

MINUTES of the Regular Meeting of the Board of Trustees, of the Village of Montgomery, held at the Meeting Room, 133 Clinton Street, Montgomery, NY 12549, on Tuesday, March 5, 2024, at 7:30pm.

PRESENT: Deputy Mayor Andolsek, Trustee Hembury, Trustee Picarello, Trustee Conero, Atty. Will Frank, Deputy Village Clerk Murphy, Nick & Rose Picarello, Al Baty, Tom Taylor, Mary Lippincott, Cynthia Nokland, Mark Palczewski, Nick Picarello, Don Berger, Sophia Romano, Bob Reynolds Sr., James Kiernan, Anne McDermott, Madison Greene, Acquisitions Marketing Videographer Jose Rojas.

CALL TO ORDER – PLEDGE OF ALLEGIANCE

Deputy Mayor Andolsek opened the meeting with the Pledge of Allegiance to the Flag.

MINUTES:

Moved by Trustee Hembury, seconded by Trustee Conero, the Board approved the minutes of February 6, 2024 & February 26, 2024. Motion carried 4-Ayes, 0-Nays.

PROMOTE GREG JACKSON FROM LABORER A TO WATER TREATMENT PLANT OPERATOR

Moved by Trustee Picarello, seconded by Trustee Conero, the Board motioned to approve the promotion of Greg Jackson from Laborer A to Water Treatment Plant Operator, effective February 19, 2024, at a rate of \$33.38/hr., per Union Contract. Motion carried 3-Ayes, 0-Nays, 1-Abstain (Trustee Hembury).

REQUEST TO MEET WITH THE BOARD:

Noah Bobrowsky - Good evening. Last week we went in front of the Village Planning Board. I'm the Director of Development for City Winery Company. We are looking to finally retrofit and renovate the existing building on the property that was proposed to be a hotel and spa as per the PDD. We decided that the best use would be for more private event space for smaller private events, corporate meetings and things of that nature. When we went to the Planning Board last week, they wanted us to come to you to make sure that you were aware of the changes and the modifications that we need to make to the PDD. I had our civil engineer Larry Marshall from MNTM prepare a narrative of the changes that were outlined in his site plan, and I've distributed those to Tina. There will be a site plan that will accompany that shortly, but this was just to give you an idea of the changes, which the majority, the biggest change is changing the use from a 14-room hotel in that building to private event space as described as The Studio. Then, we have a viewing platform that we would like to construct for concert attendees that would just be a wooden deck to give viewers an option rather than sitting on the grass. Other than that, it's pretty much the same PDD that was approved initially.

Trustee Conero - I'm former Chairman of the Planning Board and dealt with City Winery for a long time. I want the Board to understand there's a lot of items that aren't completed yet on the original PDD, so I think the Planning Board was also saying you really should get all those things done before you come back to the Village; to make sure that those things have been satisfied. I also think the Board needs to look at the original PDD, which is referenced in this document. There's a couple of things on there I think that the board I said this when I was Planning Board Chairman. One of them is the number of occupants at a live venue. Now, if you look at your PDD, which I don't know have a copy of it, if you look at the original PDD, it's a lot less than what you said to the Planning Board. You said 500 people, but it's supposed to be 200. We have concerns about having live entertainment that's turned into a big, live event with noise and traffic when it wasn't originally proposed that way. The Village Board adopted the PDD with those simulations in

it. If you read the minutes of the meeting when the PDD was before the Board, when they enacted that PDD, there was a bunch of conditions in there and one of the conditions said there will be no more than 100. I'm not saying that you can't add more to it, but I think the Board needs to understand and read through what the original minutes said to reflect what the people in the area wanted. I think it's just better to look at that, as well. Then, you have your parking situation, too, and you know we talked about parking a lot at the Planning Board level. I don't know where you are with the parking.

Trustee Picarello – Did Larry already issue the answers to the questions specifically that the Chairman asked for at the last meeting?

Noah Bobrowsky – We're preparing a whole package so we're going to formally address the letter in color with pictures, nice and clearly visible. There was an initial application that we submitted prior to us presenting it in person to the Planning Board, I'm not sure if you guys received a copy of that I'd be happy to share it with you. And then just really before we deliver those comments back, we wanted to have an overall site plan that basically bubbled everything that was agreed to, Kevin like you're pointing out, and that we need to correct on the site and then any additional new changes that that are being proposed. So that's going to be coming shortly. I think what would be helpful to understand from my perspective is just having clarity on what is being dealt with by the Planning Board and what you guys, as the Village Board or your expectations are and how we can just manage both groups. We are, like I said in that in that Planning Board meeting, more than committed to getting everything addressed that's viewed as outstanding, that's all part of our new proposed plan and the renovation work that we're doing but the Planning Board then recommended to us that we just come to you and make sure that you guys are aware of what's going on as well.

