

Minutes of the Public Hearing, for the proposed change in the rates for water usage and water/sewer connection fees, of the Board of Trustees, of the Village of Montgomery was held in the Meeting Room, at 133 Clinton Street, Montgomery, NY 12549, on Thursday, May 12, 2022, at 7:15 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, Trustee Lindner, Atty. Will Frank, Village Clerk, DPW Supt. Nelson, Videographer William Ibberson, Bruce Shafer, Mary Ann Lindner, Maria Beltrametti, Sophie Carsley, Jude Remenar, Elizabeth Pepaj.

CALL TO ORDER - OPEN PUBLIC HEARING

Mayor Brescia called for a motion to open the Public Hearing for the proposed change in the rates for water usage and water/sewer connection fees. So moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board opened the meeting as said. Motion carried, 5-Ayes, 0-Nays.

Mayor Brescia asked the Village Clerk Rivera-Fernandez, if all the paperwork has been filed to conduct this public hearing.

Village Clerk Rivera-Fernandez replied, yes, all the paperwork has been filed to hold this public hearing.

Mayor Brescia asked Atty. Will Frank to provide a synopsis regarding this public hearing.

Atty. Will Frank said, the Public Hearing is for proposed change in the rates for water usage and Water & Sewer connection fees for properties within and outside the boundaries of the Village's water districts effective as of June 1, 2022.

At this point the recommendation is to increase water in district from \$3.85 to \$4.45 per 1000 gallons, for usage less than 50,000 gallons, usage in excess of 50,000 increases from \$4.45 to \$5.15 per 1000 gallons. Water out of district increases from \$9.62 to \$11.15 per 1000 gallons. In addition is the proposed connection tapping charges for one inch or smaller is \$1,500.00 per tap. (This fee will apply to all new service connections made by a plumber). And for connection over one inch is \$2,500.00 per connection. (This fee will apply to all new service connections mad by a plumber). The inspection fee for all size taps is \$150.00 per tap. (This fee is in addition to the forgoing fees that were just mentioned and covers the inspection by Village personnel of a new water service installation; and furthermore, the proposed sewer connection fess within the boundaries of the Village's sewer district, the charges for all connections are \$1,500.00 per connection. The inspection fee for sewer connections is \$150.00 per connection. This will assist the Village in operating without having a deficit at the end of the year. This is where we are under Chapter §118-54 of the Village code, the Village has the authority, pursuant to NYS Law Village Law §11-1118 to raise the scale of rents, by resolution of the Board and the connection tends to be established pursuant §118-56 of the Village Code.

Mayor Brescia said these rates will go into effect for usage as of June 1, 2022. It is 7:18 pm and moves to accept public comment.

Ms. Beltrametti asked, are we operating in a deficit.

Atty. Will Frank said not every year, but he believes that Buddy can speak on this.

DPW Supt. Nelson yes, there was a fund balance loss of \$23,700 in 2021 and \$38,012 in 2020. At that rate we will be using all of our fund balance with \$190,000 remaining. In five years, we could spend it all and be headed in the wrong direction.

Atty. Will Frank mentioned, that's why the auditors made the recommendations. It's his understanding that the auditors would have been comfortable with a twenty percent increase but the Board did not want to do that. As it is, it's approximately a fifteen percent increase and considering it has not gone up in the last several years, this is making up for it now. (In audible – someone coughing while Atty. Frank is speaking).

Trustee Lindner asked if it would be beneficial having a different rate for commercial verse residential.

Atty. Will Frank replied that is why we have different rates... not for usage. We have different rates for usage in excess of 50,000 gallons. There is a higher connection fee for the water tapping. Generally speaking, a lot of the businesses do not use more water then residential.

(In audible – Speaking over each other).

Trustee Lindner said in particular the Winery.

Atty. Will Frank said, the good news is that the Food Bank is not going to be using a lot of water. It is basically distribution of food with an office. Once these rates go into effect, he can not imagine the 2022 -2023 fiscal year having that kind of loss, of twenty-to-thirty-thousand-dollar loss.

Mayor Brescia said the County is due to pay the Village \$195,000 for sewer fees as agreed. It's going to help with the upgrade of the sewer treatment plant proposal that had been completed. Even with these increases, the rates in the Village are still very modest compared to the other municipal rates.

