

Minutes of 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, May 2, 2017 at 7:30 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, Trustee Lindner, Atty. Dowd, Village Clerk Rivera-Fernandez, DPW Supt. Nelson, Police Chief Walsh, MaryAnn Lindner, Maria Beltrametti, Chris Jinks, Gary Beegle, Lee Mclean, Suzanne Mclean, Johanna Sweikata, Kevin and Barbara Conroy, Don Berger, Tom Steed, Nancy Sprague, Owen Vetro, Christine Vetro, John Vero, Stacy Brescia-Spreer, Jeffrey Spreer, Phyllis Brescia.

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

### **RE: PRESENTATION OF PLAQUES**

Mayor Brescia presented William Lee McLean with a plaque in recognition of this service to the Village and its residents for seven year. He was thanked for his service.

Deputy Mayor Scheels presented Mayor Brescia with a plaque and pin for thirty years of service on the Village Board. He was surprised of all who were present to celebrate his achievements and dedication to the Village of Montgomery.

Walden Rotary is pleased to assist the Village in its endeavor to procure and install four lamp posts for the Bandstand lighting project. They happily presented the Village with a check in the amount of \$7,280.00 in aid of the lighting project. It is understood that there will be a plaque crediting the Walden Rotary for their donation to the further improvement of the bandstand.

Mayor Brescia and the Board thanked the Walden Rotary for their generous donation.

### **RE: MINUTES**

Mayor Brescia called for a motion to approve the meeting minutes of April 4, 2017 and April 18, 2017.

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board approved the meeting minutes of April 4<sup>th</sup> and April 18, 2017. Motion carried, 5-Ayes, 0-Nays.

Trustee Lindner stated a clarification regarding the salaries of the DPW department, in order to verify that the numbers were correct. The Village Treasurer run W2's of all the DPW staff for 2016, those numbers verify that the salaries submitted and approved in the budget were correct.

The handout provided, with the salaries, did not include the contractual part time staff and the one full time staff member was missed. Therefore, taking that in to account the numbers do certainly match. Another issue I would like to address is a comment made by Ms. Beltrametti, "that all DPW salaries are inflated". One of the things, that I did using the W2's is to add up all the DPW salaries and the average salary of a full time non supervisor within the DPW Department is \$49,520.00; the average salary of a part time DPW is \$8,506.00. I do not think anyone of those numbers is an inflated number by any means. Especially in light of the work that the DPW does for us. Regarding another comment that Ms. Beltrametti made, referring the DPW as a "grab ass operation", looking back on that; I feel that is very insulting and demeaning to the fine men and women that work in the DPW Department. Ms. Beltrametti I feel you owe them an apology.

### **RE: REQUEST TO MEET WITH BOARD**

Maria Beltrametti said, first of all by apologizing. I certainly do not want to cast any aspersions of the Department Public Works, workers. I value them all, I know them all and I am friendly with all of them. They have a lot of hustle in them but I do think; time and time again, I see wasted effort. The Street Sweeper for instance, my parking space got swept for the fifth time this year. There is no empty space at the curb where the Street Sweeper can approach. Why they are even working on 17K is mystery. If you do no clear snow on 17K, it seems as though there is a lot of running around trying to fill time. I am surprised by that average salary, I would love to see the documentation of it. I remember, Buddy last year showing me your Department salaries. I am quite sure to be remembering correctly they were from the high thirties to the low forties.

Trustee Lindner said, they are available online at the state website, called [seethroughny.net/payrolls/](http://seethroughny.net/payrolls/)

Ms. Beltrametti said her last comment about the budget. She thinks that it is a shame that we are only \$100,000.00 away, actually \$104,000 away of not having an increase. I know the money is in there. Even if what I think are inflated salaries from the work sheet. I still found \$75,000 extra. I certainly got the impression from the Board that this is it. We are not doing any more work and period.

Trustee Lindner replied we have had two work sessions. At either of those occasions you did not bring any of that up. That was the time to bring it up.

Ms. Beltrametti recalls one work session and a public hearing that is when this information came out. You need time to look at the whole thing. The way the public hearings are run it is very boom, boom, and boom. I asked and begged for another work session.

Trustee Lindner replied again, we had two and your objections should have been brought up at that point.

Mayor Brescia mentioned that the public hearings have been longer they have been as long as I can remember recently. On another topic of the Street Sweeper, when I came on the Board thirty years ago, we borrowed Goshen's Street Sweeper and it cleaned the Streets. Furthermore, when we did not do the main highways, the residents complained about their Streets not being sweep. Believe me if we did not clean the Streets and in another month or two you would see all the dust on the houses right after the snow season.

