

Minutes of the Regular Meeting of the Board of Trustees and Work Session with the Planning Board of the Village of Montgomery held in the Meeting Room at 133 Clinton Street, Montgomery, NY 12549 on Tuesday, **September 16, 2008** at 7:00 P.M.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Cantiello, Trustee Kiernan; Planning Board Members – Ramano, Weissman, Weeden, Hembury; Atty. Dowd; Representatives from Central Hudson Gas & Electric; O-I-C. Luffman; Planning Consultant Alan Sorensen; Richard Neidermeyer; Andy Roepe; Johanna Sweikata; Carol Monroe; Rory Holbert; Wallkill Valley Times reporter.

## **RE: WORK SESSION**

Representative from Central Hudson Gas & Electric met with the Board and the Planning Board to review the proposed electric transmission upgrade map. When rerouting the line they looked more closely at the Villages of Walden and Montgomery. In summary, after looking more closely at the map, the preferred route by the Village of Montgomery would come from the substation on Rt.17K and skirt around the easterly end of the village. This will be proposed at the Town Planning Board meeting on the September 18<sup>th</sup>. The Board is being asking to adopt a resolution in support of the preferred route being presented. The Town Planning Board has questioned why it cannot be rebuilt in the existing line path. We have spent the last six-eight months taking a hard look at that. When it was built in the 1930's through the Village there is no ROW or in some areas very narrow. A survey was done to define the width of ROW.

Mayor Brescia advised he prefers what Central Hudson is proposing and asked the Boards their preference. P/B Member Ramano prefers what is being proposed by CHG&E. Trustee Kiernan questioned if this proposal is more cost effective. Mr. Schoebel advised safety and reliability are their number one priority. Secondary are the social and environmental impacts. There are advantages and disadvantages to both routes being proposed. Minimal impacts were also taken into consideration. A representative from CHG&E added even in areas where the lines will be left in place the area will be enhanced meaning brush cleared and the ROW defined. There will be no houses taken down. Trustee Cantiello asked CHG&E to clarify which houses the proposed line will come close to. Mr. Stoebel said mainly by Purple Heart Way and near Tompkins Road. From an individual's point of view, no route will satisfy everybody. Mayor Brescia asked if the proposed upgrade would help with less power outages? P/B Member Hembury said he would not like to see it be something like the Marcy/South line. He asked if everyone that will be affected was notified. Mr. Stoebel said in January 2007 public information sessions were held and letters sent out to the property owners along the proposed route. There will be poles that vary in height (60'-70') and explained how they are trying to strike a balance with the visual impact and size of the pole. The poles will be rusted steel similar to what is used on the guide rails along side of the roads. But, if the Town Planning Board prefers wood poles, they will consider it. Trustee Cantiello said with the Marcy/South line there was a health concern. Atty. Biernstein said by making the pole higher it helps to lessen the EMF and the new design is even better for the EMF to start with. Atty. Dowd advised he believes there has been determinations by the Federal Government that many studies on this that those concerns can not be taken into consideration that they cause cancer or anything like that when objecting to it. A CHG&E representative said they are way below those standards noting you would get more from a microwave. Right now the transmission line is on top and the distribution line is on the bottom. The representative from CHG&E said they want to rebuild the line that makes

sense and is compatible for the community. It is a local transmission line that serves all of the communities.

Mayor Brescia poled the Board to see who is in support of the preferred line being proposed by CHG&E. The Board was in favor of the preferred route and sending a resolution to the Town Planning Board stating the Board's position. The resolution will say the proposed Central Hudson route is the preferred route because the lines will be located in the least populated areas in the town and to encourage the planning board to take that into consideration when make their decision.

## **REGULAR MEETING**

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

### **RE: CHG&E PROPOSED TRANSMISSION LINE SUPPORT**

Moved by Trustee Kiernan, seconded by Deputy Mayor Scheels, the Board adopted a RESOLUTION SUPPORTING CENTRAL HUDSON'S PLAN FOR THE WALDEN-MONTGOMERY (WM) TRANSMISSION LINE REBUILD PROJECT AS IT PERTAINS TO THE VILLAGE OF MONTGOMERY and to notify the Town of Montgomery Planning Board as the Lead Agency under SEQRA. Motion carried 5-AYE, 0-NAY vote.

### **RE: MINUTES**

Moved by Trustee Cantiello, seconded by Trustee Andolsek, the Board approved the minutes of September 2, 2008. Motion carried 5-AYES, 0-NAYS.

### **RE: COMPREHENSIVE PLAN**

Alan Sorensen met with the Board to discuss the Comprehensive Plan (Master Plan) timelines and procedures. The draft was completed in May 2008 and the DEIS was completed and given to the Board June 2008. The committee held its two public hearings that were required. Now the Comprehensive Plan and GEIS have to be referred to the Orange County Department of Planning for review. The next step is for the Village Board to accept the GEIS and Comprehensive Plan as complete and to schedule a public hearing and simultaneously refer to the OC Planning Department pursuant to GML-289. A public hearing can be set for October 7<sup>th</sup> and the written public comment period will be held open through October 17<sup>th</sup>. Then based on public comment, sometime in November the Board can make a decision to adopt the plan. Mayor Brescia advised at some point in time he would like to have the signs in the business district faced on the building. The Board was asked if they had any comments. With no comments the public hearing can be set and will be held at the senior center.

