

MINUTES of the Regular Meeting of the Board of Trustees, of the Village of Montgomery, held at the Meeting Room, 133 Clinton Street, Montgomery, NY 12549, on Tuesday, January 16, 2024, at 7:30pm.

PRESENT: Deputy Mayor Andolsek, Trustee Hembury, Trustee Picarello, Trustee Conero, Atty. Will Frank, Deputy Village Clerk Murphy, Nick & Rose Picarello, Madison Greene, Mary Lippincott, Susan Hembury, John Nokland, Robert Reynolds Sr, Carol Monroe, Scott Monroe, Nick Picarello, Mark Palczewski, Don Berger, John Mulvenna, Stacey Hillman, Acquisitions Marketing Videographer Jose Rojas.

CALL TO ORDER – PLEDGE OF ALLEGIANCE

Deputy Mayor Andolsek opened the meeting with the Pledge of Allegiance to the Flag.

MOMENT OF SILENCE:

Deputy Mayor Andolsek asked for a moment of silence due to the passing of James “Jim” Sweikata.

MINUTES:

Moved by Trustee Conero, seconded by Trustee Hembury, the Board approved the minutes of January 2, 2024 & January 16, 2024. Motion carried 4-Ayes, 0-Nays.

REQUEST TO MEET WITH THE BOARD:

Bob Reynolds Sr. - I'm here to discuss the volunteer firefighter property tax exemption real property tax 466 A. This new law was signed into legislation on December 9th, 2022, by Governor Hochul and took effect immediately. All tax entities must opt in. I first and foremost want to thank all of you for bringing this forward to the public you are true public servants and care about our community. I've been a member of the Montgomery Fire Department since 1976. I'm a lifetime resident of the Town Montgomery. I'm a past chief of the Montgomery Fire Department, current Fire Commissioner and also Orange County Deputy Fire Coordinator. I have lived, worked and raised my family here. My father Eugene and my brothers Richard and Charlie were members of the department during their lifetime. My son Robert and his wife Nicole and their two children, reside in the Town of Montgomery. He joined the Montgomery Fire Department at 16 years old and is a 20-plus year member. He is a past chief of the Montgomery Fire Department, as well. As you can see, my family has been members of the fire service their whole lives. There are many families like mine in the community that have the same tradition; the Hoeffner's, Froehlich's, Quinn's, Prior's, Nokland's and numerous others. I'm not here to speak on behalf of myself, but on behalf of the many firefighters that serve our community unselfishly as volunteers. These many men and women spend countless hours training and responding to emergency calls with our community for no pay. They do this while meeting their family obligations and yet volunteering with the little spare time that they have to serve. There's now a crisis in the volunteer community and this tax exemption is a tool that will hopefully recruit new members while also retaining the existing membership rolls. As per the Fire Association of the State of New York, if we were to pay firefighters, it would cost over \$100,000 a year per firefighter. This is based on a 2016 study, so obviously that number has gone up over the years. You can see the savings that the volunteers make for our community. I believe you brought it up in January of 2023 about this law and it came before this Board, but we never approached you on it. We were waiting to make sure that all of the things were done. I don't know if you have any questions about it. I will talk a little bit about it. There is no direct fiscal impact to the village at all. Per the Town of Montgomery Assessor, the average residential home in the town of Montgomery is assessed at \$175,000. This would make the average Village tax bill that volunteer firefighters pay about \$3000. The Montgomery Fire Department has 78 active

