

Minutes of the Regular Meeting of the Board of Trustees, of the Village of Montgomery was held in the Court Room, at 133 Clinton Street, Montgomery, NY 12549 on Tuesday, January 19, 2021, at 7:30 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, Trustee Lindner (absent), Atty. Dowd, Village Clerk Rivera-Fernandez, Brian Maher, Kevin Conero,

RE: PLEDGE OF ALLEGIANCE

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

RE: MINUTES – December 29, 2020 & January 5, 2021

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board approved the minutes of December 29, 2021 and January 5, 2021. Motion carried, 4-Ayes, 0-Nays.

RE: REQUEST TO MEET WITH BOARD

None

RE: OLD BUSINESS

None

RE: NAME RIVSHAK SUBDIVISION CUL-DE-SAC, CHAMBERS COURT” IN HONOR OF SKIP CHAMBERS AND ACCEPT 28.461 SQUARE FEET OR .653 OF ROAD PARCEL AS VILLAGE PROPERTY UPON COMPLETION OF THE SUBDIVISION DEVELOPMENT

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board approved naming the Rivshak subdivision Cul-de-sac, “Chambers Court”, in honor of Skip Chambers; and accepted 28.461sf or .653 acers of road parcel as Village property upon completion of the subdivision development. Motion carried, 4-Ayes, 0-Nays.

RE: APPOINT ELECTION INSPECTORS FOR THE VILLAGE GENERAL ELECTION

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, appoint the Election Inspectors for the Village General Election on March 16, 2021, to be held at the Senior Center, 36 Bridge Street, Montgomery, NY 12549 from 8 am to 9 pm; with the Registration day on March 6, 2021, held at the Village Hall, 133 Clinton Street, Montgomery, NY 12549, from 12:00 Noon to 5:00 pm. Motion carried, 4-Ayes, 0- Nays.

RE: APPROVE CYBER INSURANCE COVERAGE

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board approved BCS Insurance Company - with a premium of \$2,682.00 with a cyber limit of \$2,000,000, for cyber insurance coverage, for twelve (12) months. Motion carried, 4-Ayes, 0-Nays.

RE: APPROVE GIRL SCOUT TROOP 692 USE OF THE TEEN CENTER

Moved by Trustee Hembury, seconded by Deputy Mayor Scheels, the Board approved the Girl Scout Heart of the Hudson Troop 692 requests use of the Village of Montgomery Teen Center to hold their meetings as they have done for the past three years, on the second and fourth Thursdays of the month, from 6 to 7:30 pm, providing the appropriate certificate of insurance. Motion carried, 4-Ayes, 0-Nays.

RE: MASTER PLAN SUB COMMITTEE RECOMMEDATIONS

Mayor Brescia asked Master Plan Chairman Conero to update the Board on the Master Plan Sub Committee Recommendations.

MP Chairman Conero provided the Board with the Master Plan Sub Committee's recommendations. He said the purpose of the Comprehensive Plan is to realize the community's vision for the future and to guide our growth in a manner that fosters orderly, coordinated, and beneficial development. Our history since this village was founded clearly demonstrates a commitment and dedication to that effort in guiding that vision and preserving the character and integrity of the community. During the past few months our committee deliberated and remained steadfast in evaluating our recommendations to reflect on the long-range goals of the community always with a heartfelt understanding of sustaining our civic price of our residents and ensuring an enhanced quality of life for future generations. Once the process began it was quite evident that the Village's historic development pattern was well defined, and that the most important challenge was the development on a few remaining undeveloped sites be integrated into the fabric of the community rather than isolated from it.

The Board will review and absorb the recommendations, thereafter, will go into attorney client privilege to discuss legal ramifications of anything that the Board decides to do. Then we shall meet as group or over zoom. This is where are at.

Mayor Brescia asked if different options have been provided.

MP Chairman Conero replied, correct. Our attorney and planner can work together in developing the zoning changes into law that you will ultimately adopt.

Mayor Brescia thanked MP Chairman Conero. He moved to introduce Supervisor Brian Maher from the Town of Montgomery, to speak about the proposed Ambulance District, of which he is not looking for action to be taken tonight. He appoints Deputy Mayor Scheels to head the committee representing the Village of Montgomery Board of Trustees.

