund \$302,610.10.

RE: REPORTS

Chief of Police Walsh reported that Officer Schmitt completed phase two of the Police Academy and has begun sixteen weeks of field training. For those who do not know Officer Schmitt, she is our newest Part-Time Police Officer. You may have seen her at the Toys for Tots, toy drive on Sunday, December 4th. Also, Officer Sean Jordan who was a Part-Time Police Officer with us; was reachable on the list to fill the Full-Time vacancy. Department of Criminal Justice Services, (DCJS) has grant funding available under the police equipment protection program which includes firearms, bullet resistant vests, and bullet resistant helmets. The County was notified by DCJS, that \$250,000 is available to be distributed to law enforcement agencies within the county. The Chief's Association and the Orange County Emergency Services got together and determined, that they would like to try to equip each Police Department with one shifts worth of equipment. For us that would mean, two level four ballistic vests, two level three A ballistic helmets, and three new rifles. The Goal of the program is to ensure that all Police Departments are prepared to respond to an active shooter scenario. Today, if we were called for an active shooter scenario to assist, for instance; to Wallkill at the Galleria; we would be responding with our patrol equipment with this grant, each officer would have level four trauma plates, and level 3A ballistic helmets in the trunks of their cars. In addition, our total request only amounts to \$4,300.00. All of the agencies, short of six in the county applied for the funding. It is not only good news for the Village of Montgomery, but the entire County. As he understands it, a response should be received by this spring. Furthermore, it is a reimbursement grant, so we would have to put the money up until the State guarantees that we are qualified. The UTV grant is still outstanding, he was informed by the Sherriff's office that it was on the desk of the County Executive and it has been in that state for the last three months, perhaps the Board could make a courtesy call to the County Executive and inquire about the delay. He intended to speak with Kevin regarding the Memorandum

of Understanding (MOU) with the Village of Walden, we have been working on updating the old one allowing us to bring prisoners over to the Village of Walden for fingerprinting as opposed to the Town of Montgomery, and however, he is absent tonight due to today being a Court night.

DPW Supt. Nelson reports on two water main breaks that occurred on Wednesday, November 30th, one on Union Street and the second on River Street. They were fixed fairly quickly, it took about six hours to fix both. The situation was tough, without the help from TAM with the Hydro Vac, we would have had to close Route 211 completely. We had dump trucks side by side, off the road; due to the excavation. We were able to keep Route 211 open the entire time. Since, Wednesdays' water main break there has been sporadic brown water everywhere. On November 14th, we installed a pump in the Bedrock well at Holt Well, it is the third at the Holt Well site that we will hook up to the filter system. All the tests have been completed on the Holt Well Bedrock well, in addition to wells #3 and #4. Some of the result on the Bedrock which look good with the exception of sulfur which will be worked into the system. However, there may be a cause needed for an addition to the water filtration system. We are waiting on the remaining well test results. We need the water and we cannot have too many wells. Today, we put Jake Street Well #3 back into service due to a change in the water table. It has been off since midsummer due to the drought. The reverse of the water flow on the Jake Street Well #3 has also stirred up more brown water, which should settle down within the next couple of days. We are doing everything possible to keep water flowing through the Village. There was a recent article in the newspaper regarding how dry Orange, Ulster and Sullivan County is. People in the Town are drilling wells and or going deeper with their wells. We are not at that stage yet. Rick Tompkins has been very busy, he has not been able to get back to me to help on the wells.

Trustee Hembury reported on the Toys for Tots. He thanked everyone for being there. Last year the Village of Montgomery collected 700 toys, 1 bike and two helmets. This year's collection from the Village of Montgomery consisted of 717 toys, 2 bikes and one helmet. It was a collaborative effort from everyone to organize this event, beginning with the use of the site of which Mayor Brescia handled. In addition, to the Village Hall staff originating the flyers to the various schools in our district as well as the vendors. Skip Chambers offered hay rides and the use of the electrical service for ERocks Music ensemble. As well as the Fire Departments tribute to the flag. For next year, there is a thought to extend the time allowing for more picture time with Santa. It is absolutely wonderful to see how giving the residents are each year. Again, thank you everyone!

Mayor Brescia mentioned there were no issue with the equipment being disturbed either.

RE: APPOINT FULL TIME POLICE OFFICER

Mayor Brescia called for a motion to appoint Sean Jordan as a Full Time Police Officer effective November 28, 2016 with the starting salary of \$48,349.00, along with all the other CBA provisions. Moved by Trustee Andolsek, seconded by Trustee Hembury, the Board appointed Sean Jordan as a Full Time Police Officer. Motion carried, 4-Ayes, 0-Nays.

RE: APPROVE LEAVE OF ABSENCE REQUEST

Mayor Brescia called for a motion to approve the leave of absence request for Police Officer Miller starting December 1, 2016 through February 1, 2017. Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels the Board approved the leave of absence request. Motion carried, 4-Ayes, 0-Nays.

Trustee Hembury asked the Chief of Police about the Department being involved in an overdose incident in the Village.

Chief of Police Walsh stated that it was the Fire Department Chief John Hank that applied the Narcan to the overdose. He is also a Police Officer in the Town and therefore, he carries it with him at all times. He was the first responder and applied the dose to the subject that ultimately was revived.

Trustee Hembury said good job.

Mayor Brescia suggested that the Chief of Police Walsh contact the District Attorney (DA), the Bruderhof's, mental health, and several other agencies to host a meeting at the Senior Center for drug abuse awareness.

