

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, May 20, 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, Marc Devitt, Marilyn Berson, Maria Beltrametti, Bobby Kiernan, Brian Selchick, Paul Zavadil, Johanna Sweikata, Rachel Coleman, Brandon Jakob, Jill Winter, Robert Winter, Roger Wieringa, Barbara Conroy, Jack Smith, Michael Olivo, Ulysses Young

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

RE: MINUTES

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels the Board approved the minutes of May 6, 2014, 5 Ayes, 0-Nays.

RE: REQUEST TO MEET WITH THE BOARD

Marilyn Berson, Esq., the paid counsel for New State Union of Police Associations (NYSUPA) with which the Village of Montgomery Police Benevolent Association, Inc. (PBA) is affiliated, is here tonight to address Police business.

I am here this evening on behalf of the PBA to ask you to reconsider and rescind any decision to layoff all or almost all of the Village's 25 part-time police officers as the Mayor has stated he intends to do, or to at least table that layoff decision pending further investigation and evaluation.

The information the PBA has regarding the layoff is information obtained only from the press. So we can only rely upon the information in the press as to why these layoffs are occurring. The Mayor claims that it is too expensive to employ part-time police officers citing the collective bargaining that expired in May 2012, and demands the Mayor believes have been made by the PBA in negotiations for a new contract, even though he has not attended any bargaining meetings except for part of one. The Mayor has mischaracterized both the expired contract and the PBA's proposal for a new one.

The truth is the current PBA contract is completely in line with the collective bargaining agreements for other police agencies in Orange County whether you look at village only, towns only, or the entire Orange County market.

The PBA's proposals for a new contract also are not excessive, even if all of the PBA's proposals were agreed to by the Village. Something the PBA would of course not expect would happen. The police officers would do no better than police officers working in Orange County and, in major respects, the Village police officers would still be paid below market rates and have lesser benefits.

The truth is that the part-time officers and the recently hired four full-time officers are not over paid or over benefitted and they would not be under a new collective bargaining Agreement as proposed by the Mayor.

As importantly, part-time officers are only paid when they work. They receive no other payments or benefits, such as paid days off or health insurance. They are therefore the least expensive personnel the Village can employ to perform police services.

The second reason given by the Mayor that, we have read in the press, is that it is too difficult to provide services using part-time officers because they have other jobs. We believe this is false because we know the Village has been providing quality services for over fifty years using part-time officers. In fact many of the part-time officers that are currently employed are employed by the Village for over twenty years, some ten and some five years.

These part-time officers are subject under their expired collective bargaining agreement to make themselves available. Their work schedules are submitted way in advance and it is not difficult for part-time police officers to change schedules if they need to, to be able to work.

The PBA has not asked if the system work schedules provisions be lessened for the part-time police officers.

The third reason for the layoffs according to the press is that the Mayor claims the part-time police officers are not productive. It is difficult for the PBA to respond to this because the Mayor's assertion comes without any specifics. We do not know what the Mayor is talking about. But whatever he means, the assertion is untrue.

If the Mayor means that some part-time officers do not write enough traffic tickets or make enough arrests – whatever he considers to be enough - we submit that policing is not all about numbers. If the numbers in whatever category of part-time officers have done their jobs so well as long as that everyone knows you do not step over the line in the Village because there will be consequences if you do. This Village, as everyone here understands, has a well-know reputation for being very well policed.

You may know that the PBA has now pending before the State Public Employment Relations Board four improper practice charges concerning various things the Mayor recently has said or done, including the announced layoffs of the part-time police officers that came as a complete surprise to the PBA despite on going negotiations with the Village. The PBA does not want to file these charges but the Mayor has left us no choice. The PBA would prefer to have a cooperative relationship with the Village, but it has been made impossible to do so given the layoff threat hanging over the heads of 25 police officers who have serviced this Village in a very professional manner. I have copies of the improper practice charges for Board members, for any of the public if they wish to read them. I end by again requesting that the Board not proceed with the layoffs, that you rescind any decision to layoff 25 part-time police officers or at least table the decision until all relevant facts are ascertained and evaluated. The PBA to that end will assist this Board in whatever way it can. I thank you for your time and attention. I brought copies of the statement that I will leave with the clerk and enough copies for the members of the Board.

