

**TOWN OF MONTGOMERY
TOWN BOARD MEETING
WORK / AUDIT MEETING
Thursday, October 17, 2019
6:00 p.m.**

MOTIONS

Public Hearing - Introductory Local Law No. 4 of 2019 - Local Law amending Chapter 235 of the Town Code to add a provision setting forth requirements for Construction, Bonding, Inspections and As-Built Plans

Resolve

Motion by Councilman Dempsey, Jr., seconded by Councilwoman Melick that the Town Board of the Town of Montgomery opens the Public Hearing for Introductory Local Law No. 4 of 2019 amending Chapter 235 of the Town Code to add a provision setting forth requirements for Construction, Bonding, Inspections and As-Built Plans .

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Resolve

Motion by Councilman Dempsey, Jr., seconded by Councilwoman Voss that the Town Board of the Town of Montgomery adopts lead agency for the SEQRA review for Introductory Local Law No. 4 of 2019, a local law amending Chapter 235 of the Town Code to add a provision setting forth requirements for Construction, Bonding, Inspections and As-Built Plans .

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Resolve

Motion by Councilwoman Melick, seconded by Councilman Dempsey, Jr. that the Town Board of the Town of Montgomery continues the Public Hearing to Thursday, November 7, 2019 at 7:00 pm or as soon thereafter as the matter may be heard at the Town Government Center, 110 Bracken Road, 2nd Floor, Montgomery, NY for Introductory Local Law No. 4 of 2019, a local law amending Chapter 235 of the Town Code to add a provision setting forth requirements for Construction, Bonding, Inspections and As-Built Plans .

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Public Hearing - Introductory Local Law No. 3 Of 2019 - a Local Law amending Local Law No. 2 of 2017 amending section 90-120 entitled "Solar Siting" of the Town of Montgomery Zoning Law

Resolve

Motion by Councilwoman Melick, seconded by Councilman Dempsey, Jr. that the Town Board of the Town of Montgomery closes the Public Hearing for Introductory Local Law No. 3 of 2019, a Local Law amending Local Law No. 2 of 2017 amending section 90-120 entitled "Solar Siting" of the Town of Montgomery Zoning Law.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Resolve

Motion by Councilman Dempsey, Jr., seconded by Councilwoman Melick that the Town Board of the Town of Montgomery adopts a negative declaration under SEQRA for Introductory Local Law No. 3 of 2019, a Local Law amending Local Law No. 2 of 2017 amending section 90-120 entitled "Solar Siting" of the Town of Montgomery Zoning Law.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Resolve

Motion by Councilwoman Melick, seconded by Councilwoman Voss that the Town Board of the Town of Montgomery adopts Local Law No. 6 of 2019, a Local Law amending Local Law No. 2 of 2017 amending section 90-120 entitled "Solar Siting" of the Town of Montgomery Zoning Law.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Resolve

Motion by Councilwoman Voss, seconded by Councilman Hoyt that the Town Board of the Town of Montgomery authorizes the payment of Abstract #10 of 2019 for Voucher Numbers 191940 - 192173, excluding Voucher Number 191950 in the amount of \$1,135.09, including Payroll Numbers 19 and 20 and Prepays in the total amount of \$1,256,614.92.

Roll Call: 3 Ayes/1 Nays (Council Melick)/1 Absent (Supervisor Winchell) Carried: 3-1-1

Resolve

Motion by Councilwoman Melick, seconded by Councilman Hoyt that the Town Board of the Town of Montgomery requests that in the event that Supervisor Winchell won't sign the check for the unpaid Mark Day PE invoice in the amount of \$750.00 for the report on the Town Highway Garage, the Board asks that Deputy Supervisor Arteta is to sign it.

Roll Call: 4 Ayes/0 Nays /1 Absent (Supervisor Winchell) Carried: 4-0-1

Accept Meeting Minutes of 9/5/19 and 9/12/19

9/5/19

Resolve

Motion by Councilman Dempsey, Jr., seconded by Councilwoman Voss that the Town Board of the Town of Montgomery accepts the September 5, 2019 Town Board Meeting Minutes as amended.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

9/12/19

Resolve

Motion by Councilman Dempsey, Jr., seconded by Councilwoman Melick that the Town Board of the Town of Montgomery accepts the September 12, 2019 Town Board Special Meeting Minutes as submitted.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Budget Transfers

