

Minutes of the Public Hearing on FY 2014-2015 Tentative Budget 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, April 1, 2014 at 7:00 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, Trustee Lindner, Atty. Dowd, Village Clerk Rivera-Stanley, Police Chief Walsh, Supt. DPW Nelson, Judge Andrew T. Roepe, Justice Clerk Conroy, Treasurer Benedict, Maria Beltrametti, Johanna Sweikata

RE: TENTATIVE BUDGET PUBLIC HEARING

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board Opened the Public Hearing on the 2014 – 2015 Tentative Budget at 7:05 pm. Motion carried, 5-Ayes, 0-Nays.

RE: PUBLIC HEARING PAPERS FILED

Mayor Brescia asked the Village Clerk Rivera-Stanley, if all the necessary paperwork is filed to hold a public hearing.

Village Clerk Rivera-Stanley said yes, all the paperwork is on file and processed to hold a public hearing.

RE: REVIEW OF TENTATIVE BUDGET

Mayor Brescia started reading the 2014-2015 tentative budget section by section in case the public has any questions.

ON PAGE ONE

General funds, all funds and revenues. The budget is at three and half percent increase over last year.

Public response: None

SECTION ONE, PAGE TWO

LEGISLATIVE

Mayor Brescia asked the public if there are any questions

Public response: None

JUDICIAL Mayor Brescia asked the public if there are any questions

Public response: None

Mayor Brescia asked the Judge Roepe if all is good as presented.

Judge Roepe took a moment to review and said all as presented is good.

EXECUTIVE

Mayor Brescia asked the public if there are any questions

Public response: None

AUDITOR

FINANCE

Public: Maria Beltrametti asked, what is the contractual in all the categories.

Mayor Brescia said contractual varies under each department. He asked Treasurer Benedict to give Ms. Beltrametti an example of finance as under the treasurer.

Ms. Benedict replied the purchase of payroll checks, purchase orders, any software or hardware.

Mayor Brescia reiterated Computer hardware and computer software. When asked, the Mayor answered some materials or sometimes it may be a contractual expense for a computer technician or something like that also.

Clerk: Silence

LAW

Mayor Brescia said this includes the Union also.

ENGINEER

Mayor Brescia explained that a lot of that is paid for by the developers.

ELECTIONS

SHARED SERVICES

SPECIALTY ITEMS

Mayor Brescia explained that this includes liability insurance and contingency.

POLICE DEPARTMENT

SAFETY FROM ANIMALS

Ms. Beltrametti asked what this meant.

Mayor Brescia answered that it use to be our animal control officer but we defer to the Town usually now. If it's just a dog complaint or dog noise they are usually handled by the Police Department now.

Board Member Roepe explained that would cover any fees that the Village may incur.

Mayor Brescia also stated that the Village could easily go over that, if the Village has a few complaints.

The Board discussed amongst themselves the number of cases the Village has had in the past.

SAFETY INSPECTION

Mayor Brescia explained that this is for Building Inspections and Fire Inspections.

Ms. Beltrametti asked if this is Bruce.

Mayor Brescia answered yes that Bruce covers both of them.

Ms. Beltrametti stated that a three day a week job as building inspector...

Mayor Brescia stated that he didn't know if the Village expended that much and asked what the year to date was.

Ms. Benedict stated that the fire inspection comes out even but under building inspector it is a lot less then that.

Mayor Brescia explained that the fire inspections are usually outside the three days a week because there are quite a few businesses.

REGISTRAR OF VITAL STATISTICS

Mayor Brescia advised \$200.00

D.A.R.E. PROGRAM

Mayor Brescia advised \$11,350.

STREET DEPARTMENT

SNOW REMOVAL

Mayor Brescia went back to the Building Inspections budget line and asked what less was considerably

Ms. Benedict answered that at this point the Village would expect about 80% of the budget to be depleted on that.

Mayor Brescia asked if it's the full \$28,554.

Ms. Benedict answered yes.

Ms. Beltrametti stated that off the top of her head for a three day a week job bringing it close to what the Chief is earning. It doesn't seem right.

Mayor Brescia explained that he thinks its more hours then what the Chief gives. The Chief's salary is not \$30,000, its about \$28,000 and change. It's about the same.

Ms. Beltrametti (inaudible)

Mayor Brescia explained there is a lot of schooling that you have to go to and quite a bit of classes and the Chief has only been here a couple of years and Bruce is here 15 years in November.

