

Minutes of the Master Plan Work Session of the Board of Trustees of the Village of Montgomery is held in the Meeting Room at 133 Clinton Street, Montgomery, NY 12549 on Tuesday, February 7, 2017 at 6:30 pm.

Present: Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury (absent), Trustee Lindner (absent), Atty. Dowd, Village Clerk Rivera-Fernandez, DPW Supt. Nelson, Chief of Police Walsh, Alan Sorenson, Kevin Conero MP Chrm., Shane Daley MP Mbr., Bill Freeman MP Mbr., Tom Steed MP Mbr., Brian Fitzpatrick, Don Berger, Marc Devitt, Maria Beltrametti.

RE: WORK SESSION

Mayor Brescia entertained a motion to open the Master Plan work session, so moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board opened the work session at 6:30 pm. Motion carried, 3-Ayes, 0-Nays.

Mayor Brescia said, he would like to go through the questions that came up at the Public Hearing. He asked Chrm. Conero, how do you want to start?

Chrm. Conero stated, that he summarized some of the questions that came up at the Public Hearing and feels he did not get to them all. I know you had some issues with the updated census data. There were some other things in here, that Alan can update also, such as the water and sewer capacities, and things like that. The rest of them were hand written notes that I had.

Mayor Brescia said, you did a pretty good job.

Chrm. Conero said, to summarize, there was talk about Ward's Bridge replacement. Again, Kevin, I am not sure that was in the Master Plan. We added it, in the event that something ever happens regarding Ward's Bridge, the thought was to maintain the historical integrity of the bridge.

Atty. Dowd stated, it was also said, that is if the DOT allowed us.

Mayor Brescia said, we can put it in there as a suggestion. However it would be worded, I am not sure.

Atty. Dowd said, there is nothing we can really do legislatively to do that. We send resolution to the DOT, when they are going to do the Bridge over.

Mayor Brescia said, the historic Bodine Bridge which was a truss bridge and replaced it with what they did.

Atty. Dowd said, someone mentioned someplace in New Paltz about a Bridge.

Mbr. Freeman said, yes, we were just talking about that earlier, that was the County doing.

(In audible) too many speaking at once.

Chrm. Conero said, I will tell you this though. I am not sure how they did it but the Board would be able to press them to form a committee on how that Bridge would look. Because this is how they did it in New Paltz. A committee went there and discussed how to take the modern approach to make it look historic. This is how it was done, they used modern bridge techniques with a historic look.

Mayor Brescia asked, they had a committee from New Paltz that met with the DOT? Well, why don't we suggest that in the Master Plan; that when the Bridge is to be replaced, the Village Board

will create a committee to coordinate with the DOT and to include the AHRB, the Town of Montgomery, and to reconvene the Master Plan Committee.

Chrm. Conero continued his summary with the issue of Traffic calming on Route 17K and Route 211 through our Village. We cannot, I turn it over to you Kevin. There is not much we can do about that because of the State emergency evacuation route, too.

Atty. Dowd said, they are both DOT highways. You can talk to the DOT about looking at the traffic light on 17K and 211 and the truck turning ratios. I am not sure what you can actually do, but I do believe that speed bumps are improper in New York State highways, possibly more STOP signs.

Mbr. Romano said, it is pretty inconvenient to turn.

Mayor Brescia asked, Alan is it normal to mention something like that, even in passing in a Master Plan, unprecedented so to speak, any mention of it at all or no?

Alan Sorenson replied, yeah, I do not think you need to go into that detailed in the Plan. There is talk about open truck routes in the Comp. Plan.

Atty. Dowd said, our alternate truck routes is Boyd onto Goodwill and out in that direction.

Mayor Brescia stated, Railroad is also used.

Atty. Dowd said, yes, that runs parallel to the alternate truck route.

Chrm. Conero said, there is not much more we can do with that.

Atty. Dowd said, if large trucks going down Village streets and not exceed the weight limit or not making a local delivery then that would be different. You would put measures in place to enforce it with some sort of scale.

Mayor Brescia said, if the Board were to approve something like that, the DPW Supt. would get a hold of the DOT to arrange something.

Mbr. Freeman said, it is not so much on that one, but the other thing is having trucks turning up Clinton Street to avoid the light.

