

Minutes of the Regular Meeting of the Board of Trustees of the Village of Montgomery held in the Meeting Room at 133 Clinton Street, Montgomery, NY 12549 on Tuesday, March 18, 2014 at 7:30 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, Trustee Lindner, Atty. Dowd, Village Clerk Rivera-Stanley, Maria Beltrametti, Rachel Coleman, Marc Devitt, Pat Kelleher, Tom Steed, Johanna Sweikata, Ed Williams, Margaret Williams, Building Inspector Yancewicz

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

**RE: MINUTES**

Moved by Trustee Hembury, seconded by Deputy Mayor Scheels, the Board approved the minutes of March 4, 2014. Motion carried, 5- Ayes, 0-Nays.

**RE: ST. PATS RAMBLE EVENT**

Pat Kelleher provided a review on the St. Pat's Ramble schedule of events for Saturday, March 22, 2014, welcoming the Village of Maybrook and the Village of Walden as well. The culmination of events begins with the 8:00 am Grand Marshall Mass honoring St. Patrick's' and Ed Devitt at St. Mary's on Union Street. The 5K Race is at 10:00 am with the starting line up at Montgomery Nursery School at 25 Wallkill Avenue. Furthermore, Union Street will be closed at 12:30 pm with no parking from 10:00 am to 2:00 pm. No Parking signs will be posted on Weaver and River Street as well. In the event a car is parked in a no parking area, NO TOWING will be enforced. The parade line up is at 12:00 Noon on Weaver and River Streets. The parade is stepping off at 1:00 pm starting from Weaver Street onto Union and with left on Clinton Street and a left onto Bridge Street finishing at the Veterans Memorial Park.

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

Realtors Ed and Margaret Williams are representing owners Janis and George Pitts of 25 Wallkill Avenue i.e.: The Grange Building. Ms. Williams said they are experiencing difficulties in selling the property; as it is zoned as an R6, which is a two family residence. The owners have made renovations to the building in the last five years. All callers on the property have shown an interest with a business; such as a restaurant, an insurance company, a dance studio, fitness and health related, it could work as an office for an accountant or an attorney. The Montgomery Nursery School is also interested. The Gridley Building in the Village of Walden has recently been restored as well; it has a dance studio, the business is The New York School of Music. The owners are requesting a hardship weaver to have the property rezoned as a business in order to sell.

Mayor Brescia said it would be a use variance.

Atty. Dowd said, this property has a history of the previous owners applying for a use variance. The last four owners have applied for a use variance from the zoning board. The rezoning was turned down by the Village Board.

Mayor Brescia said, the Montgomery Nursery School is zoned as a B2. The Montgomery Nursery School is not able to afford the purchase price of the Grange Building; they are a not for profit. In an R6 two apartments is allowable.

Atty. Dowd said the zoning is a two family, and therefore, the zoning would allow for two vehicles. During a snow storm the municipal parking is to be used. The permitted use of an R6 is a home/occupation with only twenty five percent of the building as the office space.

Realtor Ed Williams said the front of the Grange Building does not have the appearance of a residence but one of a business. It was never intended to be a residence.

Atty. Dowd said it was a meeting hall and meetings were held once a month. It was used as community facility, which is still allowed. The parking is still an issue. A PDD may be a way to proceed.

Mayor Brescia said he would like to see the fire escape be put back in. The fire escape was always on the building.

Building Inspector Yancewicz said a sprinkler system would be required with a home occupation.

Marc Devitt commented on a PDD, it is not permitted to be applied over a residential zone. A PDD is for business and industrial zoning.

Mayor Brescia said the PDD will not be an option and apologized. The home/occupation use is the way to go for a permitted use.

**RE: VOTING AT THE SENIOR CENTER**

As a reminder to vote at the Senior Center, the Poles are open until 9:00 pm.

**RE: TENTATIVE BUDGET PUBLIC HEARING**

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board set the TENTATIVE PUBLIC HEARING DATE for April 1, 2014 at 7:00 pm. Motion carried, 5-Ayes, - 0-Nays.

**RE: RESOLUTION TO ADOPT LOCAL LAW TO EXCEED THE TAX CAP**

Moved by Trustee Andolsek, seconded by Trustee Hembury, the Board set the PUBLIC HEARING DATE TO ADOPT A LOCAL LAW TO EXCEED THE TAX CAP by one and half percent, for April 1, 2014 at 7:20 pm. Motion carried, 5-Ayes, 0-Nays.

**RE: ADOPT A RESOLUTION IMPLEMENTATION SCHEDULE  
RECOMMENDED TASK CONTAINED IN THE SEWER SYSTEM  
EVALUATION STUDY**

Moved by Trustee Lindner, seconded by Trustee Hembury, the Board adopted a resolution to implement the recommended task schedule for the sewer system evaluation study, the DEC has required. Motion carried, 5-Ayes, 0-Nays.

**RE: APPOINT POLICE CHIEF**

Moved by Trustee Andolsek, seconded by Trustee Hembury, the Board appointed Steve Walsh as Police Chief Effective immediately with a rate increase to 27.25 an hour effective June 1, 2014 and as of January 1, 2015 to a salary of \$29,200 a year. Motion carried, 5-Ayes, 0-Nays.

**RE: APPOINT STREET CROSSING GUARDS**

Moved by Deputy Mayor, seconded by Trustee Andolsek, the Board appointed two P/T Street Crossing Guards at Montgomery Elementary School and various Village events at the rate of \$14.50 an hour. Motion carried, 5-Ayes, 0-Nays.

**RE: BAND STAND TRUCES**

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board approved to pay Rigidly Rafters Inc. in the amount of \$3,545.48 for the Band Stand Truces. Motion carried, 5-Ayes, 0-Nays.

**RE: EVENTS**

Run for the Gold Pasta Dinner, on Friday, March 21, 2014 at the Senior Center at 6:00 – 8:00 pm.

Orange County Association of Towns, Villages & Cities, Inc. Meeting, on Tuesday, March 25, 2014 at 6:00 pm, at the New York School of Music in Walden.

D.A.R.E. Graduation, Thursday, March 27, 2014 at 2:00 pm at Montgomery Elementary

Grand Chamber Music Series Concert, Sunday, March 30<sup>th</sup> at 3:00 pm at Montgomery Senior Center 36 Bridge Street

Annual Easter Egg Hunt, Saturday, April 12, 2014 at 11:00 am at the Veterans Memorial Park

**RE: RESIGNATION ACCEPTANCE**

Moved by Trustee Hembury, seconded by Trustee Lindner, the Board accepted the written letter of resignation of Eamon Andolsek, effective on March 18, 2014. Motion carried, 4-Ayes, 0-Nays, 1- abstention; by Trustee Andolsek.

**RE: PUBLIC PORTION**

Ms. Maria Beltrametti voiced her continued concerns regarding the Village code on pet feces. Pet owners need to be responsible by picking up pet feces, in addition to licensing and leashing their dogs. Signs are posted at the park for fines from \$25.00 to \$250.00.

Atty. Dowd said the signs at the park are for dog owners letting their dogs go in ball fields.

Mayor Brescia said Ms. Beltrametti could get a few people together and come up with some suggestions; we will certainly entertain any ideas on the Village code on pets. The Village of Montgomery code on pets is as most municipalities have it in Orange County; dating back to 1978.

**RE: ADJOURMENT**

Moved by Trustee Lindner, seconded by Trustee Andolsek, the adjourned the meeting at 8:08 pm. Motion carried, 5-Ayes, 0-Nays.

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Monserate Rivera-Stanley, Village Clerk