

Minutes of the Regular Meeting, of the Board of Trustees, of the Village of Montgomery, was held the in the Court Room, at 133 Clinton Street, Montgomery, NY 12549, on Tuesday, March 7, 2023, at 7:30 pm.

PRESENT: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, Trustee Lindner, Atty. Will Frank, Atty. Joseph McKay, Village Clerk Rivera-Fernandez, DPW Supt, Nelson, Chief of Police Herlihy, Building Inspector Yancewicz, Mary Lippincott, Jane Hoeffner, Luke Satriano, Ruth & Vince Satriano, Toni Mletzko, Betsy Comizio, Marguerite and Fred Flood, Bibi Latif, Lynn Stewart (Livingston Engineering LLC), ZBA Chrmn. Wilbur, PB Mbr. Romano, Virginia Moore, Johanna Sweikata, Barbara Meyer, Tom Olley, Margaret Bussigel, Don Berger, Brian Rivenburgh.

CALL TO ORDER - PLEDGE OF ALLEGIANCE

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

PRESENTATION OF PLAQUE

Mayor Brescia presented a plaque honoring Luke Satriano, from the Board of Trustees, for winning the 2023 New York State Wrestling Championship, and is a Sophomore at Valley Central High School. We are very proud of you Luke for being the first to win the NYS Wrestling Championship, in sixteen years, and mentioned the Satriano family resides in the Town of Crawford, O.C. Legislature Robert Sassi also has a presentation.

Orange County Legislature Robert Sassi represents for the Town of Crawford, presented Luke Satriano with a Distinguished Citizens Award, for his athletic achievement. Being a former Valley Central School District 10th grade teacher, he follows the VC sports posts in the Wallkill Valley Times.

MINUTES

Moved by Trustee Lindner, seconded by Deputy Mayor Scheels, the Board approved the minutes of February 15, 2023, and February 23, 2023. Motion carried, 5-Ayes, 0-Ayes.

REQUEST TO MEET WITH THE BOARD

Tom Olley reconvened from the meeting of February 15th, represents for Zafir (330 Dunn Road) and seeks final approval from the Village Board of Trustees, referred by the Planning Board pursuant to the Village Zoning Code, §122-52. G., (Industrial or Commercial uses having more than 4,000 square foot, gross floor area), of which they have obtained preliminary approval, to allow expansion of the existing Zafir, LLC manufacturing business, and to be able to clear the site before the tree clearing window closes.

Mr. Olley has resented the Board of Trustees with an updated landscaping design for the existing building as previously requested. He also mentioned that they were able to obtain a definition of the septic lines, through the assistance of the O.C. Airport having their lines marked out, thereby, allowing for the type of landscaping the Board will approve of to maximize the screening effect.

Mayor Brescia asked PB Chrmn. Conero, if he has reviewed the site plan for the expansion of the Zafir and they are going to do as its proposed, with the additional plantings for the existing building.

PB Chrmn. Conero replied, yes, the site plans have been reviewed thoroughly and feels the additional plantings of the existing building are as they have outlined in the plans.

Mayor Brescia stated Mr. Berger asked to be on the agenda to speak with the Board of Trustees to discuss the Zafir building project before rendering an approval, therefore, opened to hear his comments.

DON BERGER STATES HIS CONCERNS WITH THE ZAFIR PROJECT

Mr. Berger addressed the Board of Trustees with his concerns with Zafir, he urges the Board to review the designs closely, due to the initial problems that happened with the existing building, and they need to follow the plans as submitted. The PB has one job, and that is to protect the Village. He strongly feels that the applicant does not have the best interest of the Village with the type of things that occurred. He remains cautious.

TOWER MANAGEMENT LOOSESTRIFE FIELDS INTENDS TO INSTALL SIX ELECTRIC VEHICLE (EV) CHARGING STATIONS

Lynn Stewart representing Livingston Energy, LLC, for Tower Management Loosestrife Fields who intends to build six EV Charging Stations at 500 Patchett Way. The Village has no written code regarding the application of EV stations, therefore, Building Inspector Yancewicz and the ZBA have referred me to the Village Board for approval to proceed. The charging stations are mounted on a pedestal and are designed to be above any flood recommendations, should moisture enter, its equipped with an automatic kill switch.

Mayor Brescia asked ZBA Chrmn Wilbur to provide a synopsis on the proposed EV stations.

ZBA Chrmn. Wilbur said the applicant was referred by the PB. He called several municipalities and found that the Town of Wallkill is a little more developed and have more exposure to the EV charging stations. There is lack of guidance from the State.

Ms, Stewart said the EV stations are overnight applications and are 7.6 low kilowatts.

PB Chrmn. Conero said he would like to have language adopted into the Village Code, for guidance and landscape designs also.

Trustee Hembury mentioned speaking to the Fire Department is not aware of these EV Charging Stations. He is cautious and does not see anyone to get hurt.

Trustee Lindner asked if Central Hudson has approved the EV Charging Stations.

Ms. Stewart replied, yes, we must have Central Hudson approval before we even build. These are partially funded by Central Hudson.

Mayor Brescia asked where people go to charge their EV now.

Ms. Stewart replied, they must travel miles to charge their vehicles.

Mayor Brescia said the Board is going to hold their decision for a future meeting, to allow further review of the applicants' request.

Ms. Stewart is not certain when or if she will be able to return later. She stated being a caregiver of a family member.

Mayor Brescia suggested a zoom meeting could be arranged.