Mayor Brescia commented, that is an enforcement issue. It is someone breaking the law.

Atty. Dowd stated, that is not so much truck calming as it is on 211; it is the impact on the Village Streets that you could possibly control on that instance where they are trying to avoid the traffic light.

Mayor Brescia said, he has seen them taking out curbs, signage and overhead wires too. Unfortunately, some of these tractor trailers drivers do not have a clue.

Ms. Beltrametti asked if the public has any input.

Mayor Brescia said, no, this meeting is to address the concerns from the Public Hearing.

Chrm. Conero again, continued with the Water/Sewer totals seem too inaccurate and we need to update those. Alan just needs those totals. Where can he get the information?

Mayor Brescia replied, you can get them from DPW Supt. Nelson and the Sewer treatment plant operator.

Chrm. Conero said, that is Buddy Nelson. Valley Central enrollment numbers, and you talked about using the latest census data, in our figures, we used the census data from 2010.

Alan said, there are 2014 and 2015 estimates, they are huge numbers. They look the best.

Chrm. Conero said Steve, those numbers were a lot lower showing a decline in population, where it was the other way around.

Mayor Brescia said, in the Village it is. The enrollment numbers for Valley Central were down.

Chrm. Conero replied, yes they were and all over. It is best to add the latest census data as possible in the five year update.

Atty. Dowd said, before proceeding any further, I was looking at the actual transferring to the public hearing. Alan, I think what Marc Devitt brought up was the fact that in the plan it did not include the new 500,000 water tank on Cardinal Drive.

Alan said, oh ok.

Atty. Dowd said, of water capacity, I think that was....

Mayor Brescia said, it is not 500,000 gallons.

Atty. Dowd said, that is what it says here.

Mayor Brescia said, get the correct amount from Buddy. It is twice as much as the 1941 water tower. I am almost positive, it is double what the other one was. Buddy can get you the accurate figure.

Alan said, ok, I will give him a call.

Chrm. Conero continued with the Business districts, the B1 and B2 areas. These were talking about adding the permitted uses to the business districts, adding additional uses to the district. People opening business would not have to come before the Board looking for a special exception uses.

Atty. Dowd asked, do you plan to list those special exception uses or how will they be included?

Chrm. Conero replied, we can talk about that. We did add them.

Alan said, we made modifications to the areas and....

Mayor Brescia said, but they are going to require zoning changes.

Chrm. Conero replied no, uses. You would add them.

Atty. Dowd said, those are still zoning changes. You would add the uses to the entire zone.

Chrm. Conero said, ok.

Mayor Brescia said, we will have to look at them and decide what we are going to do.

Atty. Dowd said, the Comprehensive Committee wants to make suggestions as to what kind of uses you want in the B1 and B2 that would be helpful also.

Mayor Brescia asked, it's in the changes?

Chrm. Conero replied, it is in the changes.

Mayor Brescia said, on page 92 the plan recommends a minimum lot size requirement for the PDD's.

Atty. Dowd said, it is about two more down for where you are.

Alan said, it talks about adding a Bed and Breakfast, it lists the permitted uses in the B2 district.

Mayor Brescia reads, adds Bed and Breakfast establishments with a list of permitted uses within the B2 district. Is there going to be a requirement for off street parking.

Chrm. Conero replied, it would just be a permitted use, for instance, if you wanted to open a garage in a the B1 or B2 area, and it was not specifically listed as garage, the applicant would have to come before the Board, the Board would either have to grant that use for the area or all of the those areas or not. It is saying that it would add more uses to the areas that wouldn't be there.

Mayor Brescia stated, if we did that to the zoning changes, we would have to put conditions in there too.

Atty. Dowd said, obviously you are going to add uses that require off street parking and there are not any in the B2, but there may be some in the B1, that could be an impact, before you pass it you want to know what it is. We know that a lot of the existing old buildings in the downtown are using the exemption to use the municipal lot and that lot is being cited for everything. This is the only public lot that you have, without more parking, I am not too sure how else you would handle it.

(In audible) speaking over one another.