Resolve

Motion by Councilwoman Melick, seconded by Councilwoman Voss that the Town Board of the Town of Montgomery approves the budget transfers as outlined in the Town of Montgomery budget transfers, 10/17/19 negative balance sheet with the exception of transfers from B.8160.0100 (Refuse & Garbage Payroll) in the amount of \$1,281.41 and B.8160.0400 (Refuse & Garbage Expense) in the amount of \$38.03, bringing the total amount transferred from the B Fund Balance from \$51,705.48 to \$50,386.04. (On file and attached as part of the official record)

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

*******William G.**

Pomeroy Foundation

Resolve

Motion by Councilman Dempsey, Jr., seconded by Councilwoman Melick that the Town Board of the Town of Montgomery authorizes the Supervisor to sign the letter granting permission for the installation of historic roadside markers on Town owned property or in Town right-of-way on Town roads at the Benedict Farm Park, 1675 Rte. 17K, the Milliken Farm, 18 Coleman Road, the Thomas Colden House, 181 N. Drury Lane and the Brown Farmstead, 238 Browns Road.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Sewer Easement - 84 Square Associates / Shoprite Property

Resolve

Motion by Councilman Hoyt, seconded by Councilwoman Voss that the Town Board of the Town of Montgomery adopts the Resolution authorizing the acceptance of a sewer access easement on property located at 99 - 139 Hawkins Drive as proposed by Montgomery Grocery Owners LLC and authorizes the Supervisor to execute the necessary documents for the matter provided the final version of the agreement is acceptable in form and content to the Town's Consulting Engineer and the Attorney for the Town.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Appoint 3 Part-Time Police Officers

Resolve

Motion by Councilman Dempsey, Jr., seconded by Councilwoman Melick that the Town Board of the Town of Montgomery appoints Nicole Brooks effective October 28, 2019 as a part-time Police Officer at the contracted rate of pay of \$28.71 per hour.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Resolve

Motion by Councilwoman Melick, seconded by Councilman Dempsey, Jr. that the Town Board of the Town of Montgomery appoints Joseph White effective October 28, 2019 as a part-time Police Officer at the contracted rate of pay of \$28.71 per hour.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Resolve

Motion by Councilman Dempsey, Jr., seconded by Councilwoman Melick that the Town Board of the Town of Montgomery appoints Michael Locerbo effective October 28, 2019 as a part-time Police Officer at the contracted rate of pay of \$28.71 per hour.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Police Cars - 2

Resolve

Motion by Councilman Voss, seconded by Councilman Hoyt that the Town Board of the Town of Montgomery authorizes the Police Department to order 2 new vehicles, one sedan and one SUV and the Supervisor to execute any documents for the matter subject to the review by the Attorney for the Town.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Server Replacement – Town Hall

Resolve

Motion by Councilwoman Voss, seconded by Councilwoman Melick that the Town Board of the Town of Montgomery approves the proposal received from MCS Tech for the installation and purchase of a new Dell Server, rack and equipment for the Town Hall in a total amount not to exceed \$26,000.00

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Delaware Engineering DPC – Mike Aiello Jr.

Resolve

Motion by Councilwoman Melick, seconded by Councilwoman Voss that the Town Board of the Town of Montgomery authorizes the Supervisor to sign the engagement letter with Delaware Engineering DPC to continue the same agreement that currently exists with Engineer for the Town Mike Aiello, Jr.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Preliminary Budget

Resolve

Motion by Councilwoman Voss, seconded by Councilwoman Melick that the Town Board of the Town of Montgomery accepts the Tentative Budget and sets the public hearing for the 2020 Preliminary Budget for Thursday, November 7, 2019 at 7:00 pm or as soon thereafter as the matter may be heard at the Town Government Center, 110 Bracken Road, 2nd Floor, Montgomery, NY.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Resolve

Motion by Councilwoman Melick, seconded by Councilman Dempsey, Jr. that the Town Board of the Town of Montgomery adjourns the meeting at 8:52 p.m.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

**TOWN OF MONTGOMERY
TOWN BOARD MEETING
WORK / AUDIT MEETING
Thursday, October 17, 2019
6:00 p.m.**

A regularly scheduled meeting of the Town of Montgomery Town Board was held in the Town Government Center, 110 Bracken Road, Montgomery, New York, on the above date and time.

