

Minutes of the Regular Meeting Board of Trustees, of the Village of Montgomery was held in the Meeting Room, of the Village Hall 133 Clinton Street, Montgomery, NY 12549 on, Tuesday, June 20, 2023, at 7:30 pm.

Present: Mayor Brescia, Deputy Mayor Andolsek, Trustee Hembury, Trustee Lindner (Absent), Trustee Picarello, Atty. Will Frank, Village Clerk Rivera-Fernandez, Chief of Police Herlihy, Judith Lozier, Mary Lippincott, Maria Beltrametti, Don Berger, Johanna Sweikata, Andrew Sager, Tom Steed, Videographer, Jose Rojas.

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 Andolsek, seconded by Trustee Hembury, the Board approved the minutes of June 6, 2023. Motion carried, 4-Ayes, 0-Ayes, 1-Absent (Trustee Lindner).

REQUEST TO MEET WITH THE BOARD

Judith Lozier requests to meet with the Board regarding the Senior exercise equipment removed and replaced with Pickle Ball Court.

Ms. Lozier expressed her thoughts and concerns regarding the senior exercise equipment that was obtained through work of Trustee Lindner for a grant from Senator Larkin. It has been removed and replaced with the Pickle Ball Court next to the Senior Center. She has found that the equipment is in a pile behind the Police Department and would like to know when and if the Board intends to find a new location for the exercise equipment in the Veterans Memorial Park. She also mentioned the original location was intended to be installed along the Pleasure Ground walking trail.

Mayor Brescia said he will speak with the DPW Supt. Nelson to find a new location for the exercise equipment to be installed in the Veterans Memorial Park or along the Pleasure Ground walking trail.

OLD BUSINESS

Trustee Hembury to talk regarding the Basketball Court at Veterans Memorial Park.

Trustee Hembury mentioned Summer Recreation Supervisor Jenn Jackson has 150 enrollments for the 2023 Summer Camp. Due to the issue regarding the Basketball Courts not being completed prior the start of camp. She happened to mention it to Amy Frisbie and Marc Devitt who stepped up and took action to see that the children will have areas to play. He thanked them for their generous donations.

He also mentioned the upcoming Car Show held on September 17, 2023, and the proceed will benefit the Montgomery Food Pantry.

Lastly, he expressed his feelings on how important it is that the Senior Citizens benefit having a Senior Center in their neighborhood.

Mayor Brescia thanked the DPW Supt. Nelson and his staff for all they have done at the Veterans Memorial Park. He also thanked the DPW Supt. Nelson for securing \$100,000.00 for the Pickleball Courts through Trustee Picarello and Marc Devitt. Furthermore, the Pickleball committee has raised \$16,000.00 in donations for the Pickleball lighting. He is happy to report that the Volleyball Court has been installed at the Veterans Memorial Park.

RE: NEW BUSINESS

APPROVE THE BUDGET ADJUSTMENTS AS TREASURER PALMIERI HAS OUTLINED

Moved by Deputy Mayor Andolsek, seconded by Trustee Hembury, the Board approved the budget adjustments as Treasurer Palmieri has outlined, to Increase revenue appropriation A0-3391-000 (Grants for Police Dept.) and Expense appropriation A0-3120-200 (Police Department Equipment) by \$29,976.00. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Lindner).

CONSIDER APPROVING THE FRIENDS OF THE MONTGOMERY FREE LIBRARY USE OF THE VILLAGE HALL MEETING ROOM AND FRONT LAWN ON WEDNESDAYS IN JULY TO HOST THEIR SUMMER READING PROGRAM FOR FIRST THROUGH 6th GRADE CHILDREN

Moved by Deputy Mayor Andolsek, seconded by Trustee Hembury, the Board approved the Friends of the Montgomery Free Library request to use the Village Hall Meeting Room and the front lawn on Wednesdays on July 5th, 12th, 19th, and 26th, from 5:30 pm to 7:00 pm, to host their “All Together Now Summer Reading Club” for 1st through 6th grade children, with the conditions of providing the proper certificate of insurance, listing the Village of Montgomery as the additional insured. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Lindner).

CONSIDER APPROVING A PROPOSAL FOR THE RESURFACING OF SIX (6) PICKLEBALL COURTS WITH THE USE OF ARPA FUNDS WITH THE CONDITIONS OF THE VILLAGE TREASURER TRACKING EXPENSE FOR REPORTING PURPOSES

Consider approving a proposal for the resurfacing of six (6) pickleball courts, with the use of ARPA funds, with the conditions of the Village Treasurer tracking the expense for reporting purposes.

