

Minutes of the Public Hearing for Introductory Local Law 1 of 2020, 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, March 3, 2020 at 7:15 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, Trustee Lindner, Atty. Dowd, Village Clerk Rivera-Fernandez, Don Berger, Karen DeCrosta, Debbie Wilson, Beverly Mertz, Joan Kitchenman, Chris Landanyi, Pam Fitzpatrick, Nickolas, Jeff Vanzandt, Diane Yorio, Johanna Sweikata, Nadia Bonanno.

OPEN PUBLIC HEARING - CALL TO ORDER

Mayor Brescia called for a motion to open the Public Hearing for Introductory Local Law I-1 of 2020 to Order, so moved by Trustee Andolsek, seconded by Deputy Mayor Scheels. Motion carried, 5-Ayes, 0-Nays.

Mayor Brescia asked the Clerk if all the necessary paperwork has been filed to hold this Public Hearing. The Clerk Rivera-Fernandez replied, yes, all the paperwork has been filed.

INTRODUCTORY LOCAL LAW I-1 OF 2020

Attorney Dowd provided a synopsis of the Introductory Local Law I-1 of 2020. It is a Local Law to amend Chapter 122 of the Code of the Village of Montgomery entitled "Zoning" to establish limits on the number of window signs permitted for business and industrial uses. Limiting the signs to twenty five percent of the total window area of those premises.

PUBLIC COMMENT

Mayor Brescia opened to receive public comment.

Karen asked why the Board would want to do this.

Mayor Brescia stated the Board wants the Village to maintain a historic clean look. We do not want it to look like a mess as seen in other areas. The signs are getting out of hand occupying the entire window scape. We should have addressed this years ago. For example, the storefronts in Saratoga are beautiful, as well as other historic villages. In addition, the neon signs need to be limited also, possibly with backlit signs here and there.

Mayor Brescia asked if any further questions.

Silence from the Public.

Mayor Brescia said with no further questions, he moved to close the Public Hearing.

ADJOURNMENT

Moved by Trustee Lindner, seconded by Trustee Hembury, the Board closed the Public Hearing for the Introductory Local Law 1 of 2020 at 7:24 pm. Motion carried, 5-Ayes, 0-Nays.

Monserrate Rivera-Fernandez, Village Clerk

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, March 3, 2020 at 7:30 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, Trustee Lindner, Atty. Dowd, Village Clerk Rivera-Fernandez, Don Berger, Kevin Conero, Debbie Wilson, Beverly Mertz, John Kitchenman, Pam Fitzpatrick, Chris Ladanyi, Nicholas White, Jeff Vanzandt, Diane Yorio, Nadia Bonanno, Johanna Sweikata, Mary Ann Lindner.

PLEDGE OF ALLEGIANCE

Mayor Brescia opened the meeting with a Pledge of Allegiance to the Flag.

MINUTES

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board approved the minutes of February 18, 2020. Motion carried, 5-Ayes, 0-Nays.

REQUEST TO MEET WITH BOARD

None

ABSTRACT – NO. 02 - 2020

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, all bills listed on ABSTRACT NO.02-2020 were audited and approved for payment with \$154,935.37 from the General Fund, \$78,889.76 from the Water Fund, \$21,114.52 from the Sewer Fund and totaling \$254,939.65. Check No: 77630 – 77706, 1589 - 1606. Motion carried 5-Ayes, 0-Nays.

Treasurer Griffith reported a CASH BALANCE for the month of February 29, 2020, as follows: General Fund \$1,465,837.53, Water Fund \$238,780.45, Sewer Fund \$480,664.23.

PRESENTATION OF PLAQUE – RETIRING POLICE CHIEF WALSH

Mayor Brescia and Trustee Andolsek, presented retiring Village of Montgomery Police Chief Walsh with a plaque on behalf of the Village Board. Chief you have been a great asset to the Village, you are very professional, and have done your job with a great deal of integrity. You came here with the experience from the Town of Wallkill as a Sergeant for years. We are certainly going to miss you. Hopefully, you are only a phone call away for some advice to our incoming Chief William Herlihy. Mayor Brescia asked William Herlihy to come up to hand the baton off. Steve we can't, thank you enough. The plaque reads:

The Village of Montgomery presents Steve Walsh Police Chief, in recognition of nine years of dedicated service to the Village of Montgomery and its residents. Your leadership and commitment are genuinely appreciated. 2011-2020, March 3, 2020.

L. Steven Brescia, Mayor, JoAnn Scheels, Deputy Mayor, Darlene Andolsek, Trustee, Michael Hembury, Trustee, Walter Lindner, Trustee.

