

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, July 1, 2014 at 7:30 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, (Trustee Lindner; late arrival at 7:43 pm), Atty. Dowd, Village Clerk Rivera-Stanley, DPW Supt. Nelson, Police Chief Walsh, Maria Beltrametti, Elizabeth DeMeo, Marc Devitt

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 meeting minutes of June 3, 2014. Motion carried, 4-Ayes, 0-Nays.

Moved by Trustee Andolsek, seconded by Trustee Hembury, the Board approved the meeting minutes of June 17, 2014. Motion carried, 4-Ayes, 0-Nays.

RE: ASTRACT 06-14

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board approved the abstract of 06-2014; all bills listed on ABSTRACT NO.06-2014 were audited and approved for payment with \$386,706.46 from the General Fund, \$16,218.83 from the Water Fund, \$26,649.18 from the Sewer Fund and totaling \$429,574.47. Check No: 46443-46570. Motion carried 5-Ayes, 0-Nays.

Treasurer Benedict reported a CASH BALANCE for the month June 30, 2014, as follows: General Fund \$3,219,954.36, Water Fund \$331,740.13, Sewer Fund \$290,405.79.

RE: DPW REPORTS

DPW Supt. Nelson stated the River Street Drainage is all done. Hopefully the Sharpe's house will have no other problems and the landscaping is restored to the original conditions before the project started. Mario's property was not touched at all, he is happy.

Luna Lane is now paved. New gas lines were installed on Mason to Railroad and Wallkill, near Sears Street. Due to all the recent work on Mason Street with water and sewer line repairs and now the gas lines they are next for blacktop. The blacktop on Railroad and Wallkill will be done next year. We will have to plan for Clinton Street; it will need to be resurfaced. We are working on the catch basins. The Bandstand is looking good. The DPW is coming along.

Police Chief Walsh reported on the update of the COPS SRO grant. The application process is complete it was quite extensive. We received the MOU from the school to submit the application. We should have an answer by the fall. Officer Herlihy went for naloxone trainers training; he will in turn train the rest to the department. Since his training on his second job he administered it in the Village of Walden saving the life due an overdose.

On July 12 thru the 17th, I will be going on vacation. Sergeant Herlihy will cover in my absence. The COPS SRO grant will cover seventy five percent of salary and benefits.

Mayor Brescia asked if the twenty five for the SRO position was budgeted for.

Police Chief Walsh said we back loaded it and it will cost about eleven thousand dollars. If the grant is approved our commitment is three years with funding at seventy five percent and one year after the contract.

Mayor Brescia stated the village will have to pay for the one year at probably sixty thousand dollars, which we do not have. I am not sure this is for us

Police Chief Walsh said that hopefully it is a success and you may want to keep it and have it become a functioning of the department. The school is not required to assist with the funding.

Mayor Brescia stated I did not realize it was not fully funded. We will have to look into it if we get the funding.

RE: AWARD BID 8 CONROY AVENUE

The bids submitted for the 8 Conroy Avenue – 1 residential building lot set with a minimum bid of \$30, 0000 the bids are as follows:

First bidder: Joseph and Mary Prior at the amount of \$ 30,000.00
94 Washington Avenue
Montgomery, NY 12549

Second bidder: Leonard Development, LLC at the amount of \$40,000.00
160 Pleasant Avenue
Montgomery, NY 12549

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board awarded the 8 Conroy Avenue bid to Leonard Development, LLC in the amount of \$40,000.00.
Motion carried, 4-Ayes, 0-Nayes.

RE: PUBLIC PORTION

Mayor Brescia recused himself from this portion of the meeting concerning Marc Devitt project.

Marc Devitt stated a site plan approval from the Planning Board was conditional subject to a few issues, the parking and school bus drop off and pickup on Clinton Street. The need is for a four to five foot stripping which will only take up one parking space. In addition to allow no parking in that designated space while school is in session.

DPW Supt. Nelson asked of the number of buses and if they show up at the same time?

Marc Devitt stated that there are about sixty children and believes it is only one bus.

