

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 October 6, 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, Bldg. Inspector Yancewicz, Jake Wehr, Felicia Wehr, Maria Beltrametti, Don Berger, Kim Allard Morina, Steve Magyor, Johanna Sweikata, Jack Smith, John Kidd, Marc Devitt, Greg Mapstone, Daren the D.A.R.E mascot

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

RE: MEETING MINUTES

Moved by Trustee Hembury, seconded by Deputy Mayor Scheels, the Board approved the meeting minutes of September 17, 2015. Motion carried, 5-Ayes, 0-Nays.

RE: OPTIMUS ENGINEERING SPEAKS OF THE BROWN WATER SOLUTIONS

DPW Supt. Nelson states Greg Mapstone has been working on our brown water and filtration. He has prepared a proposal for the Department of Health and is requesting the Boards approval tonight to proceed with the test pilot program.

Mayor Brescia asks, where are we in the process?

Mr. Mapstone from Optimus engineering said, starting at the beginning as I understand it, there have been brown water issues near the area surrounding the Holt Well #4. Buddy contacted us, asking for our advice and how to resolve the issue. He showed me glass containers that had particulate matter for the lack of a better term. It was not sand and it had somewhat of a greasy consistency to it. Another consultant, Jim Dwuyser suggested a steamer cartridge filter to try and strain it out. This is the most cost effect thing that you could possibly do. If the steamer cartridge works, no chemical use is needed and it does not take up much space. We tried it and there was not much of a difference. It did take out some of it but not enough to say it resolved the problem. The next step is, what is the most likely treatment option? The problem seems to be manganese, and there are several options you can treat it with. What you try and do is, given where it is, how much I have, what is the best thing to start with? In this case, there is a media that is called Green Sand Plus. It is a green sand that is fused to a sand core. The green sand is treated with potassium gremanganate which is notorious to regulate because it could turn people's water pink or it does not work. What is nice about this, you treat it with chlorine. It needs to have an oxidant of some kind. However, the Village already treats with chlorine, if anything, you would have to ramp it up just a little bit which is easy enough to do. So now that we think we have it; are we sure enough that this is the answer. In this case, no; some residents have provided photographs of brown water in bathtubs. Buddy has taken samples at these sites and samples of Holt Well #4 and it just does not jive. Therefore, instead of going full scale, we are going to pilot test it. This means we build a small filter out of six inch clear PVC pipe and run water through it, it runs to waste and then sample it. Hopefully we will catch these instances where things come through where residents have cloudy water. It will catch that through one of the sample runs and we be able to see what happens. If it is cloudy, dark, you get to see the whole thing. We also decided that we will build one rather than bring the trailers with all this equipment in it. However, it is

very expensive. You are also limited on time because it is rented. If we build it, I am not sure of the cost that it may come to.

DPW Supt. Nelson states the estimated cost is twenty six hundred for everything.

Mr. Mapstone states, we will get this up and running. If it does not work, we can then change the media and try something else. It can also be used at the Jacobson Street Well too.

Mayor Brescia asks, how soon can you build this?

Mr. Mapstone states the pilot can be built pretty quickly. I do not want to build it until everyone says it is good, meaning the Village and the Health Department. It will be built fast enough.

Mayor Brescia states, we are getting close to desperation mode here. I am receiving more calls now. We used to have it in a different area on Pleasant Avenue and now more on Waters Edge, with the brown water situation. It has moved around a bit and other areas occasionally. I would rather invest in this than doing pipelines down the road. I am not sure the pipeline will resolve the situation like this will, hopefully.

DPW Supt. Nelson agrees. This is my other issue, with having older water mains in the Village; how is it that we do not have brown water at those areas, just Pleasant Avenue. Is Pleasant Avenue the ultimate fix, I do not know? We know the Well has a lot of manganese in it. The other Jacobson Street well has hydrogen sulfite. This is the Well he will work on next, it has a sulfur smell.

Mr. Mapstone states, the pilot test can be moved to be used at any of the well sites. If you own it you are able to run as many sample runs as you would like. You would have no rental costs expenses. You take out the media to accommodate the different sites and run it again.

Mayor Brescia asks, how big is the set up and can it be stored somewhere?