Mayor Brescia said, if we adopt this with your recommendations, I think your committee should reconvene and define some of the zoning changes also, on how to go about it, instead of just presenting it. I know that is not what you were commissioned to do but at least you might offer suggestions. You do not have to get down to technical nitty gritty but you might look at some other villages and see how it can be done.

Atty. Dowd said, the impact that you have, again with the downtown businesses it is usually parking, the more businesses you have is great but where are they going to park. If they all park in the street and fighting for parking spaces, and the municipal lot is full, we know that the old Walden Savings bank parking lot is now proposed to be developed at some point in time.

Mayor Brescia said, we expanded the hours for the business across the street and I have heard that down the road they are looking to do a restaurant there. I feel that there is going to a lot of opposition to that from the neighboring businesses. We have already extended the hours and what we allowed it at. You are talking about more parking.

Chrm. Conero said, we specifically talked about permitted uses in the industrial zones too. Some are a little archaic, such as a laundry mat.

Mbr. Romano said, some uses are never going to come in again, eliminating some and adding new uses.

Alan said, eliminating uses such as a dry cleaning, kennels.

Mayor Brescia suggested eliminating crematoriums, quarry's that still exist.

Chrm. Conero said, I am not sure they are in the recommendations section or not.

(In audible) Speaking over each other.

Mayor Brescia asked if the quarry that Art Marcinack is partially in the Village or all in the Town.

Chrm. Conero said, the back portion of that is in the Town and the front is in the Village and zoned industrial.

Mayor Brescia stated, I do not think quarries are waned in the Village.

Chrm. Conero said, not at the entrance to the Village; that needs to be looked at and changed.

Mayor Brescia said, again that has to be a zoning change. You already recommend some, so you will have to add a couple others. We will look at the one you have suggested so far. The Master Plan is a guide. The first 1969 Master Plan, so many different things happened over the years that did not follow the plan. It is a plan and we need to stick to it as much as possible.

Chrm. Conero said, we are trying to align the plan with the zoning.

Atty. Dowd stated, it is supposed to be consistent, the zoning with the plan.

Chrm. Conero said, so moving forward, with trying to do the additional uses.

Mayor Brescia said, I do not think the B&B is a problem. Do you want to go through the list from the Public Hearing or go through some of the other changes or we can have another meeting?

Chrm. Conero said, we can keep rolling with this list here.

Atty. Dowd said, some of the big things that is in the Plan is the property at the end of the Bridge. It was changed from an, I-2 to a B-2 any new uses coming would have to be a B-2 and not industrial. It was a recommendation and it should be in the Plan. It is more consistent with a B-2 than it is as an I-2 zone. It also may prevent a recurrence of unkempt conditions at the entrance into the Village.

Mayor Brescia said, the used car lot was never an allowed use. The building was built as an allowable body shop business.

Atty. Dowd said, now it is not there anymore.

Mayor Brescia asked, how do you sell that property to the bank or whoever is looking to purchase it.

Atty. Dowd replied, it is going to have to sell to be inconsistent with the zoning changes.

Mayor Brescia said, he does not feel it should be made too inconsistent with the possibilities with what could go in there. They are not going to buy something that they cannot do something with it.

Atty. Dowd said, that is something to think about.

Mayor Brescia said, that garage is conducive to body work.

Chrm. Conero asked, do you mean the building in the back.

Mayor Brescia said, yes.

Mbr. Romano said, what if it is just demolished.

Mayor Brescia said, I do not think that is going to happen. They are not going to knock down the barn, the new pole building.

Mbr. Steed said, eventually it could become part of eminent domain with a change of the Bridge.

Mayor Brescia said, that is possible also.

Chrm. Conero said, that is one of the recommendations, you can agree with that one or not, which could be change later on.

Mayor Brescia said, the time to change it, is when it is in foreclosure and that time is soon. We have to think about it a bit more. The building is not that old there.

Mbr. Romano suggested the Village purchase the lot and turn it into parking. We really need the parking. There are only so many times you can refer to the use of the municipal lot with half of it being used by residents living above the store fronts and the area.

Mayor Brescia said he is aware of it, and it is getting real tight in the Downtown Montgomery.

Chrm. Conero said, there was also some discussion on the home occupancy businesses, the concern about maintaining the historic charm of the Village. Now, currently the zone allows for one half of the first floor, for home occupancy businesses.