Ms. Beltrametti stated that why should it be the same thing?

Mayor Brescia explained that it is probably less then most building inspectors around the County if you want to do comparisons.

Mayor Brescia re-mentioned the Street Department and Snow Removal.

Ms. Beltrametti asked what personal service is.

Mayor Brescia explained that this is man hours, woman hours. He stated that it is all payroll.

STREET LIGHTING

SIDEWALK MAINTENANCE

Mayor Brescia explained that this has to do with various sidewalks and new sidewalks.

PARK AND RECREATION

Mayor Brescia explained that this has to do with the summer rec program and others, band concerts. He also stated that part of the band concerts are donated this year.

YOUTH PROGRAM

Mayor Brescia explained that park and recreation covers fees for mowing and park fees basically. He stated that public works takes care of the parks but little league helps out a little bit.

DPW Superintendent Nelson explained that there is a person here that mows parks, mows the sewer plant, and mows the wells. It is broken up into parks and water and sewer.

Mayor Brescia explained that the Youth Program is mostly the Summer Recreation and he thinks the Village breaks even on Summer Recreation with the fees that are charged. The basketball program is the same thing.

LIBRARY

MUSEUM

Ms. Beltrametti asked if the women that work in the library receive a salary. This is just for expenses

Mayor Brescia answered that this is the Village's....

Trustee Andolsek stated that they receive a salary and this is just a contribution from the Village because the library also receives a contribution from the Town.

Ms. Beltrametti asked if the Town pays the salaries.

Trustee Andolsek stated that the library pays the salaries.

Mayor Brescia explained that this is just the Villages subsidy towards the library and if the Village had a district it would be much higher.

HISTORIAN

CELEBRATIONS

Ms. Beltrametti asked if this is Montgomery Day, St. Patrick's parade....

Mayor Brescia answered yes and if you go to the revenue page it's close to breaking even on that with the fees that are charged and the donations. Mayor Brescia reviewed the revenue page (15) for Montgomery Day.

PROGRAM FOR THE AGED

Mayor Brescia advised that this is mostly the Villages contribution to Wesley Hall and also other functions.

ZONING BOARD OF APPEALS

PLANNING BOARD

Ms. Beltrametti asked about personal services.

Mayor Brescia explained that this is what the Board Members receive. There are 5 members divided by that figure and the Chair person usually gets a little bit more.

ARCHITECTURE AND HISTORIC REVIEW BOARD

Mayor Brescia stated this is the same thing.

REFUSE AND GARBAGE

Mayor Brescia explained that this is basically for garbage pick up and recycling pick up that goes 5 days a week. Personal service for the men. Insurance related to contractual expenses.

Ms. Beltrametti asked if personal service was DPW. And then contractual would be somebody that you hired from outside?

Mayor Brescia answered no, that this was all DPW. That refuse and garbage is divided out separately. We could put it in the DPW but we just always did it this way.

SHADE TREES

Ms. Beltrametti asked if it was the same for shade trees.

Mayor Brescia explained that shade trees are basically when Buddy needs to cut trees, plant trees, prune trees.

DPW Superintendent Nelson explained that they just take it out of DPW rather than hiring someone else. He also explained that summer help can come out of there. We pay fees to dump the garbage.

EMPLOYEE BENEFITS

Mayor Brescia explained that employee benefits is all the workman's comp., disability and everything else is paid for all the employees, which can grow substantially every year.

BONDED INDEBTEDNESS

Mayor Brescia stated that these are the bonds for the Senior Center which will be paid off next year fiscal year.

SERIAL BONDS

Mayor Brescia stated that these bonds are mostly for sewage.

Ms. Benedict stated just sewer bonds this year.

STATUTORY INSTALLMENT BOND

BOND ANTICIPATION NOTES

ESTIMATED REVENUES OTHER THAN REAL PROPERTY TAXES TO BE LEVIED

Mayor Brescia stated that this lists all the estimated Village revenues.

ESTIMATED REVENUE-WATER FUND

Mayor Brescia explained that this is the water department budget.

APPROPRIATIONS

Mayor Brescia explained that this is water administration, wells.

Mayor Brescia then went over pages 12 thru 15. He then asked if there were any questions?

Ms. Beltrametti asked if once they close the public hearing you are just going to vote on increasing the tax cap.