DPW Supt. Nelson said, yes; it can be taken apart as well.

Mayor Brescia asks, why does this happen periodically? It is not consistent.

Mr. Mapstone says that is why we are piloting the process, if you are not sure.

Trustee Hembury asks, could there be a crack in the pipe and it is picking it up as it goes down there somewhere?

Mr. Mapstone states, it could be possible but usually things go out of pipes not in. It is unlikely but not impossible.

DPW Supt. Nelson said, especially when you have pressure down at that end.

Mayor Brescia asks for any further questions from the Board. I am opening it up to the public.

Mr. Berger states that some of things you are talking about, I do not understand. What I have made out of your presentation is that you are not sure of the answers. I just happen to bring filters today with me. I can show you a filter from yesterday, the crude on it is the blackness. It is absolutely disgusting.

Mayor Brescia asks, is that from one day?

Mr. Berger said no, my filter does not look like that.

Ms. Morina brings in her filter and states that both of her filters look like this. Her neighbor gave her an extra filter he had.

Mr. Mapstone states that is what manganese looks like.

Ms. Morina reports hearing fireworks around eight o'clock last night. Who in the neighborhood would be doing fireworks on a Monday night? I run outside but I heard nothing except what I hear inside my house. I opened the garage and it is my water heater. It sounds like fireworks. I turned off the washing machine and open up the water heater drain and this stuff comes out. It is coming out of all my faucets looking like this.

Mr. Berger states this is what he pulled out of the water filter casing. If you can see it, it is rather a thick layer.

Mr. Mapstone states Buddy shared this with me before.

Ms. Morina states she is now brushing her teeth with bottled water. I feel my whole house is disgusting. This is what we are living with. The filters have been great and we are so appreciative of that but it is not the answer.

Mr. Mapstone said absolutely.

Mr. Berger said, I think it comes around full circle. The problems we are having here has been over a year. I have been going over it with Buddy, Steve and the Board since I moved here. I appreciate everything that is trying to be done but it seems to me that is not getting done. I understand it has been this way for the past five years and it continually is happening. I gave Buddy a filter as black as that one a week ago from 166 Waters Edge.

Mr. Mapstone states, that was one week.

Mr. Berger states, no it was thirty days for the filter. I have collected filters from my neighbors that are brown and not quite as black.

Ms. Morina states, her concern is for her appliances. It is enough to keep the house running but the clothes in my washing machine after last night, I just could not bring it into the meeting. I am also worried about the water heater. I spoke with Buddy about it today, he is going to send someone over to help drain it out. The curd going through our appliance, it is just the wear and tear, it is just a nightmare.

Mr. Berger states, my overall question now; I hope you can understand. I have been complaining about this a long time. I am glad you are here but I still see that huge question mark; that whatever you are going to do is going to solve anything. Rather than spend a fortune trying to discover the problem and not know what the problem is. Why do we not go with a different alternative such as the Wells at Chandler Lane and bring them online.

Mayor Brescia states that will cost a lot of money to bring those wells online. I suggest we try this route and if we do not have a resolution, we will have to consider doing something with the water.

DPW Supt. Nelson states there is no guarantee that Chandler Lane Wells would not be a problem. Marc just provided documentation on the well testing. One has a lot of iron which would give us red water. Now will the iron increase or decrease; the answer is yes and no. The manganese does not look so bad, the other well has bacteria in it. The Health Department is looking at those wells as an option to be used also. Holt Well uses two hundred fifty gallons a minute. The Chandler Lane wells, one is eighty gallons per minute and the other is one hundred gallons a minute. Marc correct me if I am wrong.

Marc states it is two hundred and fifty gallons per day for both wells combined.

Mayor Brescia states the problem with Marc's well is the piping that is the cost. It is cheaper to drill a well close by and develop it, then to pipe the Chandler Lane wells.

DPW Supt. Nelson states Greg correct me if I am wrong you can get clean water out of this well.