Mayor Brescia said, yes, in the antique over lay district only but not throughout the Village. It consists of Union Street, Bridge Street, and Clinton Street and that has not been a problem. It was enacted over fifteen years ago. You have not seen an abundance of antique shops sprouting up. When we did that, I was not against doing something with carriage houses, but the Board at the time, I was one of the lone dissenters on that. So we left that alone with the carriage houses. We had have requests to do shops or accessory apartments in carriage house. I do not think it is going to be a problem.

Mbr. Romano said, it has not been a problem.

Chrm. Conero said, for the Planning Board prospective, it has not been. The last item is the PDD issues that we had discussed, to eliminating some of the small lot sizes to the PDD applications. Using the PDD as a primary used for large area projects, there were some objections to the time limits and the terms of the approvals and there were further objections to eliminating PDD's from a historic district. The objections came out of our committee.

Mayor Brescia said, you think the PDD's will be a problem for a resident.

Mbr. Romano said, like my house. Why can't I apply for a PDD? I never will. Why not eliminate it once in a while?

Chrm. Conero referred the question to Atty. Dowd. He has such great answers.

Atty. Dowd said, when a PDD is created it becomes a zoning change. It is a new zone and a zone does not cease to exist by the expiration of time, as opposed to a site plans in another zone, they can turn around and can expire if they are not a zoning change within three years. It is not a guarantee that the zone is going to change within years. PDD are basically creating a zone for that particular lot of property, they just do not expire. The legislative board can change them back from a PDD to a B-1 or a B-2 provided there are no vested rights by the developer with no shovel in the ground, you can technically change it. It is not the same as a subdivision of a site plan, where inactivity automatically means that it expires. It is the law and how New York State works.

You can tinker with the actual regulations of a PDD, you can change a PDD to another zone. If you do not think anything is happening the zone where the PDD was established.

Mayor Brescia said or in the Historic District, if you did not abolish it, you can limit what you can do in that PDD in the Historic District.

(In audible) speaking is not clear

Chrm. Conero asked Mayor Brescia, if he means to say allowing a PDD in a certain area?

Mayor Brescia replied, no, just narrow the scope for the Historic District. You have a PDD regulation that you could tighten them up in the Historic District, due to the lot sizes being so small.

Atty. Dowd stated PDD's are not authorized in residential zones, this is for the industrial zones.

Mayor Brescia asked, what about Chandler Lane. It was previously an industrial zone and now it is a PDD zone.

Atty. Dowd replied, yes.

Deputy Mayor Scheels stated, that is correct.

Atty. Dowd stated unless there is something that is in the Historic District that is commercial in nature, a PDD (in audible) speaking over one another.

Mayor Brescia said, what is your suggestion, is it on residential or on B1 or B2 also.

Alan replied, I think it is noted as B1, B2 and the Comprehensive Plan is kind of vague, noted as to whether further evaluation there should be a minimum lot size requirement for a PDD.

Chrm. Conero said, so you could have a B1 business parcel in the Historic District that you could apply for a PDD.

Alan said, yes, that is correct.

Atty. Dowd mentioned that there are two Historic Districts, part of the Historic District is in part B1 or B2. For instance, a PDD on Clinton Street in the B2 could happen. However, it could not happen along Union in the Academy Hill District.

Mbr. Freeman said, yes.

Atty. Dowd said, therefore, any residential property would not qualify for a PDD. Any PDD proposed to the Board under the I1, I2, B1, or B2 has to have the Board approval to become a PDD. As we have done in the past, we have had preliminary meetings and hearings to develop site plans and develop what you want in that PDD, before you can adopt a Local Law to change the zone. If the Board does not like something, for instance, The Borland House applies for a PDD, the Board can say no. In that case, it is finished and it cannot proceed further.

Mayor Brescia said, you could narrow what can be applied for now. Do you have a problem with the way, the PDD's are now?

Chrm. Conero said, there was a concern on the group's part and the public's part about the PDD on Chandler Lane. A lot of people did not like it, the Board knew that from the Public Hearing, the public outcry changed the design in part. A lot of that frustration came out on our committee and it during the public portion of the public hearing. Those were some of the suggestions that we had. My question to you is can you ever have a PDD in a residential area, although the PDD Law can be changed to allow that.