Trustee Kiernan and the Board complimented Alan Sorensen and the Comprehensive Plan Committee on the professional job updating the plan. Mayor Brescia added the Committee was able to reach a good cross section of the community to comment on the plan.

Moved by Deputy Mayor Scheels, seconded by Trustee Kiernan, the Board accepted the DGEIS as complete for the Comprehensive Plan. Motion carried 5-AYES, 0-NAY vote.

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board set a Public Hearing for the Comprehensive Plan on October 7, 2008 at 7:00 p.m. at the Senior Center, 36 Bridge Street and to officially refer same to the Orange County Department of Planning for review. Motion carried 5-AYES, 0-NAY vote.

**RE: OMPF PLANNING & LAND USE COURSE**

Moved by Trustee Kiernan, seconded by Trustee Andolsek, the Board approved for the Planning Board and Zoning Board of Appeals members to attend a 2008 Planning & Land Use Course sponsored by the OC Municipal Planning Federation. Motion carried 5-AYES, 0-NAY vote.

**RE: TIME WARNER CABLE FRANCHISE RENEWAL**

Atty. Dowd reported Time Warner Cable has not responded to the last letter asking them to start negotiations for franchise renewal. Therefore, he will try to contact someone at the State to see what is going on and report back to the Board.

**RE: AHRB GUIDELINES**

Mayor Brescia advised the Board will schedule a work session with the Architectural and Historic Review Board in December to finalize the guidelines.

**RE: WATER/SEWER PENDING**

Mayor Brescia and the Board reviewed Mrs. Farkas's (145 Union St.) request to waive the water/sewer penalty on the last bill. It will be referred to DPW Supt. Nelson for input.

**RE: RT. 17K RAILROAD TRACKS – COMPLAINT**

Mayor Brescia and the Board acknowledged Ruth DeISanto's complaint concerning the hazardous condition of the railroad tracks on Rt. 17K. She has asked for the Board's assistance to have them repaired. After a discussion, Mayor Brescia will contact the main office of the DOT to see what can be done. Trustee Kiernan advised he has received complaints about potholes and trees hanging into the streets. It takes forever before they respond to the situation.

**RE: LIBRARY INSURANCE RENEWAL**

Moved by Trustee Cantiello, seconded by Deputy Mayor Scheels, the Board approved to renew the Montgomery Free Library annual liability insurance in the amount of \$2,240.94. Motion carried 5-AYES, 0-NAYS.

**RE: TEEN CENTER RENTAL REQUEST– NYRI**

Moved by Trustee Kiernan, seconded by Trustee Andolsek, the Board approved New York Regional Interconnect's request to rent the Teen Center at the rental fee of \$125 on October 28, 2008 for the purpose of holding a public hearing for the Public

Service Commission subject to a certificate of insurance. Motion carried 5-AYES, 0-NAYS.

**RE: MONTGOMERY ESTATES II**

Mayor Brescia and the Board expressed the concern of the roads not being dedicated and snow plowing during the winter months. Atty. Dowd advised if the roads are not dedicated, the Board should see what can be done through the Montgomery Estates II bond.

**RE: SENIOR CENTER RENTAL REQUEST – GIRL SCOUT TROOP**

Moved by Deputy Mayor Scheels, seconded by Trustee Cantiello, the Board approved for The Marion Wild Girl Scout Community to use the Senior Center on November 8, 2008 at no charge for the purpose of holding the dedication ceremony to officially announce renaming the Girl Scouts Service Unit 215 to The Marion Wild Girl Scout Community honoring Village Historian Marion Wild. Motion carried 5-AYES, 0-NAYS.

**RE: RENTALS**

Trustee Kiernan advised the Board should discuss rental fees for the Senior Center and Teen Center for the purposes of clarification. Trustee Cantiello said Maybrook's rental fee is \$500 and \$250 for residents. Mayor Brescia said the Board should talk about it to be consistent when someone wants to rent it.

**RE: PUBLIC PORTION**

Steve Zukose, (2 Pine Court) addressed the Board concerning speeding in Rolling Meadows, tar & chipping roads and stop signs. Today he stopped a car load of kids flying through the neighborhood. Additional stop signs have been put up in Rolling Meadows, and asked the Board to consider making a three-way stop on the corner of Pine Court and Sycamore Drive. There are other four-way and three-ways stops in the development. Mayor Brescia asked OIC Luffman to increase the patrols in that area. Steve Zukose advised the police department is doing a terrific job patrolling this area all the time but they are not catching anyone. They may have to sit there awhile. Trustee Kiernan advised it looks as though it could be local residents that are speeding through there. Richard Neidermeyer, a resident and police officer for the village, said he has stopped numerous cars who were residents and he used his discretion to make them aware there is a stop sign there and they have to stop at it. After a discussion, the Board agreed after several warnings they probably should be ticketed. Steve Zukose, also discussed the amount of gravel remaining after tar and chipping of the roads. It creates a problem with the kids riding bikes, playing football or playing in general. He has spoken with the DPW to suggest bringing the street sweeper through more times. Mayor Brescia advised the Board will look into to it further and see what can be done about the stop signs.

**RE: ADJOURNMENT**

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board adjourned the meeting at 8:09 p.m. Motion carried 5-AYES, 0-NAY vote.

Village Clerk Linda L. Thompson