

Minutes of the Regular Meeting, of the Board of Trustees, of the Village of Montgomery was held in the Meeting Room at 133 Clinton Street, Montgomery, NY 12549 on Tuesday, August 3, 2021, 7:30 pm.

Face Masks and Social Distancing is required if not vaccinated for the Corona Virus.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, Trustee Lindner, Atty. Dowd, Village Clerk Rivera-Fernandez, Deputy Police Chief Arteta, DPW Supt. Nelson, Chrnm. Conero, Susan Hembury, Don Berger, Lisa Ruiz, Margarita Negrón, Saul Negrón, Maria Beltrametti, Tom Steed, Amy Frisbie, Monroe Zafir, Kat Carroll.

CALL TO ORDER

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

RE: MINUTES

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board approved the minutes of July 6, 2021. Motion carried, 5-Ayes, 0-Nays.

REQUEST TO MEET WITH BOARD

Don Berger presented the Board with information regarding the Hudson Valley Ride for Kids, held at the Town of Montgomery, 110 Bracken Road, on September 12th. He introduced this years' program coordinator Saul Negrón.

Saul Negrón said he has been part of the program for several years, which has been held in Newburgh for some time now. The Hudson Valley Motorcyclists Ride for a Cure to the Deadliest Childhood Cancer, which is pediatric brain tumors. The Pediatric Brain Tumor Foundation's Ride for Kids Motorcycle charity event raises critical funds for childhood brain tumor research to cure the more than 100 types of childhood brain tumors, as well as family support programs such as emergency financial assistance, a resource notebook for the newly diagnosed, and college and vocational scholarships for survivors.

Ride for Kids participants will enjoy a scenic, police-escorted motorcycle ride from Montgomery, NY through the backroads of Orange County, NY. Local pediatric tumor survivors will accompany motorcyclists on their ride.

Any make or model of street legal motorcycle is welcome, and the whole family – including non-riders- will enjoy event activities and other attention-grabbing information. Registration cost \$40.00 per person online and \$45.00 the day of, and includes a Ride for Kids T-Shirt, ride pin and food at the event.

The fund and awareness raised by Ride for Kids have helped the PBTF:

- Fuel innovative clinical trials, research collaboratives and new treatment approaches
- Provide emergency financial assistance to families whose child is in treatment
- Award more than 1,700 college and vocational scholarships to brain tumor survivors
- Equip newly diagnosed families with the Starfolio resource notebook
- Make cancer care less scary through the award-winning imaginary Friend Society file series

Online registration at <https://team.curethekids.org/event/2021-hudson-valley-ride-for-kids/e318165> is recommended. Walk-up registration will start on September 12th at 8:00 am with kickstands up at 10:00 am (rain or shine).

Ride for Kids is the longest-running, most successful motorcycle charity event in the nation. American Honda is the national presenting sponsor of Ride for Kids, an American Motorcyclist Association-sanctioned event. Local Event support has been provided by the Town of Montgomery, PEPSI of Hudson Valley, Dunkin Donuts, News 12.

Visit <https://team.curethekids.org/event/2021-hudson-valley-ride-for-kids/e318165> to learn more or contact Hudson Valley's media coordinator Saul Negron at (845) 271-8995 and saul.negron@gmail.com.

About the Pediatric Brain Tumor Foundation

As the world's leading non-profit dedicated to children and teens with brain tumors, the Pediatric Brain Tumor Foundation's mission is to care for families along their journey, cure all childhood brain tumors, and help survivors and families thrive. Since 1991, they have funded and partnered with organizations to fund more than \$44 million in scientific discovery to increase survivorship, improve quality of life, and ultimately pediatric brain tumors. They also provide emotional, informational, and logistical support to help families navigate their journey, including the Starfolio Resource Notebook for the newly diagnosed, emergency financial assistance Butterfly Fund, and award-winning Imaginary Friend Society video series. Their signature Ride for Kids, Starry Night, and Vs. Cancer events rally supporters across the country, and regional offices provide critical on-the-ground support to families. Visit, www.curethekids.org/mission to learn more.

Trustee Hembury mentioned he is not able to attend due to conflicting schedules of a similar event.

ABSTRACT NO. 07 - 2021

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, all bills listed on ABSTRACT NO.07-2021 were audited and approved for payment with \$258,641.40 from the General Fund, \$23,010.11 from the Water Fund, \$28,852.98 from the Sewer Fund and totaling \$310,504.49. Check No: 78717 – 78780, 1768 - 1788. Motion carried 5-Ayes, 0-Nays.

Treasurer Griffith reported a CASH BALANCE for the month of July 31, 2021, as follows: General Fund \$3,453,781.46, Water Fund \$248,709.89, Sewer Fund \$551,381.99.

OLD BUSINESS

None

DEPARTMENT REPORTS

POLICE DEPARTMENT

Deputy Police Chief Arteta said the Narcan Training went well with 24 in attendance. At the next event, he is planning to have AED and CPR training also. The Department is preparing for the upcoming Village events. The radar unit is also ready to observe and will be set up at different locations.

