

Minutes of the Regular Meeting of the Board of Trustees of the Village of Montgomery held in the Meeting Room at 133 Clinton Street, Montgomery, NY 12549 on Monday, **December 2, 2008** at 7:30 P.M.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Cantiello, Trustee Kiernan; O-I-C.Luffman; Vlg. Historian Wild; M/M LaRocca; Jennifer Watson Andy Roepe; J.R. Webb; Beth Blaska; Nestor Gonzalez; Kathleen Valentini; Lisa Kimball; Carol Monroe; Johanna Sweikata; Wallkill Valley Times reporter.

REGULAR MEETING

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

RE: MINUTES

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board accepted the minutes of November 18, 2008 with Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Kiernan voting AYE and Trustee Cantiello Abstained (not present). Motion carried.

RE: ABSTRACT NO. 12-2008

Moved by Trustee Cantiello, seconded by Deputy Mayor Scheels, all bills listed on ABSTRACT No. 12-2008 were audited and approved for payment contingent upon review by Trustee Kiernan with \$258,663.38 from the General Fund, \$19,816.53 from the Water Fund, \$28,542.73 from the Sewer Fund and totaling \$334,022.64. Check Nos: 37114-37123; 38631-38714. Motion carried 5-AYE, 0-NAY vote.

Treasurer Benedict reported a CASH BALANCE for the month ending November 30, 2008, as follows: General Fund \$1,551,549.10, Water Fund \$135,967.71 Sewer Fund \$296,914.81.

RE: REQUEST TO REDUCE SPEED LIMIT – WARD STREET

J.R. Webb (Montgomery Manor) requested the Board to consider reducing the speed limit from 40 mph to 30 mph on Ward Street in front of Montgomery Manor Senior Housing. He has also spoken with the police department about it. The cars seem to go much faster than the 40 mph making it difficult getting in and out onto the highway. He walks his dogs a lot and it is difficult to cross the road, not only for him but for others that walk and drive too.

Mayor Brescia advised the Board will look into and take it under consideration and asked DPW Supt. Nelson and OIC Luffman for recommendations. Trustee Kiernan stated because it is a state highway, it would not hurt to submit a petition asking for the speed limit to be reduced. Deputy Mayor Scheels advised because Montgomery Manor is there, the DOT would not have a problem changing the speed limit.

RE: BID – STP AERATORS

The following Bid for Mechanical Aerator Assemblies for the sewer treatment plant was received: Lakeside Equipment Corporation - \$76,920. Mayor Brescia advised DPW Supt. Nelson would like clarification on a couple items before the Board takes action.

RE: WALLKILL/RAILROAD AVENUES WATERMAIN REPLACEMENT

DPW Supt. Nelson reported the work should be completed by December 31st and the project should come in under bid.

RE: RENEWAL LIQUOR LICENSE

The Board acknowledged Ward's Bridge Inn intent to renew its on-premise liquor license.

RE: WESLEY HALL – VILLAGE MUSEUM RENTALS

Mayor Brescia and the Board discussed rental guidelines for the Village Museum in Wesley Hall. There were two rentals scheduled through the museum committee. The Board will honor those rentals indicating future rental will go through the Village Hall and handled in the same manner as rentals for the senior center and recreation center. There would be no problem reducing the rental fee (\$250) for groups using the center for three hours or less to \$150 because it would seem fair. The rental fee for non-for-profits would have to be discussed further. The \$250 rental fee would still be shared the same. A certificate of insurance naming the village as additional insured will be required as for use of any village facility.