Mayor Brescia said I think we have a copy and thank you very much.

**RE: ADOPT A RESOLUTION TO APPLY FOR GRANT APPLICATION TO DOJ
COPS HIRING PROGRAM**

Moved by Deputy Mayor Scheels seconded by Trustee Hembury, the Board adopted a resolution for Police Chief Walsh to apply for a grant application to DOJ Cops Hiring Program. Motion carried, 5-Ayes, 0-Nays.

**RE: WALDEN ROTARY CLUB REQUEST TO HOST A TASTE OF
MONTGOMERY AT THE VETERANS MEMORIAL PARK**

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board approved the Walden Rotary Club the use of the Veterans Memorial Park on Sunday, September 28, 2014 on the conditions of providing the necessary insurance. Motion carried, 5-Ayes, 0-Nays.

RE: ACCEPT RETIRMENT OF KENNETH JELLEMA

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board accepted the retirement of Kenneth Jellema, as DPW Laborer effective June 1, 2014. Motion carried, 5-Ayes, 0-Nays.

RE: BUDGET TRANSFERS

Amount	From	To
1,500.00	1210.400A (Mayor Contractual)	1010.400A (Bd Trustees Contractual)
2,100.00	1110.110A (P/T Court Clerk Pers Svc)	1110.102A (OT Court Clerk)
700.00	1320.000A (Auditor)	1325.400A (Finance Contractual)
13,000.00	9015.800A (Police Retirement)	1420.400A (Law Contractual)
.82	1410.400A (Clerk Contractual)	1450.400A (Election Contractual)
25.00	1450.405A (Election Inspectors/Cust)	1450.400A (Election Contractual)
36.98	9010.800A (State Retirement)	1980.400A (MTA Commuter Tax)
1,571.48	7550.100A (GMD P/T Clerk Pers Svc)	7550.000A (Celebrations)
1,923.75	9015.800A (Police Retirement)	9050.800A (Unemployment Insurance)
67.65	9010.800A (State Retirement)	9055.800A (Disability Insurance)

Increase both income line 2001.000A (Gifts for Grand Montgomery Chamber Music Series) and expense line 7270.000A (Expenses for Grand Montgomery Chamber Music Series) by the \$400 additional which has been received.

Increase both 2012.000A (GMD vendor fees) and expense line 7550.400A (GMD expenses) by the additional \$7,215 which was received.

Increase both 2705.400A (Gifts for St Patrick's Day Parade) and 7550.450A (St Patrick's Day Parade expenses) by the \$20,346 actually received.

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board approved the Budget Transfers. Motion carried, 5-Ayes, 0-Nays.

RE: EXTENSION OF LEAVE TIME FOR TREASURER BENEDICT

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board approved the extension of 19.50 hours of vacation leave time for Treasurer Benedict. Motion carried, 5-Ayes, 0-Nays.

RE: PUBLIC PORTION

Jill Winter village resident of 9 Conroy Avenue, My husband and I, between the two of us we have over 35 years in law enforcement experience and have been living in this Village for eight years. I think we would be hard pressed to provide the information on how you are actually saving money by not using part-time police officers who do not receive benefits and hiring with full time. When you talk about the Village of Montgomery my husband and I are paying close to thirteen thousand dollars in taxes. It is not fair what Valley Central is doing with a v rating. The reason we have stayed here is because of the low crime in Montgomery. The absence of crime is a success of the police department, not how much money they make. The minute you use the police department, however, you are mismanaging a police department in a public service organization. With the absence of vehicular accidents that are severe, it is obvious they are doing their job, not how much revenue they are bringing in. You have the joy of the opportunity to have part-time officers work here with an enormous amount of experience, which takes years to get with intuition, and keep this Village safe, which is why our crime is down as much as it is. To change that to suddenly fix what is not broken is frightening to many of my neighbors as well as me. I do not see any justification for it.

Mayor Brescia thanked Ms. Winter and said he should not be frightened the Board will have the same protection whether we have full timers or part timers.

Ms. Winter said, I do not believe that at all.

Mayor Brescia said ok you are entitled to that. We probably should have had let half of this department go already, because we have four full timers. The hours have been cut in half.