DEPARTMENT OF PUBLIC WORKS

DPW Supt. Nelson said he would like to discuss the proposed land acquisition from FF & J Properties, at the rear of Weaver Street, a portion of 28-1-64.2 in the Town of Montgomery, for a municipal well expansion area. The appraisal high point is \$5,200.00 an acre. He would like to make an offer. He is not in favor of eminent domain or leasing; other municipalities have leased property and things have not fared well.

Furthermore, Frank may also be entertaining offers on the land.

He also suggested bonding for several various equipment and projects. The STP gets clogged with flushed wipes and the machinery cannot handle it. Therefore, we need to purchase new machinery for the STP that can break down the flushable wipes.

In addition, the Jacobson Street Well produces sulfate and to get this well up and running, it needs to be treated like the Holt Well with an additional building, this too shall be added into the bonding for water.

Lastly, he hopes to begin road work and paving approximately on August 15, 16 and 17th.

Mayor Brescia he will ask the residents in the next newsletter, not to flush wipes into the waste system.

The Board discussed bonding for the required equipment at the sewer treatment plant, for a new well, and treatment for hydrogen sulfate at Jacobson Street Well, and asked Atty. Dowd to pursue the bonding. The required equipment for the STP is approximately \$80,000 to \$85,000 and does not include labor.

Trustee Hembury said he donated approximately 80 small flags to be placed in the cemetery.

Trustee Lindner provided an update on the pickle ball court. The fence will be installed very soon. There is much excitement for its completion and a tournament is being planned. More information will follow soon.

NEW BUSINESS

APPROVE 6" WELL TEST AT HOLT WELL

The Board held their decision for the meeting on September 7th, waiting on the last quote for the 6" well test at Holt Well.

PROMOTE TEMPORARY DEPUTY POLICE CHIEF TO DEPUTY POLICE CHIEF

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board promoted temporary Deputy Chief Paul Arteta to Deputy Police Chief A, via § 52.7 of civil service law, effective as of August 1st, 2021. Motion carried, 5-Ayes, 0-Nays.

SET BID OPENING DATE FOR THE VILLAGE HALL ROOF REPLACEMENT

Moved by Trustee Hembury, seconded by Deputy Mayor Scheels, the Board set a bid opening for the Village Hall Roof Replacement for September 14, 2021 at 2 pm, held at the village Hall Meeting Room, at 133 Clinton Street, Montgomery, NY 12549. Motion carried, 5-Ayes, 0-Nays.

AUTHORIZE TREASURER TO MOVE FUNDS DUE TO JUDGEMENT AND CLAIMS FOR SPRING HOUSE REDUCED ASSESSED VALUATION

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board authorized Treasurer Griffith to move \$1,979.00 from (A0-1990.000) contingency to (A0-1930.000) for judgement and claims for Spring House reduction in their assessed valuation. Motion carried, 5-Ayes, 0-Nays.

ACCEPT PART-TIME CLERK RETIREMENT

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board accepted Part-Time Clerk Veronica Rickerd retirement date as of Wednesday, September 29, 2021. Motion carried, 5-Ayes, 0-Nays.

AUTHORIZE PAYMENT TO NUGENT & HAEUSSLER FOR AUDIT SERVICES

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board authorized payment to Nugent & Haeussler, PC not to exceed \$20,750.00 for audit services. Motion carried, 5-Ayes, 0-Nays.

AUTHORIZE PAYMENT TO GENERAL CODE FOR SUPPLEMENTATION OF CODE AND REPRINTING OF 15 CODE VOLUMES

Moved by Trustee Lindner, seconded by Deputy Mayor Scheels, the Board authorized payment to General Code for supplementation of code and reprinting of 15 code volumes at the price of \$5,060.00. Motion carried, 5-Ayes, 0-Nays.

Montgomery and Maybrook Fire Departments request authorization for the use of Veterans Memorial Park for set up on September 25th, and to serve beer to legal aged parade participants only, after the parade with the proper certificate of insurance provided, listing the Village as additional insured. Motion carried, 5-Ayes, 0-Nays.

EVENTS

Summer Concert Series presents the live performances at the Clinton Street Bandstand from 6:30 pm to 8:30 pm, beginning with: Hurley Mountain Band on August 3rd, Funk Junkies on August 5th, Midnight Image on August 12th, Sass & Brass on August 19th, and The Difference on August 26th.

Tour de Goshen, Sunday, August 22, 2021.

AUTHORIZE TREASURER GRIFFITH TO MOVE ARPA FUNDS TO GREENE COUNTY COMMERCIAL BANK

Moved by Deputy Mayor Scheels, seconded by Trustee Lindner, the Board authorized Treasurer Griffith to move ARPA funds from Orange Bank and Trust Company to Greene County Commercial Bank in the amount of \$231,260.25. Motion carried, 5-Ayes, 0-Nays.