- a. Advanced Pavement Marking \$18,200.00
- b. A Plus Striping, Inc. \$30,325.00
- c. Superior Surfacing Systems Ltd. \$41,250.00
- d. U.S. Outworkers \$41,500.00

Moved by Deputy Mayor Andolsek, seconded by Trustee Hembury, the Board approved the “Advanced Pavement Marketing proposal of \$18,200.00, for the resurfacing of six (6) Pickleball Courts, with the use of ARPA funds with the conditions of the Village Treasurer tracking the expenses for reporting purposes. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Lindner).

APPROVE EXPENSE OF \$3,000.00 TO BE PAID TO THE MONTGOMERY FREE LIBRARY USING ARPA FUNDS, WITH THE CONDITIONS OF THE FUNDS NOT BEING USED FOR PERSONAL SERVICES (PAYROLL) AND REPORTING THE USE OF THE FUNDS BE PROVIDED TO THE VILLAGE TREASURER FOR THE REQUIRED ARPA EXPENSE REPORTING PURPOSES

Moved by Trustee Hembury, seconded by Deputy Mayor Andolsek, the Board approved the expense of \$3000.00 to be paid to the Montgomery Free Library using ARPA funds, with the conditions of the funds not being used for personal services (payroll) and reporting the use of the funds be provided to the Village Treasurer for the required ARPA expense reporting purposes. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Lindner).

CONSIDER ADOPTING A RESOLUTION FOR THE CLIMATE SMART COMMUNITIES PLEDGE FOR THE VILLAGE OF MONTGOMERY

Moved by Trustee Picarello, seconded by Trustee Hembury, the Board adopted a resolution, designating Trustee Picarello as the contact person, and Mayor Brescia approving any projects, for the Climate Smart Communities pledge, for the Village of Montgomery. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Lindner).

VILLAGE OFFICE CLOSED IN OBSERVANCE OF INDEPENDENCE DAY

The Village of Montgomery Offices will be closed on July 4th, in observance of Independence Day.

BOARD OF TRUSTEES REGULAR MEETING OF JULY 4th HAS BEEN RESCHEDULED TO BE HELD ON JUNE 29th, at 7:30 pm

The Board of Trustees regularly scheduled meeting of July 4th, has been rescheduled to be held on Thursday, June 29th, at 7:30 pm, held in the Village Hall Meeting Room, 133 Clinton Street, Montgomery, NY 12549.

EVENTS

- NY International Air Show, at Orange County Airport, on Saturday, June 24th and Sunday, June 25th. For answers to common questions call 321-395-3110, for ticket purchase call 845-202-2040 during regular business hours to reach their ticketing and admissions team.
- Village of Montgomery Summer Concert series begins on Thursday, July 6th, with the performance of the “Manaklin Bros., at 6:30 pm to 8:30 pm, held at the Clinton Street Bandstand.
- Osborn – Fitzsimmons American Legion Montgomery Post 521 Car Show at the Senior Center, on Sunday, July 9th beginning at 7 am to 5 pm.

CONSIDER APPROVING SUMMER RECREATION BUDGET ADJUSTMENTS AS RECREATION DIRECTOR TAYLOR HAS OUTLINED

Moved by Trustee Picarello, seconded by Deputy Mayor Andolsek, the Board approved the budget adjustments as Recreation Director Taylor has outlined to increase personal services appropriation A0-7140.100 by \$500.00, A0-7310.100 by \$3,809.00 and increasing revenue A0-2089.00 by \$4,309.00. Motion carried, 3-Ayes, 0-Nays, 1-Absent (Trustee Lindner), 1-Abstention (Trustee Hembury).

APPROVE THE MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE VILLAGE OF MONTGOMERY AND THE VILLAGE OF MONTGOMERY DEPARTMENT OF WORKS AND THE TRANSPORT WORKERS UNION OF AMERICA, A.F.L. – C.I.O. AND ITS LOCAL 25 “UNION”

Moved by Trustee Picarello, seconded by Deputy Mayor Andolsek, the Board approved the memorandum of agreement (moa) between the Village of Montgomery and the Village of Montgomery Department of Public Works and the Transport Workers Union of America, A.F.L. – C.I.O. and its local 25 “Union” effective as of May 30, 2023, through 12:01 am, May 30, 2026. Motion carried, 3-Ayes, 0-Nays, 1-Absent (Trustee Lindner), 1-Abstention (Trustee Hembury).