Ms. Winter said, full timers take sick days and vacation days that part timers do not do. Full timers usually come with not even half of the experience of that part timers come here with.

Trustee Lindner said, the one thing that you have to understand here is that we were mandated by the State of New York, Town law 150 to hire at least four full time police officers. The other option was to disband the police department and move it into the Town because they would have required us to pay 480,000 as our share of Town policing under the state law 150. We had to hire at least four full time police officers or pay that penalty.

Ms. Winter said, is there any way to meet in the middle. Why do you have to let the part-timers go?

Trustee Lindner said again, we had to hire at least four full time police officers to avoid paying a penalty.

Ms. Winter said this is a new law?

Trustee Hembury said the Town pulled it out of a hat; it was hidden for fifty years.

Mayor Brescia moved to the next question from the public.

Robert Kiernan, Village resident of 198 Pleasant Avenue said he is familiar with that law and the law was put into effect to mandate the Village of Montgomery or seek other avenues. In this case you choose to go with four full timers to eliminate that 480,000 a year assessment, which is OK. You do have another avenue, without a doubt, and that is to maintain the presence of a part time police department and reach some sort of contractual agreement with the state, probably the Town, to keep these guys all working. You keep the same police identity in the Village of Montgomery and the same dignity of the police of the Village of Montgomery. You have control over the police in Montgomery with the same guys, same police station and the same cars. The only thing that would change would be the name on the car. I do not think you have weighted that option, in fact I know you have not. In the best interest of the Village as this lady has mentioned. You know I have had my concerns years ago. I am totally very happy with what is going on in the Village. I know, you can tell me all you want that if you go with a full time department; benefits, retirements are forever and your budget is going to increase forever too. There is no way around it, you can tell all you want; it is a play on words. I think I would behoove this Board to look further into avenues to maintain the presence of these gentlemen; who do a good job. If it is tickets, I was always a concerned person about tickets. You set up a task force with a half dozen guys to do what ever, they have to do. Patrol the streets a bit more heavily for that. I would like to see you put to a referendum, I really would. I think you would be shocked at what the people in this Village would want. I have heard downtown, the word is, this is a joke to move in this direction.

Ms. Winter said your moving in the opposite direction of other departments in the State is doing. It is just concerning.

Mayor Brescia said most are not paying full time departments to there part timers like we are. We are paying more than any of the three departments in the Town of Montgomery.

Mayor Brescia moved to the next questions from the public.

Robert Winter, Village resident and retired police officer in New York State, I am here to talk about the quality of the police service that I have seen since I have been here. We recently moved here a few years back; this is one of the situations where we forgot about the garage door being open at one o'clock in the morning the door bell rang. We go down stairs, turn on the lights. My wife thought something happen to one of our family members. There is an officer saying we left the garage door and said we should close it. Another time we had a block party and the officers walked through and introduced themselves, it was a veteran officer and newer officer, they introduced themselves to the neighborhood. On another time we had some suspicious activity on Conroy right where the sewer pump is, a generator, and within a day of one of our neighbors tell the police chief we had officers on the scene and we had that activity removed. Now by having four officers instead of twenty five, my concern is how are you going to cover all of this?

Mayor Brescia said we are not going to have four officers', we will have at least seven, plus the chief, plus a sergeant.

Mr. Winter said but still that is relatively a small force covering three shifts. These other officers you see them drive through the neighborhood as much as they do. They interact with us like they do. I can give you other instances too and they do not. They have made us feel secure, that is something you do not see in many towns or cities; especially the one I was working in, it was very hard. To have reassurance like that, I think beside the Money and everything else we are down to here, you have to balance the presence and the quality of service that we are all getting. One way or another, even when they are on patrol and watching, it is a good feeling and everything. It is all keeping us safe. I think by reducing the force as much as you are thinking, everyone here is going to be affected maybe at one time or another, maybe a family member, maybe yourself, maybe friends. I think it is something to consider.