members, approximately 20 of them would be eligible for this exemption. If we multiply the 20 by the 10% savings of \$300.00 each, it will amount to about \$6000. The \$6000 would have to be deferred and paid for by the rest of the taxpayers in the Village. There are approximately 1300 households in the village and many commercial occupancies that would take care of most of the tax portion of this, literally resulting in less than the cost of a cup of coffee. This has been adopted by the County of Orange, the Valley Central School Board in our community, and it's in front of the Town Board meeting tomorrow night, which we anticipate will pass. I do not know of any place it's been brought in Orange County where it has not passed. The following local organizations support and encourage you to support these volunteers: the Coldenham Fire District, the Maybrook Fire District, the Montgomery Fire District, the Walden Fire District, Orange County Firefighters Association, Orange County Fire Chiefs Association, the Fire Districts Association of Orange County, the Fire Association of the State of New York, Orange County Division of Fire Services. In closing, as I stated, this benefit from the volunteers cost our community practically nothing. Won't you buy a volunteer a cup of coffee? On behalf of the Montgomery Fire District Commissioners, the Montgomery Fire Department and the volunteers of our community, I appreciate your support.

Deputy Mayor Andolsek - I just had one question, if the fire district encompasses more than the Village so only part of the members of the fire department would get the tax exemption?

Bob Reynolds Sr. - Each individual taxing entity, meaning, the fire district has to pass this which they're going to do; the Town has to pass it, the school district has to pass it, the Village has to pass it, so I, as a Village resident would get the 10% from the Village taxes. My son lives out in the Town, he would get 10% from the Town.

Deputy Mayor Andolsek - I just wanted to make sure that everybody is covered. If my house was on fire and a member of the Montgomery Fire Department doesn't live in the village... (inaudible).

Bob Reynolds Sr. - No, everybody is but under whatever tax entity; whether it be Town or Village and the County, like I said, adopted it as well. Any other questions on it, I could probably answer some of them? I think your attorney is probably well versed with it, but it needs to be done, to be eligible for this year it needs to be done by March 1st, so we really want to get it done as soon as possible.

Atty. Frank - You would have to set a public hearing for a special meeting later in the month because we need time to, assuming the Board elects to set a public hearing tonight, we will not be able to get the notice published. The notice needs at least five days. Even if we get it to the Record tomorrow, they're not going to publish it by our next meeting, which is the 13th. So, we're going to have to schedule the public hearing, preferably the week of the 19th; the 19th is Presidents' Day, so either that week or the week after. Then we're going to have to get the law adopted and up to Albany before March 1st, so, we can get on before taxable status date which is March 1st. We need to talk about that. We'll need to look at the calendars and see when everybody can...public hearing should not take too long on this because I truly do not believe there's going to be any opposition. There's nothing controversial.

Trustee Hembury - We could set a public hearing. Let's do what we've got to do.

Trustee Picarello - I just have one question. I just want to make sure what's in here matches what they voted to approve at the school board because I remember them making the threshold a little bit less in your guys' (inaudible).

Bob Reynold's Sr. - They made one difference in it. They made it to three years where the minimum service of three years before you're eligible for it.

Atty. Frank – Ours is two.

Bob Reynolds Sr. - It could be as low as 2 or as high as 5. I don't know what the argument is for the three years, you know as far as the Volunteer Fire Service, most any department around, if you join to get this, you're not going to get it until you get two years in, at least. You've got to do the training and stuff otherwise you're going to get booted out. We're not just having members that can get their 10% tax. By the way, if anybody wants to join, we have applications available.

Atty. Frank - The proposed 106-30 Partial Exemption Granted - the end of the criteria has to reside in the Village, primary residence, property is used exclusively for residential purposes and the 4th criteria is the applicant has been certified by the authority having jurisdiction over The Service and as an enrolled member having served the minimum of two consecutive years. So, we have two years in our model here, which I'm not recommending making changes to this because one of the goals is to encourage retention in the department and increase volunteerism.

Moved by Trustee Conero, seconded by Trustee Hembury, the Board motioned to schedule a public hearing for Introductory Local Law #1 of 2024, related to Volunteer Firefighter and Ambulance Worker Tax Exemptions, at 5:00 PM on Monday, February 26, 2024. Motion carried 4-Ayes, 0-Nays.

OLD BUSINESS:

Trustee Hembury – Chambers Court refuse is being picked up.