PUBLIC PORTION

Mr. Sager expressed his concerns regarding the property adjacent to his residence at 43 Valley Avenue of where a house is in the construction phase and the mound of dirt is close to blocking the catch basin. Therefore, it may cause his property to flood. He has put a lot into a play area for his children and does not want to see it all be under water. He feels another catch basin should be installed by the builder. After reviewing the site plans for the construction, it does not state the creation of any swells for the water to flow toward the catch basin. He has spoken with the building inspector regarding this who has assured him that the builder must put in the swells. His concern is if it is not written, it will not be done.

Mayor Brescia said usually this is not brought to the Village Board but to the Building Inspector to oversee any concerns or problems with the build. Furthermore, the Village Engineer should not be contacted regarding these issues, as they may bill the Village for their time researching anything brought to their attention, please direct any questions you may have to the Building Inspector regarding these issues.

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Mr. Berger asked the Village Board if the DOT can install crosswalks on Route 211.

Mayor Brescia said the DOT has contracted out the ADA compliant sidewalk ramps, it is not DOT doing the work although a DOT representative is on site.

Mr. Berger said the state should pay to have crosswalks on Route 211 and 17K. Furthermore, regarding the Pickleball Courts someone was turned away and not allowed to play because of their age. The Veterans Memorial Park is a public park why is everyone not allowed access. The Pickleball Court is being pad locked. It is understandable during a tournament, however, there are not rules, standards posted, and who pays fees. In addition, why are the Pickleball players allowed access to the Senior Center to use the bathrooms and while the Senior Center is being used.

Mayor Brescia said he will bring up these issues to the Pickleball Committee. The Senior Center bathrooms should not be used by the Pickleball players. They should be using the park bathrooms or the Recreation Center bathrooms possibly during camp hours. He will speak with the Recreation Supervisor Jackson regarding this.

Mr. Berger expressed his concerns regarding the Village Website and the forms being available for easy access instead of having to come to the Village Hall.

Mayor Brescia said the Village Clerk is working on this, please be patient as the Village office staff have many tasks that take much of their time in order of priority and that are time sensitive. The Village staff have done great things. The Veterans Memorial Park has six Pickle Ball Courts back, and four up in front, as well as revising the T-Ball field. He asked if anyone has any further questions or concerns.

Ms. Beltrametti expressed her continued concerns regarding the recent land acquisition the Village purchased located at 99 Clinton Street parking lot. Again, she does not agree with the purchase price and the comparisons used in the appraisal provided to the Village. She also asked Mayor Brescia to provide evidence on how he acquired his personal truck.

Mayor Brescia thanked Ms. Beltrametti for her concerns and will take them under advisement. He will gladly provide evidence on the purchase of his personal truck. He asked if there are no further questions or concerns.

Ms. Lozier inquired about a solicitor approaching her regarding solar. She asked if they should provide proof of a permit to solicit. He was claiming to be affiliated with Central Hudson; however, he had nothing to prove his claim but did provide his business card.

Mayor Brescia replied, yes, anyone soliciting should be able to show a valid Peddlers Permit issued by the Village Clerk. If not, call the Police Department and report it immediately. He asked if anyone has any further questions or concerns.

No further questions or concerns raised; therefore, Mayor Brescia entertained a motion enter Executive Session.

EXECUTIVE SESSION

Moved by Deputy Mayor Andolsek, seconded by Trustee Picarello, the Board Entered Executive Session at 8:19 pm, under the Open Meetings Law Article 7 § (f) for matters regarding the collective bargaining negotiations for the DPW, with the DPW Supt. Nelson, Atty. Will Frank, Police Chief Herlihy, and the Village Clerk Rivera Fernandez in attendance. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Lindner).

EXIT EXECUTIVE SESSION

Moved by Trustee Picarello, seconded by Deputy Mayor Andolsek, the Board Exited Executive Session at 8:30 pm. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Lindner).

APPROVE PAYMENT OF RETIREMENT CASH OUT FOR SERGEANT BRIERE IN A LUMP SUM TO BE PAID FROM FY 2022-2023 SRO FUNDS (SURPLUS)

Moved by Deputy Mayor Andolsek, seconded by Trustee Hembury, the Board approved payment of retirement cash out for Sergeant Briere in a lump sum totaling \$28,964.04, paid from FY 2022-2023 SRO funds (surplus). Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Lindner).

ADJOURNMENT

Moved by Deputy Mayor Andolsek, seconded by Trustee Picarello, the Board adjourned the meeting of June 22, 2023, at 8:32 pm.

Monserrate Rivera-Fernandez, Village Clerk