Mr. Mapstone states absolutely. Please let me clarify something, when you say there is this big question mark as to can it be done. There is no question that it can be done. The question is how it can be done in a cost effective manner. For instance, if money was not object, I would say put a reverse osmosis on it, done. I can guarantee it will solve the problem but it will bankrupt you. In effect it will solve the problem. There is always that mix between what is practical and what is possible. The question mark is not can I do it. The question is can I do it a way that makes everybody happy, financial is part of that mix. It could be possible that we are going through this process on the pilot test, and we are going to learn but it is not only this but add on to that process. It is not that I cannot treat it. Is it cost prohibited? I do not think that is terribly alike. I think this is going to work. The bottom of the water tank, that is typical of everyone's water tank. It should be drained on a yearly basis. What comes beyond that, the treatment media is for manganese or iron. There is no iron here. There will be a mechanical strain effect to it. There is polarity and an electrical charge to it, plate things that are in water. You have to get lucky that it would strain it out, it is positive, negative and neutral. It could strain it out. This is the nice thing about having clear PVC; it is so that you can see what is happening at every inch and on the bottom. It is also possible to put a coagulant, the incidence of having tepidity in the water, is that insistent that you would want to do that?

Mr. Berger asks, you sent your proposal to the Health Department?

Mr. Mapstone states, no it is here for the Board approval, if they are happy with it then it goes on.

Mr. Berger asks after the proposal is sent to the Health Department, How long would you say it would take for the Health Department say go ahead with it?

Mayor Brescia states, he does not know

DPW Supt. Nelson states, since they know we have a problem. I cannot imagine they would get back to us within two weeks.

Mayor Brescia states not seeing a price on this proposal.

DPW Supt. Nelson states, we have a contract agreement with them.

Mr. Mapstone states I am going to make a go of it but the Village runs it.

Mayor Brescia asks, what do you need from us here tonight? To go ahead, have we not given our authorization initially.

DPW Supt. Nelson states on this proposal, send this to the Department of Health for their approval.

Ms. Morina asks say this takes two weeks and you build the unit, how long before we see a difference in our water?

Mr. Mapstone states you will not. They pilot by law that goes to waste. It cannot go in the system. It is less than a half a gallon a minute through this thing. The idea is that you scale it up to your needs. We will know in a couple of weeks how well it is working. The samples have to go to the laboratory and then you will be able to see what the finished water looks like and if it is working or not.

Ms. Morina states in that time frame is it possible the Village can supply us with bottled water. I am going through bottled water a lot as well as my neighbors.

Mayor Brescia states we were not going to do it. I would give it another month and we will consider it. We were not going to consider it at all previously. It is just too tough to do. If we do not have a resolution in the next month with the pilot and it looks positive and we can implement that system. I would say after a month we would consider doing that even though it will be difficult.

DPW Supt. Nelson states we have to determine the size of the building with the size of the filters. As soon as we are done with pilot program we will be able to make those determinations on the size of the filters and in turn the size of the building that is needed.

Mr. Mapstone states the manufacture says anywhere between two gallons per minute per square foot of media, two to twelve, that is a huge range. This is part of the pilot. How fast is the water going through, and how long does it need to be in there to catalyze everything you need for clean water out.

Trustee Hembury asks could you tell us what other municipalities have had to implement this system.

Mr. Mapstone states, Mount Marian in Saugerties. It was very similar however their water was very consistent. Therefore, they did not need a pilot test.

Mayor Brescia asks, what was their final cost roughly would you say.

Mr. Mapstone states about Thirty thousand dollars.

Marc asks if the water will be treated after the chlorine since the chlorine is causing the water to turn brown.

Mr. Mapstone states, no; we treat one variable at a time. The key variable is what we are going to be treating it with, the second variable is how fast it goes through, and the third is how much chlorine you hit it with. So if we use the existing feed, we only have that much, we can never try anything else. The other thing is that you need more chlorine to get the same amount on the other side. It is a catalytic thing that happens. It forms a glob and then you back wash it all out. Therefore, you need to change the amount of chlorine that goes in there. You could hit it with a

lot of chlorine but then you are wasting chemical and then with a lot of chlorine in the water of course no one wants to drink it.

Mayor Brescia states increase the frequency of issuing the filters while we are going through this test period. He thanked Greg for coming.

DPW Supt. Nelson states we implemented Greg's suggestion we changed something with the park well. I am not sure if it is going to work but is now in service. To up the chlorine in this part of the Village and cut the chlorine in half at Holt Well. Therefore, reducing the brown water. I have been in touch with Dennis Hulihan, he will let me know every time he has brown water. I will be able to tell if Holt Well is on or off and might be able to determine the direct of the brown water.