Atty. Dowd said, of course that would be a legislative action. This Board cannot bind the future Board, while they oppose it, there is nothing to say; you cannot change the law to say under no circumstances shall a PDD be allowed in a residential zone, where as another future Board can say, if they can bind it, then let's change it; we will allow it.

Chrm. Conero said, he basically laid it out as to what we can and cannot do with a PDD. The lot sizes can be tweaked in the PDD law and make it for larger parcels of land. The negative side of that, you might want to do something and now you will be constrained by this change. You could leave it up to the Village Board.

Mayor Brescia said, word it that way, where there is enough flexibility to look at in the future. We are not looking to revise the Master Plan for another five years.

Chm. Conero said, that is all that he has from his notes.

Mayor Brescia thank the Master Plan committee for working on this. You could always reconvene and give suggestions on the changes.

Chm. Conero said, there is a recommendations sections at the back of the Plan, it has short term, long term and immediate recommendations.

Mbr. Steed mentioned attending a seminar in Newburgh on Streetscapes, they have this soil now that contains the roots to manufactured soil, the roots of the trees, the water is absorb and therefore, the roots do not destroy the sidewalks or infrastructure. This new technology is like a sponge. It is pretty interesting.

Chm. Conero recommends the Board go through the recommendations and act on some of them or all. If you need help clarifying something, we can definitely assist you.

Mayor Brescia said, this will be after the adopting the Master Plan revision. You could always have a side bar highlight on what is recommended to act on first. It could be informal.

Mbr. Romano mentioned another one would be sidewalks down to the park, on Charles Street.

Mayor Brescia recommends that the Master Plan committee reconvene to review the top priority topics, meeting one the next quarter, I do not feel you need Alan for this section. You are pretty much set here, we will review the Master Plan revision further and reconvene the Public Hearing. If a work sessions is required we will address some other issues then. We will not go on forever, you have done a good job.

Chrm. Conero said, Alan will update the numbers and provide you with the final, for the Board to finally vote on it. Is the Board willing to meet with the committee to go over the long term goals?

Mayor Brescia suggested contacting everyone via email and go from there, we will see what funds allow.

Atty. Dowd reminded the Board that before its adoption a generic environment impact statement is required.

Alan said, one was already done, that we talked about.

Mayor Brescia said, it is mentioned that you have spoken with the Department of Transportation regarding the alternative truck routes.

Chrm. Conero stated, that all the changes are highlighted in blue.

RE: WORK SESSION CLOSED

Mayor Brescia called to a motion to close the Master Plan work session.

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board closed the Master Plan Work session at 7:07 pm. Motion carried. 3-Ayes, 0-Nays.

Monserrate Rivera-Fernandez, Village Clerk

Minutes of the Public Hearing of the Board of Trustees of the Village of Montgomery is held in the Meeting Room at 133 Clinton Street, Montgomery, NY 12549 on Tuesday, February 7, 2017 at 7:30 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury (absent), Trustee Lindner (absent), Atty. Dowd, Village Clerk Rivera-Fernandez, Chief of Police Walsh, DPW Supt. Nelson, Kevin Conero, Tom Steed, Don Berger, Marc Devitt, Maria Beltrametti, Joan Horton, Vic Horton, Andrew Lenane, Johanna Sweikata, Lena O'Brien, Brendon O'Brien.

RE: OPEN THE PUBLIC HEARING FOR LL 1 OF 2017

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board opened the Public Hearing to consider the adoption of Introductory Local Law No. 1 of 2017. Motion carried, 3-Ayes, 0-Nays.

Atty. Dowd, said the Local Law authorizes the Board of Trustees to pierce the cap, it does not require you to, and it has to be in place if you want to before adopting the budget.

Mayor Brescia asked, the Village Clerk Rivera-Fernandez, if all the paperwork has been filed to hold this Public Hearing?

Village Clerk Rivera-Fernandez replied, yes, all the paperwork has been filed to hold this Public Hearing.

Mayor Brescia opened up for public comment.

Ms. Beltrametti asked, when will the budget be ready to be seen?