Trustee Hembury commented on being happy with the Street Sweeper. It picks up the rocks, the rocks get recycled. I am fine with it and willing to pay for it.

**RE: ABSTRACT NO. 03 - 2017**

Moved by Deputy Mayor Scheels, seconded by Andolsek, all bills listed on ABSTRACT NO.03-2017 were audited and approved for payment with \$109,702.37 from the General Fund, \$4,924.23 from the Water Fund, \$27,898.03 from the Sewer Fund and totaling \$142,524.63. Check No: 50475 – 50509, 40607 - 47822. Motion carried 5-Ayes, 0-Nays.

Treasurer Griffith reported a CASH BALANCE for the month of March 31, 2017, as follows: General Fund \$ 1,284,548.99, Water Fund \$293,604.47, Sewer Fund \$333,478.15.

**RE: DEPARTMENT REPORTS**

Police Chief Walsh reminded everyone about the Bike Rodeo of May 13<sup>th</sup> being held at the Montgomery Senior Center from 9:00 am to 12:00 Noon. In addition to the Child Seat inspection station that will be set up in front of the Senior Center also. If anyone has any questions about the child seat inspection, they can call the Police Department from 9:00 am to 5:00 pm. Furthermore, the Speed Trailer that has been out of service for three years has finally been repaired. Expect to see the Speed Trailer deployed around the Village again. We are also participating in the Montgomery Nursery School Trike-A-Thon on May 17<sup>th</sup> and 18<sup>th</sup>. It is a fundraiser for St. Jude's. Our officers' make sure the bikes are safe and that their helmets are worn correctly. Furthermore, providing a lesson in bicycle safety. For every lap the children are able to do, they raise money. It is a program enforce since I have been here. The annual firearms training is coming up the end of the month. The Town of Wallkill Police are requesting two of our officers for their 4<sup>th</sup> of July fireworks event. The only difference this year for us, is that the 4<sup>th</sup> of July is a double time holiday. This is something the Board will have to consider.

Mayor Brescia suggested that we continue to assist. They help us on General Montgomery Day.

Police Chief Walsh stated they assisted us with funeral detail as well as assist with two officers on General Montgomery Day.

Mayor Brescia asked Police Chief Walsh if everything is all set for the Village Wide Yard Sale on May 20<sup>th</sup>. Please remind me to make a CodeRed announcement that day too. Remember to block of the street for the Firefighters Educator of the Year.

Police Chief Walsh relied, yes. That is not an issue.

DPW Supt. Nelson reports that the first round of testing required by the Department of Health (DOH) is done. The testing results are not back. I am hoping to receive the results by next Wednesday or Thursday. We have a meeting scheduled with the (DOH) to discuss the filtration systems. Your call to the (DOH) did help quite a bit yesterday. They called me back. Lanc & Tully spoke with them today. It's not sure how we are going to go right away. They want to get back to the designs on what is going to be installed.

Mayor Brescia mentioned meeting with Brian DuVall and Buddy due to a serious brown water issue. His filter was checked and it was last changed in September. We replace the filter is it should help the situation a little. I explained the urgency but they have to perform these tests that takes time. Hopefully, we can get it expedited.

DPW Supt. Nelson spoke with the filter company today and they have an add on. So hopefully we can install the filter system and should we need to further filtering, it is just an add on. It costs more money to just add on but to get things started and working. We cannot switch wells around, the tests need to be accurate. The other issue I have to mention is the River Street Subdivision.

Mayor Brescia the River Street Subdivision, I have to recuse myself from. Deputy Mayor Scheels will be covering on that a little later.

Trustee Hembury mentioned this month the Board will be welcoming eleven new residents to the Village. The new residents receive a welcome packet that includes information regarding the upcoming events and anything the businesses provide as well. The projected date is May 25<sup>th</sup> as long as the rest of the Board is agreeable with the date. This is based on the deed changes that are filed. If you should know of anyone, we would be glad to add them to the list. For instance, new renters that we would not normally receive a deed change for, please let us know.

Mayor Brescia mentioned Little League parade on opening day, it was very good. Having four hundred children registered.

### **RE: APPROVE BUDGET CHANGES**

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board approved the 2017-2018 assessed valuation to be \$184,275,076, due to a change received from the County. Therefore increasing the line item Special Items for Liability Insurance by \$4,090.00 and maintaining the same tax rate of \$15.194 and increase of .0354. Motion carried, 5-Ayes, 0-Nays.