Mayor Brescia states good.

RE: DARREN THE D.A.R.E. MASCOT IS INTRODUCED TO THE BOARD WITH A SPECIAL THANKS TO MARC DEVITT FOR THE DONATION OF THE COSTUME

D.A.R.E. Officer Smith introduces Darren the D.A.R.E. mascot to the Mayor and the Board of Trustees and those present. A special thank you and appreciation is given to Marc Devitt for the donation of the mascot costume in support of D.A.R.E., as well as the Bike Rodeo for the 5th grade Montgomery Elementary D.A.R.E. program in helping the children make the right choice.

Mayor Brescia thanked Marc for his benevolence, donations and contributions he has made He was honored by the Valley Central Education foundation along with Paul Teutul and Steve Jardine, three individuals who have given a lot to our community as far as benevolence, donations, business, and contributions. I am very proud of Marc.

RE: ABSTRACT NO. 09-2015

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, all bills listed on ABSTRACT NO.09-2015 were audited and approved for payment with \$509,503.57 from the General Fund, \$11,471.88 from the Water Fund, \$29,538.21 from the Sewer Fund and totaling \$550,513.66. Check No: 47382 – 47409, 48772 - 48879. Motion carried, 5-Ayes, 0-Nays.

Treasurer Benedict reported a CASH BALANCE for the month of September 30, 2015, as follows: General Fund \$2,504,227.52, Water Fund \$337,997.44, Sewer Fund \$277,494.21.

RE: OLD BUSINESS - SUNOCO/CONVENIENT STORE GRAND OPENING

October 1, 2015 at 8:00 am the Sunoco/convenient Store had their grand opening. It is a beautiful station, good food and hospitality.

RE: REPORTS

Police Chief Walsh reported he was notified this week, Andrew Governors Traffic Safety Committee awarded the grants for the upcoming period. We received \$3,132.00 to help us participate in the State wide initiative such as distractive driving initiative, buckle up New York initiative, as well as local initiatives. This will pay the officer's overtime. When you see the commercials you know that our local police officers are participating. In addition to that, when

calls are received from the public about speeders or the Board about a problem in the neighborhood, we do what is called a directive patrol. A directive patrol identifies the problem through complaints from the community. We assign the cars during their eight hour work tour, they have to check the directive patrol at least an hour. It does not have to a continuous hour but during their eight hour tour. Furthermore, the directive patrol can be broken up into fifteen minute intervals. We are going to do this for a month and review the data from the enforcement effort to determine if the need is to be continued as to whether the month long special attention has solved the problem. We currently have the directive patrol in area of the Elementary School to go along with the opening of the school year as well as complaints received west of the Elementary School since the bridge has reopened. Everyone has to re-acclimate themselves to the thirty miles an hour, it starts right where Chandler Lane is. In addition to that, we have Sycamore and Wavey Willow; that is a small looping community but this is the second year that we have received complaints about speeders and folks running stop signs in that area. The four to twelve shift will address that during the directive patrol because it is mostly after three pm. When a new business opens up, I have asked the officers to stop by and visit. On a directive patrol is also the new Sunoco gas station. It is designed for the employees and the public to see the police officers stopping in on a regular basis.

Mayor Brescia asked Police Chief Walsh to follow up with Jessie on the camera system for the Sunoco gas station to be tied into the Police station as a twenty four hour surveillance. Mike Vasapoli came before the Board and it was to be installed, this did not happen as it seems.

Police Chief Walsh states, it just may be a system you can access privately. If possible, they could give us their IP address and we can access the system directly. This system is very common these days.

Mayor Brescia states, please make sure we have something. It was a concern of Mike's and it was a good concern.

DPW Supt. Nelson reports on Purple Martin Drive losing water pressure for no apparent reason. The homes closest to the water historically do not have good water pressure. In this case, they have great water pressure. I am working on it with the engineer.

Mayor Brescia states Little League is going to come back to us regarding the irrigation meter they intend to pay for to water the fields.