Trustee Hembury said let me answer this if I may for a little bit. I sat in that same spot about fifteen years ago. You guys called me up and came down about consolidation, about doing away with the force. I was in the audience and I did want it done away with? Absolutely not, most of these guys are my friends. I have been a cop for thirty seven years. Let me give you a little history of what happened here. I am on the negotiation board. Darlene Andolsek is on the negotiation board. No body here has taken a vote to do this. May I go on with this; am I alright with this, Steve? About two years ago their union came to us and asked us to negotiate without the NYS Union of Police. I was like great; this is fantastic, let us get this all over with. We sat down and negotiated and had pizza we settled for 2 2 3 and 3 percent raises and nothing changing in the contract. Great, shake hands and it is over with. Suddenly within the next two weeks they come back and it is not good. What? We brought it to our parent union the NYS Union of Police and it was not good. Are you kidding me? No, it was not good. I still I got, let us see if we can settle this thing. About one or two and half months ago, I am coming home from work. I find one of these packages, and wonder do I have a board meeting tonight. I open up the package and it is an improper package. An improper practice! I work for the Federal government; I have not had a raise in three years. They file an improper practice against us. Now we got two more the other day and it goes on. The attorney costs are going up. We are forced to go with four full time police officers because the Town was going to charge us almost a half of a million dollars plus 14,000 in addition to what we already are paying them. The Town looked at the civil service and we had sergeants here. Roger being one of them, Paul Wippel being another, doing a good job. They took away the Sergeants titles because they did not what to work titles. So what we did, we continued paying them the sergeants pay. We did not want to be hurt financially. I went to the Civil Service hearing to try to save their positions. I took a day off from work. It was not good enough. You guys all know the problem here and I'll leave it like that. I understand why you went to an outside union; I understand you had a past problem with a Board member. You guys told me this. This Board extended the olive branch to you and we did not ask for anything in return.

Michael Olivo, the PBA president replied by saying wait a moment, that all is false.

Trustee Hembury asked Mr. Olivo what was false.
Mayor Brescia said absolutely not, absolutely not.

Michael Olivo said he wished the former chief was here. Jim Corcoran would be able to explain. After you and I shook hands, Jim Corcoran he sat with the Deputy Chief DiMilia and they decided to take everything we ever had.

Trustee Hembury said we are the Board.

Michael Olivo said Jim Corcoran never wanted any of the Board members to be present when he negotiated with us.

Trustee Hembury said there have been two police chiefs since Jim Corcoran and this day this is the same Board.

Michael Olive said we will sign that 2 2 3 3 right now.

Jill Winter stated to speak (in auditable).

Mayor Brescia said sorry to Ms. Winter, you have had your say and moved to the next question.

Trustee Hembury read an article aloud from the Times Herald Record dated 2009. The Walden cops choose a new union as they face negotiations. The Walden PBA has chosen a new union formally represented by the New York State Union of Police. The department went almost four years without a contract. The officers already face new negotiations as the contract agreed upon in March which covered the last four years and expires May 31st. New York State Union of Police president Anthony Solfaro did not work well with Village Officials and contributed to the delays. Walden police PBA president Rory Warner said, the international brotherhood of teamsters took over and they started negotiations.

A few months later, Walden PBA settled there four year contract with no problems.

Trustee Hembury said here we go guys. We were going to give you 2 2 3 and 3; Darlene was on the Board. The Chief can say whatever he wants. It was agreed to on this Board.

Mayor Brescia said the last union negotiations for the contract that we settled; the officers received five percent raises, ten percent raises and five percent raises, retro.

Mr. Olivo said we were lowest paid department.

Mayor Brescia said that is not true.

Mr. Olivo (in audible)

Mayor Brescia said he is not arguing, he is making a statement, Mr. Olivo. He asked to let him finish with his statement without interruptions. Again, Mayor Brescia said the police officers received five, ten, and five percent raises and retro.

Mr. Olivo said ten percent.

Mayor Brescia said to Mr. Olivo, I am talking here. Five, ten, five percent and retro; retro cost the Village a quarter of a million dollars in retro pay to the police officers. He said here me out. I have few other things to say, other departments; Montgomery Village, Walden Village, Montgomery Town and Maybrook across the line.

Longevity Raises:

Five year mark - Village of Montgomery .95 an hour, Walden zero, Town of Montgomery zero, Maybrook zero.

Nine years – Village of Montgomery 1.80 an hour, Walden - zero, Town of Montgomery zero, Maybrook zero.