Applause by all in attendance.

Retiring Police Chief Walsh said it seems longer than nine years. Laughter filled the room. He said it has been an honor to be here for the past five years as the Chief of Police. A lot of great things have been accomplished here in the Village. We had a lot of trying times in the Police Department. He gives lot of credit to the Mayor Brescia and the Board of Trustees for standing by and through difficult decisions that had to be made, and for their constant support. He also thanks the residents of the Village; you really are an anomaly in Orange County, and New York State, where you actually appreciate your Police Department and support us 100%, it doesn't daunt you. Thank you, I'm only a phone call away.

Mayor Brescia said Steve, God speed and good luck with your new home. Thank you for everything.

Clapping by all.

Mayor Brescia thanked the Officers present with a show of respect for Police Chief Walsh.

OLD BUSINESS

Trustee Hembury provided an update on the DOT signs for the Village of Montgomery. For those who are not aware, under Police Chief Walsh and Lieutenant Herlihy the Village is 74 out 39,000 safest Towns and Villages in this country. He had real-estate agents tell him, they did their job for them. Bill is going to bring us down to sixty, right. Coming from a Police Department, Newburgh New York, where he worked for twenty-one years; we were number one in crime per capita in the State of New York and ten in the country. He didn't mind coming from that to this.

Mayor Brescia assigned this to me a while ago. An update on the truck traffic through the Village. It is out there, they know it. He listens on the CB radio, that's where the truckers talk. They know the Village is enforcing the rules. The signs placed on Village property, not on State property, appear to be doing something. It can't be measured. Our Police Department has enlisted the services of the NYS Department of Transportation Division to perform tractor trailer enforcement in this Village and catch trucks suspected of avoiding the DOT check point in Wallkill. The first detail was last Thursday, with marked signs on Route 211 directing traffic off Union Street in the morning. Why was that done, simply because we did not want to block the school bus traffic. The team effort will continue at unannounced times. NYS will not allow any posted signs on Routes 17K or 211, their response is that it is a state road; leaving us to fend for ourselves. The State placed signs on a Federal road and were asked to take them down. The County has assisted us and posted a sign on Neelytown Road leading towards 416. We have two property owners, on the 416 and 211 streets, that have allowed for signs to be posted on their property. The signs read: Notice truckers DOT violations strictly enforced next right, pointing towards the Village. Our DPW Supt. Nelson, has met with the State the DOT have advised that they would make changes on 17K and 211 to move the white line back a little, but nothing more.

My wife is a school bus driver, she and the other school bus drivers are happy because it provides for a better turning radius. It does help us for the truck traffic. The State is not conducting a traffic study and was advised that traffic studies can change from month to month.

They have a deficit of six half billion dollars but they can tell us how to budget our money.

He believes we have to protect ourselves with constant enforcement and being labeled in the Village as we always been said, don't speed through the Village of Montgomery. During my daily walk, an eighteen-wheeler, "Lays" potato chip truck was traveling down past the Post Office, he was not making a local delivery. He was avoiding 17K and now he is using Boyd Street and

Goodwill Road. Remember we are also dealing with Garmin, Rand McNally, and Magellan GPS devices. Our Police Department is doing a fantastic job, working with the DOT and the NYS Police, it's gotten the message out there to the truck drivers.

Mayor Brescia mentioned speaking with David Church. He has discussed with the Department staff your request for a transportation/traffic study in the Village of Montgomery and the surroundings. He recommends Senior Planner Fred Buddy has been assigned to lead this effort and will be in contact with you directly. He can be reached at fbuddy@orangecountygov.com or at 845-615-3480 ext. 3848. Working with transportation staff here, Fred has proposed methodology for the use of such a study. This methodology can be shared with you once you and Fred connect, please note our ability will be to research and prepare a preliminary study of transportation and transit conditions as well as options and recommendations to make improvements. More detailed analysis by contract professional or others may be necessary should recommendations be for physical or service improvements such as Hethel Investments. A meeting with the Village of Montgomery and the area leadership to agree on the next steps and schedule, as well as set limits of the area to be studied. Please coordinate with Fred Buddy or Julie Richmond to set up the meeting. We recommend some type of advisory group or steering committee for this study, that could be either an existing Board or a committee supplemented by other individuals with expertise; so, we can assist you to set up and have the advisory committee assist in this study. Either way please consider what key interested parties and what key interested individuals with knowledge to participate and guiding us on this effort.

Mayor Brescia asked the Clerk Rivera-Fernandez to remind him to call David Church tomorrow to discuss this with Trustee Hembury's committee and cover at the next Board meeting. No response has been received from the Department of Planning regarding the Comprehensive Plan, the revised map for the Orange County Airport.