Atty. Dowd stated that the Planning Board concern is that the children are not to go in between the parking cars to get on and off the bus. Therefore, by approving to have a safe and designated location in front of the school for the children getting on and off the school bus the concerns are met. In addition, to no parking while school is in session. He suggested the Board could approve with the conditions that a zebra stripping be put in on an agreed upon location on Clinton street allowing for a school bus pickup and drop off location.

Moved by Trustee Andolsek, seconded by Trustee Lindner, the Board approved the stripping on Clinton Street for Montessori school bus pick and drop off location. Motion carried, 4-Ayes, 0-Nays.

Marc Devitt discussed with DPW Supt. Nelson the repaving the blacktop that has settled for the Street opening connection, curbing and stripping in front of the Montessori school.

Maria Beltrametti mentioned a situation with the parking lot behind the businesses of Benson, Chinese Restaurant and Up Scale Resale. She stated having a right of way. The trash is not kept up and it is unsightly. People use as a walk thru to shop. The alley way has pot holes that need to be filled in. I was hoping it would be a combined effort from the other business owners for the purchase of item 4. Susan and, Brian needed to check finances. Therefore, I obtained estimates and had the holes filled in. I distributed a letter to the other business owners stating the work had been done. I come to find out the Brian applied a pad lock to my gate. My father had an agreement with the other business owners. I spoke with Police and was informed that this is a not police matter but a court matter. The court has said it is not a court matter due to the fact no dollar amount is being sought after. I spoke with Building Inspector Bruce; he has been stellar on the trash issue and the building issues as well. He did say he was not able to assist with the matter regarding the easements. I had more item 4 brought in and some scrubs planted to improve the area a bit more. Brian then asked the work to be stopped because he felt it was his property.

Trustee Lindner asked Ms. Beltrametti what she felt the Board could do. It is certain the Building Inspector could look at violations but beyond that it is between the owners.

Atty. Dowd said a court matter for Supreme Court in Orange County. It is a private matter regarding the property easements. If Bruce wants to violate someone for building issues, it is his right to do so.

Trustee Lindner said Bruce can not judicate a property easement issue.

Mayor Brescia said the Village has no jurisdiction on a private matter between property owners.

Ms. Beltrametti is concerned about three businesses closing in the Village. How can we keep this from happening: It is really unfortunate.

Trustee Lindner said we are very aware of it but there is nothing we can do.

Ms. Beltrametti feels the Mayor should be able to do something about businesses closing.

Trustee Lindner said the Village has built the Bandstand to bring in business to the Village.

Trustee Hembury stated on his ride home from work there are other communities with businesses with white washed windows. The Village of Montgomery is doing pretty good.

Mayor Brescia said the Village is doing pretty good.

RE: PROBATIONARY PERIOD EXTENDED FOR THREE POLICE OFFICERS

Moved by Deputy Mayor Scheels, seconded by Trustee Lindner, the Board approved to extend the probationary period from twelve months to eighteen months in pursuant to Orange County Rule XV for Katiria Narain, Andrew Sciandra, and Joseph LaBarbara. Motion carried, 5-Ayes, 0-Nays.

RE: EXECUTIVE SESSION

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board entered into executive session at 8:08 pm under the section E, collective negotiation pursuant to the Taylor Law and section f to discuss the employment history of an individual with the Police department. The Police Chief Walsh, the Village Clerk Stanley and Atty. Dowd were invited into the executive session. Motion carried, 5-Ayes, 0-Nays.

Moved by Trustee Lindner, seconded by Trustee Hembury, the Board went out of executive session at 8:15 pm. Motion carried, 5-Ayes, 0-Nays.

RE: ADJOURNMENT

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board adjourned the meeting of July 1, 2014 at 8:17 pm

RE: RECONVENED

Move by Trustee Lindner, seconded by Trustee Hembury, the Board to rescinded to layoff Officer Herlihy and appoint him to Part Time Lieutenant at the rate of \$25.00. Motion carried, 5-Ayes, 0-Nays.

RE: ADJOURNMENT

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek , the Board adjourned the meeting at 8:19 pm.

Monserate Rivera-Stanley, Village Clerk