

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 September 1, 2015 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, DPW Supt. Nelson, Don Berger, Maria Beltrametti, Margaret Geist, Johanna Sweikata, Steve Magyar, Michele Ries, Marc Devitt.

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

RE: MEETING MINUTES

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board approved the meeting minutes of August 4, 2015. Motion carried, 5-Ayes, 0-Nays.

RE: REQUEST TO MEET WITH THE BOARD

Officer Smith – D.A.R.E. presentation deferred to the next meeting of September 15, 2015.

Michele Ries proposed the renewal rate for Direct Energy to the Village Board. The current rate is 6.430 per kWh, which includes the capacity pass through. The package includes a twelve month average at the Central Hudson rate; in addition to the capacity pass through that you choose eighteen months ago at the rate of .06753. Therefore, you saved \$4,600.00 over the Central Hudson twelve month average. This time around because of the rezoning of the Hudson Valley and since the infrastructure has settled down, all the prices are much lower. I have provided you with the term rates for twelve, twenty-four and thirty six months. The lowest rate is actually twenty-four months. The rates change daily. Therefore, if you renew for twenty-four months and wish to extend for another twelve months, it will be at the daily ending rate.

Mayor Brescia asked Ms. Ries to provide a proposal on the gas rates as well.

RE: APPROVED THE DIRECT ENERGY CONTRACT RENEWAL FOR 24 MONTHS

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board approved to renew the DIRECT ENERGY CONTRACT for 24 months at the rate of 6.430 per kWh which includes the capacity pass through. Motion carried, 5-Ayes, 0-Nays.

Margaret Geist addressed the Board with a request for funding to refurbish the Veterans Memorial Park gazebo and volunteer her time to complete the project. The goal is to have it completed for General Montgomery Day. Her suggestion is to add lighting to the structure.

Mayor Brescia states the structure has no electricity. However, it could possibly be a thought for the future. You will have to speak with DPW Supt. Nelson, he may have to bid out some of the items for this project. The roof has a “number perfection” on it, which is treated with CWF. This can be done in house.

RE: APPROVED TO REFURBISH THE VETERANS MEMORIAL PARK GAZEBO WITH MARGARET GEIST VOLUNTEERING HER SERVICES TO COMPLETE THE PROJECT.

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board approved Margaret Geist to complete a beautification project to the Gazebo at the Veterans Memorial Park. The DPW will provide the supplies to stain and replace the floor tiles to its original condition. Motion Carried, 5-Ayes, 0-Nays.

RE: ABSTRACT NO. 08-2018

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, all bills listed on ABSTRACT NO.08-2015 were audited and approved for payment with \$618,656.65 from the General Fund, \$34,868.59 from the Water Fund, \$61,276.63 from the Sewer Fund and totaling \$714,801.87. Check No: 47365 – 47381, 48682 - 48771. Motion carried 5-Ayes, 0-Nays.

Treasurer Benedict reported a CASH BALANCE for the month of August 31, 2015, as follows: General Fund \$2,882,780.44, Water Fund \$348,224.96, Sewer Fund \$304,957.24.

RE: REPORTS

Police Chief Walsh reports on the two new patrol cars; they are fully equipped with the in-car computers and the radios have been installed. They will be make their first appearance on Saturday, September 5, 2015 for the Tractor Parade.

Concerning the Tractor Parade; I would like to put out a code red to inform the residents of the street closings.

Mayor Brescia suggests the announcement to be done Friday and Saturday night. I attended the GMD committee meeting last night. This year we are receiving assistance from six other law enforcement agencies, giving us a total of fourteen uniformed officers. This is in addition to our staff and our civilian per diem staff. We are set to go for General Montgomery Day, the race and the parade.

Mayor Brescia confirms with the Police Chief of having a couple of people coming in this evening for interviews.

DPW Supt. Nelson reports on the work of 150 feet of sidewalk on Wallkill Avenue by the Red School. We had a trip and fall there last winter. It could have been in part by the side walk and the ice. We poured a section of side walk by the Recreation Center as well, where water was accumulating. We had some tip hazards there, the County wrote us up for the water pooling their. We poured concrete and raised that section, we cut down the tree, ground down the stump. It should be free of standing water there now.

