

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, October 1, 2019 at 7:30 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, Trustee Lindner (absent), Atty. Dowd, Village Clerk Rivera-Fernandez, DPW Supt. Nelson, Police Chief Walsh, Recreation Director Taylor, Recreation Supervisor Jackson, Recreation Leader Donovan, Historian Fitzpatrick, Jayne Samuelson, Sarah Samuelson, Beverly Mertz, Fred Mertz, Dina Hifnawi, Maria Beltrametti, U. Leitner, Don Berger, Randi Greene, Dave Church, Kerry Dowling, Robert Jones, Kevin Conero, Karina Tipton, Diane Yario.

Mayor Brescia opened the meeting with a Pledge of Allegiance to the Flag.

RE: DEPARTMENT REPORTS – VILLAGE MUSEUM

Historian Fitzpatrick presented the Board with a Historian of the Month, as a measure to get the Montgomery youth, involved in the history of Village of Montgomery, he met with Jane Samuelson who is with the Girl Scouts, and Mark Grogan with Boy Scout Troop 231 by educating them of our past and therefore making history and documenting as much as possible along the way. In short time as the Historian, he has found how difficult the job is reaching back into the past, such as capturing it, organizing it, cataloging it and archiving it. The challenge is what is happening today. Something is always happening, it could be about a building, a person or an event. After speaking with Jane and Mark, they have help me develop a Historian of the Month. Taking one month with a volunteer selected by the Village Girls and Boys Scouts. It is also being discussed by the VC Social Studies class. A power point presented to the Board was prepared by Sarah Samuelson, it describes the duties of the Historian of the Month. By compiling a host of information about the Village and the currents events from the various departments and agencies listed, on a monthly basis, to be cataloged along with photographs, therefore, creating a history dialog of the Village, for the Village. Sarah may aspire to become the Village Historian in the future. He has asked the Board to swear Sarah Samuelson in, as the Historian of the Month. The Board was agreeable to the Sarah Samuelson took the oath of office as the Historian of the Month.

RE: CAR SHOW UPDATE

Trustee Hembury asked Brian to tell everyone how the Car Show turned out. Brian said the Clinton Street Car Show was successful with a tremendous turnout of 165 registered cars, between the raffle and the profits from the Car Show we contributed \$900.00 towards the D.A.R.E. program. Trustee Hembury said as a heartfelt sentiment, we made a motion for good weather for the Car Show. The weather was very agreeable. Mayor Brescia thanked Brian Fitzpatrick and Trustee Hembury for all of their hard work.

RE: CIVIL WAR RE-ENACTMENT

Historian Fitzpatrick mentioned a Civil War Encampment will be held on October 26th from 1 pm to 4 pm, at the Village Museum at 142 Clinton Street, Montgomery, NY 12549.

RE: MINUTES

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board approved the minutes of September 17, 2019. Motion carried, 4-Ayes, 0-Nays.

RE: ABSTRACT NO. 09-2019

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, all bills listed on ABSTRACT NO. 09-2019 were audited and approved for payment with \$139,149.27 from the General Fund, from the Water Fund, \$8,152.02 from the Sewer Fund and totaling \$26,139.36. Check No: 77227 – 77306, 1495 - 1518. Motion carried 4-Ayes, 0-Nays.

Treasurer Griffith reported a CASH BALANCE for the month of September 30, 2019, as follows: General Fund \$2,561,169.63, Water Fund \$277,654.28, Sewer Fund \$458,327.91.