Mayor Brescia explained that the Board will vote on increasing the tax cap and then the Board is going to vote on adopting the budget.

Ms. Beltrametti stated that she doesn't see any reasonable way that the public can criticize this budget with numbers all over the place. She stated that she would have to assume that they are accurate. She also stated that as far as increasing the tax cap, why have a tax cap if the Board is just going to ignore it?

Mayor Brescia explained that the Board has tried to abide by the tax cap over the years and they have since its inception.

Ms. Beltrametti asked why the Board doesn't continue to do so.

Mayor Brescia stated that he thinks it would be irresponsible to do so.

Ms. Beltrametti stated that Walden has a zero percent increase.

Mayor Brescia stated that Washingtonville had a 25 percent increase.

Ms. Beltrametti stated that it doesn't seem that the Board has even made an effort.

Trustee Lindner stated to Ms. Beltrametti that she is taking for granted that no interest was put into it. There was a lot put into it and there were things that were cut and this is the best that we could do.

Ms. Beltrametti stated that the Board should do a little bit better, you can't lie to the taxpayers.

Mayor Brescia said to Ms. Beltrametti that this is a public hearing so she can make her statements for the public hearing. The Mayor asked her if she has any other comments.

Ms. Beltrametti stated that she guesses that her comment is that the Board should abide by the tax cap.

Moved by Trustee Lindner, seconded by Trustee Hembury the tentative budget hearing was closed at 7:18pm. Motion carried 5-Ayes, 0 Nays.

Monserate Rivera-Stanley, Village Clerk

Minutes of the Public Hearing on Introductory Local Law I-1 of 2014 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, April 1, 2014 at 7:23 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, Trustee Lindner, Atty. Dowd, Village Clerk Rivera-Stanley, Police Chief Walsh, Supt. DPW Nelson, Judge Andrew T. Roepe, Justice Clerk Conroy, Treasurer Benedict, Maria Beltrametti, Johanna Sweikata.

RE: OPEN PUBLIC HEARING ON INTRODUCTORY LOCAL LAW I-1 OF 2014

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board opened the Public Hearing on the Introductory Local Law I-1 of 2014. Motion carried, 5-Ayes, 0-Nays.

RE: PUBLIC HEARING PAPERS FILED

Mayor Brescia confirmed with the Village Clerk Rivera-Stanley, if all the necessary paperwork is filed to hold a public hearing.

Village Clerk Rivera-Stanley said yes, all the paperwork is on file and processed to hold a public hearing.

RE: SYNOPSIS OF LOCAL LAW

Mayor Brescia asked Attorney Dowd to give the public a synopsis of the Local Law.

Attorney Dowd said the Local Law I-1 of 2014 authorizes the Board of Trustees to override the tax levy limit established in General Municipal Law, section 3-C, that the two percent tax cap and the local law requires a vote of sixty percent of the governing body, which is three out of the five and it will take effective immediately upon adoption. It will allow you to adopt the budget tonight if you wanted to or you could adopt it at the next meeting. It has to be filed with the secretary of the state according to the laws.

Trustee Hembury said he will not be at the next meeting.

Attorney Dowd suggested to the Board that it be adopted tonight since Trustee Hembury will not be present at the next meeting.

Mayor Brescia said to adopt it that was the plan.

Attorney Dowd said when you normally adopt a local law it does not go into effect for ten days because it has to be filed with the secretary of the State but under the legislation that created the tax cap levy you have the option to override you do not have to wait the ten days, it is effective immediately.

Mayor Brescia asked for comments and questions from the public.

Public response is none.

Mayor Brescia called for a motion to close the public hearing.

Moved by Deputy Mayor Scheels, seconded by Trustee Lindner, the Board closed the public hearing at 7:25 pm. Motion carried, 5-Ayes, 0-Nays.

Monserate Rivera-Stanley, Village Clerk

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, April 1, 2014 at 7:30 pm.

PRESENT: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, Trustee Lindner, Atty. Dowd, Village Clerk Rivera-Stanley, Police Chief Walsh, Supt. DPW Nelson, Judge Andrew T. Roepe, Justice Clerk Conroy, Treasurer Benedict, Maria Beltrametti, Johanna Sweikata

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

RE: MEET WITH THE BOARD

Josh Depew requested use of the Park Ball field for a reunion on July 26th and July 27th, 2014, as the previous year.