Mayor Brescia said the budget will be available to be seen on or around March 20th. Once the budget is submitted several work session will be scheduled. It has to be approved by the middle of April.

Village Clerk Rivera-Fernandez said, the budget public hearing is to be held on or before April 15th.

Ms. Beltrametti said, to make sure there is enough time to have a work session, based on last year's events.

Mayor Brescia said, we will see what we can do, are there any other comments.

Mr. Berger said, I understand why you have to do something like this, as Atty. Dowd said, this is something that gives you the ability to pierce the cap but you do not have to. Hopefully, with due diligence the Board can work out a budget that works for everyone.

Mayor Brescia said, that is certainly what he will be submitting, and is sure the Board will look at it accordingly. Please be advised the Village of Montgomery is the only municipality in the Town of Montgomery that did not pierce the cap. The budget, as it is with most budgets, the majority of the budget is comprised of personal services. I am submitting somewhere near in the neighborhood of two percent raises for the Village employees. I feel they deserve that, if it comes to that, the cap may be pierced.

Ms. Beltrametti said, there is a difference between the Village employees and the Village Officials.

Mayor Brescia said, ok, if you say so. Are there any other comments?

Mr. Berger said, based on what you have said, I cannot sit here and say I disagree with what you said. But there are things that can be done and perhaps make it work for everyone. If you all try to dig into the budget and see what can be done to prevent any unnecessary high tax increases to the public. I think that will be well served.

Mayor Brescia said, that is what we will try to do without drastic cuts of services.

Ms. Beltrametti said, as an example, last year the budget was presented that was a seven point seven percent increase. A percentage of a fraction, you cannot add and subtract, you have to multiply and divide, a mistake of .007 tax cap for a 7.7 percent increased budget, is a mistake of a thousand percent. Just like that, when you had to you brought it into line. You proved to us that you can do it. Everyone received there raises, including the Village officials.

Mayor Brescia said, we will see what we can do. Are there any other comments?

RE: CLOSE THE PUBLIC HEARING

Mayor Brescia called for a motion to close the Public Hearing. Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board closed the Public Hearing for the Local Law 1 of 2017 at 7:50 pm. Motion carried, 3-Ayes, 0-Nays

Monserrate Rivera-Fernandez, Village Clerk

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 Tuesday, February 7, 2017 at 7:51 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury (absent), Trustee Lindner, Atty. Dowd, Village Clerk Rivera-Fernandez, Chief of Police Walsh, DPW Supt. Nelson, Kevin Conero, Marc Devitt, Maria Beltrametti, Andrew Lenane, Johanna Sweikata.

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

RE: MINUTES

Mayor Brescia called for a motion to approve the meeting minutes of January 17, 2017.

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board approved the meeting minutes of January 17, 2017. Motion carried, 3- Ayes, 0- Nays.

RE: REQUEST TO MEET WITH THE BOARD

Keith Hunter proposes a Tri-Village Back Pack, Give Away, sponsored by The Walden Rotary on August 26, 2017.

Mayor Brescia called for a motion to allow the Tri-Village Back Pack in the Village of Montgomery, in conjunction with the other two Villages.

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board approved the Tri-Village Back Pack, Give Away sponsored by the Walden Rotary on August 26, 2017 to be held in the Village of Montgomery, contingent upon the certificate of insurance, listing the Village as additional insured. Motion carried, 3-Ayes, 0-Nays.

RE: ABSTRACT NO. 12-2016

Mayor Brescia called for a motion to approve the Abstract No. 12 -2016.

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, all bills listed on ABSTRACT NO.12-2016 were audited and approved for payment with \$329,732.88 from the General Fund, \$11,543.61 from the Water Fund, \$26,349.37 from the Sewer Fund and totaling \$ 367,625.86. Check No: 50164 – 50258, 47752 - 47770. Motion carried 3-Ayes, 0-Nays.

Treasurer Griffith reported a CASH BALANCE for the month of December 31, 2016, as follows: General Fund \$ 1,705,294.24, Water Fund \$325,118.60, Sewer Fund \$324,228.97.

RE: DECLARATION OF LEAD AGENCY, NEGATIVE DEC SEQR

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board Declared the Village of Montgomery as Lead Agency, Negative Declaration SEQR. Motion carried, 3-Ayes, 0-Nays.

