

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, January 15, 2019 at pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury (absent), Trustee Lindner, Atty. Dowd, Village Clerk Rivera-Fernandez,

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

RE: MINUTES

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board approved the minutes of December 18, 2018 and December 27, 2018. Motion carried, 4-Ayes, 0-Nays.

RE: ABSTRACT – NO. 12 - 2018

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, all bills listed on ABSTRACT NO.00-2018 were audited and approved for payment with \$260,013.38 the General Fund, \$14,893.76 from the Water Fund, \$25,345.60 from the Sewer Fund and totaling \$300,252.74. Check No: 76536 – 76629, 1314 - 1332. Motion carried 4-Ayes, 0-Nays.

Treasurer Griffith reported a CASH BALANCE for the month of December 31, 2019, as follows: General Fund \$1,679,577.04, Water Fund \$133,487.93, Sewer Fund \$370,912.94.

RE: VILLAGE HALL CLOSED IN OBSERVANCE OF MARTIN LUTHER KING DAY

Monday, January 21st the Village Hall will be closed in observance of Martin Luther King, Jr. Day.

RE: TOWN OF MONTGOMERY PUBLIC HEARING INTRODUCTORY LOCAL LAW NOTICE

Town of Montgomery Public Hearing, January 17th at 6 pm Introductory Local Law establishing a moratorium on the permitting, construction and installation of any new utility scale solar facilities in all districts within the Town of Montgomery, held at 110 Bracken Road.

RE: ACCEPT RESIGNATION OF P/T POLICE OFFICER

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board accepted the resignation of Part Time Police Officer Dylan Bricker, effective January 10, 2019. Motion carried, 4 Ayes, 0-Nays.

RE: LANC & TULLY ENGINEERING & SURVEYING, PC REVIEW OF CITY WINERY EXPANDED PART 3 EAF

Lanc & Tully Engineering & Surveying, PC – have reviewed the City Winery Hudson Valley expanded part 3 EAF and proposes mitigations where appropriate. With the inclusion of the additional mitigations, they believe the project will mitigate all identified potential impacts to the greatest extent practical. They have included a Negative Declaration for the Boards consideration to complete the SEQR process. They will also prepare the necessary ENB form as per the new SEQRA regulations.

The Board tabled a decision until the meeting of February 5, 2019.

RE: EVENTS

Sunday, January 13th, 3:00 pm; Grand Montgomery Chamber Music Series Concert presents the Horszowski Trio (Violin, Cello, and Piano), held at the Senior Center, 36 Bridge Street.

RE: LANC & TULLY ENGINEERING & SURVEYING, PC RECOMMEND PAYMENT #2 TO CATALYST CONSTRUCTION FOR LINE STRIPING AND LANDSCAPING (TOP SOIL).

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board approved payment #2 to Catalyst construction in the amount of \$2,565.00 for the line striping and landscaping (Top Soil). Motion carried, 4-Ayes, 0-Nays.

RE: ADOPT A RESOLUTION DECLARING A CERTAIN BUILDING LOCATED AT 145 WARD ST IN THE VILLAGE OF MONTGOMERY TO BE AN UNSAFE BUILDING AS DEFINED IN SECTION 44-1(D, E AND I) OF THE VILLAGE CODE ORDERING SUCH BUILDING TO BE DEMOLISHED AND FURTHER ORDERING A HEARING TO BE HELD

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board adopted a resolution declaring a certain building located at 145 Ward Street in the Village of Montgomery to be an unsafe building as defined in section 44-1 (D, E and I) of the Village code ordering such building to be demolished and further ordering a hearing to held. Motion carried, 4-Ayes, 0-Nays.

RE: HEARING SET FOR FEBRUARY 5TH AT 7:45 PM OF AN UNSAFE BUILDING AT 145 WARD STREET

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board set a hearing date of February 5th at 7:45 pm of an unsafe building at 145 Ward Street. Motion carried, 4-Ayes, 0-Nays.

RE: PUBLIC PORTION

Marie Bryon resident of Prospect Terrace, mentioned having problems with their sewer. They contracted a company to come in and dig up their yard. The pipes in their yard were completely fine. They then had a plumber come in, who scoped and marked out, finding a crushed pipe, which is about three feet out from the curb into the road. They have been instructed that it is our responsibility for the repairs. Jake and Buddy both came out and looked it over. We then had a second scope done to confirm the problem. They have agreed that our pipe is being crushed. According the Village law it states that we own the pipes that are underneath the road. We are having tough time understanding this and believing this is the law. She would love to see that this is changed moving forward. She believes the road is crushing the pipe. There is no other reason for the pipe to be crushed. To have an excavating company to dig up the road, it is costly. We have on control of what is coming down the road, at all at any time. What is the solution? We are getting very little use of water

Atty. Dowd said it sounds like the service line from your house to main in the street. Under the Village law, that from the service line is the owner's responsibility.

Mr. Bryon mentioned having pictures. The line is cracked and split. We feel, we fall in the gray area with the law. It is not a failure of installation. The contractor has given us a price up to \$12,000.00.

Mayor Brescia said Buddy comes to the first meeting of the month. Please get pictures to Buddy. He does not feel it is being compressed. We will have to meet with Buddy.

RE: EXECUTIVE SESSION

Move by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board entered into Executive Session at 8:53 pm, under section 7 § (f) of the open meetings law to discuss the employment history of a particular individual of the Police Department with Atty. Dowd and the Village Clerk in attendance. Motion carried, 4-Ayes, 0-Nays.

RE: EXITED EXECUTIVE SESSION

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board exited out of Executive Session at 9:03 pm. Motion carried, 4-Ayes, 0-Nays.

RE: ADJOURNMENT

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board adjourned the meeting of January 15, 2019 at 9:04 pm. Motion carried, 4-Ayes, 0-Nays

Monserrate Rivera-Fernandez, Village Clerk