Thirteen years – Village of Montgomery 2.70 an hour, Walden zero, Town of Montgomery zero, Maybrook zero.

A-Line Shift Differential:

Village of Montgomery 1.50 an hour, Walden three percent .68 an hour, Town of Montgomery zero, Maybrook zero

D & C Line Shift Differential:

Village of Montgomery 1.00 an hour, Walden zero, Town of Montgomery zero, Maybrook zero

Holidays this is a little more comparable:

Village of Montgomery time and half, eight, Walden ten, Town of Montgomery eight, Maybrook zero

Mr. Olivo continued to interrupt (in audible)

Mayor Brescia asked to be heard, the Union representation was given time to be heard. Mr. Olivo was asked to leave if he was going to yell. Mayor Brescia again, said to Mr. Olivo to excuse himself if he interrupted again.

Mr. Olivo said yes sir.

Mayor Brescia continued to say; Double time: Village of Montgomery four, Walden zero, Town of Montgomery six, Maybrook zero. These are the benefits the Village of Montgomery police department and other departments do not.

Mr. Olivo asked when do we get double time, what holidays?

Mayor Brescia said there are four paid holidays. He asked the Police Chief Walsh to confirm.

Police Chief Walsh said they receive a half holiday on Christmas Eve and New Years Eve.

Mayor Brescia said they get four.

Police Chief Walsh said they also receive Christmas Day, New Years Day or Thanksgiving Day, I do believe.

Mayor Brescia said that might be incorrect the rest is correct.

Call In pay:
(In audible)

Overtime pay:

Village of Montgomery after eight hours, Walden after forty hours, Town of Montgomery is after eight hours, Maybrook zero

Senior officer pay:

Village of Montgomery two dollars an hour, Walden zero, Town of Montgomery zero, Maybrook .90 an hour

In addition, this is what we have spent on negotiation contract because of protracted union negotiations. It is \$129,000.00 since 2006 and it continues to go up. What Trustee Hembury said was true by the way.

Mayor Brescia asked Mr. Olivo what he wanted to say earlier.

Mr. Olivo said we agreed to what Mr. Hembury proposed, we agreed to the 2 2 3 and 3. We never said no to that. You then injected full time. We have been in negotiations. We agreed to the money.

Trustee Hembury said no.

Mr. Olivo we agreed, we never.

Mayor Brescia said it was almost finished it was six votes in contention that we have to finish up with and we did not finish them up. It mostly affected the full timers. You could have said that a long time ago. There were six bones of contention and four of them affected the full timers.

Trustee Hembury said what we agreed to was before the full timers were even thought of.

Mr. Olivo asked who per hour is paid more money in part time.

Mayor Brescia part time what?

Mr. Olivo asked how much are the part time officers paid in the Town of Montgomery.

Mayor Brescia said per hour they make a little bit more than us. However, if you incorporate all the other benefits in there, we make more then they do. They do not get overtime until after forty hours.

Mr. Olivo said we have never received overtime.

Mayor Brescia said you get overtime over eight hours.

Mr. Olivo said when was the last time we got paid overtime?

Trustee Andolsek said on General Montgomery day.

Mr. Olivo said that is because it is a holiday you have proposed.

Mayor Brescia said that is not a holiday.

Mr. Olivo said it is a parade that you have decided; you only pay us to stay over eight hours, the twelve hours we want four hours. After the twelve hours we want overtime. We did not ask for the whole day. You proposed that and we accepted.

Trustee Hembury said Mike nobody in your local (in audible). It went wild. You could not control it. Guys were stopping by saying; I can not deal with this. We gave you 2 2 3 and 3.

Mr. Olivo said we accepted that. The Chief that left would not let us sign that unless he got what he wanted, what ever it was.

Trustee Hembury said it is the Board who runs the Village.

Mr. Olivo said we tried the Board involved.

Trustee Andolsek said never once, I have been the liaison for over five years and never once did anyone come knocking on my door. My phone is posted in the police station; you know my email and you all know where I live. And not once have any of you ever come.

Trustee Hembury said I asked you guy to go over and see her. We have over 25 police officers and only a handful is here.

Mr. Young said he went to see her.

Trustee Andolsek said you came because I asked you to come. I requested that you come.