Trustee Conero – They're in a situation where they can't really approve something unless it's specifically added into the PDD; if it's something that's drastically changed from the PDD to what you're trying to do now. Now in your case, you know there isn't a proposed hotel there, so you have a less of an impact building that you're putting in place of that, which is nice.

Trustee Picarello – So when you get everything back to the Planning Board and everything is approved in your square with them do we have to approve the modification of the PDD before they move forward with the plan before they present the new plan back to the planning board for approval, is that the right sequence of events?

Atty. Frank – The Planning Board is going to have to decide if they're going to have to do SEQRA based on whatever the changes are. The Planning Board may or may not deem it necessary to perform SEQRA. That will be up to them.

Trustee Picarello – So, they've already cancelled their March meeting. This Board meets twice a month.

Noah Bobrowsky – It sounds like we have to deliver our comments and updated plans to you for your review, right?

Trustee Conero – I would think that we probably should all get a copy of the original PDD and look at what your engineer prepared, what the proposed changes are, and then, does the Village Board have to do SEQRA?

Atty. Frank – The Planning Board is still the lead agency, but probably it wouldn't hurt to copy your submissions to the Planning Board and to the Village Clerk so she can distribute it to this Board.

Noah Bobrowsky – But as far as getting the amended PDD approved, the Village Board has to do that and then we can go back to the Planning Board.

Trustee Picarello - You have to get squared with the lingering stuff.

Noah Bobrowsky - I'm getting mixed messages. On one hand you said you guys have to approve the amended PDD before we go back to the Planning right, with the changes?

Deputy Mayor Andolsek - You need to do the original things first before we consider doing anything else; what was agreed to in the beginning.

Noah Bobrowsky - So you want us to perform that work to the site, is that what you're asking?

Trustee Picarello – What the Planning Board Chair, as they asked you at the last meeting.

Noah Bobrowsky – What is outstanding really with them; one is a permit.

Trustee Conero – For fence and the wetlands.

Noah Bobrowsky – Well that's a federal permit that we're working on getting, shouldn't be an issue as I'm told. Then there's a building permit for the wall that was built, but other than those two items, there wasn't anything besides real sitework, that you know, which is going to be construction. That's why we're kind of grouping it in and it's all in one project for us, right if we're going to start reconfiguring drainage and real site work, it's got to make sense.

Trustee Conero – Can I ask you a question? When you have a concert, you have 500 people there. How does the traffic get out of Factory Street, down to 17 K? Is our Police Department there directing traffic or is everybody queued up waiting to go?

Noah Bobrowsky- So, the current parking on site supports 800 with our overflow. The only time we've ever maxed out parking is during public events where we're working with a local community organization like Edible Hudson Valley or Hudson Valley Magazine where they're drawing a pretty large crowd and there's a lot of local vendors in those events. We have on-site security as a safety measure for crowd control and we usually have parking attendants. So, what was discussed with the Planning Board was those were appropriate means to have events and outdoor concerts for 500 people. Again, we're not asking for the full 800 which our current parking would support, so those are the means and methods that we're using.

Trustee Conero – Do you ever foresee having an outdoor concert and something inside the building at the same time? Would you have a 300 plus person event venue inside, and then you have outside 500? Would there be any chance of that happening?

Noah Bobrowsky – No, is it operationally impossible for us with the staff that we have and the way our properties are set up. It just doesn't, it wouldn't work for us. The only time that you see indoor use and outdoor use is when it's these large events where there may be a band playing outside and there may be vendors set up inside so it's the same crowd moving throughout the whole property, which we like to do. But no, there wouldn't be two separate events at the same time.

Trustee Picarello – Chief, to your recollection or knowledge, has the traffic coming in/out for the regularly scheduled operations that they've had for the last few years, is it a nuisance, is it an issue has there been?

Chief Herlihy – It hasn't been.

Noah Bobrowsky – Then we discussed if it was a very large event, for whatever reason, we might be able to collaborate with a local school or church and rent their parking lot and use buses or something to get people to the site, but it shouldn't be an issue given the amount of parking we have available.

Trustee Conero – The facility itself is beautiful, anybody who's been down there knows that it's one of the primaries in our county that people come to, and they've done a great job of restoring it back to its glory days; it looks very similar to what it did back when it was a mill. It's awesome what you've done to the grounds, it looks great too, and I think you know if they're doing platform and improving, taking the hotel part out and putting the other piece in it seems like it's a good idea to me, I would like to look at the original PDD side.

Noah Bobrowsky – You're correct, it says 250, I was looking at it today. Again, the idea is not to come here and say we've done nothing wrong and we haven't stepped out of line here and there, we have, but what we're trying to do is be honest with you, based on, at that time we didn't really know what the property was going to be used for and it's become a great events destination for all types of events- local events, private events, corporate events, and that's why we decided to add this building into the mix, which is nice. It would be a smaller, more intimate event space rather than that big open room. We just don't want to feel like we're doing anything that's going against what we told you we were doing, that's kind of what we're here to just say. Let's just get it all on the record.