I have an update of Holt Well. We have received the materials for the structure. We expect two more parts; the filters themselves. I have spoken with Gregg from Optimus Engineering and emailed him for the last week. He has not returned my calls. I did receive a text today. He provide me with another update. We do not know the size of the building until the size of the unit is determined. Therefore, we will assemble the unit temporarily. The water situation is not good, we are down in production. If conditions do not change, we will need to issue a water restriction. Hopefully we will have rain in the next month. During the construction process the well will be turned off for eight to ten hours. We will not be able to produce water without the well.

Mayor Brescia asks what is the lead time on this?

DPW Supt. Nelson states starting the process after General Montgomery Day. This will take the manganese out of the water. I hope to have the test done by mid-October. I will have to turn off the Jacobson Street Well and bring the park well up online.

Granite curbing is going to be replaced downtown about fifty feet. I have requested several quotes.

Trustee Hembury comments on Ms. Henrie letter commending the DPW Staff and how professional they were about completing the drainage.

RE: APPROVE LANC & TULLY ENGINEERING PROPOSAL FOR THE PLEASANT AVENUE WATER MAIN REPLACEMENT DESIGN AND CONTRACT

Moved by Trustee Hembury, seconded by Trustee Andolsek, the Board approved the Lanc & Tully Engineering proposal for the Pleasant Avenue water main replacement design and contract in the amount of \$4,900.00, with a project bidding cost of \$2,000.00, and construction observation and contract administration cost of \$22,000.00. Motion carried, 5-Ayes, 0-Nays.

RE: ADOPT A RESOLUTION AUTHORIZING THE MAYOR TO FILE AN APPLICATION FOR FUNDING FROM THE STATE OF NEW YORK UNIFIED COURT SYSTEM THROUGH THE JUSTICE COURT ASSISTANCE PROGRAM AND ENTER INTO AND EXECUTE A PROGRAM AGREEMENT FOR SUCH FINANCIAL ASSISTANCE

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board adopted a resolution authorizing the Mayor to file an application through the Justice Court Assistance Program and enter into and execute a program agreement for such financial assistance. Motion carried, 5-Ayes, 0-Nays.

RE: APPROVE JAMES W. RATHBUN REQUEST TO VOLUNTEER AS PREVIOUS YEARS TO TRIM THE CHERRY TREE LINE ON CLINTON STREET AND UNION STREET IN PREPARATION OF GENERAL MONTGOMERY DAY

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board approved James W. Rathbun request to volunteer as previous years to trim the Cherry Tree line on Clinton Street and Union Street in preparation of General Montgomery Day. Motion carried, 5-Ayes, 0-Nays.

RE: EVENTS

Annual Tractor Parade and Farm Show is on Saturday, September 5, 2015 at Noon with a rain date on Sunday, September 6, 2015

Primary Election is on Thursday, September 10, 2015 at the Montgomery Senior Center from 6:00 am to 9:00 pm.

General Montgomery Day is on September 12, 2015, beginning with the 8K Race at 8:00 am to 9:30 am. The General Montgomery Day Parade steps off at 10:30 am.

Village of Montgomery Clinton Street Car Show is on Sunday, September 27, 2015 at 10:00 am – 3:00 pm. Clinton Street will be closed from Wallkill to Bridge, with the exception of the crossing of Union Street aka Route 211)

Taste of Montgomery sponsored by the Walden Rotary Club is on Sunday, September 27, 2015 at 1:00 pm to 4:00 pm. It is a Rain or Shine event at the Veterans Memorial Park Pavilion – Bachelor Street Extension

RE: APPROVE REFUND OF SUMMER RECREATION FEES FOR A CHILD WITH A MEDICAL CONDITION THAT WOULD NOT PERMIT ATTENDENCE FOR THE REMAINDER OF THE ASSIGNED PROGRAM

Moved by Trustee Andolsek, seconded by Trustee Hembury, the Board approved to refund the Summer Recreation registration fees for the reminder of the assigned paid program the child was not able to attend. Motion carried, 5-Ayes, 0-Nays.

RE: PUBLIC PORTION

Mr. Berger asks for clarification on the Grant applications for Clinton Street and Pleasant Avenue.

Mayor Brescia states, Clinton Street is the application for CDBG Grant which could not be used for Pleasant Avenue. The Pleasant Avenue may come before the CDBG Grant. If we are not awarded the Grant for the Clinton Street Water Main, we will not proceed with it. This is the second Grant we are applying for Pleasant Avenue. If this one is not awarded for Pleasant Avenue, we will proceed with it regardless. We may be able to Bond through EFC at a lower rate. We are applying for sixty percent of the cost and the other forty percent will be Village dollars or Bonding for Pleasant Avenue.