Present:

Deputy Supervisor: Paul Arteta
Council Member: Cindy Voss
Council Member: Daniel S. Dempsey, Jr.
Council Member: Sherry Melick
Council Member: Mark Hoyt

Town Clerk: Tara Stickle

Also Present:

Stephanie Tunic, Attorney for the Town
Todd Page, Supt. Of Highways
Shaun Meres, Dep. Supt. Of Highways
Arnold Anthor, Police Chief
Stephen Ragni, Investigator
Cheryl Gross, Director of Finance
Anthony Zambrotta, Clerk to Supervisor
Audience

Absent:

Supervisor Rodney Winchell

Deputy Supervisor Arteta called the meeting to order at 6:00 p.m., asking all to rise for the Pledge of Allegiance.

Deputy Supervisor Arteta thanked everyone for coming and explained that Supervisor Winchell could not make it tonight.

Public Hearing - Introductory Local Law No. 4 of 2019 - Local Law amending Chapter 235 of the Town Code to add a provision setting forth requirements for Construction, Bonding, Inspections and As-Built Plans

Deputy Supervisor Arteta asked for a motion to open the public hearing.

Resolve

Motion by Councilman Dempsey, Jr., seconded by Councilwoman Melick that the Town Board of the Town of Montgomery opens the Public Hearing for Introductory Local Law No. 4 of 2019, a local law amending Chapter 235 of the Town Code to add a provision setting forth requirements for Construction, Bonding, Inspections and As-Built Plans .

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Mr. John Brown, Resident, stated that he thinks that it is a positive to require developers to comply with plans. After looking through the draft local law, he has questions and suggested changes. He stated that the definition of "Improvements" in the introductory local law is not clear in the way that it is written, nor defined; he isn't sure if it is defined in the current Zoning Law. He asked the difference between public or non-public improvements and what exactly does it mean. He asked if it is the road cut, stormwater structure, landscaping, sewer treatment plan, parking lot, etc. He believes this should be clarified. In some instances, it mentions the Planning Board Engineer, and he feels that it is inappropriate for the Planning Board Engineer to make decisions and have authority to make those decisions regarding something that the Town is responsible for. He stated that many items in the law are related to MS4 compliance. The decisions should be made by an MS4 Compliance Officer, Code Enforcement Officer or the Engineer for the Town. He stated that the law mentions a Consulting Engineer, which is also not defined. He also asked if this law would be overriding the normal inspections, certificates of occupancy, etc.

Attorney Tunic recommended the Public Hearing be left open so that these comments can be incorporated into the law if the Board would like them to be.

Resolve

Motion by Councilman Dempsey, Jr., seconded by Councilwoman Voss that the Town Board of the Town of Montgomery adopts lead agency status for the SEQRA review for Introductory Local Law No. 4 of 2019, a local law amending Chapter 235 of the Town Code to add a provision setting forth requirements for Construction, Bonding, Inspections and As-Built Plans.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Resolve

Motion by Councilwoman Melick, seconded by Councilman Dempsey, Jr. that the Town Board of the Town of Montgomery continues the Public Hearing to Thursday, November 7, 2019 at 7:00 pm or as soon thereafter as the matter may be heard at the Town Government Center, 110 Bracken Road, 2nd Floor, Montgomery, NY for Introductory Local Law No. 4 of 2019, a local law amending Chapter 235 of the Town Code to add a provision setting forth requirements for Construction, Bonding, Inspections and As-Built Plans .

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Public Hearing – Introductory Local Law No. 3 Of 2019 - a Local Law amending Local Law No. 2 of 2017 amending section 90-120 entitled “Solar Siting” of the Town of Montgomery Zoning Law

Mr. Dwight Warrington, Resident, stated that he still thinks more work needs to be done on the law; he would like to not see solar in residential areas as industrial areas seem to be less controversial for the matter. He believes that more work needs to be done with the law as the language is ambiguous.

Mr. John Brown, Resident, stated he was following up on what Kristen Brown presented at a previous meeting regarding agriculture, solar panels and solar farms because she is currently at an annual Farm Bureau meeting. He stated that she wanted him to distribute documents available for the Board discussing the advantages of co-locating solar with livestock, specifically sheep and bee farming. He stated that sheep keep the grass down organically, and there are several programs in New York that are looking at the advantages of agriculture with solar. One study talks about how solar farms are helping to preserve prime farmland by giving the farmer an opportunity to receive income from the solar company, while sheep or livestock graze on the property with the solar panels, therefore eliminating the use of weed killers, mowing, etc. He stated that it has been very tough because there are have so many different versions of this draft solar law. He stated that it would be a lot easier for the Public if there was a mark-up version of the law. He sees tight constraints in this law, however there are 14 warehouses that currently are without these restrictions in place.