### **RE: APPROVE AND ACCEPT THE FY 2017 OC CDBG AMENDMENT FOR THE CLINTON STREET WATER MAIN REPLACEMENT**

Moved by Trustee Lindner, seconded by Trustee Hembury, the Board approved and accepted the amendment to FY 2017OC CDBG Clinton Street Water Main Replacement agreement dated August 18, 2016 by the increased amount of \$45,000 for a new total of \$145,000. Motion carried, 5-Ayes, 0-Nays.

Mayor Brescia recused himself from the River Street Subdivision on tax parcel 208-1-24.1 Deputy Mayor Scheels is presiding over the River Street Subdivision request.

Ross Winglovitz with Engineering Properties gave thanks for getting this on the agenda so quickly. We are here to discuss a proposed fix to an existing drainage problem along River Street. This is a Devitt subdivision on River Street. Marc is doing a two lot subdivision of the existing parcel. This is the Village Park here, River Street and Union Street along the front. What is already occurring and what we are trying to improve and not exacerbate. There is an existing drainage problem, where the drainage leaves River Street it travels through the Devitt property to the back and eventually to wet lands and onto Village Park Land. This came up as an issue at the Public Hearing. Marc had met with Buddy and a suggested fix which includes installing three new catch basins, 200' piping to extend therefore getting the water away from the front of these properties. These properties are very wet, where the water ponds. Sometime ago, there was a drainage problem across the street. A new catch basin was installed which brought additional water over there. So we are trying to solve this problem by installing catch basins and move the storm water and moving it to the wet lands and onto the Village Park Land. Tentatively, we have offered to do all of the installation of these improvements if the Village would buy the structures. We think it is a fair resolution to an existing problem. We have designed this project so that all of our storm water goes to the back, again, so that it does not exacerbate this at all. We think it is important for the neighbors and for the lot as well.

Atty. Dowd asked Devitt would give us a fifteen foot wide drainage easement for periodically checking and repairing of the pipes, as well as maintaining the pipes. This would be necessary to keep the drainage flowing.

Trustee Hembury asked what the neighbors thought.

Trustee Lindner heard the neighbors mention that there is an amount of impervious that is going to be there, driveways and a building. It is certainly going to exacerbate the amount of water that collects, is that enough in the way of drainage there.

Mr. Winglovitz replied absolutely this gets the water all the way from the problem area to the front. The drainage for the site, for the two homes is being directed to the back. It is away from the exiting drainage problem. This will always be wet lands in the back that is not going to change.

Atty. Dowd said this is two purposes, one is that the Village Board consider and potentially agree to

supply the raw materials in return for the applicant doing the work and providing for a fifteen foot wide easements to the Village. It is also on for Local Law 5 approval which is basically even though it is only two lots, it does boarder Village property. It is contiguous to the Village property so therefore, they have to get the Boards approval as well.

Trustee Hembury asked if this fails will the Village be responsible for it.

Atty. Dowd said there is two trains of thought here. One is that the water is definitely coming down on River Street. We have connected in the past, the storm drainage from up above; when the Meadows went in. A lot of the water is flowing down. We have had issues on the other side, further down of River Street. We have done work down there to try and improve the drainage. Marc mentioned before doing anything with this subdivision, there is water collecting on his property as well as the Beegle property and the Jenks property which is further to the north. It appears to be coming off the road. The applicant has the obligation of not increasing the problem by adding more water. It will increase because of the more impervious surface. He is going to try and catch it but also resolve some of these issues along River Street that are existing with the drainage. This is one way of trying to alleviate and give some aid and assistance to not only the applicant but the also the people further North of him. Getting a lot of the water off of River Street and out of their front yards basically, where it just ponds.

I do believe Mr. Jenks and Mr. Beegle are both here. They were at the Public Hearing and at the Planning Board meeting with pictures showing where the water is definitely ponding. Any that you can do the help relieve that issue. I think that is what they are here for. They may disagree as to whether it solves the entire problem. The Planning Board suggests that they come to you. This is not a Planning Board issues but a Village issue with a Village Street. The Planning Board and the Village is going to get drainage calculations from Mr. Ross Winglovitz office. Keep in mind this is not a finished subdivision yet, there are still some drainage calculations and to be reviewed by our Engineer. The proposal which Buddy and Marc Devitt worked out is sort of a compromise to try and fix the problem and not make it any worse and certainly try to make it better.

DPW Supt. Nelson said a lot of this is off of Route 211. There are two catch basins on Route 211, one in front of the school and crossing from the school. They catch a lot of water. It is going through River Street and empties into that drainage.