RE: OLD BUSINESS

Mayor Brescia asked David Church to give an update on the traffic and transportation analysis, and provide us with some avenues we may be able to pursue. David Church Commissioner of the County of Orange. To provide you with a little background, he has been speaking with Mayor Brescia off and on about the emerging traffic problems and what can be done about it. The County, has a transportation council, staffed by his department. It is an obligation to receive federal and state aid, which we program through the Planning Department. Annually we receive millions of dollars in aid, most of it goes to physical improvements, such as bridge work and construction improvements for the local roads. Work done on federal or state roads is processed through the State DOT. There is a group, which is unusual arrangement but it is a transportation council chaired by the County Executive with a rotating representation from municipalities. The County is divided up into three sub areas, they each send to designated town representatives to be voting members of the transportation council. The Villages have two seats amongst themselves, which is somewhat relatively new. We will talk about Montgomery want to have a vote on that council. The three cities have a permanent seats and votes, as does NYS DOT, NY Thruway Authority, MTA, and others. They are responsible for programing local money, that is the primary function his department provides and how to use the money wisely. As such, we have expertise on staff; Steve and I have been talking about how to use that expertise. There are a couple of opportunities, you have already seen with the recession, housing bubble the county was semi overwhelmed by housing development. It was certainly true to some degree in Montgomery and definitely true south, southeast of here, and both east and west. We had a market collapse in 08 and 09. We are now seeing very little housing development with notable exception south and east of here again. We have had the sudden bloom of commercial development. It is rather surprising and a bit unprecedented compared to the AUTS even with residential development. It happens everywhere he has worked; he had a private career before coming to the County. He has also worked in multiple states. Traffic is often a big concern to people; he finds the second most is often water. Water does not seem to be a particular problem here, at least not yet. Those are the two resonating issues, when development happens, so we are talking traffic or rather transportation needs. There are a couple things the County can offer; we did some preliminary work; research. We have been commenting on the environmental review on the documentation submitted on the various projects. Greater Montgomery which is much larger than the Village itself. Its seeing a boom of activity. He is not judging that as good or bad, that is not his job to do. It is just a fact that it is happening. Mayor Brescia said it is a concern. We want a drill down on the traffic impact from the large warehouses, we have one east and south of us. One is proposed in the Village of 200,000 square feet and 90,000 square foot office building. It's a concern with the immediate traffic. It's a question of how we can control traffic on a state highway are very limited. We would like to entertain a traffic study, at what cost, he isn't certain of. Maybe we could get quotes? You could help us in what regard of we can do to try. We have a question and answer session with Medline and they assure us that their major trucks will not come through the Village. Let's face it, some delivery trucks will

come through the Village; along with some of their employees coming to and from work. Its enough to create a major concern. They have offered and it has not fallen of deaf ears. Comm. Church said we can offer technical assistance in the short run. I'll give you a parallel, we have a corridor of concern because it guarded as congestion due to the Route 17M, 6 corridors between Goshen and New Hampton and Middletown. We have some significant proposals there; the County has some assets there with the prison and the 911 facility, pipes in the ground, and the Heritage Trail. There have been some issues on any given day, frankly, look at your google maps and the corridor is red at 4 pm. We have actually agreed to facilitate a meeting with the Village, the Town of Goshen, the Town of Wawayanda, and the City of Middletown; to date the City of Middletown has not been participating with our staff and DOT. In this case, an actually a regional study is ongoing with a consultant. The consultant is available to assist with that, we had a kick off meeting to lay everything out onto the table about what is known and what the people are concerned with, and where we might go from that. We can do something similar here, quickly. Basically, the Mayor and your peers and define what kind of meeting it would be and have a group meeting. Bring in what is known; so, we could explain to people and to get everyone on the same page; in terms of is known as far as traffic counts, known congestion, known projects that are in play. Then you can proceed with the next steps. Anything involving the County trying to find money, finding a professional will take a little time. The transportation council has set aside some transportation planning money. Through a process, we have not procured a professional as of yet, if anyone has been at the thrill of being involved in government funding, hiring people takes a little. You have to do competitive bidding. Mayor Brescia asked if the Village of Montgomery study could be structured with the Village and Town of Goshen study and model ours. Comm. Church said the Town and the Village of Goshen was already by coincidence, we had been doing a series of regional studies; what we call ANGES and Transportation Studies. We never looked at the western part of the county, Goshen west. We had already positioned funds and hired a consulting firm to work with his staff and the municipalities from Goshen west. To look at their ANGES and Transportation needs. It just started, when early on this corridor congestion issue popped up. You may have heard of Amy's Kitchen for example and other projects like that. The question is, what are we going to do if these things break at the same time the routes are already congested. This case knowing there are no improvements anywhere on the horizon, that has been conditioned to be made by anyone in that corridor right now. The DOT has nothing for example, as a state-controlled road. So, we want to review it quickly and make a difference there. We do not have any current regional study that involves Montgomery. We would have to position some, special money, which is doable. He proposing that we have this conversation first, then we can decide if we need to do more. Mayor Brescia said we have had the conversation with the Town, but is best to wait until after the November; not knowing what the composite is going to be of the Board. Although, we can start it up on our end, and decide who we want on the committee. Start our conversations with alternative routes around the Village for commercial traffic. This has all come to a head because one-point pulse million square foot facility that is the planning process. He can not remember getting any complaints about a facility on Count Route 99, with the Village of Montgomery. We do get truck traffic from FedEx, as he has been told and Do It Best. When those projects were being built, we have not received any complaints in all of these years. Now with two major proposed projects in close proximity to the Village, its concerning, with the size and the affects of it. What ever we can do to try mitigate that with traffic through a committee or through funds to help us. Randi has been talking to Medline about possible impact fees. Comm. Church said what we are doing in the Goshen/Wawayanda case, we are working on what is already known. Just a quick look, in preparation for this, the known documented congestion in the Village is Route 211 and 17K; that is on the record and traffic is growing there. Ironically, based on traffic counts which are imperfect at this point. He can share a map of where traffic counts have been made in and near the Village. The Village is stable as the decline in traffic with the except of the downtown T section. It will already be called congested. We use terms such as, level of service. If you look at the Medline reports, there is a grading system;