Deputy Supervisor Arteta asked if Mr. Brown and Mr. Warrington could submit their comments in writing so they could be addressed.

Resolve

Motion by Councilwoman Melick, seconded by Councilman Dempsey, Jr. that the Town Board of the Town of Montgomery closes the Public Hearing for Introductory Local Law No. 3 of 2019, a Local Law amending Local Law No. 2 of 2017 amending section 90-120 entitled “Solar Siting” of the Town of Montgomery Zoning Law.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Attorney Tunic stated that the Board did receive the Orange County Planning Department’s comment letter and they left it to local determination.

Resolve

Motion by Councilman Dempsey, Jr., seconded by Councilwoman Melick that the Town Board of the Town of Montgomery adopts a negative declaration under SEQRA for Introductory Local Law No. 3 of 2019, a Local Law amending Local Law No. 2 of 2017 amending section 90-120 entitled “Solar Siting” of the Town of Montgomery Zoning Law.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Resolve

Motion by Councilwoman Melick, seconded by Councilwoman Voss that the Town Board of the Town of Montgomery adopts Local Law No. 6 of 2019, a Local Law amending Local Law No. 2 of 2017 amending section 90-120 entitled "Solar Siting" of the Town of Montgomery Zoning Law.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

New Business:

Audit #10 of 2019

Abstract #10 of 2019 for Voucher Numbers 191940 – 192173 including Payroll Numbers 19 and 20 and Prepays in the amount of \$1,257,750.01.

Councilwoman Melick requested that the Marlin Business Bank Voucher Number 191950, in the amount of \$1,135.09, be pulled from the audit.

Resolve

Motion by Councilwoman Voss, seconded by Councilman Hoyt that the Town Board of the Town of Montgomery authorizes the payment of Abstract #10 of 2019 for Voucher Numbers 191940 – 192173, excluding Voucher Number 191950 in the amount of \$1,135.09, including Payroll Numbers 19 and 20 and Prepays in the total amount of \$1,256,614.92.

Roll Call: 3 Ayes/1 Nays (Council Melick)/1 Absent (Supervisor Winchell) Carried: 3-1-1

Councilwoman Melick inquired why the Mark Day PE invoice from April 12, 2019 in the amount of \$750.00 for the report on the Town Highway Garage has not been paid yet, when there was a motion by the Town Board to approve paying it on April 17, 2019. She thinks the Board should ask Deputy Supervisor Arteta to sign the check if the Supervisor won't.

Resolve

Motion by Councilwoman Melick, seconded by Councilman Hoyt that the Town Board of the Town of Montgomery requests that in the event that Supervisor Winchell won't sign the check for the unpaid Mark Day PE invoice in the amount of \$750.00 for the report on the Town Highway Garage, the Board asks that Deputy Supervisor Arteta is to sign it.

Roll Call: 4 Ayes/0 Nays /1 Absent (Supervisor Winchell) Carried: 4-0-1

Ms. Gross to pay Mr. Day's bill with the pre-audit bills.

Accept Meeting Minutes of 9/5/19 and 9/12/19

9/5/19

Corrections were previously submitted by Councilman Dempsey, Jr.

Resolve

Motion by Councilman Dempsey, Jr., seconded by Councilwoman Voss that the Town Board of the Town of Montgomery accepts the September 5, 2019 Town Board Meeting Minutes as amended.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

9/12/19

Resolve

Motion by Councilman Dempsey, Jr., seconded by Councilwoman Melick that the Town Board of the Town of Montgomery accepts the September 12, 2019 Town Board Special Meeting Minutes as submitted.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Budget Transfers

Ms. Gross gave the Board a list of accounts with negative balance as of 10/17/19 in the A, B, D, HH, HWD, LVW, NW, TS1, TS2, W1 and W2 Funds. (On file and attached a part of the official record)

A discussion took place between the Board and Ms. Gross.

Councilman Hoyt asked if this would bring all of these line items to \$0.00 after the transfer of funds.

Ms. Gross stated that it would and that she will ask the Town Board before the November audit meeting for enough budget transfers to ensure that the Town makes it through the end of the year.

Councilman Hoyt stated that the next time a check is written out again, the fund balance would be a negative again.

Ms. Gross stated that it would depend on which fund it is.

Councilman Dempsey questioned the increase in the Municipal Dues line, which needs a transfer. He thought the budgeted amount was \$1,500.00 and that amount hasn't changed in years; he wondered why it increased by \$550.00 this year and yet next year this line is only budgeted for \$1,500.00.