CONSIDER SETTING A BID OPEN DATE FOR THE SENIOR CENTER ADDITION

Deputy Mayor Andolsek – Consider setting a bid open date for the senior citizen addition that is being tabled until the next meeting, right?

DPW Supt. Nelson – Yes, Community Development still has the plans, they still have the bid documents. They didn't approve them yet so I'm waiting for them to approve them and get them to us, so we'll put it back on for the next meeting. They should have their comments back by the next meeting.

TRAFFIC STUDY UPDATE

Deputy Mayor Andolsek - I have an update on the traffic study. This was from Alan Sorenson and Brian Fitzpatrick who said, I can confirm that we were proposing to budget funding in the Orange County Transportation Council's Unified Planning Work Program to conduct the truck route study. The 2024- 2025 UPW page does not take effect until March 1, 2024, thereafter, we have to issue an RFP to obtain a consultant to conduct a study. That may take a little time, but the money will be available to conduct the study.

POLICE:

Chief Herlihy – On January 26th we had Officer Blackford and Officer Lloyd conduct another Narcan save in the Village on an overdose victim.

The officers have been out heavily on traffic enforcement over the past month writing approximately 105 summonses for the month of January. After the weather has cleared, and this week looks beautiful, I've put the speed sign out on a street in the Village. It's set in a 25 mile an hour zone; it'll gauge traffic for the next five or so days until the battery runs out.

Also, I, for the board's approval or review, I have given you guys a copy of a contract with an IT service here that will do IT service for the entire Village if you'd like to take a review of it we can discuss it in another meeting or we can discuss tonight, whichever, it's up to all of you.

Trustee Conero – I'd like to review it and see what's included, but I think it's important that we move forward with that.

Atty. Frank – Can we put it on the agenda for the 13th? Tina, can you circulate it to the board and to me so we can get a quick look?

Deputy Clerk Murphy – yes.

DPW:

DPW Supt. Nelson - I know it doesn't look like it but we've had three snowstorms in January; about 20 inches of snow, believe it or not. I know everybody has already forgotten about it because it hasn't snowed lately, and you see this street sweeper out. It's been nice enough that the street sweeper was out most of all last week, so we're hoping to continue that. It's looking a little bit better out there; the streets were looking pretty bad. We never got out this early this ever to sweep before but so hopefully we can keep doing that.

I know this is last minute and I just wanted to bring it up, that our good friend Jimmy Sweikata, it was a shock to us. He was a good friend of all at DPW and Jimmy would put the flag up every morning and take it down every night. The guys are going to take a little donation together. We'd like to ask the Village if we can dedicate that flagpole to Jimmy Sweikata; get a nice stone to put there in his remembrance. This is only the DPW doing it.

The Board approved in unison.

Trustee Picarello – My report, there's a few copies back there and it's online if you want to see it, and the only thing I would like to discuss and maybe for the next meeting is to go forward with that letter of interest for the drinking water.

Trustee Conero – Which one is that because I met with Buddy on Thursday with our grant writer from Millennium. We went through some of the grants that we were qualified for and then might be qualified for. I talked to Mike today and he told me that there's \$325 million, it's been released to this WIIA grant; water which is a freshwater grant that our village probably can use, so it's a lot of bureaucracy in it.

Trustee Picarello – So this is just like a support mechanism, it's a technical assistance grant where it'll help us create a plan for a ton of things. I talked to Buddy about it after you did; he filled me in a little bit, so it's very much in keeping/creating some plans for some of the things that we need to do and that you guys were talking about.

Trustee Conero - So it's for water drinking water? And then you're also going to probably qualify for some of the sewer infrastructure upgrades that you're...

DPW Supt. Nelson - He said that the water would qualify for some of those, because at first, he said no. It's technical assistance so we're going to move forward.

Trustee Picarello – It's just a support system for what you're already doing.

