

Minutes of the Regular Meeting of the Board of Trustees, of the Village of Montgomery, was held in the Meeting Room, at the Village Hall, 133 Clinton Street, Montgomery, NY 12549, on Tuesday, October 18, 2022, at 7:30 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury (Absent), Trustee Lindner, Atty. Will Frank, Atty. Joseph McKay, Village Clerk Rivera-Fernandez, DPW Supt. Nelson, Atty. Marcia A. Jacobowitz Project Consultant, Maria Beltrametti, Don Berger, Mary Ann Lindner, PB Chrmn. Conero, Rec. Supr. Jackson, Marcia Jacobowitz.

RE: CALL TO ORDER

PLEDGE OF ALLEGIANCE

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

MINUTES

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board approved the minutes of October 4, 2022. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Hembury).

REQUEST TO MEET WITH THE BOARD

None

OLD BUSINESS

None

RE: NEW BUSINESS

REGIONAL FOOD BANK OF NORTHEASTERN NY

Marcia A. Jacobowitz, Project Consultant Re: Regional Food Bank of Northeastern NY, Applicant Subdivision, Site Plan and Special Use approval, seeks the required approval from the Board of Trustees for the construction of an industrial use with a gross floor area of over 4,000 square feet, pursuant to Village of Montgomery code section 122-52G.

ADOPT A RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTGOMERY APPROVING THE SUBDIVISION, SITE PLAN AND SPECIAL EXCEPTION USE APPLICATION OF THE REGIONAL FOOD BANK OF NORTHEASTERN, NEW YORK (the "FOOD BANK"), PURSUANT TO VILLAGE CODE CHAPTER 122

Moved by Deputy Mayor Scheels, seconded by Trustee Lindner, the Board adopted a resolution of the Board of Trustees of the Village of Montgomery approving the subdivision, site plan and special exception use application of the Regional Food Bank of Northeastern, New York (the "Food Bank"), pursuant to village code chapter 122. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Hembury).

ADOPT A RESOLUTION FOR FY 2024 FOR THE COUNTY OF ORANGE TO PROVIDE EXEMPTION FROM COUNTY TAXATION ON SBL 28-1-63, ON REAL PROPERTY LOCATED IN THE TOWN OF MONTGOMERY FOR USE OF THE VILLAGE WATER SYSTEM

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board adopted a resolution for FY 2024, for the County of Orange to provide the exemption from County Taxation SBL 28-1-63, on real property located in the Town of Montgomery for use of the Village water system. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Hembury).

VILLAGE OF MONTGOMERY BOARD OF TRUSTEES, PLANNING BOARD, ZBA, AHRB JOINT SPECIAL MEETING HELD ON THURSDAY, OCTOBER 27, 2022

Village of Montgomery Board of Trustees, Planning Board, ZBA, AHRB, Special Joint Meeting, Thursday, October 27, 2022, at 7:00 pm, held at the Village Hall, 133 Clinton Street, Montgomery, NY.

APPOINT AMY FRISBIE TO THE PLANNING BOARD TO FILL A VACANCY THROUGH 04-06-2027

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board appointed Amy Frisbie to the Planning Board to fill a vacancy through 04-06-2027, effective immediately. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Hembury).

EVENTS & SERVICES:

HALLOWEEN PARADE, Saturday, October 29, 2022, stepping off at 4:00 pm, at the top of Clinton Street and Wallkill Avenue, parading to the Senior Center, with light refreshments.

TRICK OR TREAT WILL BE HELD IN THE VILLAGE OF MONTGOMERY ON MONDAY, OCTOBER 31, 2022, BEGINNING AT 6:00 PM TO 8:00 PM.

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board approved TRICK OR TREAT will be held in the Village of Montgomery on, Monday, October 31, 2022, 6:00 pm to 8:00 pm. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Hembury).

WATER RESTRICTIONS REMAIN IN EFFECT UNTIL FURTHER NOTICE

Water restrictions remain in effect until further notice, which includes: no water of lawns, no washing of cars, no power washing of buildings, etc. If you have any questions or concerns, regarding any water uses, do not hesitate to call the DPW at 845-457-5321.