Beth Blaska reported the Friends of the Library event scheduled for the museum has been cancelled because they did not have enough of a commitment as of yesterday. . . Vlg. Historian Wild suggested the museum committee should work with the Village Board to come up with guidelines for anyone wishing to use the museum for a meeting. Then everyone will be on the same page and knows what is expected. After a discussion, Mayor Brescia advised back in March the Board agreed anyone renting the museum would be charged \$250. The Village Board will consult with the museum committee and the historian before approving of an organization to use Wesley Hall. For non-for-profits rentals, the Board agreed the fee would be \$150 for all groups who want to rent it. If the museum committee or the village is hosting an event, a fee will not be applicable. A certificate of insurance would be required and an agreement will be required to be filled out. Deputy Mayor Scheels is looking into the number of keys that is out there. Trustee Kiernan advised that the group of people that make up the museum committee are doing a diligent job and are very organized. He is proud to be part of the committee on behalf of the Village Board. Mayor Brescia said the Board agrees. The committee supports the historian and the Village historian is in charge of the museum. A list of committee members must be submitted to the Board to be covered under the village's insurance.

Moved by Trustee Kiernan, seconded by Trustee Andolsek, the Board approved all rentals for the Village Museum must go through the Village Clerk's office and be approved by the Village Board in conjunction with the Museum Committee and set the rental fee of \$150 (\$100 to the village, \$50 to museum) for all groups requesting to rent the Montgomery Village Museum for up to four hours and subject to a certificate of insurance naming the Village as additional insured. Motion carried 5-AYE, 0-NAY vote.

RE: PUBLIC PORTION

Lisa Kimball and a group of residents from Conroy Avenue addressed their concerns about Central Hudson's proposed power line upgrades. Many of the residents are going to be impacted by it. They expressed concerns with health, property values and safety. There are several proposals and no definite route has been determined. They are surveying the properties and they probably would not be doing that if that is not where it is going. The Village Board was asked if they could protect their interests by getting involved somehow. They are attending, as a group, every meeting and work session the Town Planning Board has with Central Hudson.

Mayor Brescia stated as a board we agree that is what they are trying to do. A resolution was adopted by the Board asking Central to keep the upgrade of the lines as far out of the village and residential areas as possible. A copy of that resolution has been forwarded to the Town of Montgomery Planning Board. The Central Hudson preferred route is what the Village preferred. The Town Planning Board was trying to push it more into the Village of Montgomery. There is a meeting tomorrow night at the Town Planning Board. Deputy Mayor Scheels referred to the meeting the Village Board had with Central Hudson and at that meeting the Board said they would rather see the lines away from the Village and recommended they use that land which they probably will never develop anyway. That is the concept the Village Board presented to Central Hudson at that meeting. Trustee Kiernan asked if the SEQRA process was complete? Lisa stated 'no' but as a group, they would like to see a positive declaration adopted so further review would be required. The Board was asked to consider passing a law requiring power lines to be placed under the ground saying the population no doubt will increase over time. The state of Connecticut has passed a law where the power lines must be buried underground.

After a discussion, the Village Board will try to attend the Town Planning Board meeting. Trustee Kiernan said he will attend that meeting and try to reiterate the Village Board's concerns as was discussed in the meeting they had with Central Hudson.

RE: EXECUTIVE SESSION(s)

Moved by Deputy Mayor Scheels, seconded by Trustee Cantiello, the Board entered EXECUTIVE SESSION at 8:27 p.m. under Public Officers Law §7() to discuss pending litigation, Village v. Wild with Atty. Dowd and Village Clerk Thompson in attendance. Motion carried 5-AYE, 0-NAY vote.

Moved by Trustee Andolsek, seconded by Trustee Kiernan, the Board went out of EXECUTIVE SESSION at 8:51 p.m. Motion carried 5-AYE, 0-NAY vote.

Moved by Trustee Kiernan, seconded by Deputy Mayor Scheels, the Board entered EXECUTIVE SESSION at 8:52 p.m. under Public Officers Law §7(f) to discuss police personnel with Atty. Dowd, OIC Luffman and Village Clerk Thompson in attendance. Motion carried 5-AYE, 0-NAY vote.

Moved by Trustee Kiernan, seconded by Trustee Andolsek, the Board went out of EXECUTIVE SESSION at 8:59 p.m. Motion carried 5-AYE, 0-NAY vote.

RE: ADJOURNMENT

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board adjourned the meeting at 9:01 p.m. Motion carried 5-AYES, 0-NAY vote.

Village Clerk Linda L. Thompson