Trustee Conero – The Board has, just so you know what's in history too, has given, has made changes to the original PDD; they've added days of the week, increased it to seven days a week, they increased the hours for your concert time from like 1:00 to 5:00. Darlene, you were on the Board, you know. They increased the time for that. There's been some other things too that the Board changed on the PDD.

Noah Bobrowsky – The one I had a copy of said 1:00 to 4:00, I mean, it's another thing we would like to look at some point with you guys if you're willing to consider it. I think we've been making it work. Honestly, the concerts at that location it's not really the main focus of the business. We probably do, I don't know, 8 to 10 a year outside there, in July or August.

Trustee Hembury – What are some of the concerts you've got coming out?

Noah Bobrowsky – You know, I couldn't tell you. They probably aren't booked yet. Southside Johnny was a big hit. We would like to bring in more country artists and just music that we feel fits the area better, and that's been a challenge for us to try to find artists that are willing to come out and artists that we can afford to book for this venue just seeing with the limitations that we have. That would be great if we could get a Zac Brown Band out there, someone like that. I think we'd sell more than 500 tickets. We're constantly figuring it out but really, it's a private events facility more than anything and a functioning winery. We produce most of City Winery's wine, nationally comes from that location. I just wanted to come and let you guys know what we want to do and keep an open conversation. Again, the next step will be submitting a formal request. We'll have copies delivered to you guys, as well, and just go from there.

Atty. Frank – Coordinate with the Planning Board on the upcoming steps you need to take.

Noah Bobrowsky – Okay. Then you guys will sign off at some point as well, hopefully all things considered?

Atty. Frank – Obviously, the Board is going to have to satisfy itself that it's comfortable moving forward with changes to the PDD.

Noah Bobrowsky – Understood. Perfect. Great. Well, thank you for your time and have a good night.

ABSTRACT – NO. 01 – 2024

Moved by Trustee Conero, seconded by Trustee Hembury, the Board approved all bills listed on ABSTRACT NO. 01-2024, were audited and approved for payment with \$145,565.13 from the General Fund, \$31,968.66 from the Water Fund, \$63,697.98 from the Sewer Fund and totaling \$241,231.77. Check No: 80808 - 80877, 2251 - 2269. Motion carried 4-Ayes, 0-Nays.

Treasurer Palmieri reported a CASH BALANCE for the month of January 2024, as follows: General Fund \$1,838,417.46, Water Fund \$312,943.77, Sewer Fund \$492,378.37.

OLD BUSINESS

Atty. Frank – At the last meeting, I was not aware that the Chambers Court agreement had been signed and sent back to the Village, so I expressed some surprise that the garbage pickup type of that connects so I jumped the gun on my reaction to that without knowing the agreement came back, so my apologies for that reaction. We did get something corrected that we needed on the insurance, so we're all set with Chambers Court. Thank you.

RE: REPORTS – DEPARTMENTS – BOARD – COMMITTEES

POLICE DEPARTMENT

Chief Herlihy – I have my STOP DWI Intermunicipal Agreement with the County. I need the Board to pass a resolution for the acceptance of this, as well as authorize me to sign it.

Atty. Frank – It's the annual STOP DWI contract that the County has with all municipalities with police departments to coordinate and step up some efforts on DWI's. It's a routine contract, I've reviewed it and it's fine. I recommend that the Board proceed with that.

ADOPT A RESOLUTION ACCEPTING THE IMA CONTRACT 2024 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 10, 2024, THROUGH JANUARY 1, 2025.

Moved by Trustee Picarello, seconded by Trustee Conero, the Board adopted a resolution accepting the IMA contract 2024 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 10, 2024, through January 1, 2025. Motion carried, 4-Ayes, 0-Nays.

DPW

DPW Supt. Nelson – I was going to give a report on Holt Well, where we stand with that, but some of it will be old news now. We got preliminary approval from DEC with a couple of minor things that we have to put in there to make them comfortable so they're going to give us the 280 gal/min out of the new Holt Well 6 and 335 gal/min over the entire well field. They're increasing 80 gal/min which is a good hit for us. The engineers are doing a great job. They are working very closely with the DEC and staying in contact with them and trying to get this moving along pretty quickly. They know the situation we are in. I got back to them Friday night. We will do whatever they consider. It's very small, it's just monitoring the wells while they're all on and then sending them data which is no big deal. We can agree to do that, no problem. From here, it's going to go to the Orange County Health Department. The plans for that, we should have them hopefully, this week. I'm just waiting for one more contractor to give us his well head; it's an engineer well head. We have to get the specs for that and send it to the Health Department. They were here today for probably two 2 1/2 hours inspecting our system, showing them where the new well is, what we plan to do so they've already got a jump on what we want to do before they even have the plans. They're hoping to turn those around pretty quick also, so I think by the end of this month, we'll know a lot more and we're actually already start installing everything that we need to do.