Mr. Berger asked about the paving of Route 211, he was informed that is going to be on 416. DPW Supt. Nelson said, the Village is supposed to be informed, the run off could flood everyone, that's probably why they are not going to pave the Village.

OATH OF OFFICE

William Herlihy took his oath of office as the Village of Montgomery Part-Time Police Chief.

Resident who did not state his name, inquired about a radar digital speed sign. He heard that the Village may have had one that is out of service. He is happy to explore getting a grant to purchase one. Mayor Brescia suggested looking on auctions.com for one. Police Chief Herlihy said it may be possible surplus the one for parts and use the funds from the sale towards another digital radar sign.

REPORTS – POLICE DEPARTMENT

Police Chief Herlihy mentioned conducting the commercial motor vehicle enforcement on the 27th, we worked with the State Police and DOT. Our detail stopped and inspected eighteen commercial motor vehicles, with 1 hazmat issue, 3 licensing issues, 3 load secures. There were 23 observations done on motor vehicles. According to the State Police and the DOT, not all were able to be receive a written summons. However, they were noted in the report. It began at 7:30 am until 1:00 pm, it was staffed by one State Police personnel, one DOT personnel, three of our officers, and himself, with Sergeant Briere supervising the area. In addition, we have everything in place for the St. Pat's Ramble, and all the permits have been filed. He has been working with Buddy and the DPW for the road closures to be done for that day, as well as the signage for the no parking. Speeding is

always an issue for us, as well as the constituents in the Village. It is a big problem; he wishes the department could be at every location at every time. It is unfortunate. He has been in the police force for 27 years, and has explored just about every avenue. We will keep at it and continue enforcing as best as we can. Trustee Lindner asked about the signs that indicates your speed, with the ability read the license plate. He knowledge of other agencies that have used them. It has been found that phone calls would come in with the individual saying that sign took a picture of me, I wasn't speeding, can you take it out of the data base. We have used ones with pressure ropes on the floor, it could tell you the speed with a box that gets chained to a pole. It also records the time of day, and what types of speed are actually happening with a report. He will look into it also. He has purchased radars that are battery operated as well, instead of the car being out in plain sight. The car would hide the car with another person standing out there. He has devised a plan to conduct speed monitoring. He has great ideas and doesn't want to give away his secrets. The flooring in the Police Department is nearly finished.

REPORTS – DPW

DPW Supt. Nelson reported on the 2021 CDBG is up. We have to come up with a project. Trustee Lindner stated an addition to the Senior Center is best suited for the 2021 CDBG project. He has spoken with Greg Wantje, regarding the size and grants. We have to decide who will be the grant writer for the project. Mayor Brescia suggested using Lanc and Tully as the grant writer for the project. Trustee Lindner has also spoken with Community Development and we are not eligible for much due to the income level of the Village. However, there is funding for Senior Citizen activities. We are looking at an extension on the Senior Center, on the end closest to the Sweikata by about twenty feet. It would allow for storage, which there is very little of and the other portion would be utilized for a comfortable meeting area for the seniors.

DPW Supt. Nelson said a Public Hearing is needed for the project.

2021 CDBG PUBLIC HEARING SET

Moved by Trustee Lindner, seconded by Trustee Hembury, the Board set the Public Hearing date for the 2021 CDBG, to be held on March 17, 2020 at 7:15 pm. Motion carried, 5-Ayes, 0-Nays.

DPW Supt. Nelson further reported on NY Leak Detection conducted a survey of the whole Village. They found four water leaks that was estimated it at 53 thousand gallons a day. It is pretty shocking and they have all been repaired, at the cost about \$25,000 for the repairs. We have one leak left that we are working on and he is certain another one will show up. The survey was at no cost to us, but the next time he would like to use another company and they would reimburse the Village. He would use a person that really knows the Village. This guy came down from above Binghamton, he grabbed a map and was done with the entire Village in 16 to 18 hours. We have 14 miles of water lines. He wrote it up and scooted out of town. We are not the only village that had that problem. In the Town of New Windsor, it was done in 36 hours, again conducted by one person.

Trustee Hembury mentioned reporting to the DPW about the bench being vandalized with graffiti and it was taken care very quickly. He thanked Buddy for staying on top of that. Once it gets noticed then it spreads like wild fire.

DPW Supt. Nelson said the pioneer is back up in the pleasure ground.

