

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 Thursday, November 2, 2017 at 7:30 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, Trustee Lindner (absent), Atty. Dowd, Village Clerk Rivera-Fernandez, DPW Supt. Nelson, Police Chief Walsh (absent), Susan Hembury, Maria Beltrametti, Mel Frumes, Don Berger, Jaspreet Gill.

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

**RE: MINUTES**

Mayor Brescia called for a motion to approve the minutes of October 17, 2017.

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board approved the minutes of October 17, 2017. Motion carried, 3-Ayes, 0-Nays, 1-Abstension (Trustee Hembury), 1-Absent (Trustee Lindner).

**RE: ABSTRACT NO. 10-2017**

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, all bills listed on ABSTRACT NO.10-2017 were audited and approved for payment with \$ 2,414,258.00 from the General Fund, \$386,268.22 from the Water Fund, \$509,980.76 from the Sewer Fund and totaling \$3,310,506.98. Check No: 75280 – 75361, 1066 – 1081. Motion carried 4-Ayes, 0-Nays, 1-Absent (Trustee Lindner).

Treasurer Griffith reported a CASH BALANCE for the month of October 31, 2017, as follows: General Fund \$412,345.35, Water Fund \$18,931.15, Sewer Fund \$21,393.05.

**RE: DEPARTMENT REPORTS – DPW**

Mayor Brescia stated that the Police Chief Walsh will give his report at the next meeting.

Trustee Hembury mentioned the Toys for Tots is on Sunday, December 3<sup>rd</sup> from 11:05 am to 11:50 am. His recent absence was due to personal reasons. Mayor Brescia expressed his condolences at the loss of Trustee Hembury's father. Trustee Hembury said thank you. However, since his absence there was a concern published in the Wallkill Valley Times regarding the conditions of Little League ball fields, please bring me up to date on this issue. Mayor Brescia stated, a complaint was received about the Village being negligent on assisting Little League with the maintenance of the fields. Trustee Hembury asked DPW Supt. Nelson if it is safe. DPW Supt. Nelson replied, yes, it is safe; Little League has used our equipment for the maintenance of the fields whenever it's requested. In addition, Trustee Hembury said, he received an apology letter addressed to the Board from the Little League President. What was that about, he was unable to read the email clearly using his cell phone, while he was away? Deputy Mayor Scheels said the letter was in response to the complaint about the cooperation and communication between the Village and the Little League. The Little League president is thankful for the cooperation from the Village and wishes to continue working together and the person with the complaint does not speak on behalf of Little League and does not hold a position on their Board. Mr. Berger said, he's an umpire and his concern is that the softball fields are hard as a rock. He also asked for cooperation between the Village Board and the Little League Board. As a resident of this Village, I have every right to say something about those fields and does not have to be on any Board to give his opinion. Mayor Brescia said it stated in the letter that you are a volunteer as a paid umpire and you do not speak on their behalf. It came out in the newspaper that the Village Board was negligent. We are cooperative with resources and time for the youth programs, keep in mind you want the budget to

stay within the tax cap. We will continue with our support as much as we are able to, we always have.

Again, it was portrayed incorrectly in the newspaper as other issues have been, that are not factual. Trustee Hembury reported on the Clinton Street Car Show going well, with about 125 people. It was thought that there was an overflow at the Senior Center, but that was not the case. Several people were not sure about participating and therefore parked at the Senior Center and walked the show. These individuals found the show to be agreeable and will definitely join next year.

DPW Supt. Nelson reported on the update for the Holt Well Pilot Study, (the manganese problem). AdEdge has provided us with their report. Lanc and Tully has a copy and is in the process of compiling all of their engineering design plans for the building and preparing to submit it all to the County as early as next week. Furthermore, on Wednesday, November 8<sup>th</sup> at 10 am the Hudson Valley Water Works is giving a seminar at the Senior Center with AdEdge providing a presentation on the filtration system installed in New Windsor. There will be approximately 110 operators present from Orange, Ulster and Sullivan County. You are welcome to attend and listen to the presentation. The third round of testing was completed yesterday, with two and half inches of rain over the weekend into Monday. The first two rounds came back perfect. If the third is clean, it may be possible to skip the fourth quarter and move forward. He also reported on receiving three quotes for the replacement of sidewalks on Charles Street from Railroad Avenue to Union Street. There are about ten or twelve trip hazards on Charles Street, plus a tree that is growing through the sidewalk. It would be a great time to remove the sidewalk and lowering it down to the street level instead of three quarters above the street level that it is now. It would be nicer and safer, also allowing for handicap access, as we did on Wallkill and Boyd Street which is now in compliance with ADA, the goal is to do the same for Charles Street. The quotes are from Catalyst at \$7,000.00, Joseph Rivera Home Services at \$9,300.00, and D.B. Roe Homes at \$9,600.00. Trustee Andolsek mentioned this is the first time since all the trees were cut down that she has had sunshine in her front yard.