DPW Supt. Nelson mentioned receiving bills with up to 100 percent price increases. Fuel prices are up 150 percent right now. Everything of the water is at increased prices of eight to ten percent; for instance, fire hydrants are \$ 2,500.00 instead of \$1,300.00 (are examples of our debit).

Mayor Brescia asked if there are any further questions?

Ms. Beltrametti asked who do we supply water for out of district.

Mayor Brescia replied, on 17K East there are about fourteen homes in the Hyndman Heights water district, in the Town. (In audible – speaking too fast).

Mayor Brescia entertained a motion to close the Public Hearing on the increase of water rates. So moved by Deputy Mayor Scheels, seconded by Trustee Hembury the Board Closed the Public Hearing as said at 7:22 pm. Motion carried, 5-0 Ayes, 0-Nays.

Monserate Rivera-Fernandez, Village Clerk

Minutes of the Public Hearing, for the consolidation and approval of Cable Television Agreement, of the Board of Trustees, of the Village of Montgomery was held in the Meeting Room, at 133 Clinton Street, Montgomery, NY 12549, on Thursday, May 12, 2022, at 7:23 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, Trustee Lindner, Atty. Will Frank, Village Clerk, DPW Supt. Nelson, Videographer William Ibberson, Bruce Shafer, Mary Ann Lindner, Maria Beltrametti, Sophie Carsley, Jude Remenar, Elizabeth Pepaj, Stacy Brescia-Spreer.

CALL TO ORDER - OPEN PUBLIC HEARING

Mayor Brescia called for a motion to open the Public Hearing for the consolidation and approval of Spectrum Franchise Cable Television Agreement. So moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board open the Public Hearing as said. Motion carried, 5-Ayes, 0-Nays.

Mayor Brescia asked the Village Clerk Rivera-Fernandez, if all the paperwork has been filed to conduct this public hearing.

Village Clerk Rivera-Fernandez replied, yes, all the paperwork has been filed to hold this public hearing.

Mayor Brescia asked if there are any comments from the public regarding the Spectrum Agreement.

Atty. Will Frank said, so that everyone is aware, once the Village Board presumably approves the agreement tonight then Spectrum has to go before the public service commission and have a hearing before them on the Franchise agreement to obtain their approval. The process begins with the Village Board approval of the agreement, that He and Trustee Lindner worked on and kept the Village informed by getting the agreement in an acceptable manner. So, if the Board approves it tonight at the regular meeting, a certified copy of the resolution is provided to Spectrum. Spectrum then gets their hearing to obtain the Franchise renewal through, then we continue.

Mayor Brescia mentioned (in audible – speaking too fast) knowing someone who has issues. He has had Direct TV for over twenty years so he's not aware of any issues, but will extend the concerns.

Atty. Will Frank said, although this is in another jurisdiction, if anyone has a problem that they have not been able to get resolved with the cable company, we can get the representative that we've been dealing with and put that person in touch with the appropriate department or person that can actually handle the problem. Calling customer service as we know, is not always the easiest to get something resolved. Usually once we have these agreements, negotiating, we call and find out who the representative is and in this case it's Alex Camarda. We could ask Alex to put us in touch with the correct person because a resident is having a problem. If he has the contact, we can try to help and get it straightened out.

Mayor Brescia said he is trying to cancel the old account and get a new account in his wife's name. They get new customers with decent prices and jack up the prices after a year. Are there any further comments or questions on Spectrum?

Ms. Beltrametti asked if the Village is going to have both Spectrum and Time Warner Cable.

Stacy Brescia-Spreer said, Spectrum bought out Time Warner Cable.

Mayor Brescia said its all the same company.

Atty. Will Frank said, some years ago Frontier tried to bring their franchise to the Town of Montgomery, the Village, as well as a few other places, however, it didn't materialize. They could have, because these franchise agreements are not exclusive. If another company wants to come into the Village, there is not much that the Village could do about it.

CLOSE PUBLIC HEARING

Mayor Brescia asked, Are there any further comments or questions? With not further questions or comments, he entertained a motion to close the public hearing. So moved by Trustee Andolsek, seconded by Trustee Lindner, the Board close the public hearing as said at 7:27 pm. Motion carried, 5-Ayes, 0-Nays.