The next thing is just to keep in back your heads is the new Community Development Block Grant for this year's coming out, so we need to think about a project which basically is handicap accessibility or senior related. We don't really qualify for anything else, but someone has to be on a zoom call on March 14th from 9:30 to 11:00. I'm already committed to our risk management, our insurance risk management I'm going to be with them all day so if someone from, probably someone from the office, Debbie or somebody can sit on this. I usually do it or we usually have our grant writer sit on it but they want someone that actually works for the Village to be on the call. Just think about what kind of, you know we have to have the public hearing and all that done and all the paperwork back by June 21st. Any employee, even one of the board members can be on that call there just need to be somebody.

Trustee Picarello – So this may be cover something like handrails, railings into...to work on some businesses?

DPW Supt. Nelson – It could, like one of our buildings. We've got time to think about it, but it has to be one of our buildings. I don't think it can be on private property, no not for this, so it has to be one of our buildings like the Senior Center Addition. That was perfect for that unless you want to put an elevator in here. That's it.

Trustee Picarello – I have mine. I don't know if we've made copies of it, if not I'll post it online if you need it. I can e-mail you.

Trustee Conero – I just remembered too, we also applied for acute WQIP program as well, from the grant writer, the clarifier, and the grit mover. He's working on it. Our engineer sent that information into that grant, so we should be able to get that but it's only it's only 25%, we've got to pay 75%.

DPW Supt. Nelson – The two sewer ones, we already borrowed money to do them, so whatever we get it's a home run. We planned on paying for 100% of it so if we get 25, in those cases it's worth it.

Trustee Conero – Millennium was pretty confident that we were going to get that with this sewer grant.

DPW Supt. Nelson – I'm sure because probably the cost of it they'd like to give...

Trustee Conero – We don't want to qualify for any of the water grants because we didn't have anything that we have projects in place in the pipes yet.

NEW BUSINESS

Trustee Hembury – I apologize to the Board, this came up at the last minute and was on a conference with Will yesterday on the phone, this is a reference to Athens. GA. “Sanctuary City.” A girl was murdered down there, jogging, minding her own business. Now everybody's finger pointing to each other. I didn't declare it a Sanctuary City, that was the last mayor, that's this, that's that. We all know what's going on with New York City, too. We're here to look out for the residents. I want our Police Department to be in full cooperation with federal authorities. I don't want to out that the Senior Center, the Teen Center or the elementary school are housing migrants overnight, all of a sudden. How do we know this can't happen? A plane landed in Orange County airport six months ago. Okay, where do you think they are going to put them? This is what Will said we can do. The Village Board is within its rights to pass a resolution expressing support for the relevant Orange County executive orders relating to preventing New York City or other states from sending undocumented persons to Orange County. The Board can also pass a resolution stating that this Village is not a sanctuary municipality and that this Village's law enforcement personnel will comply with reasonable requests from ICE, INS and information on the person's immigration status. Now, not only do we protect the Village of Montgomery, but we also protect every other place too, because if we find this guy's wanted for murder and we don't let him out, we're protecting everybody where this guy can go to. Police officers in New York City were assaulted, they had to grab him out in Arizona. We need to get on board here. I want to declare this Village a Non-Sanctuary Village. I want to be proactive here. I'd like to make a motion for this to pass.

Trustee Conero – I'll second it.

Trustee Picarello – I'd like to table that for the next meeting. This needs more discussion and think it's not going to prove anything out of order without a discussion, a full discussion from the Board especially something...I mean, if we're protecting you, we shouldn't be having (inaudible)...comment.

Trustee Hembury – It's either a sanctuary city village or non-sanctuary village.

Trustee Picarello – Either one is okay, but I don't think that's something that should be decided...

Trustee Hembury and Trustee Picarello speaking at the same time.

Trustee Picarello – ...depending on what the residents will have to say, I don't think that's something that we should make a vote on. It's not even on the agenda, it hasn't been discussed before right this minute and I think it should be discussed more than.

Trustee Hembury – Okay. I make a motion to move to get done with this.

Atty. Frank – You can take a vote, or you can table it, whatever the Board prefers. There is a motion and a second one.

ADOPT A RESOLUTION TO MAKE THE VILLAGE OF MONTGOMERY A “NON-SANCTUARY” VILLAGE.

Moved by Trustee Hembury, seconded by Trustee Conero, the Board motioned to pass a resolution making the Village of Montgomery a “Non-Sanctuary Village.” Motion carried 3-Ayes, 1-to table.

ADOPT A RESOLUTION AUTHORIZING THE MAYOR/VILLAGE OF MONTGOMERY TO ENTER INTO AGREEMENT WITH ORANGE COUNTY FOR THE EXEMPTION OF TAXES FOR THE HOLT WELL PROPERTY.