DPW SUPT. NELSON REPORTED ITEMS CONCERNING THE WWTP, VEHICLES, AND THE WATER CONDITIONS

DPW Supt. Nelson mentioned obtaining a quote to install and replacement parts for the WWTP down clarifier for a total of \$18,400.00, which is a temporary fix to the bonding expense. He asked the Board if they could deem this a sole source because there is no one out there doing this type of work. It is difficult getting the equipment needed without an extended period. He asked Atty. Will Frank, if the quotes for the bonding could be used along with one, he just mentioned.

Atty. Will Frank suggested attempting to obtaining additional quotes, as a good faith estimate before deeming this as a sole source purchase and present it at the next board meeting.

DPW Supt. Nelson mentioned that the DPW dump truck is down, parts are not available and therefore he will put it out to be auctioned for parts. A pickup truck and the mason dump truck are also down. He will be looking to replace these vehicles.

Lastly, a CodeRed will need to be launched for the continued drought; water restrictions are still in effect. Our water production is down and all the efforts we have attempted have not been successful to improve well production. He repeated the need to purchase property for well drilling.

Mayor Brescia asked if he investigated using the well on Marc Devitt's property on Chandler Lane.

DPW Supt. Nelson said the cost to connect to those wells should be a point to take into consideration, as well as the cost of the pipes.

#### LABORER RICHARD NELSON RETIREMENT DATE IS SET

Laborer Richard Nelson retirement date is set for November 29, 2022, and he hopes to hire a replacement before he leaves.

#### BOARD OF TRUSTEES MEETING OF TUESDAY, DECEMBER 6, 2022, CHANGED TO BE HELD ON MONDAY, DECEMBER 5, 2022

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board of Trustees meeting of Tuesday, December 6, 2022, has changed to Monday, December 5, 2022, at 7:30 pm. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Hembury).

#### PUBLIC PORTION

Mr. Berger expressed his delight that the Board of Trustees having a joint meeting with the other Village Boards. He asked that they consider adding fruit trees such as (dogwood, cherry blooms trees), and add a tree height requirement as part of the landscape designs for all warehouse development projects, to tie in with the Village aesthetics and not have a repeat of Medline's landscaping. Their landscape design does not obscure the building at all; it will take years for their trees to grow for the desired effect.

Mayor Brescia said any requirements in the landscape design needs to also be at a reasonable cost to the developer. He strongly suggests a mulch berm be included in the landscaping design on the back side, as it was previously discussed.

PB Chrmn. Conero mentioned all the criteria has been given to the landscape architect, who is to review the Village recommendations for the appearance of the gateway and project developments.

#### EXECUTIVE SESSION

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board entered Executive Session at 8:04 pm, under the open meetings law §7 (h) for matters regarding the possible acquisition of real property, with Atty. Will Frank, Atty. Joseph McKay, DPW Supt. Nelson and the Village Clerk in attendance. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Hembury).

#### EXITED EXECUTIVE SESSION

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board Exited Executive Session at 8:21 pm. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Hembury).

#### EXECUTIVE SESSION

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board entered Executive Session at 8:22 pm, under to the open meetings law §7 (f), for matters regarding the employment history of a particular individual with the Village Clerk in attendance. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Hembury).

#### EXIT EXECUTIVE SESSION

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board Exited Executive Session at 8:28 pm. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Hembury).

APPOINT DEBORAH DELGADO AS THE F/T DEPUTY TREASURER/CLERK POSITION  
EFFECTIVE AS OF OCTOBER 18, 2022, AT THE RATE OF \$19.00 AN HOUR

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board appointed Deborah Delgado as the Full-Time Deputy Treasurer/Clerk position effective as of October 18, 2022, at the rate of \$19.00 an hour. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Hembury).

INCREASE WAGES OF DEPUTY VILLAGE CLERK, TINA MURPHY TO \$19.50 AN HOUR  
EFFECTIVE AS OF OCTOBER 18, 2022

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board increased the wages of Deputy Village Clerk Tina Murphy to \$19.50 an hour effective as of October 18, 2022. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Hembury).

INCREASE WAGES OF VILLAGE CLERK, MONSERRATE RIVERA-FERNANDEZ TO \$30.10 AN  
HOUR EFFECTIVE AS OF OCTOBER 18, 2022

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board increased the wages of Village Clerk Rivera-Fernandez, to \$30.10 an hour effective as of October 18, 2022. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Hembury).

ADJOURNMENT

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board adjourned the meeting of October 18, 2022, at 8:30 pm. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Hembury).

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Monserrate Rivera-Fernandez, Village Clerk