Trustee Conero – Mike said he'll contact us about this and hopefully we'll be able to move forward but that other one too sounded good; it's WWQIP but he's working on that. I just wanted to bring you guys up to date on that that. At least now we have until June 14th to submit an annual report for any upcoming projects you might have so we have some time. It's not much but at least it's better than it was. You know, we thought we were going to need it done by April.

Atty. Frank - Do they have an assigned number with the EFC portal already Millennium? There's also some EFC money that you might qualify for, but you have to be set up in their portal to make the applications.

DPW Supt. Nelson – I'm sure because we've been in EFC for like 12 years straight.

Atty. Frank - As long as it's updated, we need to move quickly on something we see.

NEW BUSINESS:

PATRICIA IMBRIANI RESIGNATION LETTER

Deputy Mayor Andolsek accepted Patricia Imbriani's resignation as chairwoman of the General Montgomery Day Committee.

APPROVE AMENDING THE APPROVED RESOLUTION PROVIDING FOR REGISTRATION OF VOTERS APPROVING THE APPOINTMENT OF INSPECTORS OF THE SINGLE ELECTION DISTRICT COMPRISING THE ENTIRE VILLAGE:

Moved by Trustee Picarello, seconded by Trustee Conero, the Board amended the approved appointments of the following eight persons as inspectors of the single election district comprising the entire Village and the first name is designated as chairperson:

Judith Lozier, Chairperson
Jane Hoeffner
Victoria Mastrella
Anthony Kimball, Machine Operator

Lisa Kimball
Doug Hantusch
Olga Conway, Alternate Inspector
Margaret Kleinsmith, Alternate Machine Operator

Motion carried 4-Ayes, 0-Nays.

EVENTS:

February 19th, the Village offices are closed in observance of Presidents' Day.

PUBLIC PORTION:

Mary Lippincott – I would like to thank the Board for supporting the library. We got an extra \$3000 last year, it's been put to good. We got new bookcases, and it really makes a difference in the library. And now I'd like to read the letter from the Library Board requesting money for this year:

Dear Mayor and Members of the Montgomery Village Board: Each year, the Montgomery Free Library presents its anticipated future needs to the Mayor and the Village Board Members and makes an appropriate funding request.

Last year, a request for \$60,000 was partially met with the \$6,000 increase from \$27,000 to \$33,000. With that additional funding, we were able to add some extra staff and hours, upgrade arc connectivity with Wi-Fi, and do some replacement collection development. We've also ordered some new shelving with a \$3,000 one-time check from the Village. During the RCLS road trip sponsored by our system headquarters this past summer our modest library received over 200 visitors who were very interested to hear about Kate Seredy, our own local celebrity author.

In order to continue to upgrade library services to our patrons, we are again requesting \$60,000. With these funds, we can again increase our hours and staff, which will include more children's and adult programming. We would also expand our digital offerings and explore the possibility of some renovations to make our space more user friendly, efficient and attractive, including a display of Kate Seredy's works.

A community that supports the library is making an investment in the future for all its residents. We anticipate a productive working relationship with the new Village Administration and look forward to working together to make our library a destination tour in our beautiful village.

I'll give you the letter. Thank you.

Don Berger – I'd like to thank the Montgomery Police Department for getting that speed sign out on River, I noticed it today. Moving forward, I hope that there is a schedule to get that thing out on the streets and on 211. You said in previous meetings that hasn't been out for quite a while so I think that would be a great idea. Also, it's been extremely noticeable, Chief, the amount of police you have out there on traffic patrols and I'm really happy about that. You said what you were going to do at the last meeting, you were here, and you did it and I'm telling you. People I see, they're all talking about the amount of police patrols that are out there so that's really great. Thank you for that. The only other thing I have is there an update; last meeting Mr. Pahucki talked about emails for Board members. We don't have them yet. He seemed to think and stated that they are rather easily obtainable. I think most of the Board members here stated that they were in favor of modernizing our Village here a bit, including the emails, but I haven't seen the emails yet. I know that the Police Department has emails, I know the clerks have emails, I don't understand why our Boards don't have emails.