Chief of Police Walsh mentioned attending quarterly regional meetings on this topic and having a relationship with these agencies, also with the Village of Walden and the Town of Montgomery have been in attendance. He will work on it.

RE: APPROVE FINAL PAYMENT TO BOYCE EXCAVATING

Mayor Brescia called for a motion to approve the final payment and retainage to Boyce Excavating for Clinton Street Water Main Replacement in the amount of \$11,115.80. Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board approved the final payment and retainage to Boyce Excavating. Motion carried, 4-Ayes, 0-Nays.

RE: ACCEPT FUNDING AWARDED TO THE D.A.R.E. PROGRAM

Mayor Brescia called for a motion to accept the funding awarded by the Orange County Youth Bureau for the D.A.R.E. Program in the amount of \$4,275.00. Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board accepted the funding award by the OC Youth Bureau. Motion carried, 4-Ayes, 0-Nays.

RE: APPROVE BOY SCOUT PACK 125 REQUEST USE OF THE SENIOR CENTER

Mayor Brescia called for a motion to approve Boy Scout Pack 125 request for use of the Senior Center to host the Blue and Gold Banquet on March 4, 2017 at no charge with the proper certificate of insurance listing the Village as the additional insurer. Moved by Trustee Andolsek, seconded by Trustee Hembury, the Board approved Boy Scout Pack 125 request for use of the Senior Center. Motion carried, 4-Ayes, 0-Nays.

RE: APPROVE CONTRACT RENEWAL INTEREST WITH THE OFFICE OF THE AGING

Mayor Brescia called for a motion to approved contract renewal interest with the Office of the Aging for the period of January 1st through December 31, 2017. Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board approved the contract renewal interest with the Office of the Aging. Motion carried, 4-Ayes, 0-Nays.

RE: EVENTS

Saturday, December 10th, Santa is coming to the Village Hall from 1:00 pm to 3:00 pm.

Mrs. Claus Story time is from 1:00 pm to 3:00 pm in the Court room.

The Tree lighting will be at 3:00 pm.

Sunday, December 11th. The Grand Montgomery Chamber Music Series presents the Pine Bush Community Band performing at the Senior Center at 3:00 pm

RE: PUBLIC PORTION

Ms. Beltrametti asked, when is the next Village Election?

Mayor Brescia stated that information will be available at the next meeting.

Mr. Berger expressed his concerns about an issue discussed at a previous meeting involving the Building Inspector and a comment used referring to a green card. He went to the assessor's office to check into it, to find out that a white form is used. He feels this should be addressed and corrected and asked what is being done.

Deputy Mayor Scheels said, the Village of Montgomery Assessors Record card happens to be green. At the last Board meeting a card was available for anyone to see.

Mayor Brescia stated, I am going to stop you about talking any further regarding personnel issues at a public session. I allowed it to happen several meetings ago. We have addressed the matter with the Building Inspector and the Board feels, he has complied. Based on your complaint two months ago, we have hired an outside inspector to handle the matters regarding the violations with Cardinal Drive and with Ms. Beltrametti. We are not going to be reactionary continually but we are doing it with these cases. We should not be talking about the Building Inspector and character assignments at a Board meeting. What next, is it you going and reviewing the work of a Police Officer or a DPW worker and bringing it up at a Board meeting, and addressing it at an open session. No, we are not going to do that Don. We should not have done it before. We are not going to sit here and hash out what you think and what you have put in the paper about a green card. We know what we talked to the Building Inspector about in executive session or of personnel. Again, we will not talk about that at an open meeting. You might not like the job that he is doing, however, we have hired an outside Building Inspector for two matters. We might use him for the third matter, if we have to. All due to you feeling we are not getting the objectivity from our Building Inspector.

Mr. Berger replied, I have not mentioned a single word about the code violations you are referring to. I am only talking about one thing, the term green card used in asking a person whether they have one or not.

Mayor Brescia said, Trustee Lindner had a card here at the last meeting. It was shown to everyone here. The newspaper blasted Bruce for allegations from a couple of residents. You can talk to me personally or any Board member personally and we will address it with Bruce. If we feel there is any wrong doing, we will address it but not at an open session.

Deputy Mayor Scheels said, it is literally a green card called an Assessment Record.

Mr. Berger said, he would talk to the Mayor at an agreed later time or by email to set up a time.

Mayor Brescia found that to be agreeable.

Mr. Berger also asked the Board what has changed with regard to continue issuing bottle water.

Mayor Brescia replied, the Village has spent money on correcting the brown water issue. We were advised by the Department of Health that we were under no obligation to do so. A third of the water is only being use by you and Steve. We have provided 700 gallons of bottled water. The Village anticipates spending around \$330,000 and this is a lot of money. Buddy has spent a lot of time with the Health Department and Lanc and Tully. We have invested a lot of time and money on this and cannot continue to spend it on bottled water. He asked the Board members present if they felt anything differently.

Board members present were silent.

Ms. Beltrametti said, Bruce came into my establishment and introduced the gentleman with him as his assistant. They came in to do a fire inspection and left without saying a word. Her feeling is that an immediate confirmation should be issued regarding the results.

Mayor Brescia replied, the Building Inspector does not have an assistant. I know from my past experiences with the Lumber Yard that the fire inspection report results were not immediately provided. I will find out what the usual protocol is for issuing a fire inspection report after an inspection is completed.

Mayor Brescia called for a motion to adjourn the meeting of December 5th, at 7:58 pm. Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board adjourned the meeting. Motion carried. 5-Ayes. 0-Nays.