

Minutes of the Regular Meeting, of the Board of Trustees, of the Village of Montgomery, the meeting was held at the Meeting Room, at 133 Clinton Street, Montgomery, NY, 12549, on October 19, 2021 at 7:30 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury (absent), Trustee Lindner, Village Clerk Rivera-Fernandez, DPW Supt. Nelson, Deputy Police Chief Arteta, Chrm. Conero, Chrm. Crowley, (Mbr. Steed, Mbr. Rickerd, Mbr. Lozier, Mbr. Scarano, Mbr. Mueller arrived for Executive Session), Mary Ann Lindner, Maria Beltrametti, Don Berger, John S. Vero, Stacy Brescia-Spreer, Joan Christano, Jim DiSalvo, Jay Presutti, Linda Pobjecky,

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 5, 2021. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Hembury).

REQUEST TO MEET WITH BOARD

Darrin Schechter of 274 River Road would like to address concerns of loud events (indoors/outdoors) held at City Winery, and the decibel levels.

Mayor Brescia said, Mr. Schechter is not present the meeting to state his concerns. Although Mr. Schechter is not present at the moment, when he arrives, he will be given the time to speak. He asked, Deputy Police Chief Arteta to provide some insight on the topic and how it will be handled.

Deputy Police Chief Arteta said, he has spoken with Mr. Schechter earlier today and explained the Village of Montgomery Police Department has just received their type 2 noise meter that follows the law requirements. One of the qualifications of the policy states the reading is to be conducted one foot from the outside of the venue or a particular locations boundary. The penalties for the violation are \$250.00 a day.

Mayor Brescia read an excerpt from the Public Hearing Meeting Minutes, for the Introductory Local Law I-2 of 2018, of January 15, 2019, said Local Law amends the Zoning Law to permit Planned Development District in the RM-1, Multi-Family Zoning District under certain circumstances and amends the Zoning Map to authorize a PDD on a 20-acre site at the terminus of Factory Street.

Page 4;” Atty. Joseph Catalano stated that City Winery is the project, for those of you who and have looked online about what the City Winery brand is.” And “There is an outdoor space being proposed, but as our application materials states; that the stage is not going to be used continuously but only during the hours of one and three in the afternoons, on weekends.” In addition, to his statement on page 5 “As far as the noise, the fact that the project is proposing only mid-afternoon concerts, Jazz and Folk for a limited number of people of two hundred people at the most. It is mostly going to serve during the event period of time, during a wedding. The outdoor stage is also proposed for outdoor ceremonies, if the clientele desires an outdoor ceremony. It is not a central feature of this project by any means. The central aspects of the project, again, is a winery and the generation of tourism about wine making.”

## OLD BUSINESS

None

## RE: NEW BUSINESS

### CHANGE DATE OF VILLAGE BOARD MEETING

Moved by Trustee Andolsek, seconded by Trustee Lindner, the Board changed date of Village Board of Trustees Meeting of Tuesday, November 2, 2021 to be held on Wednesday, November 3, 2021 at 7:30 pm, at the Village Hall Meeting Room, 133 Clinton Street. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Hembury).

### ADOPT A RESOLUTION FOR EXEMPTION OF PROPERTIES FOR THE YEAR 2023, FROM COUNTY TAXATION ON SECTION BLOCK AND LOT 28-1-63, LOCATED IN THE TOWN OF MONTGOMERY, FOR THE USE OF THE VILLAGE WATER SYSTEM, HOLT WELL

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board adopted a resolution for exemption of properties for the year 2023, from County taxation on Section Block and Lot 28-1-63, located in the Town of Montgomery, for use of the Village Water System, Holt Well. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Hembury).

### REVIEW INTRODUCTION OF A RESOLUTION TO CONSIDER THE ADOPTION OF RENEWAL OF THE FRANCHISE AGREEMENT BETWEEN THE VILLAGE OF MONTGOMERY AND SPECTRUM NORTHEAST, LLC AN INDIRECT SUBSIDIARY OF CHARTER COMMUNICATIONS FOR CABLE AND SETTING A PUBLIC HEARING

The Board held their decision to allow time to review, Trustee Lindner is the liaison for this agreement; for the introduction of a resolution to be considered for adoption, for the renewal of the Franchise agreement between the Village of Montgomery and Spectrum Northeast, LLC, an indirect subsidiary of Charter Communications, Inc. with a term of fifteen years, for Cable TV and setting a Public Hearing.

### HIRE DPW LABORER B

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board hired William Castolina, as Laborer B, at the rate of \$22.19 beginning on Monday, November 1, 2021, with the conditions pursuant to agreement between the Transport Workers agreement with the Village of Montgomery. 4-Ayes, 0-Nays, 1-Absent (Trustee Hembury).

## EVENTS

Saturday, October 30, 2021 at 7 pm, Candle Light Ghost Tour begins at the Village Hall, 133 Clinton Street, tickets \$5.00 pp. available for purchase at the Village Hall, Clerk's Office.

Sunday, October 31, 2021 at 5 pm, Halloween Parade for Elementary school children. Line up at the Orange County Firefighters Museum on Clinton Street and ends at the Montgomery Senior Center.

Sunday, October 31, 2021, Trick or Treat begins at 6pm to 8pm in the Village of Montgomery.

## PUBLIC PORTION

Mr. Berger asked what property is being exempt from County taxation? He also asked who shall prepare the resolutions without an Attorney.

Mayor Brescia replied, the exemption of County taxation is for the Village property located in the Town, for the Holt Wells. The Village will discuss the Village Attorney in executive session and hopes an appointment will be made soon after.

#### EXECUTIVE SESSION

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board Entered into Executive Session at 7:42 pm, under the open meetings law §7 (f) to discuss the Attorney position and possible appointment with the Board of Ethics Chrm. Crowley, BOE Mbr. Rickerd, BOE Mbr. Lozier, BOE Mbr. Mueller, BOE Mbr. Scarano, PB Chrm. Conero, PB Mbr. Steed, and the Village Clerk in attendance. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Hembury).

#### EXITED EXECUTIVE SESSSION

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board Exited Executive Session at 8:29 pm. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Hembury).

#### HIRE VILLAGE ATTORNEY

Moved by Trustee Lindner, seconded by Trustee Andolsek, the Board hired Attorney William A. Frank as the Village of Montgomery Attorney, at \$185.00/hr. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Hembury).

#### ADJOURNMENT

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board adjourned the meeting of October 19, 2021 at 8:30 pm. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Hembury).

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Monserrate Rivera-Fernandez, Village Clerk