Deputy Mayor Andolsek – The e-mail that comes into the Village gets forwarded to whoever it's for.

Don Berger – The problem with that, is that if I send an e-mail to the Clerk, maybe there's information in that e-mail I don't want the Clerk to see. That's why you have your own e-mail account. I did a week ago, I have a copy of it here and I wanted to be answered. So, what good is that. You know the e-mail I'm talking about. I'm sorry, one person.

Stacey Hillman – So what kind of an instance would you send the Clark an e-mail that no one else could see? If it's Village business, wouldn't it be Village business?

Trustee Conero – What we're going to do is look into it we're going to look into. Right now, it's monetarily to do it and there's a lot of logistics involved.

Don Berger – Kevin, you've been here for only a month. They've been saying that to me for over a year.

Trustee Conero - I have concerns about it and I need to weigh them out with our attorney and logistically with the office to find out if it's something we want to pursue.

Don Berger – Let's say I want to file a complaint about an employee, I don't want every Tom, Dick and Harry to see that complaint, it's being directed to perhaps the liaison to that department.

Deputy Mayor Andolsek – We'll take it under advisement.

Mark Palczewski – Buddy, when they do the street sweeping, my car is on the street, and I feel bad for the guy because he has to go around. Is there any way we can get advanced notice so I can move my car?

DPW Supt. Nelson – At this time of year, it's hit or miss. As soon as it's above freezing and there's not some other emergency, I have them jump in the sweeper and hit a specific area that day. I can't do it.

Mark Palczewski – I'm on the ----in the Town, Patricia Henighan is the Chairperson, they were approved for the water protection program.

Trustee Picarello – The Town is enrolled in it already, as well as the surrounding municipalities. We were discussing whether or not we were going to send a letter of interest and we are going to.

Mark Palczewski – Can you explain. Are you able to tie into what the CDC just received or you going to apply for a separate grant?

Trustee Picarello – It's all separate.

Mark Palczewski – If you need help filling it out, they would be glad to help with the process. Two of their members live in the Village.

Deputy Mayor Andolsek – Just a reminder that the scheduled meeting for the 20th has been moved to the 13th.

EXECUTIVE SESSION

Moved by Trustee Picarello, seconded by Trustee Conero, the Board Entered Executive Session at 8:08 pm, under the Open Meetings Law Article 7 § (f) to discuss a specific personnel matter, a potential new hire and to discuss the employment status of an existing employee with Atty. Will Frank, Police Chief Herlihy, and Deputy Village Clerk Murphy in attendance. Motion carried, 4-Ayes, 0-Nays.

EXIT EXECUTIVE SESSION

Moved by Trustee Picarello, seconded by Deputy Mayor Andolsek, the Board Exited Executive Session at 8:17 pm. Motion carried, 4-Ayes, 0-Nays.

Moved by Trustee Hembury, seconded by Trustee Picarello, the Board Hired Joseph Tudisco as Part Time Police Officer, effective immediately, with a probationary period of no less than 8 weeks, no more than 52, Provisional to Orange County Civil Service and the Village of Montgomery PBA Contract Collective Bargaining Agreement, at the salary noted in the contract. Motion carried 4-Ayes, 0-Nays.

EXECUTIVE SESSION

Moved by Trustee Picarello, seconded by Trustee Conero, the Board Entered Executive Session at 8:25 pm, under the Open Meetings Law Article 7 § (f) to discuss a specific personnel matter and to discuss the employment status of an existing employee with Atty. Will Frank, DPW Supt. Nelson, and Deputy Village Clerk Murphy in attendance. Motion carried, 4-Ayes, 0-Nays.

ADJOURNMENT

The meeting adjourned at 9:00pm as per Deputy Mayor Andolsek.