Ms. Gross stated that it was increased last year because of a membership fee to the Walden Rotary.

The Councilmembers questioned the membership to Walden Rotary, as Councilman Dempsey, Jr. thought it is more of a fraternal club than a municipal organization.

Attorney Tunic to research the matter of using taxpayer money to pay the Walden Rotary membership fee.

Councilman Hoyt questioned the transfers of the Refuse & Garbage Payroll and Expense lines, as the Town Recycling Center has been closed since 2018 and he believes there was approximately \$7,000.00 remaining in that account. He stated that he can't understand why those lines have negative balances since the Recycling Center has been closed and no salaries have been paid for the Recycling Center.

Ms. Gross stated that these lines were set up this way in Paychex when she started working at the Town and that she doesn't know why it is set up like that. She stated that an employee's payroll was coming from different payroll lines. She stated that the transfers in the B Fund could be lowered from \$51,705.48 to \$50,386.04 by subtracting the transfers from the Refuse & Garbage Payroll and Expense lines since they're both "recorded in a wrong allocation."

Resolve

Motion by Councilwoman Melick, seconded by Councilwoman Voss that the Town Board of the Town of Montgomery approves the budget transfers as outlined in the Town of Montgomery budget transfers, 10/17/19 negative balance sheet with the exception of transfers from B.8160.0100 (Refuse & Garbage Payroll) in the amount of \$1,281.41 and B.8160.0400 (Refuse & Garbage Expense) in the amount of \$38.03, bringing the total amount transferred from the B Fund Balance from \$51,705.48 to \$50,386.04. (On file and attached as part of the official record)

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Budget Review

Councilman Hoyt inquired about the actuals in the revised budget and what did they include.

Ms. Gross stated that in the Version 2 of the Tentative Budget, the actuals reflected 9 months of payrolls and 9 months of expenses. The changes to the first tentative budget included:

A.7610.0400.0009	TOMSIP	Increase \$7,500.00
A.8160.0400	Refuse and Garbage	Increase \$7,000.00
D.9740.0600	Principal	Increase \$11,123.00
D.9740.0700	Interest	Increase \$3,600.00
A.1650.0400	Central Communications	Increase \$50,000.00
A.8710.0400	Conservation	Increase \$1,000.00

Reinstate Water and Sewer Employee salary that was adopted with 2019 budget, plus his CSEA contract increase for 2020.

Add \$45,000.00 over all water and sewer districts using the same percentage as used for Water and Sewer Employee.

A discussion took place among the Board and Ms. Gross regarding the central communications system line, which is for the new accounting program, 24 computers in the Town will need to be replaced. A further discussion took place on the Water and Sewer employee.

Councilman Hoyt stated that he would like to meet with the Water and Sewer Employee to determine his job description.

Mr. Joe Keenan, Ethics Board Chairman, inquired if there was a line put in the budget for the Ethics Board. He stated that he corresponded with the Supervisor regarding getting separate Counsel for the Ethics Board. He asked if his conversations ever came up for discussion with the Board.

A discussion took place.

Mr. Keenan stated that Attorney Tunic and Attorney Frank were aware of the budget request.

Attorney Tunic stated that she understands there was a request for funds for Counsel, however, she does not bring Budget requests to the Town Board.

Mr. Keenan stated that if there is no line for the Ethics Board, where will Counsel be paid from.

Councilwoman Voss stated that they would be able to add a line for the Ethics Board in January if they chose to, or from a Contingency Fund.

William G. Pomeroy Foundation

The Supervisor needs Board authorization to sign a letter for the William G. Pomeroy Foundation grant, which will allow the installation of the historic roadside markers on Town owned property or in the Town right-of-way on Town Roads at the Benedict Farm Park, 1675 Rte. 17K, the Milliken Farm, 18 Coleman Road, the Thomas Colden House, 181 N. Drury Lane and the Brown Farmstead, 238 Browns Road.

Resolve

Motion by Councilman Dempsey, Jr., seconded by Councilwoman Melick that the Town Board of the Town of Montgomery authorizes the Supervisor to sign the letter granting permission for the installation of historic roadside markers on Town owned property or in Town right-of-way on Town roads at the Benedict Farm Park, 1675 Rte. 17K, the Milliken Farm, 18 Coleman Road, the Thomas Colden House, 181 N. Drury Lane and the Brown Farmstead, 238 Browns Road.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Parsonage Farm Lane

Matter tabled for the Letter of Credit to be corrected.