Trustee Hembury asked Buddy if he thinks this will help.

DPW Supt. Nelson said I am sure it will get a lot of the standing water that does not have a lot of pitch. I know that is what they are going to work on. It getting pitch and sending that water to the back.

Mr. Winglovitz it meanders down so our goal to collect it and hard pipe it to the back.

Deputy Mayor Scheels that is a lot of water.

Trustee Lindner said you can see where the trees were up rooted. Chris mentioned that they flopped right over.

DPW Supt. Nelson said I am sure it will help. By adding the extra catch basin that is suggested or possibly two more in. It will catch any extra water laying onto of the ground sending it into the pipe and outward. My estimated cost for the each catch basins is \$400.00 to \$500.00 so approximate \$1,500.00 with possibly adding a fourth catch basin, summing about \$3,500.00.

Trustee Hembury said I do not want anything to be built that will affect them. They are already there. If this project on our Superintendent says it is ok, then I am for it. However, if this in anyway is going to come back, back up and mess up their homes and we are responsible for it, then no.

Atty. Dowd said this is why, this is a dual attempt. One to take care of an existing Village problem with drainage but also to catch any extra water because of the new development with driveways and houses, and impervious surfaces. So that is flows into the ditch, into the pipe and out the wet lands. Away from the Beegle and Jenks property and anyone else north.

Trustee Hembury asked the residents who were present and how they felt about it.

Resident, (name not stated) mentioned, we attended both meetings and we would like the solution discussed at the second meeting. I think it will help.

Second resident (name not stated) said there was much progress between the first and second meeting with Ross, the Village Engineer and Buddy. It sounds like they have come up with a very good solution.

Trustee Hembury said that is what I have my faith in.

Deputy Mayor Scheels said it sounds like a win, win situation.

DPW Supt. Nelson the biggest thing is the pitch on the pipe. It is almost done. We placed a smooth pipe in there and it could be done with a limited pitch and a smooth pipe. Between Ross and Lanc & Tully; I am sure that they can figure out how to get that water to the back.

**RE: REQUEST BOARD CONSIDERATION FOR RIVER STREET SUBDIVISION**

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board approved the concept for the raw materials in return for the easement and the work being done by the applicant, along with approval of Local Law #5, due to the fact that it borders the Village property for the River Street Subdivision on Tax Parcel 208-1-24.1. Motion carried, 4-Ayes, 0-Nays.

**RE: EVENTS**

Grand Montgomery Chamber of Music Series Concert May 7, 2017 at the Senior Center at 3 pm.

D.A.R.E. Bike Rodeo, May 13<sup>th</sup> at the Senior Center 36 Bridge Street from 9 am to 12:00 Noon.

May 20<sup>th</sup> Village Wide Yard Sale Day from 10 am to 5 pm.

Memorial Day Parade, Monday, May 29<sup>th</sup> line up at 10:30 am on Wallkill Avenue and parade at 11 am. A short patriotic ceremony and free refreshments will conclude the day's events at the Veterans Memorial Park (It is a rain or shine event)

**RE: VILLAGE OFFICE IS CLOSED**

Village Office is closed in observance of Memorial Day on Monday, May 29<sup>th</sup>, from 8:30 am to 4:30 pm.

**RE: PUBLIC PORTION**

Mr. Berger mentions requesting the formula for the Town Law §150, where you able to obtain that.

Mayor Brescia said in the packets a letter dated January 8, 2013 explains the Town Law §150. We can provide you with a copy.

**RE: ADJOURNMENT**

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board adjourned the meeting of May 20, 2017 at 8:05 pm. Motion carried, 5-Ayes, 0-Nays.

**RE: RECONVENE**

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board reconvened the meeting at 8:11 pm. Motion carried, 3-Ayes, 0-Nays, 2-absent (Trustee Lindner and Trustee Andolsek).

**RE: BOARD OF TRUSTEES MEETING CHANGE**

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board changed the meeting time of May 16<sup>th</sup> from 7:30 pm to 6:00 pm. Motion carried, 3-Ayes, 2-absent (Trustee Andolsek and Trustee Lindner), 0-Nays.

**RE: ADJOURNMENT**

Moved by Trustee Hembury, seconded by Deputy Mayor Scheels, the Board adjourned the meeting of May 2, 2017 at 8:13 pm. Motion carried, 3-Ayes, 2-absent (Trustee Andolsek and Trustee Lindner), 0-Nays.

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Monserrate Rivera-Fernandez, Village Clerk