RE: ADOPT LOCAL LAW 1 OF 2017

Moved by Deputy Mayor Scheels, seconded by Mayor Brescia, the Board approved the Local law 1 of 2017, authorizing the Board of Trustees to override the tax levy limit for fiscal year 2017-2018. Motion carried, 3-Ayes, 0-Nays.

RE: REPORTS

Chief of Police Walsh reported that the Police Protective Grant was awarded to the Village of Montgomery Police Department. We will be receiving over \$5,000 in equipment to include ballistic helmets, vests, and rifles; in an effort by the State to prepare even the smallest department such as ours for the potential active shooter type scenario. In addition, the Home Land Security Grant of which we received last year the UTV side by side, this year we are applying for a surveillance system for the downtown area of the Village. There is no video surveillance to speak of, it is needed and if we are able procure it at no cost to the Village it would be outstanding. It would serve a great purpose at the intersection of Union and Clinton and beneficial on General Montgomery Day or St. Patrick's Day, when there are large gatherings. We will not be informed of the award until December of this year, the application has been submitted. The symposium at the Valley Central High School that was given by the State Police on how to prepare administrations at the schools as well as the teachers for that type of training. Valley Central is on top of it, I think personally more than most school districts.

Mayor Brescia mentioned speaking to the DA about hosting a heroin epidemic with Jim Conklin; we should see something in the near future.

DPW Supt. Nelson reports on the latest updates with filtration process of Holt Well. The Department of Health issued a letter, I received it yesterday. I emailed it to Monse' for the Board. They are going to slow us down on this by asking us to do more testing. They want to test for microscopic particulates, an analysis of the two wells, Jake Street and Holt Well. There thought is that the manganese is not the only problem that we are encountering, due to the fact that yes, manganese is in the well, but why do we not have the brown water on a daily basis, like we did at the Park Well. Park Well we could never run until we treated with the phosphate. It was always a reddish color. They have been bouncing this around for six or eight months and we have shown them the filter we want to do. They want to make sure that this filter systems is going eliminate the problem that we have. I spoke with Keith Miller after receiving this letter, he informed me that the NYS Department of Health wants to comment. We are to expect a second letter and they will be working together. We are getting prices, thus far the cost for this test is about \$1,500.00; two test, two wells; times four, first, second, third and four quarter.

Mayor Brescia said, there is no way we will see a resolution before the end of the year.

DPW Supt. Nelson said, I understand what they are doing and I am surprised that it was not done earlier. Probably if we were not doing the filter, we would not be testing for this.

Mayor Brescia asked, when Wallkill put in their system did they have to go through all of this.

DPW Supt. Nelson replied, I do not know. They have had it for so long.

Mayor Brescia asked DPW Supt. Nelson to ask Lou Ingrassia. What about So. Blooming Grove?

DPW Supt. Nelson said, this is where this is coming from. So. Blooming Grove has there filter installed and it is not controlling the problem. They had a section of pipe that was missing down at the bed rock and therefore they had some influence of surface water into their ground water. They pounded their well deeper, this will eliminate the problem for them. However, we have sand and gravel wells. We will test for it and if it comes out we will just put on an addition to our filter. Will it be more money, yes! Would you rather put the filter system in and still have sporadic brown water, they would not be happy with that and, they would feel like they are not doing us justice. There are more strict tests and it will get worse with each year. I am working with the labs and

they are close. We cannot use a lab here, usually labs here will take it and send it out to someone else. We could either send it FedEx or deliver it ourselves. I am not sure which is cheaper, the Lab is in Utica, and another one is Waverley and two in Vermont.

Mayor Brescia said, it would be best to send our people.

