

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 17, 2015 at 7:30 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, Trustee Lindner, Atty. Dowd, Village Clerk Rivera-Stanley, Maria Beltrametti, Tom Steed, Walter Pahucki, Paul Ostrander.

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

**RE: MEETING MINUTES**

Moved by Trustee Andolsek, seconded by Trustee Lindner, the Board approved the meeting minutes of September 1, 2015. Motion carried, 5-Ayes, 0-Nays.

**RE: REQUEST TO MEET WITH THE BOARD**

Officer Smith Re: D.A.R.E presentation deferred to the next meeting of October 6, 2015.

**RE: OLD BUSINESS**

Moved by Trustee Andolsek, seconded by Trustee Lindner, the Board acknowledged receipt of the Chandler lane PDD – 1, Supplemental Environmental Impact Statement (DSEIS), all decisions and comments have been deferred to a future date, not yet determined; allowing the Village Board of Trustees, (Mayor Brescia recusing himself) and the consultant’s ample time to review the submission received by the Village Clerk on September 11, 2015. Motion carried, 5-Ayes, 0-Nays.

**RE: APPROVE REQUEST TAX PENALTIES WAVIED**

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board disapproved the request to waive the property tax penalty for new resident of 371 Angelo Drive in the amount of \$253.56 through September 30, 2015. Motion carried, 5-Ayes, 0-Nays.

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

Treasurer Benedict request to open accounts with Greater Hudson Bank by closing two accounts with Orange County Trust Company and Sterling National Bank.

Mayor Brescia and the Board of Trustees deferred this request to the next meeting of October 6, 2015, to allow for banking rates to be provided in order to facilitate a decision in the best interest of the tax payers.

**RE: VILLAGE EVENTS**

Montgomery Free Library Fall Pre-School Story Time with crafts, ages 3-5, on October 6<sup>th</sup>, 13<sup>th</sup>, 20<sup>th</sup> and the 27<sup>th</sup> at 10:30am stop in or Pre-Register by calling 845-457-5616 – Come in Costume on the 27<sup>th</sup>. Montgomery Free Library new website: [montgomerynylib.org](http://montgomerynylib.org) – Visit for new postings and photos.

Clinton Street Car Show, is on September 27<sup>th</sup> starting at 9:30 am to 3:00 pm. Clinton Street to Bridge Street, will be closed with the exception of Route 211 (Union Street) crossing.

Taste of Montgomery, is on September 27<sup>th</sup> starting at 1:00 pm to 4:00 pm, at the Veterans Memorial Park, sponsored by the Walden Rotary Club. (Rain or Shine)

**RE: PUBLIC PORTION**

Ms. Beltrametti addressed the Village Board with her continued concerns regarding the garbage and recycling related to the business of 71 Clinton Street. She feels no improvements have been made and it should be enforced by the Building inspector, Bruce. She also mentions running into Buddy the DPW Supt. Nelson just this morning and speaking with him on this issue. I may be paranoid, but he implies that I am making matters worse. I am sorry but that is not true. I go down there every day at a quarter to seven and I count the bags that are out there. They have one container, the bags are all spread around all over the ground. The bags that are in the containers are leaking and covered with maggots, it is disgusting. It gets picked up at seven am. It is the first stop the truck makes every day. I come back with my dog with a garbage bag and I pick up the items they leave behind, chicken bones, clam shells. So I am certainly not making matters worse. Nothing from the stand of the code enforcement has been done, as far as I can tell. One day as a matter of fact there were thirty five bags at Mario's. I know that is not all Mario's garbage because he has fourteen covered containers. He and Copperfields put all their trash in a more acceptable manner, occasionally an animal gets in it. They do things right, including the recycling and garbage.

But 71 Clinton Street, they are just thumbing their nose at the Village, as far as I can tell.

Trustee Lindner states he agrees with Maria. After our last meeting, I went down there the next morning and ran into Maria there. It was all in plastic bags. I do believe our ordinance states that it needs to be sealed containers. I think we should talk with Buddy to say that if it is not in sealed containers, then have his guys just drive by.

Mayor Brescia said, I spoke with the DPW Supt. Nelson (Buddy) this morning about it. He is going to talk with Frank about it again. It is not that nothing has been done. We really need to have Buddy and or Bruce do it, in conjunction with you. There are complaints that you are going through the garbage, although there is no crime against it.

Ms. Beltrametti states, hardly; I do not relish going through any ones garbage.

Mayor Brescia states, I hope that is not the case.

Ms. Beltrametti states, just to keep a record, somebody has too; otherwise there is no evidence.

Mayor Brescia states, let the enforcement agencies handle this issue. It might not be going as expeditiously as you would like it to be done.

Atty. Dowd reads the Village Code §65-1, Garbage, Rubbish and Refuse, Chapter 65, §65-7 Enforcement. The provisions of this chapter shall be administered and enforced by the Superintendent of Streets and the Village Police Department. Therefore, this does not fall under the enforcement of the Building Inspector.

Mayor Brescia said, that is good.

Trustee Lindner states that he will speak with the DPW Supt. Nelson (Buddy) and the Police Chief regarding this matter.

Ms. Beltrametti states, she has spoken with Marc and he is going to build a corral for them but regardless, they need containers. You cannot put 22 bags into one container.

Mayor Brescia and the Board agree with that.

**RE: EXECUTIVE SESSION**

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board entered into EXECUTIVE SESSION at 7:37 pm under Public Officer Law §7(f) for matters of the employment history of a particular person with Atty. Dowd and Village Clerk Rivera-Stanley in attendance. Motion carried, 5-Ayes, 0-Nays.

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board went out of EXECUTIVE SESSION at 8:02 pm. Motion carried, 5-Ayes, 0-Nays.

**RE: ADJOURNMENT**

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board adjourned the meeting of September 17, 2015 at 8:03 pm. Motion carried, 5-Ayes, 0-Nays.

---

Monserrate Rivera-Stanley, Village Clerk