Monserrate Rivera-Fernandez, Village Clerk

Minutes of the Regular Meeting, of the Board of Trustees, of the Village of Montgomery, was held on Thursday, May 12, 2022, in the Meeting Room, 133 Clinton Street, Montgomery, NY 12549, at 7:30 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, Trustee Lindner, Atty. Will Frank, Village Clerk Rivera-Fernandez, DPW Supt. Nelson, Videographer William Ibberson, Ship Chambers, Bruce Shafer, Mary Ann Lindner, Maria Beltrametti, Sophie Carsley, Jude Remenar, Elizabeth Pepaj, Stacy Brescia-Spreer.

CALL TO ORDER - PLEDGE OF ALLEGIANCE

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

PLAQUE PRESENTATION

Mayor Brescia said in the past thirty-two years he and Trustee Darlene Andolsek, before she was a Trustee, have not missed any installation dinners at the Montgomery Fire Department. He honestly says in that time, he presented one seventy-year plaque for service to the Montgomery Fire Department, and that was to Phil Hoeffner. So Skip, you are definitely in good company with him. He's like the salt of the earth, just like you. It gives him great pleasure to present this plaque to Skip Chambers on behalf of the Village. He can't say enough about Skip, he's one of the premiere mild cornerstones in the Village of Montgomery and he's done so much for the Village of Montgomery. He has been one of the Grand Marshals for General Montgomery Day, Senior Citizen of the year for Orange County and started the Tractor Parade. He's always been there to help out friends, family, and the needs in the Village. He's a very charitable individual. His family has been in business for one hundred and fifty-seven years, that's really incredible. He brought his fan club with here tonight, (Bernie Hillman from the Breakfast Club; who just got back from the Kentucky Derby, my sister Stacy Brescia-Spreer, Tony Trapini; who is a great MC for General Montgomery Day. Bruce Schafer, who also comes from a good family. The Vanderly's weren't able to make it tonight. It gives him great pride to present this plaque to Skip Chambers. For those who are not aware the Fire Department used to be under the jurisdiction of the Village of Montgomery and it's been under there District since 1981. Darlene was the commissioner and her husband was the Chief, with a lot of rich history in the Village of Montgomery. By the way, the plaque is in theme of New Holland colors.

Mayor Brescia presented a plaque to Norbury "Skip" Chambers and read the inscription aloud,

"The Village of Montgomery presents to Norbury "Skip" Chambers for 70 years of faithful and devoted service as a Volunteer Firefighter for the Fleet Hook and Ladder Company #1 which has earned you the admiration and respect of friends and fellow residents. Therefore, the Village expresses its gratitude and sincere appreciation for your selfless and dedicated contribution to the community.

May 12, 2022; L. Stephen Brescia, Mayor, JoAnn Scheels, Deputy Mayor; Darlene Andolsek, Trustee; Michael Hembury, Trustee; Walter Lindner Trustee."

(Clapping by all).

Mayor Brescia asked Skip if he would like to give a speech and thank all of the small people?

(Crowd laughing)

Skip Chambers (in audible – speaking too low).

REQUEST TO MEET WITH THE BOARD

None

OLD BUSINESS

None

RE: NEW BUSINESS

APPROVE THE WATER RATE INCREASE AND WATER/SEWER CONNECTION FEES

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board approved the water rate increase and water/sewer connection fees effective as of June 1, 2022. Motion carried, 5-Ayes, 0-Nays.

APPROVE SPECTRUM FRANCHISE AGREEMENT

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board approved the Spectrum Franchise agreement. Motion carried, 5-Ayes, 0-Nays.

APPROVE REIMBURSEMENT OF OVERPAYMENT OF WATER/SEWER BILLING

Moved by Trustee Andolsek, seconded by Trustee Hembury, the Board approved to reimburse the overpayment of water/sewer for 106 Washington Avenue in the amount of \$3,711.95, as DPW Supt. Nelson has recommended. Motion carried, 5-Ayes, 0-Nays.

