

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, November 20, 2018 at 7:30 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, Trustee Lindner, Atty. Dowd, Village Clerk Rivera-Fernandez, Maria Beltrametti, Mary Ann Lindner, Don Berger, Johanna Sweikata, Jessica Falcon, Jim Farr, Ross Winglovitz.

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

RE: MINUTES

November 6, 2018 minutes will be completed by the December 3rd meeting.

RE: REQUEST TO MEET WITH THE BOARD

Ross Winglovitz, Engineering Properties representing City Winery Hudson valley, provided the Board with an update on the proposed development project and what they are hoping to accomplish, moving forward. He mentions submitting a large package of information to your consultants with an expanded EAF part three and full design plans for their review. We have also submitted a Planning Board application as part of the site plan review and stream line the process as much as possible. Since we last met, we have done a few more that was on the EAF, which was a hit for Eagles in the area. The day before getting the plans from the DEC, one came across my car on 17K and Factory Street, which is not too far from the sight. The Eagles are not endangered but are protected and threatened, therefore, we will conduct an Eagle mitigation study. This will determine what the potential impact of the project could be on the nesting Eagle site and their habitat. This information was also submitted with the initial comments and we will be preparing more to the DEC. The biggest concern is the sound and how it could potential impact them, thereabout 1100 to 1200 feet from the building and 700 feet from the property to the nest. We have completed a storm water pollution prevention plan, which is for all of the storm water that will be created by the new impervious constructed parking lot area. We have ponds that will handle the storm water before it is discharged into the Wallkill River. An archeological investigation of the site was done also. Two things we are dealing with the State Historic Preservation Office on, is the building historic structure and the second is the potential close proximity of the Wallkill River and the prehistoric artifacts. Throughout our investigation, no prehistoric artifacts were found. The next is to look at the old building foundations, one in the back there is much of it that remains. In the initial submission on all of the upgrades to all of the buildings on the site to SHIPO, that came back in September and asked for significant changes to what the plan was for the improvements. The architect has completed with this request and resubmitted two to three weeks ago to SHIPO. It is beyond what is normally done but because it is a historical structure, they receive tax benefits because of it being a historic structure. Therefore, according to SHIPO, it needs to be renovated as a historic structure to maintain the tax benefit. It is a higher level than what we normally run into under the SEQR process. Our hope is to get the SEQR signed off potentially sooner rather than later to get it all signed off, as proposed for the building. The traffic study was completed, looking at the intersection of the railroad tracks, Factory Street and 17K. The recommendations include stripping at the railroad tracks intersection, it does not meet the current standards, new signage and clearing of the vegetation along the railroad tracks to improve sight distances. Furthermore, the traffic on Factory Street and 17K, due to the peak traffic coming from this is off peak than the normal peak traffic that affects 17K, there is no significant impact, as far as degradation of the service. Simply because this is weekend peak and evening peak traffic, whereas the peak is morning and late afternoon at this intersection, so there are no recommendations for improvements

at this time. The noise evaluation was done as part of our submission, looking at the stage and the building and so forth along with the potential impact to the nearby residents, as a threshold of three decimals of increase of any one sound level according to their analysis, we are below that. The wetland delineation was completed and it is one of the few sites that was walked by the Army Corp of Engineers, they were delayed with the early snow. They have not yet confirmed the delineation so they will be sending a letter with one minor change to the map, doing so. This is all that I have at this moment.

The main part of the project is getting the event space and the winery up and running as soon as possible. The other planned structures will be another phase of the project.

Trustee Linder asked, what the project time frame is.

Ross said they would like get in the building to start the renovations in February, 2019. Their biggest pressing thing is getting the wine into production as soon as possible.

Mayor Brescia asked, if they have closed on the property.

Ross said they are still under to option to purchase the property, pending the approvals.

Atty. Dowd stated the consultants have to review the expanded EAF and other studies have yet to come in.

The Board thanked Ross for coming in.

Maria Beltrametti would like to discuss the process for the next Village Election. She expressed her thoughts on partisanship, not meaning just Democrats and Republicans. There is no partisanship in a Village Election, it means a party line. So when it comes to the ballot, as petitioned, they should be executed independent and separately. She brought in a visual aid of how the Village of Walden has their ballot laid out.