Sewer Easement - 84 Square Associates / Shoprite Property

The proposed sewer easement is for new construction on Hawkins Road that requires the construction and installation of new sewer pipes and related infrastructure to link to a currently existing manhole area located on property owned by Montgomery Grocery Owners, LLC.

Resolve

Motion by Councilman Hoyt, seconded by Councilwoman Voss that the Town Board of the Town of Montgomery adopts the Resolution authorizing the acceptance of a sewer access easement on property located at 99 – 139 Hawkins Drive as proposed by Montgomery Grocery Owners LLC and authorizes the Supervisor to execute the necessary documents for the matter provided the final version of the agreement is acceptable in form and content to the Town’s Consulting Engineer and the Attorney for the Town.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Appoint 3 Part-Time Police Officers

Police Chief Amthor has requested the appointment of 3 part-time Police Officers, Nicole Brooks, Michael Locerbo and Joseph White. They would be paid at the 2019 part-time contracted rate of pay.

Resolve

Motion by Councilman Dempsey, Jr., seconded by Councilwoman Melick that the Town Board of the Town of Montgomery appoints Nicole Brooks effective October 28, 2019 as a part-time Police Officer at the contracted rate of pay of \$28.71 per hour.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Resolve

Motion by Councilwoman Melick, seconded by Councilman Dempsey, Jr. that the Town Board of the Town of Montgomery appoints Joseph White effective October 28, 2019 as a part-time Police Officer at the contracted rate of pay of \$28.71 per hour.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Resolve

Motion by Councilman Dempsey, Jr., seconded by Councilwoman Melick that the Town Board of the Town of Montgomery appoints Michael Locerbo effective October 28, 2019 as a part-time Police Officer at the contracted rate of pay of \$28.71 per hour.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Police Officer Investigator Ragni stated that the Police Department would also like authorization to order 2 new cars through Fleet Leasing, one car to replace the police car which was totaled in an accident and the other to replace an older SUV. The vehicles would not be delivered until after January.

Resolve

Motion by Councilman Voss, seconded by Councilman Hoyt that the Town Board of the Town of Montgomery authorizes the Police Department to order 2 new vehicles, one sedan and one SUV and the Supervisor to execute any documents for the matter subject to the review by the Attorney for the Town.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Server Replacement – Town Hall

Councilwoman Voss received 2 proposals from MCS Tech for replacing the server for the Town Hall. The first estimate for a Dell Power Edge R740xD Server, Windows Server datacenter, the installation, setup and a 3-year warranty amounted to \$16,831.00. The second estimate includes the rack and equipment for the server, which amounted to \$7,695.52.

Resolve

Motion by Councilwoman Voss, seconded by Councilwoman Melick that the Town Board of the Town of Montgomery approves the proposal received from MCS Tech for the installation and purchase of a new Dell Server, rack and equipment for the Town Hall in a total amount not to exceed \$26,000.00.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Delaware Engineering DPC – Mike Aiello Jr.

Engineer for the Town, Mike Aiello Jr. went to work for Delaware Engineering, DPC and they are asking the Board to work directly with Delaware Engineering DPC under the same arrangement that currently exists with Michael Aiello PE.

Resolve

Motion by Councilwoman Melick, seconded by Councilwoman Voss that the Town Board of the Town of Montgomery authorizes the Supervisor to sign the engagement letter with Delaware Engineering DPC to continue the same agreement that currently exists with Engineer for the Town Mike Aiello, Jr.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Preliminary Budget

Resolve

Motion by Councilwoman Voss, seconded by Councilwoman Melick that the Town Board of the Town of Montgomery accepts the Tentative Budget and sets the public hearing for the 2020 Preliminary Budget for Thursday, November 7, 2019 at 7:00 pm or as soon thereafter as the matter may be heard at the Town Government Center, 110 Bracken Road, 2nd Floor, Montgomery, NY.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

Stone Castle Road Paving - tabled

Resolve

A Motion by Councilwoman Melick, seconded by Councilman Dempsey, Jr. that the Town Board of the Town of Montgomery adjourns the meeting at 8:52 p.m.

Roll Call: 4 Ayes/0 Nays/1 Absent (Supervisor Winchell) Carried: 4-0-1

The Next Town Meeting is a Special Town Board Meeting to be held on
Tuesday, October 22, 2019 at 6:00 p.m.

Respectfully Submitted,

Tara Stickle,
Town Clerk