DPW Supt. Nelson states, we will see what is in the proposal and take it from there. I am working on the granite curbing to be installed, the same exact curbing that is in front of the firefighter's museum.

The NYCOM Public Works training school is on October 26th through the 28th, therefore, I will be attending; it is in Cooperstown.

RE: APPROVE DPW SUPT TO ATTEND NYCOM PUBLIC WORKS TRAINING SCHOOL IN COOPERSTOWN

Moved by Trustee Hembury, seconded by Trustee Lindner, the Board approved DPW Supt. Nelson to attend the NYCOM Public Works training school on October 26th through October 28th. Motion carried, 5-Ayes, 0-Nays.

Mayor Brescia states this is for the downtown area, please make sure that it is etched a little to prevent cutting into the tires. We will meet with the appraiser on Thursday, about the back parking lot.

RE: APPROVE APPRAISAL COST FOR PARKING LOT

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board approved the cost of a \$425.00 appraisal of the back parking lot. Motion carried, 5-Ayes, 0-Nays.

RE: REQUEST APPROVAL FOR COMFORT STATION SIGNS AND AN EXTERIOR BULLETIN BOARD FOR THE RECREATION CENTER

Mayor Brescia and the Board agree the renters of the Recreation Center will not be responsible for cleaning up after the individuals using the laboratory facilities, or the tracking in of mud into the building. Under no certain terms are the individuals permitted to interfere or join in on the private operation of an event. We will advise Joe from Little League this cannot happen.

Trustee Lindner asks DPW Supt. Nelson to check on the senior center at the end of the day. We are in the process of interviewing for a new director. Our current assistant director is out, therefore, is not able to make sure everything is closed for the evening.

Mayor Brescia states, our laborers Rick Nelson, Greg Jackson, and Branden are doing a great job with the paving stones donated by CST. The paving stoves have been discontinued. I have asked Buddy to use them all in one area and replace with newer ones in the future. Monse please send a letter thanking CST for their donation of two hundred and twenty five paving stones.

Trustee Hembury reports on the Clinton Street Car Show. Brian Fitzpatrick spearheaded the entire show. We had one hundred and twenty cars this year. I spoke with friends who attend the First Presbyterian Church and there were no problems. We turned the speakers off and faced them away from the church. We brought in a lot of business with many people here. We are excited for next year's car show.

I have good news for the Toys for Tots, they are coming again this year. It will be December 13th, possibly in the morning. It starts from Chicago, then to New Jersey and onto us. It is quite involved. Jake and Kyle from our DPW are taking about doing a jeep show in the spring, similar to the car show. We will see what it brings in, if it is not well received, then we would not do it again.

Mayor Brescia reports on the Taste of Montgomery doing well also. I was not able to attend this year. They did run out of food though.

Trustee Lindner states, agrees that the Taste of Montgomery went well also.

Deputy Mayor Scheels reports the tour with Assembly women Claudia Tenney throughout the Village businesses went well. She was here for two and half hours.

RE: POLICE OFFICER RESIGNATION ACCEPTED AND REAPPOINTMENT

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board accepted the resignation from Full Time Police Officer Joseph Feola, effective September 14, 2015 and Reappointment as a Part-Time Police Officer effective September 16, 2015. Motion carried, 5-Ayes, 0-Nays.

RE: POLICE OFFICER RESIGNATION ACCPETED

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board accepted the resignation from Full Time Police Officer Andrew Sciandra, effective October 14, 2015. Motion carried, 5-Ayes, 0-Nays.

RE: TREASURER BENEDICT REQUEST TO OPEN ACCOUNTS WITH GREATER HUDSON BANK

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board authorized Treasurer Benedict to open bank accounts with Greater Hudson Bank by closing accounts with Orange County Trust and Sterling National Bank due to the advantageous rates in the Villages best interest. Motion carried, 5-Ayes, 0-Nays.

RE: REQUEST TO REPLACE CARPET IN THE TREASURER'S OFFICE

Mayor Brescia and the Board request various estimated costs be provided with samples in order to render a decision for the Treasurer's office as well as the Clerk's office.