Motioned by Trustee Conero, seconded by Trustee Picarello, the Board motioned to adopt a resolution authorizing the Mayor/Village of Montgomery to enter into agreement with Orange County for the exemption of taxes for the Holt Well property. Motion carried 4-Ayes, 0-Nays.

CONSIDER RENEWING ONSOLVE (CODE RED) SERVICES CONTRACT

Trustee Picarello – I would like to see the previous contract; I couldn't find it anywhere.

Trustee Conero – Is this about the same amount of money that it was last year? Do we use this a lot? Is it an essential service?

Deputy Clerk Murphy – It's Code Red.

Atty. Frank – For the time being, I suggest changing the point of contact to you (to Deputy Clerk Murphy). When you do the renewal, just let them know, to have you as the point of contact for the time being.

Deputy Mayor Andolsek – Can I get a motion to renew?

Atty. Frank – Just because we don't have the contract, make it subject to review by the attorney. If there are any problems with it, I will let the Board know.

Motioned by Trustee Conero, seconded by Trustee Hembury, the Board motioned to renew the OnSolve (Code Red) Services Contract subject to review by Atty. Frank. Motion carried 4-Ayes, 0-Nays.

CONSIDER CONTRACTING ALPHA-TECH FOR IT SERVICES TO INCLUDE PERFORMING VARIOUS TECHNOLOGY SERVICES THAT INCLUDE NETWORK COUNSELING, NETWORK ASSESSMENT, NETWORK DESIGN, NETWORK SUPPORT, SYSTEM INTEGRATIONS, HARDWARE COUNSELING, ROUTINE MAINTENANCE AND HARDWARE/SOFTWARE TROUBLE SHOOTING FOR VILLAGE HALL, VILLAGE COURT, DPW, VILLAGE POLICE, MUSEUM AND SENIOR CENTER.

Trustee Conero – I have questions about what our agreement is with Frank Dunne. I don't know where we stood with him, I know there's been some issues where he hasn't been available, and I know there's a lot of cyber security issues that we need to comply with here in the Village Office and upstairs in the Court. So, if you want to table it until the next meeting so we could possibly have a conversation with CompuTech to find out. In the meantime, do we have a contract with them Tina, do you know?

Deputy Clerk Murphy – I don't know what we have; I'm sure there's a contract somewhere.

Atty. Frank – The proposed rate here is \$95 an hour, which is pretty much in line with what is charged for these types of services.

Chief Herlihy – ... Alpha-Tech at another location for over 12 years and knock on wood, it's been...

Deputy Mayor Andolsek – And they come on a regular basis...

Chief Herlihy – They come twice a week for an hour. They do their regular maintenance and upkeep and make sure everything is running smoothly and there are no problems with anything.

Trustee Conero – So, they bill us every month?

Chief Herlihy – They bill every week.

Trustee Conero – They bill for any hours they worked? If there is nothing onsite to take care of do, they still come?

Chief Herlihy – They come and do their routine check every two days.

Trustee Picarello – So there's a minimum charge?

Chief Herlihy – Correct.

Trustee Picarello – I'm trying to go back to the conversation, and it feels like forever.

Trustee Conero – I know it does. It's such important things to talk about. Besides security, especially what the court system gave us.

Trustee Picarello – I'd like to see what the CompuTech contract looks like; is it comparable at all? Is it something that can be comparable just because that is a Village resident. It covers all of our cyber security, and they will suggest what we need for connectivity all the time. It covers all those issues. It's not website control.

Deputy Mayor Andolsek – We can table it until the next meeting.

Trustee Conero – We really need support here; do you have support at the Police Station, or do you do it all?

Chief Herlihy – I do it all.

Trustee Picarello – This would make everything seamless, all the departments?

Chief Herlihy – Yes. There's a point of contact. I've never had an issue where I've not been able to reach them by text, by phone, onsite services, no issues.

Trustee Picarello – Can we agree to work on this and have all the ducks in a row so we can make a decision at the next meeting?

Trustee Conero – Yes, I can meet with them.

Atty. Frank – The other thing to double check here is on the Village's insurance policy we have the coverage for cyber issues, such as a cyber-attack. I'm not sure on the latest renewal, for recovery we're as that insurance is offered for municipalities and private entities, if we don't have it, I would recommend that the Village gets (inaudible) to the policy. I think it's there; we just need to make sure before just switching IT companies, if you switch.

CONSIDER ADOPTING A RESOLUTION TO EXCEED THE TAX CAP

Atty. Frank – There is an agenda item to consider adopting a resolution to exceed the tax cap for the coming tax year. That actually has to be in the form of a local law unless you are a school district; they can do it by resolution. Villages, Towns and Counties have to do it by local law so what needs to be done is to schedule a public hearing for a local law to give the Village the authority to exceed the tax cap for 2024-2025 budget year.