Supervisor Maher said he, and Steve, and the other Mayors within the Town of Montgomery have conducted monthly meetings on zoom, about different issues. This is one that has come up, early in 2020, when we first established these conversations with the Town taking the leadership role. To see how we can enhance to maximize the ambulance services being provided to the whole town. We have done an extensive amount of research. Very recently, as part of the process, he was informed that the Village Boards would need to opt in; and have public hearing and adopt a resolution with a thirty-day referendum period before we can move forward. The process needs to be finalized by March 1st in order to take place on January 1, 2022. If he had known this previously the Village would have been more involved in the process. He understands the Board desire to have more time and be more thorough. He has received feedback from some of the other Mayors and Board members as well, they also would like more time. In the spirit of being able to make sure this is as thorough as possible and to get it right. We want a representative from each Village Board, in this case its (Deputy Mayor Scheels) to go through the same rigorous research and

process, ask the right questions and be ahead on why ambulance services are in the state that they are in. It is not just the Town of Montgomery but throughout the entire state. You all have the power point presentation that was put together. You will have a lot of questions, as part of that process. Your designee is going to get deep into it, as our task force has. We will then do formal presentation with the whole Board. We will give you things to read as a whole Board as we go through the process, with more formal meetings in a few months. So, we will have the proper resolutions backed by your reports and everything is mapped out months ahead of time. So, you have an opportunity to reach out to your residents, with the reason why we need all the Villages to buy in, if we create a district. If one or two of the Villages were to opt out, the residents would still receive the same services. When calling for an ambulance, they are going to come. However, it will be subsidized at a higher rate, by the rest of the Town, which isn't fair to those residents. This is the whole scope; the Town of Montgomery is not responsible by law to provide ambulance services. We felt that we should take on that responsibility because we see how all of sorts of things are happening, and the services aren't where we need them to be for our community.

Mayor Brescia asked if they would be taxing the A fund?

Supvr. Maher replied, it would be from the district. The district would be taxed equally, similar to creating the A fund. So, it will be in the A fund but it will be the same individuals that pay into the A fund, including the businesses. Everyone that lives in the Town, outside of the Villages, and everyone that lives the Villages and the businesses. The same taxable entity as the A fund, would be this district, but separate. At the end of the day, we are mandated to provide police services and not mandated to provide EMS services. Whether someone is in your house and needs police to come and save you; or you are having a heart attack, you need both of those services. It should be all of our responsibility, although it's not according to NYS law.

We have come to the conclusion that the district is important. The biggest point for us is cash flow. Our Town of Montgomery Ambulance Corp and most Ambulance Corp do not offer ALS services, very few municipalities have that. The Town of Palm Tree has it, the Town of New Windsor, and another Town locally. Mobile Life contracts out to provide services. However, if you do not pay a municipality or an Ambulance Corp. that has ALS Mobile Life service. For instance, if someone is having a heart attack and Mobile Life is across the County, they are stretched thin. They pass the call onto another Ambulance with ALS services. It takes 30 to 45 minutes for an ALS ambulance to get to that person. This scenario happens every couple of months, and that is just not acceptable. You're going to have a ton of questions, and doubt why you should opt in. When you make the initial investment, you'll then see that return because when you deal with private insurance, that is how you make money through the ambulance district, through the ambulance corp. When you have an ambulance corp. that can't provide ALS services, you're relying on Medicare and Medicaid and you only get a fraction of the return, and you don't get it right away.

You have a Town Ambulance Corp that can't find volunteers, there are few left. Just like firefighters they don't have enough volunteers. Therefore, they have subsidized services by having paid staff. They do not receive revenue from Medicare/Medicaid reimbursements regularly its delayed months later. Therefore, they are struggling to pay their payroll. The Town has helped them with their cash flow. In other words, you might say okay the Town is budgeting \$150,000 for the Ambulance Corp., at the end of the year, and if the investments are profitable for the onset with a plan in place; you can see the return on your investment. Now we are not able to do that because the proper investments that were already made, are only Band-Aid fixes.