RE: ADOPT A RESOLUTION ACKNOWLEDGING THE COMPLETED ANNUAL AUDIT CHECKLIST FOR THE VILLAGE JUSTICE COURT RECORDS

Moved by Trustee Andolsek, seconded by Trustee Hembury, the Board adopted a resolution acknowledging the completed annual audit checklist for the Village Justice Court Records on September 30, 2015. Motion carried, 5-Ayes, 0-Nays.

RE: APPROVE FEES BE WAIVED FOR SENIOR CENTER USE BY THE BOYS SCOUTS, PACK 30

Moved by Trustee Hembury, seconded by Trustee Lindner, the Board approved the fees be waived for the Senior Center use by the Boy Scouts, Pack 30 on October 25th for a Halloween party, December 18th for a Christmas party, and February 19th, 20th with a snow date of the 27th for the Pinewood Derby. Motion carried, 5-Ayes, 0-Nays.

RE: CANDLE LIGHT GHOST TOUR

Saturday, October 17, 2015 at 7:00 pm is being narrated by Robert L. Williams, the tour starts at the Village Hall.

RE: VILLAGE OF MONTGOMERY TRICK OR TREAT 2015

Saturday, October 31, 2015 is 6:00 pm to 8:00 pm

RE: MFD HALLOWEEN PARADE/PARTY IS ON OCTOBER 31ST, 2015

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury the Board approved the Montgomery Fire Department Parade/Party to be held on October 31st with the Parade at 4:00 pm and stepping off at the Orange County Firefighters Museum on Clinton Street, with the Party beginning promptly at 4:30 pm. Clinton Street to Fought Street will be closed for the Halloween Parade. The MFD has coordinated this event with the Montgomery Police Department, 17K traffic will be blocked for the duration of the Halloween parade. Motion carried, 5-Ayes, 0-Nays.

RE: APPROVE REQUEST FOR MONTGOMERY FREE LIBRARY USE OF THE COURT ROOM

Moved by Trustee Hembury, seconded by Trustee Andolsek, the Board approved the request for the Montgomery Free Library use of the Court Room on Saturday, December 12th for Story time with Mrs. Claus. Motion carried, 5-Ayes, 0-Nays.

RE: VILLAGE BOARD MEETING OF TUESDAY, NOVEMBER 3RD IS RESCHEDULED FOR WEDNESDAY, NOVEMBER 4TH AT 7:30 PM

Moved by Deputy Mayor, seconded by Trustee Hembury, the Board approved to reschedule the first Board of Trustees meeting of November 3rd to November 4th at 7:30 pm for the purpose of making accommodations on Election Day. Motion carried, 5-Ayes, 0-Nays.

RE: ADOPT A RESOLUTION REQUESTING OC LEGISLATURE TO GRANT AN EXEMPTION FROM COUNTY TAXATION THROUGH THE YEAR 2017 FOR LANDS OWNED IN THE TOWN OF MONTGOMERY, AND USED BY THE VILLAGE OF MONTGOMERY FOR WATER SUPPLY AND RELATED PURPOSES, PURSUANT TO SECTION 406 (3) RPTL

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board adopted a resolution requesting OC Legislature to grant an Exemption from County Taxation through the year 2017 for lands Owned in the Town of Montgomery (28-1-63) and Used by the Village of Montgomery for Water supply and Water supply and Related Purposes, Pursuant to Section 406 (3) RPTL. (Holt Well). Motion carried, 5-Ayes, 0-Nays.

RE: APPROVE PURCHASE OF TWO AED UNITS

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board approved to purchase two AED units, one for the Senior Center and the second for the Police Department subject to JoAnn's final approval. Motion carried, 5-Ayes, 0-Nays.

RE: PUBLIC PORTION

Ms. Beltrametti addressed the Board regarding her continued concern regarding the trash and recycling associated with the business of 71 Clinton Street. They do not have the appropriate

amount of containers for the amount of trash they produce. They have two containers and had thirty bags of garbage with half of them piled onto Mario's premises.

DPW Supt. Nelson asks the Board if they would like camera's installed. I cannot tell you if Maria knows that the bags are going on Mario's. I am not going there at 4:00 or 5:00 am or 9:00 pm to see what bags are going where.

Mayor Brescia states, you spoke with Frank, I spoke with Frank, and we have compliance for the most part. You can ask him to use more containers.