for instance, A through F. It is based on how long the traffic is stopped at the intersection; to get through it. Watching the light change once, twice or more, your grade at that intersection goes down. There are communities that drop below a level C service which typically, you never see the light change more than once. For example, the City of Saratoga Springs does not allow any development unless they can prove they are not going to drop any level of service, at any intersection of that community below a C. Trustee Hembury asked even on a State Road. Comm. Church replied, correct. The issue the Mayor raised what can you do about it because it is a State Road, there is not much without the State's permission. Trustee Hembury asked but it is no secret that a lot of trucks through the Village to avoid being checked on Route 84. We can control the speed, what if we made the truck speed even slower. Can we do that? Comm. Church said variable speed limits, he is not sure. Atty. Dowd said we would need the States approval and send in a request. Comm. Church is not familiar with the variable speed limit, depending on the type of vehicle. It seems a bit unusual to him, he would have to research it. The more common approach with truck travel management, is weight limits. He does know of the weight limits on route 94 and route 6 because of the Route 209 traffic coming out of Port Jervis and goes through Milford and Matamoras; truck traffic was shut down through the National Park, historic village. The truck traffic was pushed out of the route 209 corridor, with the Federal Service Park rules. The other traffic through the Village on record is no worse than a rating of a B. You have geometry issues. We can have a public or private committee meeting, its up to you. The cumulative impact, looking at everything that is happening. That is the challenge in the development review, SEQR process, and the environmental review process. Applicant are motivated and what to get their project approved. His department takes a step back and looks at the larger setting. Again, we are going to have to rely on existing data. It may be an early as next year. Mayor Brescia asked Comm. Church for any recommendations in the meantime. He provided the Board with a copy of the Traffic locations and the counts. Mayor Brescia and the Board thanked Comm. Church for coming in.

Mayor Brescia called for a motion to request a variable truck speed limit coming through the Village from DOT.

RE: REQUEST THE DOT TO POST A VARIABLE SPEED FOR TRACTOR TRAILER IN THE VILLAGE OF MONTGOMERY

Moved by Trustee Hembury, seconded by Trustee Andolsek, the Board is in favor of requesting the DOT to post a variable speed limit for tractor trailers coming through the Village of Montgomery. Motion carried, 4 Ayes, 0-Nays, 1 absent.