If we dedicate ourselves to create an ALS service organization within the Town of Montgomery, it can increase cash flow and break a little more even. So, if we create a district and fund it with a million dollars, with \$550,000 in revenue, you're taxing the district 450,000.00 not a million because it's a business loan. The ultimate goal is to get ALS services in the Town of Montgomery. You would not see an endless pit; however, you would see revenue to off set the cost to the taxpayers.

Mayor Brescia asked Supvr. Maher to give an example of an assessment, of \$100,000 what the taxpayer would pay.

Supvr. Maher said with a budget of a million dollars, anticipating \$550,000 in revenue, you would be taxing at \$450,000.00. So, spreading the \$450,000.00, it's an A fund universe, it would be \$30.00 per home assessed at \$100,000.00. If your house is assessed at \$200,000, it would be \$60.00 a year for the creation of an Ambulance District. It would give us all a peace of mind that an ambulance will be there when called.

Trustee Hembury asked if the insurance portion would bring down the cost.

Supr. Maher replied, it could but at the end of the day, that is a couple of years out. You don't get the private insurance unless ALS services have been provided. Now you still contract with Mobile Life, that would still be the organization of private ALS and they would get the revenue. Until the Town Ambulance Corp. gets the certification, then you can get into the private insurance and offset some of your costs. It's very complicated, he has learned a lot, you all have the time to look through it and we will have more conversations moving forward.

Hopefully, we can start working on a lot of other issues such as infrastructure and sharing mores services. He asked if there were any other questions or concerns.

Mayor Brescia said it sounds like a good investment but we will have to look into it. He thanked Supvr. Maher for coming in with his presentation. The Board will be in touch. He asked if there is anything else before moving onto the public portion.

Village Clerk Rivera-Fernandez mentioned the Local Law No. 3 of 2020 was filed on January 5, 2021 with the Department of State, of the State of New York.

RE: PUBLIC PORTION

Mr. Berger wants to make some points to be taken into consideration; he believes that in the Village of Montgomery, should have no warehouses. He said in several occasions it was mentioned by Trustee Lindner about the different ratable with the I-1 and residential properties. He would like to remind you have I-1, warehousing or whatever you determine to put in there, however, ratables aren't a guarantee. Between the Town IDA and us-code 45B (tax credit), you don't know what you're going to get out there. He thinks the residents will understand that we are not going to be concerned about the ratables.

Mayor Brescia said he doesn't know of any Pilots in the Village.

Mr. Berger said he talking about the building district on 211, if they can go and file before the County IDA for a 45B. If they do come there, we are not guaranteed a sufficient ratable as its anticipated.

Mayor Brescia said if this is the case, they would pay a smaller portion on the structure and full portion on the land.

(inaudible: speaking over each other).

Mr. Berger said the other issue in changing the zoning from the I-1 to whatever is decided. The concern is what might happen, such as being sued. He remembers a meeting in the early stages, the Village Attorney said, that no property owner is entitled to zoning. The Board has the right to change the zoning.... (inaudible) unable to hear clearly. Based on that comment, he suggests the Board keep that in mind also. Furthermore, he mentioned Valley Central School District enrollment has decreased, in the last five years by 5.7%. Therefore, with an increase in housing... (inaudible) unable to hear clearly.

Mayor Brescia does not agree with Mr. Berger's comment.

Mr. Berger continued with his comments regarding the Master Plan and it speaks of keeping the Village the same, not putting industrial complexes or warehouses, that does not fit into our Village. He urges the Board to refer to the Comprehensive Plan. He also expressed his concerns with the posts and signage from City Winery.

Mayor Brescia said he is entitled to his own opinion. However, it will hurt his business. He has made benevolent donations to the Village's causes and has done a beautiful job with the restoration. However, you can't make your business part of your political view point and hopes he realizes that.

RE: ADJOURNMENT

Moved by Trustee Andolsek, seconded by Trustee Hembury, the Board adjourned the meeting of January 19, 2021 at 8:05 pm. Motion carried, 4-Ayes, 0-Nays.

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Monserrate Rivera-Fernandez, Village Clerk