Mayor Brescia called for a motion to approve the quote from Catalyst in the amount of \$7,000 to replace the sidewalk on Charles Street from Railroad Avenue to Union Street.

**RE: APPROVE SIDEWALK REPLACEMENT ON CHARLES STREET**

Moved by Trustee Deputy Mayor Scheels, seconded by Trustee Hembury, the Board approved the Catalyst quote of \$7,000.00 for the sidewalk replacement on Charles Street from Railroad Avenue to Union Street. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Lindner).

DPW Supt. Nelson continued to report the small power outages on Sunday before the storm hit. Central Hudson found it to be caused by a squirrel getting stuck down by the Sewage Treatment Plant. Leaf Pick Up has started on Tuesdays, if time allows we will also pick up on Fridays afternoons too. Trustee Hembury asked DPW Supt. Nelson about the surveyors on Wilson Street, what is proposed. DPW Supt. Nelson replied, that a subdivision for a lot line change. Atty. Dowd mentioned that it is a lot line change to add property to an existing house.

**RE: ADOPT A RESOLUTION FOR EXEMPTION THROUGH THE YEAR 2019 FROM COUNTY TAXATION ON SECTION BLOCK AND LOT 28-1-63 LOCATED IN THE TOWN OF MONTGOMERY FOR USE OF THE VILLAGE WATER SYSTEM, HOLT WELL**

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board adopted a resolution for exemption through the year 2019 from County Taxation on Section Block and Lot 28-1-63 located in the Town of Montgomery for use of the Village Water System, Holt Well. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Lindner).

**RE: ADOPT A RESOLUTION ACKNOWLEDGING THE COMPLETED ANNUAL AUDIT CHECKLIST FOR THE VILLAGE JUSTICE COURT RECORDS ON OCTOBER 19, 2017**

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 October 19, 2017. Motion carried, 4-Ayes, 0-Nays, 1-Absent.

**RE: ADOPT A RESOLUTION AUTHORIZING MAYOR BRESCIA TO ENTER INTO AN INTERMUNICIPAL AGREEMENT WITH THE COUNTY OF ORANGE, OFFICE OF THE AGING, FOR THE SENIOR DINING PROGRAM HELD AT THE SENIOR CENTER EFFECTIVE JANUARY 1, 2018 THROUGH DECEMBER 31, 2018 WITH COMPENSATION OF COST NOT TO EXCEED \$26,369.00**

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board adopted a resolution authorizing Mayor Brescia to enter into an intermunicipal agreement with the County of Orange, Office of the Aging, for the Senior Dining Program held at the Senior Center effective January 1, 2018 through December 31, 2018 with compensation of cost not to exceed \$26,369.00. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Lindner).

**RE: ACCEPT THE RESIGNATION OF POLICE OFFICER CECIL THOMAS, EFFECTIVE SEPTEMBER 30, 2017**

Moved by Trustee Andolsek, seconded by the Hembury, the Board accepted the resignation of Police Officer Cecil Thomas effective September 30, 2017. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Lindner).

**RE: DELINED LEAVE OF ABSENCE REQUEST UNTIL FEBRUARY, 2018 FOR POLICE OFFICER ANDREW LENANE**

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board declined the leave of absence request until February, 2018 for Police Officer Andrew Lenane. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Lindner).

**RE: APPOINT NICK SCARANO AS A BOARD OF ETHICS MEMBER EFFECTIVE IMMEDIATELY WITH A STIPEND OF \$104.00 ANNUALLY**

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board appointed Nick Scarano as a Board of Ethics member effective immediately with a stipend of \$104.00 annually. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Lindner).

**RE: VILLAGE HALL CLOSED IN OBSERVANCE OF VETERANS DAY**

Village Hall will be closed Friday, November 10th in observance of Veterans Day.

**RE: VILLAGE HALL CLOSED IN OBSERVANCE OF THANKSGIVING AND BLACK FRIDAY**

Village Hall will be closed Thursday, November 23rd in Observance of Thanksgiving, and on Friday, November 24th, Black Friday.