ADOPT A RESOLUTION APPROVING THE SITE PLAN AND SEU FOR ZAFIR LLC PURSUANT TO CHAPTER 122

Moved by Trustee Lindner, seconded by Deputy Mayor Scheels, the Board adopted a resolution approving the site plan and SEU for Zafir LLC pursuant to Chapter 122. Motion carried, 4-Ayes, 1-Nay (Trustee Hembury).

ROWLEY DEVELOPMENT CORP, RAILROAD AVENUE FINDS NO EASEMENTS FOR THE PROPOSED PROJECT DEVELOPMENT

Ross Winglitz with Engineering & Surveying Properties representing for Reality Subdivision Plan, Rowley Development Corp. 21-29, 33-39, 41-49 Railroad Avenue, dated May 13, 2022, has been thoroughly vetted for additional

easements they may encumber or benefit the property. Their findings state no easements of record other than what is shown on said plan have been found, however, acknowledges that the said property would certainly be subject to such if ever discovered.

Trustee Hembury is concerned about any possible hazards buried on the site.

Atty. McKay suggested obtaining engineering approval to affirm there are no buried hazards on the site.

After much discussion regarding the uncertainty of any possible buried hazards on the site, the Village Board of Trustees held their decision for further study.

OLD BUSINESS

None

REPORTS – DEPARTMENTS – BOARD – COMMITTEES

Chief of Police Herlihy said the department is ready for St. Pat's Ramble.

He is both pleased and not pleased with the traffic, with 116 tickets written, and 87 were on Union St. alone. We must concentrate on many roads, so if you see something, call and voice your concerns. He makes it a point to scour social media for what is happening in the community. To ease the concerns of the Community members, the department takes the care of the children in our schools seriously. All threats are taken seriously. If your children are in harm's way, he will ensure of informing the parents.

NEW BUSINESS

Jane Hoeffner President of the Montgomery Free Library requests the Board to consider increasing their funding contribution, by doing so, it will enable them to return to pre-covid operations and begin to schedule children learning activities.

ADOPT A RESOLUTION ACCEPTING THE IMA CONTRACT 2023 STOP-DWI BETWEEN THE COUNTY OF ORANGE, THROUGH ITS DEPARTMENT OF EMERGENCY SERVICES ("COUNTY"), AND THE VILLAGE OF MONTGOMERY, AND THROUGH ITS POLICE DEPARTMENT ("MUNICIPALITY") AND THE AUTHORIZATION OF DESIGNATING AN OFFICIAL (POLICE CHIEF HERLIHY), TO EXECUTE THE CONTRACT FOR THE VILLAGE OF MONTGOMERY, EFFECTIVE AS OF MARCH 11, 2023, THROUGH JANUARY 11, 2024

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board adopted a resolution accepting the IMA contract 2023 STOP-DWI between the County of Orange, through its Department of Emergency Services ("County"), and the Village of Montgomery, and through its Police Department ("Municipality") and the authorization of designating an official (Chief of Police Herlihy), to execute the contract for the Village of Montgomery, effective as of March 11, 2023, through January 11, 2024. Motion carried, 5-Ayes, 0-Nays.

REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTGOMERY, WILL BE MOVED FROM TUESDAY, MARCH 21, 2023, TO WEDNESDAY, MARCH 22, 2023, AT 6:00 PM, HELD AT THE VILLAGE HALL, AT 133 CLINTON STREET, MONTGOMERY, NY 12549

Moved by Trustee Lindner, seconded by Trustee Hembury, the Board approved to move the Regular Meeting of the Board of Trustees, of the Village of Montgomery, from Tuesday, March 21, 2023, to Wednesday, March 22, 2023, and shall be held at the Village of Montgomery, Village Hall 133 Clinton Street, Montgomery, NY 12549, at 6:00 pm. Motion carried, 5-Ayes, 0-Nays.

ADOPT A RESOLUTION FOR A TRUCK BY PASS

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board adopted pproved the Truck By Pass. Motion carried, 5-Ayes, 0-Nays.

ORDER TO REMEMDY VIOLATION – 96 WASHINGTON AVENUE

EVENTS

Grand Montgomery Chamber Series presents the performance of Han-Baik Duo, Ye-jin Han, Violin; Eun Ae Baik-Kim, Piano, on Sunday, March 12, 2023, at 3:00 pm, held at the Senior Center, 36 Bridge Street, Montgomery, NY 12549.

St. Pat's Ramble Grand Marshals honorees: Gene Froehlich, Jack Hoeffner, Phillie Hoeffner, and Frank Hoeffner.

St. Pat's Ramble Grand Marshals Mass, Sunday, March 12th at 11:30 am, at the Holy Name of Mary-Assumption Church, 89 Union Street, Montgomery, NY 12549, followed by the

Grand Marshals Reception, at 1:30 pm, at Twin Ponds on the Farm, 531 River Road, Montgomery, NY 12549.
(To purchased tickets, visit the website: stpatsramblemontgomeryny.com)

Rainbow Dash Kids Fun Run, March 18th, at 9:40 am (\$25/pre-registration, \$20/pre-registration age 15 and under, Registration is \$5/more on race day), line up on Wallkill Avenue.

Run for the Gold 5K, March 18th, at 10:00 am, line up on Wallkill Avenue.

St. Pat's Ramble Parade, March 18th, at 12:00 pm, line up in front of Montgomery Elementary, Union Street & steps off at 1:00 pm.

Orange County Department of Planning correspondence.

PUBLIC PORTION

EXECUTIVE SESSION

ADJOURNMENT