CONSIDER APPROVING USE OF THE VILLAGE LAWN FOR SUMMER READING PROGRAM BY THE FRIENDS OF THE LIBRARY

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board approved the request to use the Village lawn for the Summer Reading Program by the Friends of the Library, on Wednesdays, July 6th, 13th, 20th, 27th, at 5:30 pm to 7:30 pm, and the use of the Meeting Room as an alternative for inclement weather (rain), with the conditions of providing a certificate of insurance, listing the Village as the additional insurer. Motion carried, 5-Ayes, 0-Nays.

CONSIDER APPROVING USE OF THE MEETING ROOM BY THE FRIENDS OF THE LIBRARY FOR THE PRE-SCHOOL SUMMER READING PROGRAM

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board approved the request to use the Meeting Room by the Friends of the Library, on Saturdays, August 6th, 13th, 20th, 27th, for the Preschool Summer Reading Program (ages 3-5) at 10:30 am to 11:45 am, with the conditions of providing a certificate of insurance, listing the Village as the additional insurer. Motion carried, 5-Ayes, 0-Nays.

CONSIDER APPROVING USE OF THE CLINTON STREET BANDSTAND AND PAD AND THE VILLAGE LAWN BY THE MONTGOMERY MONTESSORI SCHOOL FOR THEIR CELEBRATION OF INTERNATIONAL DAY

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board approved the request to use the Clinton Street Bandstand and pad, as well as the Village lawn (in between the Village Hall and the First Presbyterian Church to set up, pop-up tents for their Celebration of International Day, by the Montgomery Montessori School, on Friday, May 20th, at 9 am to 12 Noon, with the conditions of providing a certificate of insurance, listing the Village as the additional insurer. Motion carried, 5-Ayes, 0-Nays.

ACCEPT THE RETIREMENT/RESIGNATION OF MARILYN SMITH

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board accepted the retirement/resignation of Marilyn Smith effective as of May 31st, of over 20 years of service as the Village of Montgomery Police Department Clerk. Motion carried, 5-Ayes, 0-Nays.

CONSIDER APPROVING DPW SUPT. NELSON TO PURCHASE A BOBCAT L28 ARTICULATED LOADER FROM CLARK EQUIPMENT

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board approved DPW Supt. Nelson to purchase a Bobcat L28 Small Articulated Loader from Clark Equipment Company in the amount of \$48,034.40. Motion carried, 5-Ayes, 0-Nays.

VILLAGE HALL CLOSED IN OBSERVANCE OF MEMORIAL DAY

The Village Hall is closed on Monday, May 30th in observance of Memorial Day.

RE: EVENTS

- Village Wide Yard Sale Day, May 14th, at 10 am to 5 pm. Rain Date, Saturday, May 21st.
- The Grand Montgomery Chamber Music Series presents the performance of Yalin Chi, pianist on May 15th, at 3 pm, held at the Montgomery Senior Center, 36 Bridge Street.
- Pet Palooza Pup Walk fundraiser for the Humane Society of Walden on, Sunday, May 22nd, from 10 am to 2 pm at the Veterans Memorial Park.
- March with the Osborn-Fitzsimmons American Legion Post 521 in the Village of Montgomery, Memorial Day Parade, on Monday, May 30, 2022. Line up begins at 10:30 am at the corner of Clinton Street and Wallkill Avenue. (Organization or group interested in marching in the parade contact Stacy Brescia-Spreer at (845) 457-9661 Ext. 217 or email: events@villageofmontgomery.org.

HANDING OUT FLAGS ON MEMORIAL DAY AND DURING THE CAR SHOW

Trustee Hembury said American flags will be handed out before the Memorial Day Parade at Veterans Corner, at Roosevelt Avenue and Goodwill Road beginning at 8 am to 10 am.

PUBLIC PORTION

Mayor Brescia mentioned work on the basketball court will commence in the fall, in addition to a sign being posted for the Pickleball Court.

Trustee Hembury asked if ARPA funds could be used for adding sidewalks along Goodwill Road from Purple Heart Way to Boyd Street.

Mayor Brescia said he is not certain if this is an approved use of the ARPA funds.

Atty. Will Frank said the ARPA funds is to be used for infrastructure purposes.

ADJOURNMENT

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board adjourned the meeting of May 12, 2022, at 7:54 pm. Motion carried, 5-Ayes, 0-Nays.

Monserrate Rivera-Fernandez, Village Clerk