Moved by Trustee Andolsek, seconded by Trustee Hembury, the Board approved the use of the Park Ball field with the condition of insurance be obtained naming the Village as an additional insured. Motion carried, 5-Ayes, 0-Nays.

RE: ABSTRACT NO. 03-14

Moved by Trustee Hembury, seconded by Deputy Mayor, the Board approved the abstract no. 03-14; all bills listed on ABSTRACT NO.03-2014 were audited and approved for payment with \$266,581.69 from the General Fund, \$40,478.02 from the Water Fund, \$32,704.62 from the Sewer Fund and totaling \$339,764.33. Check No: 46148-46252. Motion carried 5-Ayes, 0-Nays.

Treasurer Benedict reported a CASH BALANCE for the month March 31, 2014, as follows: General Fund \$1,219,421.31, Water Fund \$333,547.69, Sewer Fund \$223,685.28.

RE: REPORTS

Police Chief Walsh reported the D.A.R.E. graduation was on the 27th most to Board was in attendance. Once again, D.A.R.E. Officer Smith did a fantastic job; the school administration was very pleased as well as the parents. The last computer purchased with the Orange County Grant funds was installed yesterday; all four car computers are up and running. The computer allows the officer's to issue a summons which makes the process faster than a written summons. The drivers' license and registration is scanned into the computer and communicated directly to the court electronically. The track system has been trouble free. The School Street Crossing Guards applicants' finger prints and background checks are being processed in preparation of hiring them.

Mayor Brescia commended the Police Chief Walsh on the St. Pat's Ramble.

Supt. DPW Nelson, the DPW has been running short in the last few weeks due to sickness it has affected a number of the staff. We started street sweeping. We are back to running the sewer jets, due to the extreme cold weather, it has not been possible. I filed the DEC report indicating the maintenance of the sewer lines for sewer jetting. We stated digging out post office in preparation for the equipment work the bandstand. I have submitted the FMLA paperwork for Ken Jellema, most of you know about the unfortunate accident he had.

Mayor Brescia has no problems authorizing the FMLA for the allowable twelve weeks.

RE: FMLA APPROVED

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board approved FMLA for Ken Jellema for the allowable time of twelve weeks. Motion carried, 5-0 Ayes, 0-Nays.

RE: DPW APPOINTMENTS

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board approved to appoint Travis Meres as F/T Laborer B at the hourly rate of \$ 18.85 with one year probationary period. Motion carried, 5-Ayes, 0-Nays.

DPW Supt. Nelson reported the recommendations for the Village Hall from the NYS Compensation Alliance. The Village Hall door to the employee working area needs to be locked and making changes to reception window as well. Mayor Brescia has asked Monsé the Village Clerk to get estimates from several businesses, such a Reliable Glass and Quickway Glass. The Court Clerk also has areas of concerns to be addressed.

RE: ADOPT A RESOLUTION TO SET THE MILEAGE REIMBURSEMENT RATE

Moved by Trustee Andolsek, seconded by Trustee Lindner, the Board adopted a resolution to set the mileage reimbursement rate at the IRS allowance at .56 cents per mile. Motion carried, 5-Ayes, 0-Nays.

RE: ADOPT A RESOLUTON TO SET FY 2014-2015 REGULAR MEETINGS FOR ALL BOARDS

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board adopted a resolution to set the FY 2014-2015 Regular Meetings for all Boards. Motion carried, 5-Ayes, 0-Nays.

RE: ADOPT A RESOLUTION TO AUTHORIZE PAYMENT IN ADVANCE OF THE AUDIT FOR UTILITIES, POSTAGE, FREIGHT AND EXPRESS

Moved by Trustee Andolsek, seconded by Trustee Hembury, the Board adopted a resolution to authorized payment in advance of the audit for utilities, postage, freight and express. Motion carried, 5-Ayes, 0-Nays.

RE: ADOPT A RESOLUTON TO AUTHORIZED MUNICIPAL OFFICIALS, EMPLOYEES TO ATTEND SCHOOL, CONFERENCES, SEMINARS, ETC. CONDUCTED FOR THE BENEFIT OF THE VILLAGE OF MONTGOMERY

Moved by Trustee Hembury, seconded by Trustee Lindner, the Board adopted a resolution to authorized municipal officials, employees to attend school, conferences, seminars, etc, conducted for the benefit of the Village of Montgomery. Motion carried, 5-Ayes, 0-Nays.