Mr. Olivo said we did discuss with you what the problem was and nothing was ever done. We have never, as a PBA or as police department, have ever made a decision that would affect the Village residents one bit. As a matter of fact most of these guys lost money to that last contract we signed with you. Weiringa lost fifteen thousand dollars because we decided to not go as far back on the back pay. Ulysses lost ten thousand dollars because he decided not to expect the full back pay. So the Village residents would not have to pay that much money. We have Wippel who lost ten thousand dollars.

Mayor Brescia said you can only go so far back.

Mr. Olivo said these guys all lost money to accept less.

Mayor Brescia you went back a quarter of a million dollars that is how far you went back.

Mr. Olivo said that is because we did not want to sign.

Mayor Brescia said we are not going to solve it here. The only reason you can talk about it now is because we are at an impasse with you guys. We have been going on for two and half years. We have had a bona fide offer out there. You are still going to have a union whether we have full timers or part timers. We are still going to protect the Village as well.

Mr. Olivo said we are not saying that.

Mayor Brescia stated we are still going to have a union. We are not Union busting.

(In audible) I know we have about four grievances which are because of me. Other grievances were dismissed and I feel the next is going to be also. To be honest with you it is so ludicrous.

Trustee Hembury said it is in the Newspaper (in audible)

Mayor Brescia said the court officer can show up for one ticket and he receives three and half hours overtime pay. Who does that benefit?

Mr. Olivo said it does not benefit the Village.

Mayor Brescia said I am sorry. I am not going to on forever here. We will see you. We are going to do what is best for the tax payer for the Village of Montgomery. Marc you are up next. By the way if police officers are putting flyers out there in mailboxes you should know that it is illegal, borderline felony.

Mayor Brescia recused himself from the remainder of the meeting.

Marc Devitt said this is reference to the Montessori School in the Academy House the building that is under construction now. In front of you, you have a copy of the site plan. The existing building is on your left and the new building is on your right. At the time of our approval we had agreed to arrange for parking to be put all behind the existing building. Upon our approval we had an entrance off of Clinton Street that was in between the two buildings, and an alley way. Again, with the existing building on the left and at the time the existing parking area is right where the new building is located now. We have re-route the parking and placed it along side the back. In the original approval, we have an entrance way off of Clinton Street and an in and out off of Fought Street. We are looking to change it; the original plan was for the Montessori School was to take the first floor with two apartments on the second floor. The Montessori School now wants the entire building; therefore, we will not have the two apartments upstairs. It will all be classroom space. The Montessori school will be using both buildings. Based on the original approval and the amount of teachers that they have; eight full timers and two part timers and two residential units, that is fourteen parking spaces that is required. We want to reduce the amount of parking down to fourteen from seventeen spaces; in order to expand their recreational area. We gain another twenty by forty feet towards the recreational area.

Atty. Dowd asked which building is the school currently in on the map. He asked, is the spa still there?

Marc Devitt said the school is in the building on the left and no the spa is not there and the school is going to keep that space.

Atty. Dowd said with the spa gone then the retail is gone as well. The residential building next door to it, what is that two units?

Marc Devitt said there is one residential on the top floor and one in the basement.

Atty. Dowd said that is two units and you have four parking spaces for them.

Marc Devitt said yes, He has taken that into consideration. The School has eight teachers and two part timers so I have ten parking spaces for them.

Deputy Mayor Scheels said you are proposing fourteen parking spaces.

Marc Devitt said yes he is proposing fourteen parking spaces. A few of the reasons for the change is to eliminate the alleyway. The bus company has indicated to us that with the alleyways there or not they will stop on the street. They have been operating that way for two years now and have not had any issues with stopping and loading and unloading in the street. The teachers come out and meet the children and walk them in.

The second reason is with both buildings being occupied by the school, having traffic coming in and out could potentially be a safety issue. If we eliminate the alley the students can walk back and forth on the sidewalk to both buildings. Again, reducing the apartment, we can still fit the parking if the Board really wants us to. We feel that it would be nice to expand the recreation area for the school in the back.

For the Trustees I would need to have the schedule A amended by the way of a resolution and in the schedule A it calls for the entrance way, the alley way as well as the seventeen parking spaces.