Mr. Berger reports still having brown water and other residents on Weaver Street are also having brown water issues as well. The Board has spoken at length about the water main being replaced on Weaver Street. Why are they now getting brown water? If the filters are clear why and how is this happening?

DPW Supt. Nelson states it is very simple. It is not particulates coming out of the well. It is the high concentration of manganese; once it hits chlorine that is when you get that black color. You have seen it on your filters before, that is why we have a filter before injecting the chlorine. It is not something you can see coming out the well itself. It is the same thing coming out of the park well; however, there it is iron. In this case the water turns blood red. Therefore, we have to treat it with chemicals. We do not want to do this, iron is very hard to remove. We have it under control with the Manganese with orthophosphate system, we have it under control a little but obviously there is still some brown water down there. Your filters were fairly clean compared to others that I have seen. Steve's were better today than last month, but Steve's have been worse. It is strange.

Mr. Berger states, Jake mentioned how he cannot understand how it by passing two filters.

DPW Supt. Nelson states, (Inaudible, speaking over each other.) I did receive your message, the Health Department is looking into the possibility of rain being a factor in this also.

Mr. Berger asks DPW Supt. Nelson to lower the manganese level in the water.

DPW Supt. Nelson states, the manganese is not added to the water it is coming out the ground. There is such a high level of manganese, the orthophosphate system is designed to do just that. It is just not containing it all as we would like. Therefore, we are working diligently on it. I have been told these sand filters will take the manganese level down to zero. Darren DuVall has had brown water on 211 and since May or June he has not had any. We pump the same amount of water every day, it varies at times but you would figure having the same amount of brown water every day. This is not the case which it is difficult to determine the manganese level at every moment.

Ms. Beltrametti states her concerns with the trash and recycling at 71 Clinton Street of which I had brought to your attention in the July meeting. The situation has not improved at all. I have been documenting it every day. It has been seventeen to eighteen bags, mixed trash and recycling. They put the cardboard out on recycling day. They put can, bottles and containers all into the trash. They do not use sufficient amount of the trash containers. Therefore, the bags are all over the ground, animals get into them and it is just a mess. The DPW guys can only do so much. Thanks to them that they do clean it up. It is an abuse of their services. They need a dumpster. Bruce is supposed to be working on it and I have not seen a difference what so ever. It been two months now.

Trustee Lindner asks DPW Supt. Nelson what the regulation is on containers opposed to just trash bags.

DPW Supt. Nelson states, yes; the trash has to be in a container with a cover. I have not spoken with Mike in the last two weeks. Bruce was going to go down and speak with him.

Mayor Brescia and the Board agree for Bruce to address it and be more firm on this issue. The Village does not pick up dumpsters.

DPW Supt. Nelson states the Village does not have a garbage truck equipped to pick up a dumpster. If we had the capability, the dumpster would have to be out by the road. The garbage trucks are not permitted to go onto private property, we do not have an easement. Therefore, if we go onto their parking lot and crush it, they can tell us to repair it.

Mayor Brescia and the Board agree not to entertain the possibility of the Village picking up dumpsters. The residential trash receptacles is sufficient. The appropriate containers are needed for each establishment for the appropriate refuse to be disposed of.

RE: EXECUTIVE SESSION

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board entered EXECUTIVE SESSIONS AT 8:10 pm under Public Officer Law §7(f) for matters leading to the possible appointment of two Part Time Police Officer's; with Police Chief Walsh, Atty. Dowd, and the Village Clerk Rivera-Stanley in attendance. Motion carried, 5-Ayes, 0-Nays.

Moved by Trustee Andolsek, seconded by Trustee Lindner, the Board went out of Executive Session at 8:36 pm. Motion carried, 5-Ayes, 0-Nays.

RE: APPOINTMENT OF TWO PART TIME POLICE OFFICERS

Moved by Trustee Lindner, seconded by Trustee Hembury, the Board appointed Charles P. Bodensiek II and John Snellinger as Part Time Police Officers at the rate of \$21.55 an hour with an eighteen month probationary period. Motion carried, 5-Ayes, 0-Nays.

RE: ADJOURNMENT

Moved by Trustee Hembury, seconded by Trustee Andolsek, the Board adjourned the meeting of September 1, 2015 at 8:37pm. Motion carried, 5-Ayes, 0-Nays.

Monserate Rivera-Stanley, Village Clerk