DPW Supt. Nelson said, they prefer that because there is no confusion where the samples may have went. Dealing with a third party, due to the time limits of 96 hours from the collection and the lab to treat it. They will advise us when the test needs to be done. We are not to do it on our own. They may not find anything but it is best to find it now then spend all this money on the filtration system. You will see it in the comments, "We want to be sure the Villages installed the right technology." Other than that, we had a water main break on yesterday on Cardinal Drive. The men did a good job taking care of that, the water was off just a short amount of time. The approximate time was from 1:30 pm to 2:45 pm, with an eight inch pipe sitting on shale, with the weather that we are having, I am expecting more due to the constant freezing and thawing. We had to jackhammer the shale to repair the pipe. I also have a couple of sewer problems that I am working on. We were building the pumps at the Water's Edge Sewer pump station which should be an easy fix. I have trouble locating a gear box transmission for the grinder at the 17K pump station. It was put in in the late 70's, obviously the company is out of business. However, a new unit is over \$30,000; we do not want that. I will let you know when I get a price for it.

RE: ADOPT A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE MUNICIPAL COOPERATIVE AGREEMENT WITH THE COUNTY OF ORANGE TO APPLY AND RECEIVE (CDBG) FUNDS FROM THE (HUD) UNDER TITLE 1 OF (HCD) ACT, AS PART OF OC URBAN COUNTY CONSTORIUM FOR FY-2017.

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board adopted a resolution authorizing Mayor Brescia to sign the Municipal cooperation agreement with the County of Orange to apply and received CDBG funds from the HUD under title 1 of HCD Act, as part of the OC Urban County Consortium for FY 2017. Motion carried, 3-Ayes, 0-Nays.

RE: APPROVE USE OF THE MEETING ROOM

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board approved the Montgomery Free Library use of the Meeting Room on Saturday, April 22nd, for their Earth Day Program at no charge and providing the necessary certificate of insurance listing the Village as additional insured. Motion carried, 3-Ayes, 0-Nays.

RE: VILLAGE OFFICE CLOSED

Village Office is closed on Monday, February 20th, in observation of President's Day.

RE: PUBLIC PORTION

Mr. Berger asked the DPW Supt. Nelson if it is a viable option to drill a new well.

DPW Supt. Nelson replies that since Holt Well is our largest water source, I would not think so. What you do is probably drill on the land where the wells are currently on. One way or another, some type of filter system will be used. We have a rock well that pumps 60 gallons a minute but is it full of sulfur. The Park Well if full of iron, but we treat for the iron which is easier to treat.

Mayor Brescia said, a new well be \$75,000 or more.

DPW Supt. Nelson said, the water quality is going to be the same no matter where you drill it. Once the filter system is established, it will also filter the bedrock well and filter the sulfur also.

Mr. Berger asked if the Chandler Lane wells are an option or perhaps keep it in mind. The County does not seem to be very cooperative.

DPW Supt. Nelson said it would be costly to bring them online. The capacity might be able to meet our needs, if those wells ran continuously for 24 hours.

Mayor Brescia stated, it the case with the State of New York. It is unfortunate.

Mr. Berger inquired about the budget for FY 2013-2014 and the salaries and the hourly rates for the staff were included in the budget process.

Mayor Brescia said, we will look at it and see what we can do.

Ms. Beltrametti inquired about the new garbage truck and it is fine but feels that a discussion should have been come about for the purchase of it.

Atty. Dowd said, a bond resolution was passed for the purchase of the new garbage truck.

Mayor Brescia said, it was figured into the budget. DPW Supt. Nelson does his job very well and I trust him.

DPW Supt. Nelson stated the International was purchased of the Oneida County State Bid.

Ms. Beltrametti feels a committee should be formed to make such a large purchase.

Mayor Brescia asked, are there any other comments.

RE: EXECUTIVE SESSION

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board entered into Executive Session at 8:09 pm under section, (f) of the open meetings law to for matters leading to an appointment of a part time police officer with the Chief of Police, Atty. Dowd and Village Clerk Rivera-Fernandez present. Motion carried, 3-Ayes, 0-Nays.

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board exited Executive Session at 8:15 pm. Motion carried, 3-Ayes, 0-Nays.

RE: APPOINTMENT OF PART TIME POLICE OFFICER

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board appointed Andrew Lenane at a part time police officer at the rate as noted in the CBA with a one year probationary period. Motion carried, 3-Ayes, 0-Nays.

RE: ADJOURNMENT

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board adjourned the meeting of February 7, 2017 at 8:17 pm. Motion carried, 3-Ayes, 0-Nays.

Monserrate Rivera-Fernandez, Village Clerk