A resident who did not state her name said, she cannot commend the DPW enough for the way they take care of the Village. You call them and immediately they are there. They work with such great pride. She read somewhere and can't remember where it was that there might be some consideration for the consolidation of the Town and Village Police Departments. Given the attention of the Police Department there is so often terms such as, they know us and they are there right away when there is a problem. She would hate to see that happen.

Mayor Brescia said we have not discussed that. You may have read it in the newspaper. He is not for it and that is why we have such a safe village.

She further asks if the park on Dunn Drive has ever been considered to be fenced in the for a dog park. Mayor Brescia said we already have two dog parks. We may be able to consider it if we get money in Lou of Parkland.

There has been a lot of dumping there.

ADOPT A RESOLUTION ACCEPTING THE IMA STOP-DWI/SAFETY PROGRAM AS WELL AS AUTHORIZING MAYOR BRESCIA TO EXECUTE THE CONTRACT BETWEEN THE COUNTY OF ORANGE, BY AND THROUGH IT DEPARTMENT OF EMERGENCY SERVICES AND THE VILLAGE OF MONTGOMERY, BY AND THROUGH IT POLICE DEPARTMENT

Moved Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board adopted a resolution accepting the (IMA) Stop-DWI/ Traffic Safety Program, as well as authorizing Mayor Brescia to execute the contract, by and between the County of Orange, by and through its Department of Emergency Services and the Village of Montgomery, by and through its Police Department, the term shall commence on February 20,2020 and end January 11, 2021. Motion carried, 5-Ayes, 0-Nays.

EVENTS

Sunday, March 15th, 11 am; St. Pat's Grand Marshal Mass at St. Mary's

Sunday, March 15th, Grand Montgomery Chamber Music Concert Series presents, Yalin Chi; held at the Montgomery Senior Center, 36 Bridge Street.

Saturday, March 21st, 9:40 am; Rainbow Dash, 10:00 am; Run for the Gold, and 1:00 pm; St. Pat's Ramble Parade.

ADOPT A RESOLUTION AUTHORIZING MAYOR BRESCIA TO ENTER INTO AN IMA BETWEEN THE COUNT OF ORANGE THROUGH ITS OFFICE FOR THE AGING, OPERATES A SENIOR DINING PROGRAM HELD AT THE SENIOR CENTER AND THE VILLAGE OF MONTGOMERY

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board adopted a resolution authorizing Mayor Brescia to enter into an intermunicipal agreement by and between the County of Orange, by and through its Office for the Aging, operates a Senior Dining program held at the Senior Center, and the Village of Montgomery, effective January 1, 2020 through December 31, 2020 with compensation of cost not to exceed \$26,877.00. Motion carried, 5-Ayes, 0-Nays.

ADOPT A RESOLUTION DECLARING ITSELF AS LEAD AGENCY FOR AN ALMOST DID ENQUIRY ENACTION FOR THE LOCAL LAW 1 OF 2020, NEGATIVE DECLARATION

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board adopted a resolution declaring itself as lead agency for an almost did enquiry enactment for Local Law 1 of 2020 with a negative declaration. Motion carried, 5-Ayes, 0-Nays.

PUBLIC PORTION

Chris Ladanyi of 87 Weaver Street, expressed his concerns regarding the KSH project and the close proximity it is to his home. He is not in favor of the project or the size of it, and the impact it would have to his way of living, in a historic community. For the record, he submitted correspondence to the Board.

A resident who did not state his name, expressed his thoughts and concerns regarding all of the building that is happening all around us. He is glad to hear the Village Board is considering a moratorium. There are other uses in the I-1 zone that could be a better option.

Atty. Dowd stated the residents are not notified; it is advertised through Public Hearings, through the Planning process.

Trustee Lindner stated the property in question, has always been zoned commercial property since he has been a resident of over 27 years. The residents who purchased their homes neighboring this parcel should have been informed, at the time of purchasing their homes. Again, it's has been zoned as an I-1, commercial property.

ATTORNEY CLIENT PRIVILEGE

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board entered into Attorney Client Privilege at 8:37 pm, for matters regarding Vistamor, and the Solar project, with Atty. Dowd and the Village Clerk Rivera-Fernandez in attendance. Motion carried, 5-Ayes, 0-Nays.

EXIT ATTORNEY CLIENT PRIVILEGE

Moved by Trustee Lindner, seconded by Deputy Mayor Scheels, the Board exited Attorney Client Privilege at 8:45 pm. Motion carried, 5-Ayes, 0-Nays.

ADJOURNMENT

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board adjourned the meeting of March 3, 2020 at 8:47 pm. Motion carried, 5-Ayes, 0-Nays.

Monserrate Rivera-Fernandez, Village Clerk