Mayor Brescia stated the three positions on the Board of Trustees will be running as a team again. This is allowable by law. Therefore, the party will run across on one line. If you feel there is an issue with the manner in which this is conducted, he referred Ms. Beltrametti to State Board of Elections or the County Board of Elections to obtain their opinion.

Ms. Beltrametti is also going to conduct a permissive referendum to get an up or down vote on the Court to be placed on the ballot. She feels, she is within her right to do so. A citizen has the right to petition the Board for a permissive referendum.

Atty. Dowd asked Ms. Beltrametti how she is going to do that. It has to be a resolution from the Board that request a permissive referendum.

Mayor Brescia stated only after the Board passes a resolution. He asked her to get an opinion on that and the Board will consider it.

Jim Farr presented the Board with an update on the Solar Development for powering the Sewer Treatment Plant. Summarizing, General Electric has made submittals to Central Hudson for approvals for the connection of the Solar Farm at the Waste Water Plant that the State has allowed us to build. The solar regulations are changing very quickly in the State. We now have two options, the large scale option which would have been the preferred option initially for the Village. It would have allowed electric off sets originally, to all of the Villages buildings. However, General Electric

feels based on the studies completed, first; it will cost an additional \$20,000.00 for the next phase for Central Hudson to do the study and the interconnection would be \$250,000.00 just for the interconnect into the Central Hudson grid. They feel the market analysis is very marginal for that to happen via General Electric or some other solar company. The other option is to build a smaller solar facility, solely to feed the Water Waste Treatment Plant which they do feel is feasible. The offset would basically still being connected to the grid but the Village would get the benefit of the power to choose the Waste Water Treatment Plant.

Mayor Brescia stated that was our initial intent, it is our largest account of power. Would it still be use of the three acres?

Jim the thought is to build the solar farm to large enough to offset all of the WWTP, some years it maybe more than others, depending on the KW. Less acreage will be used with a smaller solar facility. However, if the solar regulations change; keep in mind that the utilities companies are fighting for their piece of the pie and the incentives are staring to shrink. Due to where we are on the grid and due to the location of WWTP, we are at the end of the power distribution center for Central Hudson. This is the main reason for the \$250,000 upgrade to provide more power into, where we would have to interconnect to offset all of the other Villages buildings. It would just be the Villages attached to the community solar and residents could connect which is a great thing. There are some solar farms out there were way ahead of us in the pipeline that are doing that. Again, they were there several years ago doing community solar. He recommends is to continue and go for the smaller solar project and power the WWTP and get it in place. There is no more capital for the Village with the exception of \$750.00 as opposed to \$20,000.00 that Central Hudson want to conduct further studies for the larger project and a \$250,000 utility upgrade. The initial cost of \$5,000.00 for the initial study has already been paid for General Electric. Going with the smaller facility and it could be expanded at a later time.

Mayor Brescia asked the Board if they are all agreeable with the smaller solar facility. He asked for

RE: VILLAGE OF MONTGOMERY – SOLAR DEVELOPMENT

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board authorized the Mayor to sign the update proposal for the Direct Remote Net Metered Project, smaller project, solar size to offset the highest – consumption VOM demand meter (8657003500) with a lower interconnection risk. Motion carried, 5-Ayes, 0-Nays.

RE: AHRB REQUEST A WORK SESSION WITH THE BOARD OF TRUSTEE’S

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board set a date for a work session with AHRB on December 3rd at 6:30 pm to discuss solar panel installation in the Historic District, as long as this date and time is agreeable with them. Motion carried, 5-Ayes, 0-Nays.

RE: BOARD OF TRUSTEE’S MEETINGS RESCHEULDED

Board of Trustee’s meeting of December 4th is rescheduled to be held on Monday, December 3rd at 7:30 pm, at the Village Hall 133 Clinton Street.

Board of Trustee’s meeting of January 1, 2019 is rescheduled to be held on Thursday, December 27th at 7:30 pm, at the Village Hall 133 Clinton Street.