RE: ADOPT A RESOLUTION TO ANNUALLY AUDIT/EXAMINE COURT RECORDS

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board adopted a resolution to annually audit/examine court records. Motion carried, 5-Ayes, 0-Nays.

RE: NEGATIVE DEC SEAKER IS SIGNED BY MAYOR BRESCIA

Mayor Brescia signed the negative DEC SEAKER prior it being adopted

RE: ADOPTION OF A NEGATIVE DECK SEAKER

Moved by Trustee Hembury, seconded by Trustee Lindner, the Board adopted a negative DEC SEAKER. Motion carried, 5-Ayes, 0-Nays.

RE: ADOPTION OF LOCAL LAW I-1 OF 2014

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board adopted Local Law I-1 of 2014 to exceed the tax levy limit of two percent. Motion carried, 5-Ayes, 0-Nays.

RE: ADPOTION OF THE FY 2014-2015 BUDGET

Moved by Trustee Linder, seconded by Trustee Hembury, the Board adopted the FY 2014-2015 Budget. Motion carried, 5-Ayes, 0-Nays.

RE: RENEW (ITC) INDEPENDENT TELECOMMUNICATIONS CORP MAINTENANCE AGREEMENT

Move by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board approved the renewal of (ITC) Independent Telecommunications Corp maintenance agreement thru March 5, 2015. Motion carried, 5-Ayes, 0-Nays.

RE: APPROVED THE MASTERPLAN COMMITTEE MEMBERS

Moved by Trustee Lindner, seconded by Trustee Hembury, the Board approved the Master Plan Committee Members to be the Deputy Mayor Scheels, Trustee Andolsek, Kevin Conero as chairman, Ken Blake, Shane Daley, William Freeman, Sophia Romano, Tom Steed and Charles Wallace. Motion carried, 5-Ayes, 0-Nays.

RE: M&R ENERGY PRICING FOR ELECTRICITY

Michele Reis from M&R Energy is recommending the (CPT) capacity pass thru rate of .067530 per Kilowatt hour for eighteen months at a variable rate, for electricity.

Moved by Trustee Lindner, seconded by Trustee Hembury, the Board approved to go into an agreement with DIRECT ENERGY for the (CPT) capacity pass thru rate of .067530 per kilowatt hour the electricity rate provided to the Village of Montgomery the period of eighteen months. Motion carried, 5-Ayes, 0-Ayes.

RE: UNPAID WATER/SEWER RELEVY ON TO THE VILLAGE TAXES

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board approved the water/sewer re-levy 34,034.72 for water, 58,393.52 for sewer for a total of 92,728.24 to be levy on the Village taxes. Motion carried, 5-Ayes, 0-Nays.

RE: EXECUTIVE SESSION

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board entered into EXECUTIVE SESSION at 8:09 pm under Public Officers Law §7(f) to discuss office of personnel to discuss the personal and employment history of a particular individual with DPW Supt. Nelson, Atty. Dowd, Village Clerk Rivera-Stanley in attendance and Motion carried, 5-Ayes, 0-Nays.

RE: DPW TERMINATION

Moved by Trustee Andolsek, seconded by Trustee Lindner, the Board approved to terminate the employment of Justin Lewis effective March 21, 2014. Motion carried, 5-Ayes, 0-Nays.

Move by Trustee Lindner, seconded by Trustee Andolsek, the Board went out of executive session with DPW Supt. Nelson at 8:19 pm.

RE: EXECUTIVE SESSION

Moved by Trustee Lindner, seconded by Trustee Andolsek the Board went into EXECUTIVE SESSION at 8:20 pm under Public Officers Law §7(e) to discuss collective negotiations between the Village of Montgomery and Village of Montgomery Police Benevolent Association to discuss police department personnel with Police Chief Walsh, Atty. Dowd, Village Clerk Rivera-Stanley in attendance and Motion carried, 5-Ayes, 0-Nays.

Moved by Trustee Lindner, seconded by Trustee Hembury, the Board went out of executive session at 8:52pm. Motion carried, 5-Ayes, 0-Nays.

RE: ADJOURNMENT

Moved by Trustee Andolsek, seconded by Trustee Hembury, the Board adjourned the meeting at 8:53 pm. Motion carried 5-Ayes, 0-Nays.

Monserate Rivera-Stanley, Village Clerk