

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 Tuesday, **December 16, 2008** at 7:30 P.M.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Cantiello; Trustee Kiernan; Clerk Veronica Rickerd; Atty. Dowd; O-I-C.Luffman; Patricia Imbriani; Johanna Sweikata; Michael & Sue Hembury; Andy Roepe; Jennifer Watson; Lisa Kimball and residents from Montgomery Estates.

## **REGULAR MEETING**

Mayor Brescia opened the Regular Meeting with the Pledge of Allegiance to the flag.

### **RE: 21<sup>st</sup> ANNUAL HOUSE DECORATING CONTEST**

Mayor Brescia and Patricia Imbriani, chairperson, presented prizes to the many winners of the 21<sup>st</sup> Annual House Decorating Contest that were present and they thanked the area businesses for donating the prizes for the winners. This year, our judges are Patricia Imbriani, Johanna Sweikata and Shelly Tolg. Pat Imbriani said as usual it was very difficult this year to select winners. Mayor Brescia thanked Patricia Imbriani and the judges and the residents for doing a fantastic job. (List attached)

### **RE: EAGLE SCOUT PROJECT – FLAG POLE – PLEASURE GROUND PARK**

Eagle Scout Steve Hodge discussed his project to put up a flag pole by the new ball fields at the end of Bachelor Street. The existing flag pole in Veterans Memorial Park cannot be seen from the new fields. He hopes to have everything donated. Mayor Brescia suggested Tim Dempsey (American Legion) be contacted and Trustee Kiernan suggested Tetz Concrete be asked to donate the concrete. Mayor Brescia signed the letter for Eagle Scout Hodge so he can proceed with his project.

### **RE: BID – STP AERATORS**

Moved by Trustee Kiernan, seconded by Trustee Andolsek, the Board accepted the Bid for Mechanical Aerator Assemblies from Lakeside Equipment Corporation in the amount of \$65,400. Motion carried 5-AYES, 0-NAY vote.

### **RE: WATER/SEWER PENALTY WAIVED.**

Moved by Deputy Mayor Scheels, seconded by Trustee Cantiello the Board approved Rhonda Pacini's request to waive the June Water/Sewer bill penalty in the amount of \$31.54 due to a financial hardship. Motion carried, 5-AYE, 0-NAY vote.

### **RE: CHRISTMAS HOLIDAY**

Moved by Trustee Andolsek, seconded by Trustee Kiernan, the Board approved all full-time employees and permanent part-time employees, with the exception of the police department and building department, to be given one-half day off with pay on December 26, 2008 as an incentive from the Village Board. Motion carried 5-AYE, 0-NAY vote.

**RE: BUDGET ADJUSTMENTS**

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board authorized Treasurer Benedict to make budget transfers as follows:

	From:	To:	
\$ 100.00	1325.400A (Finance Contr)	13200A (Auditor)	
\$ 274.27	9010.800A (State Retirement)	9050.800A (Unemployment Ins)	
\$ 100.08	8340.400F (Trans & Dist Contr)	1930.000F (Refund prev yr)	
\$1,878.96	8130.400G (Trmnt & Disp Contr)	1930.000G (Refund prev yr).	

Motion carried 5-AYE, 0-NAY vote.

**RE: FY-2008 GRANT – WALLKILL/RAILROAD AVES. WATERMAIN REPLACEMENT SCHENLEY CONSTRUCTION INC. FINAL PAYMENT REQUEUST**

Moved by Trustee Kiernan, seconded by Deputy Mayor Scheels, the Board approved the Final Payment Request for Schenley Constrction, Inc. in the amount of \$37,478.34 for work on the Wallkill/Railroad Avenues Watermain Replacement (FY-08 CDBG Program) subject to final approval by Village Engineer Lanc & Tully, PC and Office of Community Development. Motion carried 5-AYE, 0-NAY vote.

**RE: SPECIAL MEETING - CHG&E POWERLINE UPGRADES**

Lisa Kimball and a group of residents reiterated their concerns and the impact the upgrade may have on the residents living in Montgomery Estates and other residents in the area of the proposed power line upgrades by Central Hudson Gas & Electric. They recently attended a Town Planning Board meeting and Trustee Kiernan proceeded to update the Board on that meeting. The Town Planning Board and Central Hudson are willing to meet with the Village to discuss the proposed upgrades. After a discussion, the group asked the Board for help in getting the residents concern addressed by Central Hudson.

Mayor Brescia advised the Board is empathetic with the residents concerns and said the Village Board will meet with the Town Planning Board and Central Hudson to discuss the concerns the residents have expressed at our meetings. The Board was in favor and asked that Central Hudson provide the maps and information for review.

Moved by Trustee Kiernan, seconded by Trustee Andolsek, the Board set a Joint Meeting the Village Planning Board on January 14, 2009 at 7:00 P.M. at the Village Hall for the purposes of meeting with the Town of Montgomery Planning Board and Central Hudson Gas & Electric to discuss proposed power line upgrades. Motion carried 5-AYE, 0-NAY vote.

**RE: EXECUTIVE SESSION(s)**

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board entered EXECUTIVE SESSION at 8:41 p.m. under Public Officers Law §7(d) to discuss potential litigation concerning enforcement of zoning violations with Atty. Dowd, B/I Yancewicz and with Village Clerk Thompson in attendance. Motion carried 5-AYE, 0-NAY vote.

Moved by Trustee Kiernan, seconded by Deputy Mayor Scheels, the Board went out of EXECUTIVE SESSION at 8:52 p.m. Motion carried 5-AYE, 0-NAY vote.

Moved by Trustee Kiernan, seconded by Deputy Mayor Scheels, the Board entered EXECUTIVE SESSION at 8:53 p.m. under Public Officers Law §7(f) to discuss police department personnel with Atty. Dowd and with Village Clerk Thompson in attendance. Motion carried 5-AYE, 0-NAY vote.

Moved by Deputy Mayor Scheels, seconded by Trustee Kiernan, 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 Kiernan, the Board adjourned the meeting at 9:00 p.m. Motion carried 5-AYE, 0-NAY vote.

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Village Clerk Linda L. Thompson