APPROVE THE PURCHASE OF 50 USA FLAGS

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board approved the purchase of 50 USA, 3 x 5" flags totaling \$800.00. Motion carried, 5-Ayes, 0-Nays.

SET PUBLIC HEARING FOR INTRODUCTORY LOCAL LAW I-4 OF 2021

Moved by Trustee Lindner, seconded by Deputy Mayor Scheels, the Board set the Public Hearing for Introductory Local Law I-4 of 2021, that amends chapter 118 of the code of the Village of Montgomery, entitled "water" to change the due date for payment of water bills and to amend the language for the assessment of penalties for late payments, on September 7, 2021, 7:00 pm, held at the Montgomery Senior Center, 36 Bridge Street, Montgomery, NY 12549. Motion carried, 5-Ayes, 0-Nays.

SET PUBLIC HEARING FOR INTRODUCTORY LOCAL LAW 1-5 OF 2021

Moved by Trustee Lindner, seconded by Deputy Mayor Scheels, the Board set the Public Hearing for Introductory Local Law I-5 of 2021, amending chapter 96 of the code of the Village of Montgomery, entitled "sewer and sewage disposal" to change the due date for payment of sewer bills and to amend the language for the assessment of penalties for late payments, on September 7th, at 7:05 pm, held at the Montgomery Senior Center, 36 Bridge Street, Montgomery, NY 12549. Motion carried, 5-Ayes, 0-Nays.

SET JOINT PUBLIC HEARING WITH THE TOWN FOR ANNEXATION OF THE AIELLO PROPERTY LOCATED IN THE TOWN

Moved by Trustee Lindner, seconded by Deputy Mayor Scheels, the Board set a joint Public Hearing date with the Town, for Annexation of the Aiello property from the Town to the Village, on September 7th, at 7:15 pm, held at the Montgomery Senior Center, 36 Bridge Street, Montgomery, NY 12549. Motion carried, 5-Ayes, 0-Nays.

APPROVE THE COLLECTIVE BARGINING AGREEMENT WITH THE VILLAGE AND THE VILLAGE OF MONTGOMERY POLICE BENEVOLENT ASSOCIATION THROUGH 05-31-2026

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board approved the CBA with the Village and the Village of Montgomery Police Benevolent Association effective as of 06/1/2021 through 05/31/2026. Motion carried, 5-Ayes, 0-Nays.

PUBLIC PORTION

Mr. Berger asked for clarification regarding the Treasurer's Office audit finding. Secondly, he asked if a remedial action settlement was reached regarding the law suit.

Mayor Brescia said the audit findings consisted of water and sewer late fees not billed to the residents. The corrective action will be discussed in the executive session with Attorney Dowd and ensure that it does not happen again. The law suit settlement was reached and for the future he will conduct things in a different manner.

Maria Beltrametti said she is a little confused about the DPW trucks and equipment. She paid a visit the DPW garage and did not see the equipment or vehicles in the garage. Where is the equipment being stored? She and Mr. Berger would like to arrange for another site visit.

DPW Supt. Nelson said it is a good thing to know the DPW garage was empty during your site visit, it means the guys were out working and doing their jobs. No other site visits will be arranged in the near future. We have a lot going on.

Amy Frisbie presented the Board of Trustees with a donation of \$500.00 towards the Police Department expenses, for covering the Run for Gold 8K Race. She thanked the Village and Village of Montgomery Police Department for their continued support.

Mayor Brescia said he has an interested candidate to lease the Water Work Building once its renovated, as a resident/occupation zoning type of use.

EXECUTIVE SESSION

Moved by Trustee Lindner, seconded by Trustee Hembury, the Board entered Executive Session at 8:27 pm, under the open meetings law §7 (e) for matters of the collective negotiations pursuant to the Taylor Law, with the Deputy Police Chief Arteta, Atty. Dowd, and the Village Clerk in attendance. Motion carried, 5-Ayes, 0-Nays.

EXITI EXITED EXECUTIVE SESSION

Moved by Trustee Andolsek, seconded by Trustee Lindner, the Board exited Executive Session at 8:37 pm. Motion carried. 5-Ayes, 0-Nays.

EXECUTIVE SESSION

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board entered Executive Session at 8:41 pm, under the open meetings law §7 (f) for matters regarding leading to the possible appointment of a particular individual, with Atty. Dowd, Kevin Conero, and the Village Clerk in attendance. Motion carried, 5-Ayes, 0-Nays.

EXITED EXECUTIVE SESSION

Moved by Deputy Mayor Scheels, seconded by Trustee Lindner, the Board exited Executive Session at 9:07 pm. Motion carried, 5-Ayes, 0-Nays.

HIRE PART-TIME POLICE OFFICER

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board hired Darrell Honkala as a Part-Time Police Officer with the conditions of CBA, effective immediately. Motion carried, 5-Ayes, 0-Nays.

ADJOURNMENT

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board adjourned the meeting of August 3, 2021 at 9:16 pm. Motion carried, 5-Ayes, 0-Nays.

Monserrate Rivera-Fernandez, Village Clerk