RE: SUMMER RECREATION CAMP CLOSEOUT REPORT

Director Taylor said camp attendance was the best, averaging about 200 campers a week. The on-line registration was very successful, especially with the changes and payments. The Bounce arena was a big change for us, they went out of business. We were fortunate to get in touch with the company that bought them out, so we were able to have our annual carnival. This year the carnival was the best out of the last eighteen years. He mentioned this season has been rough on him personally and commends Jenn and Michele for being them. He presented the Board with the final reports. Jenn is in the final stages of finalizing the financial reports, once that is done, they will know what is left to put towards a storage unit. Mayor Brescia is willing to assist in the procurement of a storage unit or a woodworking shed, if the Village has money in lieu of Parkland. However, he does not want anything that is not aesthetically pleasing. Director Taylor also mentioned receiving numerous reviews about the bathrooms. Recreation Supervisor Jackson said she has been involved with the program for thirty years, since she attended as a camper through this moment as the program

supervisor. They encounter a health scare when a boy choked on a grape. At first glance, he looked as though he was coughing. He was rushed the hospital, thankfully he never lost consciousness. She accompanied the camper in the ambulance and Michele followed in her car. When the mother arrived, she was assured her son never lost consciousness. She was very thankful. Mayor Brescia said keep up the good work, Tom, Jen and Michele.

RE: DEPARTMENT REPORTS – POLICE DEPARTMENT

Police Chief Walsh said in terms of public safety on GMD, is was a great success again this year. He thanked the agencies that assisted. This month we have our annual firearms training. He will be attending the Monthly Chief Association meeting, on Thursday. The topic is regarding the new legislation going into effect and the anticipated changes.

RE: DEPARMENT REPORTS – DPW

DPW Supt. Nelson mentioned having obtained three quotes for a generator, for the STP. He requests the Board approval. It is a twelve-week lead time once the order is placed. His next project is to get caught up on the black top and finish Tracey Carmichael drainage. Hydrant flushing will be coming up on October 21st through November 1st. He also mentioned receiving a thank you letter from Tracey Carmichael.

RE: APPROVE THE PURCHASE OF A GENERATOR FOR THE STP

Moved by Trustee Hembury, seconded by Trustee Andolsek, the Board approved the DPW Supt. Nelson to purchase a generator from Kinsley Power Systems, in the amount of \$32,305.00, for the STP. Motion carried, 4-Ayes, 0-Nay

RE: QUOTES RECEIVED FOR THE STP ROOFING MATERIAL

Messco Building Supply....\$15,287.78
Neversink Lumber.....\$15,990.04
Builders First Source.....\$16,000.96

RE: APPROVE THE MESSCO BUILDING SUPPLY QUOTE FOR THE STP ROOFING MATERIAL

Moved by Trustee Hembury, seconded by Trustee Andolsek, the Board approved Messco Building Supply quote for the Sewer Plant Roofing Material in the amount of \$15,287.78. Motion carried, 4-Ayes, 0-Nays.

RE: TRACEY CARMICHAEL LETTER COMMENDING THE DPW

Mayor Brescia read aloud Tracey Carmichael letter to the Mayor and the DPW Supt. Nelson commending the DPW staff.

September 19, 2019

Dear Mayor Brescia and Mr. Nelson,

Thank you for the replacement of the damaged drain pipes that ran from the back yard to the basing located in the street at 153 Mason Street. As you remember, the angel and broken drain pipes are not only flooding the backyard, but more seriously, flooding the basement of my home, which in turn, created a dangerous situation with the formulation of ice from the pumped water during the winter months.

Since the damaged pipes were replaced and the angle was reconfigured, there has been not water in the backyard and more importantly, no water in the basement. As a matter of fact, the sump pump has not had to operate since the new pipes were installed.

Buddy and his crew at the DPW need to be recognized and commended for their outstanding attention to details and work ethics. I was beyond impressed with the punctuality, focus and professionalism. When I had a question, since as a new homeowner, I was ignorant, they answered each one with a kind and professional demeanor. More importantly, they ensured that the gate to the backyard was secured so that my dogs would not get out of the yard. As a team, these men are some of the finest in the Village.

With gratitude,

Tracey Carmichael

RE: TASTE OF MONTGMOERY

Mayor Brescia mentioned the Taste of Montgomery is to be held on October 20th. The location is scheduled to be held in between the two Museums. DPW Supt. Nelson and the Police Chief feel that tent needs to dismantled immediately after the event. It can not stay up blocking the street overnight, it poses a liability risk. Mayor Brescia feels it should be held in the Municipal Parking Lot. He will discuss the location with Trustee Lindner at his earliest convenience.

