

Minutes of Regular Meeting, of the Board of Trustees, of the Village of Montgomery was held in the Court Room, at 133 Clinton Street, Montgomery, NY 12549 on Tuesday, January 5, 2021 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 Herlihy, Don Berger, Connor Linskey, John S. Vero, Paul Arteta.

RE: Pledge of Allegiance

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

RE: MINUTES

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board approved the minutes of December 15, 2020. Motion carried, 5-Ayes, 0-Nays.

RE: REQUEST TO MEET WITH BOARD

None.

RE: ABSTRACT NO. 12-2020

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, all bills listed on ABSTRACT NO.12-2020 were audited and approved for payment with \$124,836.65 from the General Fund, \$4,899.40 from the Water Fund, \$32,038.91 from the Sewer Fund and totaling \$161,744.96. Check No: 78300 – 78357, 1696 - 1710. Motion carried 5-Ayes, 0-Nays.

Treasurer Griffith reported a CASH BALANCE for the month of December 31, 2020, as follows: General Fund \$1,720,045.75, Water Fund \$261,245.40, Sewer Fund \$456,562.38.

RE: OLD BUSINESS

None

RE: DEPARTMENT REPORTS - POLICE DEPARTMENT

Police Chief Herlihy said he is still working on the EO 203, building a committee, and prepare for meetings. Otherwise, business is as usual and normal.

RE: DEPARTMENT REPORTS – DPW

DPW Supt. Nelson reported the Sewer Plant is on the agenda for a drive shaft on one of the rotors. He has contacted a company that regularly installs them. They have to make them. He's tried other companies, unless they sell them or are able to obtain the blue prints for them; they can't help him. He has two quotes, for a drive shaft at \$6,220.00 for one, and at \$12,440.00 for two. To replace the entire unit, the cost is \$50,000.00, therefore, fixing the drive shaft is better than replacing it. In his experience, when one drive shaft is replaced usually the second one breaks down shortly after. Each unit has two drive shafts and it's a six-week order. By the time one is fixed the second will be on its way out. Therefore, he recommends purchasing two drive shafts.

Mayor Brescia asked if the expenses of \$12,440.00 would be paid from the Sewer appropriation. DPW Supt. Nelson replied yes, it will come out of the Sewer appropriation. The cost will probably be more due to the shipping charges. He estimates the shipping cost to be around \$1,000.00, with the approximate weight to be from 500 to 600 pounds.

Moved by Trustee Andolsek, seconded by Trustee Hembury, the Board approve the purchase of two drive shafts for the sewer plant in the amount of \$12,440.00 plus the shopping. Motion carried, 5-Ayes, 0-Nays.

DPW Supt. Nelson apologized for the short notice on locating equipment for the water/sewer lines. The last one we purchased was about fifteen years ago and with the technology now is so much better. Ours needs to be rebuilt. He's obtained two quotes for a new one, the first at \$3,948 and the seconded at \$4,098.00. Due to the new regulations, they are being held accountable for the mark outs. It would be expensed from water and sewer appropriations equally.

RE: APPROVE THE PURCHASE OF NEW LOCATING EQUIPMENT FOR WATER/SEWER

Moved by Trustee Hembury, seconded by Deputy Mayor Scheels, the Board approved the purchase of new locating equipment for water and sewer lines in the amount of \$4,098.00. Motion carried, 5-Ayes, 0-Nays.

DPW Supt. Nelson needs to speak with Atty. Dowd for legal counsel on the issue of the broken radiators purchased for the Village Hall. It is definitely the casting of the radiators. He is trying to have the manufacturer come here to do an inspection of each radiator.

He also mentioned have a few breakdowns during the last snow storm, however, we did get by ok.

Mayor Brescia mentioned the Village Hall is closed on January 18th in observance of Martin Luther King, Jr. Day.

Christmas tree pick up continues through January 29th.

RE: ADOPT A RESOLUTION FOR RETENTION AND DISPOSITION OF RECORDS

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board adopted a resolution for the Retention and Disposition of Records. Motion carried, 5-Ayes, 0-Nays.

RE: PUBLIC PORTION

Mr. Berger asked Police Chief Herlihy how the committee for EO 203 is to be formed.

Police Chief Herlihy replied the stakeholders are to include the members of the Board, anyone from the outside can come and sit, members of the community can express their concerns if there are any, they can email us at Policereform@villageofmontgomery.org. If they have any questions, they can call and speak with him directly. He will be setting up open meetings that will begin February into March and before the adoption in April.

Mr. Berger asked if there will be a committee to make decisions.

Police Chief Herlihy replied the committee making the decisions are the business representatives, the stakeholders will listen to committee concerns, as a review of the Police Department policy and procedures, if there are any issues with the policy and procedures then the governing body will make the changes.

Mr. Berger reiterated his previous concerns regarding the subcommittee not mentioning the two parcels.

Trustee Lindner said the subcommittee is not looking at the zoning by property owner but by the zoning. We will have regulation changes to the I-1, I-2 zoning in particular, they will apply to all properties that are zoned in that fashion.

Mr. Berger said he would like to make everyone aware that another warehouse is proposed at the Aden Brook Farm property at a million square feet. It makes him wonder why it hasn't been brought up. The zoning from Weaver to Dunn, and Chandler to 416, he feels these locations were not discussed and what the plan is.

Trustee Lindner said a portion of the Aden Brook Farm property is in the Village, that going to be zoned I-1. Again, we have had a conversation with all stakeholders, also to include the owners of Aden Brook Farm; of which their concerns were expressed and what it is that they want to do. It was expressed to them that changes are being made to the I-1 zoning and what will be allowable. We will keep them informed of any public hearings.

Mr. Berger expressed his concerns regarding Covid-19 and obtaining signature petitions for the Village Election.

Mayor Brescia said it shall be safe on what is allowable, they may reduce the number required. He knows that at the State and County level the executive order the number reduced the number of signatures required due to the Covid-19 concerns. The candidates are going to have use their discretion going door to door and use the proper precautions.

RE: EXECUTIVE SESSION

Moved by Trustee Hembury, seconded by Trustee Lindner, the Board entered into Executive Session under the open meetings law article 7 § (f) for matters leading to a possible appointment with Police Chief Herlihy, Atty. Dowd, and the Village Clerk Rivera-Fernandez in attendance. Motion carried, 5-Ayes, 0-Nays.

RE: EXITED EXECUTIVE SESSION

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board exited Executive Session. Motion carried, 5-Ayes, 0-Nays.

RE: HIRE PART TIME POLICE OFICER – LIEUTENANT

Moved by Trustee Andolsek, seconded by Trustee Lindner, the Board hired Paul Arteta as a Part-Time Police Office, Lieutenant at the salary of \$27,500.00, with a probationary period of eight weeks, with the conditions of OC Human Resources approval. Motion carried, 5-Ayes, 0-Nays.

RE: ADJOURNMENT

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board adjourned the meeting at 8:22 pm. Motion carried, 5-Ayes, 0-Nays.

Monserrate Rivera-Fernandez, Village Clerk