Atty. Dowd said he spoke with Joe Cavalano and said he is getting a letter from the school bus company saying that they will be coming in the alley way.

Marc Devitt said yes, I have it, but not with me right now. They have prepared a letter stating that.

Atty. Dowd asked if Marc is going before the Planning Board next week.

Marc Devitt said yes he is.

Atty. Dowd said to the Planning Board has to look at this site plan amendment as well. Before they could amend the site plan amendment the Board could give at least your tentative approval to the changes. Then Mr. Devitt is to go back to the Planning Board for approval. Then perhaps you could inadvertently solidify the resolution in June and waiving the (in audible). If you have no problems with the changes that they recommend in schedule A, I would ask you to please conceptually approve it. Making sure the Planning Board has no problems with the parking issues and the calculation of numbers. Having the approval then the first meeting in June, you can then formally approve the site plan amendment.

Trustee Lindner asked the only vehicle entrance is off of Fought Street?

Marc Devitt said, yes off Fought Street. There is parking on Fought Street, Clinton Street. He asked if there are any other questions or concerns.

Trustee Lindner said basically the parking spaces are going from seventeen to fourteen.

Marc Devitt said yes the amendment to site plan schedule A is the number of parking spaces going from seventeen to fourteen, allowing them to remove the alley way between the two buildings and no apartments upstairs.

Trustee Lindner said as for as the use of the building would it then becomes a permanent change of use.

Marc Devitt said he would rather not change the use and maintain it as flex space. As for as school is concerned, they plan to be there for the next twenty years.

RE: CONCEPTUAL APPROVAL TO AMEND SITE PLAN SCHEDULE A FOR THE NEW MONTESORRI SCHOOL

Moved by Trustee Lindner, seconded by Deputy Mayor Scheels, the Board conceptually approved the amendment to the site plan schedule A for the new Montessori School. Motion carried 4-Ayes, 0-Nays.

RE: PUBLIC PORTION

Ms. Beltrametti said at the two Planning Board meetings ago she attended regarding the development taking place on the former Kaufmanns. Is there a more current name?

Mayor Brescia said it is Vassapoli.

Ms. Beltrametti is concerned about the convenient store component of that property. I was told that it is a done deal with a public hearing. I had requested the minutes of the meeting and as it turns out there was not a public hearing for the planning board.

Mayor Brescia said there has to be a public hearing.

Village Clerk Rivera-Stanley said Rose the clerk for the planning board researched it and did not find a public hearing for the Planning Board.

Atty. Dowd said there was a public hearing with a change in the Local Law. Trustee Lindner said there was a public hearing.

Village Clerk Rivera-Stanley said we will look into it.

Ms. Beltrametti said she is concerned with convenient store aspect it. I was told that a Dunkin Donuts and Subway franchise is going in there. It is so damaging to the businesses, Ed's Deli, Mikes Deli the Iron Café, the Bakery to name a few and to the pizza places to a lesser extent. It is just concerning to have national franchises that have the benefits of national advertising competing with the mom and pop businesses in the Village.

Trustee Hembury said he does not recall a Dunkin Donuts.

Deputy Mayor Scheels said she does not recall a Dunkin Donuts.

Trustee Andolsek said she does not recall it either.

Trustee Hembury asked Ms. Beltrametti where she heard that.

Ms. Beltrametti said that is the word on the street. I do not really know for a fact.

Mayor Brescia said Sunoco is the dealer and we had a lot to say about the signage. It looked a little too flamboyant. We toned it down. They are using hardy plank siding.

Trustee Hembury said he is putting in a 24 hours camera system that will tie directly into the police station. There were seniors here that requested certain hedges to block lights into their windows.

Mayor Brescia said you have not submitted your list for contractual.

Ms. Beltrametti said there has to be some sort of year end financial statement issued by the Village to reconcile expenses. How do you close the books for fiscal year end.

Trustee Lindner said the Treasurer Benedict puts together a year end statement.

Mayor Brescia said if you have a list of contractual lines you can come and review them. One item for contractual is 120,000, which is the tipping fees for taking our garbage to transfer station. If you would like to come in and sit down to review any of the contractual lines. If you want copies it is a quarter a page.