RE: DOT TO INSTALL TRAFFIC LIGHT DOT INTERSECTION OF ROUTE 17K AND ALBANY POST ROAD

DOT has decided to install a traffic signal at the intersection of Route 17K and Albany Post Road as a result of their traffic study, requested by the Board of Trustee's along with Town of Montgomery, no date has been set, however it has been added to the future signal contract.

RE: EVENTS

Toys for Tots - Sunday, December 2nd, 10:55 to 11:45 am, operation toy train is scheduled to arrive at the NUSSLI LLC Parking Lot, 40 Railroad Avenue, collecting unwrapped toys.

Grand Montgomery Chamber Music Series Concert - Sunday, December 2nd, 3:00 pm, Pine Bush Community Band performing at the Senior Center, 36 Bridge Street.

Pearl Harbor Remembrance - Saturday, December 7th, American Legion 521, is to be held at the Parkland Pavilion by the River with light refreshments at the Recreation Center at the service.

Old Fashioned Holiday - Saturday, December 8th, 11 am to 4 pm

12:00 to 1 pm, Santa will be riding around the Village courtesy of the Montgomery Fire Department truck.

1:00 to 3 pm, Santa will be at the Village Hall & Mrs. Claus will be reading in the courtroom, in addition to music at the Bandstand

Skip Chambers will be giving wagon rides in the downtown area.

Historic Montgomery Holiday Tour - 1:00 to 4 pm, – Tickets are available at the Village Hall \$15.00 in advance, \$20.00 at the door, Pick up maps & brochures at the First Presbyterian Church, 137 Clinton Street.

House Decorating Contest Judging – Sunday, December 9th from 6 pm to 9 pm.

RE: CLARIFICATION ON THE SENIOR CENTER VANDALISM

Trustee Lindner mentioned regarding the last meeting with reference to the Senior Center and the New Horizons Senior Club on two issues. The first was the alleged theft of some outfits that the dance group had and the second were the casters on the bookcase donated by the Bruderhof were missing. Both issues have been resolved, it turns out that the dance outfits were with the various members. The Bruderhof were very kind to come down to the Senior Center to look at the bookcase. They turned it over, it turns out that the casters fold underneath, therefore, when the bookcase is stationary the casters are not visible. Finally there was not theft and are looking into installing security cameras.

The Veteran's luncheon was a successful event, the turnout was great with over 100 in attendance. County Executive Steve Neuhaus was kind enough to come. The dinning program provide the food at no cost and Trish and Becky did an outstanding job.

RE: SET PUBLIC HEARING DATE ON LOCAL LAW I-1 OF 2018

Moved by Trustee Andolsek, seconded by Trustee Lindner, the Board set the Public Hearing date for the "Short Term Rental Properties" to be held on December 18, 2018 at 7:15 pm. Motion carried, 5-Ayes, 0-Nays.

RE: PUBLIC PORTION

Mr. Berger asked about the Court receiving two grants, one for the security door and the second is for cameras and what is the status on both.

The Village Clerk Fernandez stated the Court security door and the cameras have been installed.

Mr. Berger noticed the Board requested a study to be done for a traffic light to be installed at the intersection of 17K and Albany Post Road, they why couldn't the Board do so for the proposed project developments.

Atty. Dowd stated the traffic study for the proposed project developments are conducted as part of the SEQR process by the applicant(s), and therefore, reviewing proposed and possible future development projects.

RE: EXECUTIVE SESSION

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board entered into Executive Session at 8:22 pm under the open meetings law section 7 § (f) to discuss the employment history of a particular individual with the Police Chief Walsh, Atty. Dowd, and the Village Clerk Fernandez in attendance. Motion carried, 5-Ayes, 0-Nays.

RE: EXITED EXECUTIVE SESSION

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board exited Executive Session at 8:28 pm. Motion carried, 5-Ayes, 0-Nays

RE: ADJOURNMENT

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board adjourned the meeting of November 20, 2018 at 8:29 pm. Motion carried, 5-Ayes, 0-Nays.

Monserrate Rivera-Fernandez, Village Clerk