RE: INTRODUCTORY LOCAL LAW 1 OF 2019 AMENDS VILLAGE CODE ENTITLED “VEHICLES AND TRAFFIC” TO PROHIBIT PARKING ON BOTH SIDES OF FACTORY STREET FOR ITS FULL LENGTH

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board set a Public Hearing for the Introductory Local Law 1 of 2019 amending Chapter 114 of the Code of the Village of Montgomery entitled “Vehicles and Traffic” to prohibit parking on both sides of Factory Street for its full length. Motion carried, 4-Ayes, 0-Nays.

RE: VILLAGE HALL CLOSED IN OBSERVENACE OF COLUMBUS DAY

The Village Hall is closed on October 14th, in observance of Columbus Day.

RE: BOARD MEETING OF OCTBER 15TH TO CONVENE AT 7:30 PM

The Board of Trustee’s Regular meeting of October 15th is to convene at the regularly scheduled time, 7:30 pm.

RE: MASTER PLAN WORK SESSION IS RESCHEDULED TO BE HELD ON NOVEMBER 4TH

The Work Session with the Master Plan Chairman Conero has been rescheduled to be held on November 4th at 6:30 pm.

RE: NOVEMBER 5TH MEETING IS RESCHEDULED FOR NOVEMBER 4TH

The Board of Trustee's meeting of November 5th is rescheduled to be held on November 4th.

RE: APPROVE DEPUTY TREASURER TO CARRY OVER HER VACATION TIME

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board approved Deputy Treasurer to carryover her 59.75 hours of vacation time, passed her anniversary date of October 7th, to be used by January 31, 2020. Motion carried, 4-Ayes, 0-Nays.

RE: THE VILLAGE OF MONTGOMERY AUTHORIZES THE VILLAGE COURT TO APPLY FOR A JCAP GRANT IN THE 2019-20 GRANT CYCLE UP TO \$30,000.00

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board authorizes the Village Court to apply for a JCAP in the 2019-2020 grant cycle up to \$30,000.00. Motion carried, 4-Ayes, 0-Nays.

RE: HYDRANT FLUSHING

Hydrant Flushing begins on October 21st through November 1st, between the hours of 7 am and 4 pm.

RE: EVENTS

Saturday, October 5th, 4:00 to 6:00 pm, Jimmy Sturr and his orchestra to perform at the Clinton Street Bandstand.

Saturday, October 12th, 10 am to 5 pm, Village Wide Yard Sale Day, with a rain date of Sunday, October 13th.

Sunday, October 20th, 1- 4 pm, Taste of Montgomery is to be held between the Village of Montgomery Museum and the Orange County Firefighters Museum, on Clinton Street.

Saturday, October 26th, MFD Halloween Parade, 4 pm line up at the O.C. Firefighters Museum.

Saturday, October 26th, 7 pm Candlelight Ghost Tour, tickets \$5.00 pp.

Thursday, October 31st, 6 pm to 8 pm, Trick or Treat.

RE: PUBLIC PORTION

Mr. Berger mentioned the yard conditions at the Facility on Dunn, has anything been done. Mayor Brescia asked that the Building Inspector sent them a form letter addressing the yard maintenance.

Mr. Berger stated he is happy the Board asked Comm. Church to attend the meeting. He would like the committee meeting be held in a public forum. He suggests getting the Town Planning Board involved in this committee.

RE: CLOSED MEETING SESSION – ATTORNEY CLIENT PRIVILEGE

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board enter into a closed meeting session, at 8:54 pm for the matters of Attorney Client Privilege with Atty. Dowd and the Village Clerk Rivera-Fernandez in attendance. Motion carried, 4-Ayes, 0-Nays.

RE: OUT OF CLOSED MEETING

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board exited the closed meeting at 9:05 pm. Motion carried, 4-Ayes, 0-Nays.

RE: ADJOURNMENT

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board adjourned the meeting of October 1, 2019 at 9:06 pm. Motion carried, 4-Ayes, 0-Nays.

Monserrate Rivera-Fernandez, Village Clerk