Atty. Dowd opened the discussion regarding 8 Conroy Avenue. Marketing the property to sold. Our other efforts are not going the direction needed. There was one neighbor that had an interest and nothing came back.

Mayor Brescia said Christine Folchi was interested.

Mr. Folchi said they were interest but not at the asking price.

Mayor Brescia asked if the Village subdivided a portion, would they be interested. However, it still has to be a buildable lot.

Mr. Folchi said we would have to see the size of the lot. We would buy it for the sole purpose of keeping it under developed. What we are concerned about is with the retention pond in the front, any one who would purchase that to buy it. Our concern is that someone will buy and put in a rental, rather any someone purchasing to live there.

I do not like have the retention pond next to my house. I would not mind shrubs going in like some others in the area. But that is our concern. Again, if we purchase it, it will remain undeveloped. We like having the space there and not have someone right on top of us. This is one of the reasons why we moved to the Village. We want to have some privacy from our neighbors not that the neighbors are not great.

Mayor Brescia said we could subdivide it. If you get two of the neighbors; we could possibly sell it for about 12,000 a piece. It is a buildable lot and we do not want to sell for less than \$35,000. We have already paid substantial amount of taxes on it.

Mr. Folchi said I understand that but if it were a desirable buildable lot. I would have thought it to be sold by now which is why my wife had expressed interest in it.

Mayor Brescia said we were offered \$28,000 and maybe we should have taken it.

Trustee Hembury asked Mr. Folchi if he knew the history behind 8 Conroy Avenue and why the Village owns the property.

Mr. Folchi said I believe because the developer for the neighborhood defaulted.

Trustee Hembury said yes.

Mr. Folchi said that is why that was taken in addition to the property in the cul de sac.

Mayor Brescia said no it was only the one parcel. The cul de sac property is still for sale.

Mr. Folchi said there is someone doing work on it now. The asking price is \$100,000.

Mayor Brescia said maybe you could get one of your neighbors interested on the 8 Conroy Avenue property.

Mr. Folchi said we are looking for it to remain undeveloped.

Mayor Brescia said again we would subdivide a portion and sell the remainder as a building lot. We would also sell to two or three neighbors and have it split up.

Mr. Folchi asked what the taxes would be if it were subdivided up.

Mayor Brescia said you would have to ask the assessor.

Trustee Hembury said what happened there is the developer held your neighborhood hostage. He did not pay his bills to the Village. Therefore, we could not dedicate the road. We had to take the property as a resource to be able to provide services.

Mr. Folchi said we do remember when the contractor was plowing the road; he did not do a good job. We are glad you took that move and appreciated it. We do not want to see it purchased as a rental.

Mayor Brescia said it looks like a flag lot but property owns the retention area out front.

Ms. Winter said maybe get a grant and make into a park.

Mayor Brescia said then we would have to maintain it.

RE: ADVERTISING TO BID ON THE SALE OF 8 CONROY AVENUE

Moved by Trustee Lindner, seconded by Deputy Mayor Scheels, the Board approved to advertise for the sale of 8 Conroy Avenue with a minimum bid with a bid opening date of June 27, 2014 at 2:00 pm at the Village Hall. Motion carried, 5-0, 0-Nays.

RE: ADJOURNMENT

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board adjourned the meeting of May 20, 2014 at 8:22 pm. Motion carried, 5-Ayes, 0-Nays.

RE: RECONVENED

May 20, 2014 at 8:33 pm

RE: CREATE THE POSITION FOR THE SENIOR DINING PROGRAMS

Moved by Trustee Andolsek, seconded by Trustee Hembury, the Board approved to create a food service position for the senior dining program. Motion carried, 5 Ayes, 0-Nays.

RE: APPOINT SENIOR DINING PROGRAM FOOD SERVICE WORKER

Moved by Trustee Hembury, seconded by Trustee Lindner, the Board approved to hire Stephanie Mills as a food service worker at the rate of \$15.00 an hour with a one year probationary period. Motion carried, 5-Ayes, 0-Nays.

RE: ADJOURNMENT

Moved by Trustee Andolsek, seconded by Trustee Lindner, the Board adjourned the meeting of May 20, 2014 at 8:34 pm. Motion carried, 5-Ayes, 0-Nays.

Monserate Rivera-Stanley, Village Clerk