Trustee Picarello – Is this something that all municipalities are considering or is there an indicator that we have to do that?

Atty. Frank – A lot of municipalities do it as a safety net, they try not to exceed it. You have to have it in place prior to the adoption of the budget that will be exceeding the tax cap. Several municipalities, they pass the local law to give them the flexibility to exceed the tax cap if they absolutely must, so I generally recommend doing it, have it in your pocket so if you need it, you're not rushing at the end of the last cycle. My recommendation is to set a public hearing for April 2, 2024, at 7:30 to consider a local law permitting the Village to exceed the state mandated tax cap, if necessary.

Trustee Picarello – Should we create that local law then it's on the books permanently?

Atty. Frank – No, you have to do it each tax year. It has to be voted on by 2/3 of the Board. They don't like to give municipalities that much flexibility. They want every Board to consider it every year.

Trustee Picarello – To my knowledge we did not consider it last year and before that I was a resident, but I didn't see it anywhere in this time of year's previous agendas.

Atty. Frank – It doesn't hurt to do it. You don't even have to use it but if you don't do it then you're (inaudible).

Moved by Trustee Conero, seconded by Trustee Picarello, the board motioned to set a public hearing for April 2, 2024, at 7:30, a local law to exceed the tax cap for the 2024-2025 budget cycle. Motion carried 4-Ayes, 0-Nays.

Don Berger – Have we received the information from New York State as to what the tax cap is?

Trustee Picarello – No.

Don Berger – We haven't received it? Has the Board, have you guys conducted any budget workshops yet?

Deputy Mayor Andolsek – The office and the department heads.

Don Berger – A budget workshop is a public meeting.

Deputy Mayor Andolsek – No, it has not been a public meeting, it's not that far yet.

Don Berger – So, you don't have a tentative budget, you don't know the tax cap is so, I've been coming to these budget meetings for a very long time and we've never, you guys have never voted for a resolution prior to even knowing what our tentative budget is. We've always done it after that. If you don't know what the tax cap is, why even bother going into this part of the business before even knowing what the tax cap is.

Atty. Frank – There is nothing precluding the Board from taking action to be ready in case there is a need to exceed the tax cap.

Don Berger – That’s true, but I feel that what happens, it could happen, the different departments know that that’s already been approved, so who knows how they adjusted their budget for that budget year? It’s kind of giving candy to the departments saying they already approved the resolution to exceed the tax cap.

Deputy Mayor Andolsek – We are just being cautious. There’s going to be an election in a couple of weeks, there’s going to be a new mayor, I’ve had to work on the budget since January. We need to have that resolution.

Don Berger – Why?

Atty. Frank – The Board has voted to schedule a public hearing and the Board will be conducting their business with respect to the budget and if you need it, you use it and if you don’t, you don’t.

Trustee Picarello – I have a question because I am not clear. At times we approve the fire inspections and at times we don’t have to.

Deputy Mayor Andolsek – It’s not for approval, it’s just for information.

EVENTS

- The Annual Easter Egg Hunt will be Saturday, March 16, 2024, at 11:00am for elementary school age children.
There is no rain date.
- Village General Election is March 19, 2024, with polling hours of 8:00am to 9:00pm, at the Montgomery Senior Center, 36 Bridge Street.
- St. Pat’s Ramble is on Saturday, March 23rd with step off at 1:00pm.
- Grand Montgomery Chamber Music Series presents Itay Goren, pianist, on Sunday, March 24, 2024, at 3:00pm.

One more note from Brian Fitzpatrick, Susan Landfield from the Office of Planning, Development and Infrastructure, NY Department of State, will attend our March 20, 2024, meeting to provide 5-7 minutes on the NY Forward Grant Program and what we can expect in the coming months.

PUBLIC PORTION

Mary Lippincott – That grant, I think it should be considered to put an elevator in this building because it is not ADA compliant. If you have people that need to get up to the 2nd floor, they can’t get up there. They are out of luck.

Deputy Mayor Andolsek – I know there will be discussions so you can give input. They send consultants from the State, you really don’t get handed a check for 4.5 million dollars. We will be able to submit ideas.

John Tracey – People bring dogs on the pickleball courts, and they do not clean up after them. Can they get a sign put up telling them to pick up after them?

John Tracey – On June 23rd, we want to have a pickleball fundraiser for Josh Depew, for cancer. They are going to raise money for a local family suffering from cancer.

Josh Depew – What insurance, like what event insurance do I need because my father has several food trucks, and he does big events with his food trucks. Would that qualify for an event like something at the Village?

Trustee Picarello – You know, we're not insurance agents but my event experience, probably yeah. I would call his insurance company and tell them you need a certificate of insurance to host an event and they'll ask you like 10 questions. It's super easy and they'll let you know if you might have to pay for a certificate.