DPW Supt. Nelson states, we stopped by today and told him, he needs the proper amount of containers or we will stop picking up his garbage on Friday. We already did two weeks ago. He has the recyclables a lot better. Let us see what happens tomorrow.

Deputy Mayor Scheels states, the recyclables are out and a container with card board in it and two barrels that are full. It appears he had one garbage bag that may have fallen off. Everything appeared to be together. The garbage that is by Mario's happens to be Copperfield's and is on the side of the National or 71 Clinton. On the day of Skip Chambers' party, I happened to walk by. The gentleman putting out Mario's garbage told me that the garbage that was not in containers happened to be Copperfield's garbage.

Ms. Beltrametti states, I do not believe this is the case. Mario and Copperfield's have been collaborating for years. They have fifteen containers and all have lids on them.

Deputy Mayor Scheels states, this is what the gentlemen relayed to me on that morning bringing out the garbage.

DPW Supt. Nelson states, what I told Frank; is if the bags are not in containers we are not collecting his garbage. The problem is and I see it coming is if Iron Café has an extra bag and it does not fit; it is going to snowball. It going to turn into a finger pointing.

Mayor Brescia states, just ask him; not tell him to be in compliance and to put more containers out. I spoke with Frank also. You told him you would not pick up if he did not comply. You are going to get some recyclables in the regular garbage, it happens all over the Village. You try to minimize it as much as possible. If you have grease in a can, they are not going waste two gallons of water to rinse it all out. If he continues not to comply you just do not pick up his garbage and then he will have a problem. It will snowball into other businesses like you said, let's try that route. I think it is working a little better than it was.

DPW Supt. Nelson states, yes, definitely.

Ms. Beltrametti states, frankly I can care less about the recycling that is in the garbage. I just do not want garbage all over the street. It is just not right. I have pictures, if you would like to see it is disgusting.

Marc states, receiving a letter for the Village as the landlord I sent it to Frank as well. I told him that he has to have his garbage in a can. If there are any fines that come to us, he is going to be fined and violation of his lease. We will proceed accordingly.

Mayor Brescia said thank you for doing that. We have had problems years ago with other businesses also.

DPW Supt. Nelson asks Marc what is Frank's correct address, all of his mail is returned as address unknown.

Marc states, his mail should be sent to 73 Clinton Street. I am pretty sure that is what it is.

Village Clerk Rivera-Stanley states, the 911 address is 71-73 Clinton Street.

Mayor Brescia said if you have a problem getting the mail there. We will just hand deliver it to him.

Marc states, any mail you would like me to CC to Village, I would be more than happy to.

Mayor Brescia said we appreciate that, we want compliance.

Mr. Berger asks the Board if the Village of Montgomery as well as the Town, would write a letter of support to the groups of Municipalities in the County of have the annexation sued out.

Mayor Brescia said I would like us to gear it towards the SEQR process, any violations and be strict with that. I do not want to see us get into any kind of situation other than that. The County is suing the other municipalities based on the clause in the SEQR process, it is one of the main things. I would certainly support that from the Villages advantage point. Let us look at what the other resolutions are, maybe and obtain copies.

Atty. Dowd states, I have not received any through the mail.

Mayor Brescia states, the Town of Crawford and the Town of Chester join in that with the resolutions, so maybe we can check around. I will check with the County Executive office to see which ones have passed a resolution. A Village does have the right to annex, based on what the other resolutions say.

RE: EXECUTIVE SESSION

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board entered into EXECUTIVE SESSION at 8:34 pm under section §7(f) of the Open Meeting Law for matters of the employment history of a particular person with Police Chief Walsh, Atty. Dowd and Village Clerk Rivera-Stanley in attendance. Motion carried, 5-Ayes, 0-Nays.

Moved Trustee Lindner, seconded by Trustee Andolsek, the Board went out of Executive Session at 9:18pm. Motion carried, 5-Ayes, 0-Nays.

RE: ADJOURNMENT

Moved by Trustee Hembury, seconded by Deputy Mayor Scheels, the Board adjourned the meeting of October 6, 2015 at 9:19 pm. Motion carried, 5-Ayes, 0-Nays.

Monserrate Rivera-Stanley, Village Clerk