**RE: EVENTS AND SERVICES**

November 3rd “**Movie Night Series**” begins at the Senior Center featuring, Night at the Museum. Concession stand opens at 6:30 pm and Showtime is at 7:00 pm, free admission! A special thanks to our sponsors for making the Movie Night Series possible: Montgomery Montessori School, Engineering & Surveying Properties, Oliver Anne.

**Leaf Pick Up** begins on Tuesdays October 31st through December 5<sup>th</sup>, bagged and curb side at 7:00 am.

Atty. Dowd mentioned that Lanc and Tully requests the Boards authorization to file the maps with the County Clerk, for the approved subdivision of the Park Land, separating the municipal section from the Park section.

**RE: AUTHORIZE LANC & TULLY TO FILE THE APPROVED SUBDIVISION MAPS WITH THE COUNTY CLERK**

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board authorized Lanc and Tully to file the maps with the County Clerk for the approved subdivision of the Park Land, separating the Municipal section for the Park section. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Lindner).

**RE: PUBLIC PORTION**

No public comment.

Trustee Andolsek reads aloud the letter to the editor published in the Wallkill Valley Times on Wednesday, November 1<sup>st</sup>, to the public present.

“Was there an overpayment?”

Mayor Brescia has threatened to bar me from future meetings of Montgomery Board of Trustees if I don’t stop asking why the Mayor’s 2016 –W2 ha #3,381 more on it than it should. He’s not alone. The Deputy Mayor’s 2016-W2 has an extra \$2,360. Their explanation for how the village’s computerized payroll process confessed calendar quarters with fiscal quarters or maybe vice-versa (let’s be clear: there is no difference) is nonsensical and their proposal to address the problem by delaying their Q4-2017 payments until January 2, 2018 is ignorant and an abrogation of their fiduciary duties.

Sadly, this is business as usual for our Mayor who is slow with accountability buy quick to lose his temper. The Deputy Mayor hasn’t said a word, nor has the rest of the Board. By the way, Deputy Mayor Scheels, along with another Board member reviews every bi-monthly “Abstract”, the document by which the village authorizes all payments made with our very real tax dollars. Computers don’t make decisions. Even our treasurer doesn’t make decisions. In fact, our treasurer was hired without a proper Board resolution. I’ve been at every meeting of our Board and I’ve seen it all. So the Mayor can try to shut me up but he can’t shut this down. The Comptroller’s Office has been notified and at their urging, I’m compiling all relevant documents for their review.

Maria Beltrametti  
Montgomery

Trustee Andolsek stated having a copy of the meeting minutes of May 3, 2016, of which Mayor Brescia read aloud the motion that documents the Village Treasurer was appointed, to the public present.

**“RE: APPOINTMENT OF THE VILLAGE TREASURER**

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board appointed David A. Griffith as the Village Treasurer effective May 23, 2016 at the starting salary of \$42,000 a year with a one year probationary period at 9:42 pm. Motion carried, 5-Ayes, 0-Nays.”

He offered a copy to the WVT reporter Gill, for clarification and the factual reporting of the Treasurer’s appointment. It is a shame that things are reported without the proper fact finding. Furthermore, Trustee Andolsek has the documentation that Trustee Lindner complied of the last six years W2 and Adopted budgets of the Mayor and Deputy Mayor Salary for anyone’s review. It shows when the paychecks were issued, it is self-explanatory and color coded. Mayor Brescia welcomes any review from the State Comptroller’s Office. In addition, it is recorded that Ms. Beltrametti was not threatened to be barred from any future meetings. Trustee Andolsek stated Mayor Brescia said Ms. Beltrametti would be excused from that meeting. The Clerk will have it readily available to be played back at the next meeting.

**RE: EXECUTIVE SESSION**

Mayor Brescia called to a motion to enter into Executive Session under the open meeting law section (f) to discuss the employment history of a particular individual with the Atty. Dowd and the Village Clerk Rivera-Fernandez in attendance.

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board entered into Executive Session at 7:50 pm under the Open Meetings Law, section §(f) to discuss the employment history of a particular individual with the Atty. Dowd and Village Clerk Rivera-Fernandez in attendance. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Lindner).

**RE: EXITED EXECUTIVE SESSION**

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board Exited the Executive Session at 8:08 pm. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Lindner).

**RE: ADJOURNMENT**

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board adjourned the meeting of November 2, 2017 at 8:09 pm. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Lindner).

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Monserrate Rivera-Fernandez, Village Clerk