Atty. Frank – Let's not get ahead of ourselves. Perhaps you can just describe to everyone the event itself and then can work with you and let you know what you need.

Josh Depew – My brother passed away 12 years ago of cancer, and we did a softball tournament 3 years in a row and it was a huge success. We raised quite a bit of money and it's been a long time since I've done anything and I would like to keep my brother's name alive so now that everybody's playing pickleball and it's such a huge event, I figured this would be a great way to help a local family out that is struggling with medical expenses with cancer. There has recently been a junior in Wallkill High School who was just diagnosed with cancer. The family is going through a very hard time and so many people have reached out to me. So many people want to be involved and we can really help this family out. It would be June 23rd. We have a DJ, we have food trucks, we have a lot of great things going on. There's a bouncy house being donated for the kids. We're going to have two different groups; we're going to do noncompetitive and competitive leagues. We are looking to have 64 team's total. I have fliers and everything. It will be through Venmo. It's the Joshua Depew Memorial Foundation. My mother is the one handling that, she has all the information on it. I just came here to clarify what exactly I need to do for this event.

Trustee Conero – What are the hours?

Josh Depew – We are planning to start at 10:00 AM. It is Sunday, June 23rd.

Atty. Frank – Do an application for park use; you can fill it out and the Board can see exactly all the things you want to do they can figure out how to help you. The Chief can look at it and Buddy can look at it and make sure that date works, and everything works. So, I think that's step one, to fill out the application which has the insurance requirements in it.

DPW Supt. Nelson – Is this both courts or just the new one?

John Tracey – We are going to be at both courts. There are a lot of teams to play. 64 teams. The DJ is over by the new course.

DPW Supt. Nelson – Yes, you want the DJ on the one by the police station, by the six quarts and maybe face the music towards the sewer plant.

John Tracey – He also wants to put a banner up on the street too, now I don't know about that.

Zachary Depew – If that's something we can do like you know, Montgomery Day, how you guys advertise that. Is there something we can do like Josh Depew Pickleball Tournaments and people driving by every day can see it?

DPW Supt. Nelson – It can go up somewhere, not over the street. We did away with doing over the street, that's way too much liability for us unless we close the street. We can put something up; you know make a 4 x 6 sign at the entrance of the park somewhere.

Trustee Conero – Will you be using the inside of the Senior Center?

Zachary Depew – Everything will be completely outdoors. If it rains, it's going to be a rain date. We would like to do it the following Sunday, if possible.

Atty. Frank – Zachary, it seems like the first step would be to have an application put in and then have Zachary come in and meet with everybody here, maybe sit down for half hour when you're available by the end of June and stop by and talk about all the things that are needed. June 23rd will sneak up pretty quick. So, to make sure that the Village is okay with those dates, maybe that can happen before the next Village Board meeting, which is 20th. By the 20th you'll be in a position to decide after everyone's met with Mr. Depew, perhaps for the paperwork, and everyone understands all the details, but it's all got to be in writing so the Village Board can make sure everything is organized. If that can all happen before the next meeting and you guys have a piece of paper in front of you all these details that might make more sense to send.

Deputy Mayor Andolsek – Can you stop during the day, come in?

Zachary Depew – Whatever needs to be done.

John Tracey – We will also be selling shirts, too.

Zachary Depew – These are the shirts. All proceeds, everything's being donated. Dana Distributor is going to give water and electrolytes to the whole thing. We have a lot of people involved but my job here is to make sure I can finalize everything, make sure it's okay.

Atty. Frank – Perhaps we can the Board may wish to consider adding Mr. Depew to the agenda next time on request to speak with the Board, and all this paperwork will be in by then, maybe that would be better instead of during the public comment section. I don't know throwing it out there.

Deputy Mayor Andolsek – Stop in the office They're open 8:30 to 4:30, Monday to Friday and they'll set you in the right direction. Go see Tina.

Zachary Depew – After tonight come and they'll give me the application to start this process for the event. Okay.

Atty. Frank – If the application doesn't fit, you can amend a piece of paper with all of these details and food trucks.

Zachary Depew – It would be one food truck. Could we, for the water and electrolytes use the pavilion to distribute the water and electrolytes? You know, some people who are playing, so nobody's dehydrated. We did hot dogs out of there how does that work?

Atty. Frank – That's why I'm suggesting you need to have a little planning and organization so the Chief and everybody and the Board can understand exactly what you want.

Zachary Depew – I will come back and fill out the application and we'll go from there. So, the next meeting is the 20th.

Tom Taylor – I just want to make you aware, the summer camp dates are July 1st August 9th. Now I know you said the 23rd, but then you said the rain date, right? Be aware I heard mentioned like the tent up everything's going to be taken down that day?

John Tracey – No, we will go under the pavilion. There are no tents.

Tom Taylor – We usually use the rec center and then the field Monday through Friday.

Atty. Frank – The first thing, start the process so the Board can get ready to talk about this more at the March 20th.

Zachary Depew – I'll definitely be here so we can continue that. Thank you.

Several unidentified residents questioned the Trustee process as far as the agenda, bringing up items not on the agenda and how it works, the rules.

Atty. Frank – If Board members want to raise something that's not on the agenda, that's within their rights to do without the public's knowledge. If they want to raise something that's come up and they believe it's an urgent matter, anyone can raise it and the Board can act on it.

Mike Pawlcewski – There are two things I want to talk about really quick. First is the Great American Auto Race, thanks for getting it back to the Village. From my understanding they don't come here, they don't even look at the same Village for five years. It came three years, so they were impressed. For all the negative stuff we talk about here, we complain about this Village, the outside world thinks it's pretty damn good because if they didn't, they wouldn't come back here, so congratulations to anyone who was involved and thank you very much for getting that here. I'm looking forward to it, is going to be a great thing. I hope everyone goes.

The second thing I want to talk about is, can I talk about something that was talked about at the Board meeting just before? I just can I have a comment on something that was said? I support what Mike did 100%, okay and I'll tell you why. I have a daughter the same age as the one that was killed, so it's personal. My daughter lives in Rochester. She goes to school there, she lives in an okay neighborhood, and she jogs every morning. So, when I hear stuff like that, it boils my blood that somebody came over here illegally and killed somebody. I don't care if he's out of order, I don't care about the protocol. Mike brought it up and it should be discussed immediately. It's important. Thank you, Mike, for doing that. We need to protect ourselves, the main function of government is to protect the citizens, not pickle ball courts, not a parade, not any of that stuff. It's to protect the citizens if you guys can't protect the citizens and we might as well take up our own arms and defend ourselves. I am in 100% agreement. If they're coming into Orange County Airport there's no reason for them to stay here and there's no reason for them to come in Orange County Airport. I'm not racist, I work in a company with 99% of the people from different parts of the world. I have no problem with anyone coming in here but do it legally and don't do it the way they're doing it. I'm just saying I agree with Mike. I have my opinion; protect the citizens here. If they have to come in and they're not vetted and we don't know where they're coming from, move them along, get them out of here. So, thank you.

Trustee Hembury – The bottom line is to make sure we're safe and we're 75 out of 39,000 communities in this country. I didn't mean to come out and just surprise everybody, I thought it was a no brainer; it was either sanctuary or non-sanctuary. Sure, we can discuss little bits and pieces here, but these guys don't know who they have because the federal government doesn't cooperate. I've worked for both municipal and

federal government. How do you not tell the federal government guys getting out on the robbery or rape, how do you not tell them that? Because they're a sanctuary city. So, now essentially everybody comes in, the schools are being emptied out so they can house them in there and now they're all pointing fingers; Adams, I didn't do it, the guy in Athens, GA, I didn't do it. What I'm trying to do is just be proactive. When they're looking at where we can drop these people off, Montgomery said, "I don't want them."

Trustee Picarello – I'm sorry, Chief, if we're not a sanctuary community now, which is not an argument, how does that, how can I infer that now you will automatically be told when a criminal comes here?

Chief Herlihy – Won't be automatically told if a criminal comes in.

Trustee Picarello – So, if we are or aren't a sanctuary city how does that make us safer? It's just about not taking in migrants, illegal immigrants, you're not going to have any information if someone goes through by way of New York City and gets on a train comes up and stays here. There's no way to know if you have criminals here, right?

Trustee Conero – No, but I think if someone does commit a crime in the Village of Montgomery, based in other cities who have sanctuary city laws, if somebody does get charged with something, that they're not required to call the proper authorities. If someone does violate the law the Police Department will follow proper protocols, and none have a sanctuary city status where they bypass those things.

Trustee Hembury – This is exactly what happened down in Athens, GA doesn't know anything about this he murdered somebody. All of this is cooperating, that's all.

Unidentified person – He feels this is not a major issue in the Village.

Al Baty – Congratulations, Grand Marshal on the Ramble, you deserve it. I do agree with this young lady here. I think if something's not on the agenda, and I don't disagree with Mike, but if something's not on the agenda, I think it could be brought forward, it could be brought to the next meeting. I think you folks owe it to the residents of this Village to put it on the agenda for the next meeting, so residents are aware. Whether they decide to show up or they don't, but to come here and then find that you folks voted on something and pushed it through without anybody realizing of this community that this was going to be done tonight, I feel is wrong and I think this Board somewhere in the near future, should take it up and put the rules in place that this is how it going to happen forward because it's not just something that's critical it's stuff that could snowball into a very totalitarian situation. That's my thoughts. Thank you.

ADJOURNMENT

Moved by Trustee Picarello, seconded by Trustee Conero, the Board adjourned the meeting at 8:45pm. Motion carried 4-Ayes, 0-Nays.

Tina Murphy, Deputy Village Clerk