

Minutes of the Regular Meeting, of the Board of Trustee, of the Village of Montgomery, was held in the Court Room, at 133 Clinton Street, Montgomery, NY 12549, on March 15, 2022, at 7:30 pm

PRESENT: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, Trustee Lindner (absent), Atty. Will Frank, Atty. John First, Village Clerk Rivera-Fernandez, Susan Hembury, Skip Chambers, PB Chairman Conero, Maria Beltrametti, Karen Vanderley, Don Berger, Billy Ibberson, Brian Rivenburgh, Marc Devitt, John Vero.

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 March 1, 2022. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Lindner).

RECORDING THE VILLAGE BOARD OF TRUSTEES MEETINGS

Trustee Hembury would like the Board of Trustees to consider recording the Village Board Meetings on a professional level to be posted on the village website, similar to the Town of Montgomery. The Village posts notifications in the newspaper or at Village Hall but he feels it's not enough. Not everyone has the time to come to a Village Board meeting to be informed of what's happening. Especially now during a serious pandemic in our history, with restrictions of traveling outside of their homes, people are dying, and losing their jobs. The last thing on their minds is a Village Board Meeting. They depend on us to keep them informed. It's our job and that's why we are elected. In doing so, it would provide transparency to the residents of the Village for all matters, and especially for Public Hearings. During our welcoming of the new residents, we encourage them to sign up for the Village News Blast via email or phone call, so they know what's happening. Personal recording devices of the meetings are legal. However, personal devices are owned and operated by individuals and should not be the sole source of the Village recordings. For example, the meeting regarding the Cannabis in the Village, Don Berger who always records these meetings, did not record this particular meeting, of which he isn't obligated to. But he felt it should have been recorded due the sensitive nature of the topic. By approving this, it allows the residents that are not able to attend the meetings to view the local government proceedings at their leisure. Again, he strongly feels the residents should not rely on the personal recordings to obtain the meeting proceedings. Furthermore, this would also alleviate any questions of altering the recordings or randomly selecting what is or isn't posted. Lastly, the residents would not have to request to join a closed group to view the recordings.

Mr. Berger replied, he does not know how to edit the recordings that he has recorded and posted.

Trustee Hembury also said this would alleviate any personal property to be used as evidence should a law suit be filed for any reason, therefore, protecting who posts the recording. He asked the Village Attorney Will Frank about this procurement and recommended Bill Ibberson. The Village needs to protect itself and this expense is in the best interest of the Village.

Bill Ibberson said he will provide the Board with a proposal for his services. There are two different methods of the recording which the first would be to have stationary system or a mobile system. He asks for a one-year commitment with a discounted rate.

Mayor Brescia asked Trustee Hembury to obtain a quote for the mobile service of recording and the posting of the Board of Trustees Meetings to begin with and the other Boards could be added in the future.

Mr. Berger asked during the live stream, is there an option to have someone ask a question?

Bill Ibberson said yes but it involves more equipment and not everyone has that platform. Most of the comments can be made within 24 hours. Furthermore, with the different personal profiles not all of the comments may appear. One alternative is to go onto a different platform such as YouTube and everyone has to be (in audible – back ground noise).

Mayor Brescia said that is unmanageable and is opposed to that, we can always field questions after the meeting. If they are reasonable questions, some of the comments could get pretty nasty. He thanked Bill for coming in with his presentation.

REQUEST TO MEET WITH BOARD (Discussion limited to 3 mins.)

Ross Winglovitz with Engineering Properties representing Rowley Development Corp., seeks the Board of Trustees approval on the 99 Clinton Street project development that includes four or more dwelling units. The project proposes the construction of a new mixed-use building with commercial space on the first floor with four new dwelling units on the second floor. The project received conditional final approval from the Planning Board and requires final approval from the Board of Trustees.

a. (Atty. McKay asks the Board to tentatively approve with the conditions of further review to discuss any final approval issues).

Note: Atty. Will Frank recused himself due to a conflict and Atty. John First will be advising on the Board this evening on this project development.

PB Chrmn Conero said the Planning met several times regarding the applicant which the site plan and sub-division were approved. We did send it to SHIPO and it was within the eyesight of the Historic District it would not preclude the Planning Board to take action on the design of the building, although he mentioned some people from the Planning Board did have some concerns about the design of the building. It was most due to the vertical siding and some other aspects of the building that was felt that it did not fit into the gal pat area. The Planning Board does have design guidelines or design criteria.

Brian Rivenburgh said the siding is hardy plank siding, which is a historic and will be applied vertically.

Mayor Brescia asked if the windows are going to be wood windows? Why is the siding going to be vertical?

Mr. Rivenburgh replied yes. The building is too long and the siding will be wavey. We also looked into Board and Batting siding which is also a historic type of siding.

APPROVE 99 CLINTON STREET SITE PLAN, SEU PERMIT, PURSUANT TO THE ZONING CHAPTER §122.52 OF THE VILLAGE CODE

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board approved the 99 Clinton Street Site Plan, SEU Permit, pursuant to the Zoning Chapter §122.52 titled Criteria, of the Village Code. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Lindner).

RE: OLD BUSINESS

UPDATE THE VILLAGE BOARD OF TRUSTEES, PLANNING BOARD, AND ZONING BOARD SCHEDULE OF FEES

Moved by Trustee Andolsek, seconded by Trustee Hembury, the Board adopted a resolution updating the Schedule of Fees for the Village Board, Planning Board, and Zoning Board Schedule of Fees as follows:

SCHEDULE "A"

	<u>Current Fee</u>	<u>New Fee Effective March 16, 2022</u>
Planning		
Site Plan Review	\$300	\$400
Residential	1st & \$300 first 3 \$375 ea. add'l \$50	\$400 \$550 \$100

March 15, 2022

Non-Residential greater of...	\$150 + .15 beyond 300 sq ft	\$200
	\$100 per acre up to 3 + 50 add'l acre	
	reasonable market value for building permit fees	
Special Exception Use	\$300	\$400
	2 lots	
Minor Subdivision	\$300	\$375
	3 lots	
	\$375	\$500
	4 lots	
	\$450	\$650

Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Lindner).

RE: NEW BUSINESS

CONSIDER CHANGING THE VILLAGE OF MONTGOMERY RETIREE'S REIMBURSEMENT FROM QUARTERLY TO ANNUALLY

The Board held their decision for further review for consideration at the next meeting to change the Village of Montgomery retiree's reimbursement to an annual reimbursement instead of quarterly, as per (NYBEAS) New York Benefits Eligibility and Accounting System, regarding Medicare Part B.

SET A BID OPENING DATE FOR THE RFP, PREPARATION OF THE DOWNTOWN DESIGN GUIDELINES

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board set a bid opening date for the RFP, Preparation of Downtown Design Guidelines, on April 18, 2022 at 4 pm, and authorized the Village Clerk to publish the Notice to Bidders, which is funded through the NY Main Street Technical Assistance Program, a Grant from New York State Homes and Community Renewal and Housing Trust Fund Corp. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Lindner).

APPROVE THE BUDGET ADJUSTMENTS AS TREASURER GRIFFITH HAS OUTLINED

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board approved the budget adjustments as Treasurer Griffith has outlined.

<u>Amount</u>	<u>To</u>	<u>From</u>
\$9450.00	Auditor 1320.000	Judicial Cont. 1110.400
\$3000.00	Lib. Ins. 1910.430	Election Insp. 1450.405
\$700.00	Lib. Ins. 1910.430	Election Cont. 1450.400
\$1500.00	MTA 1980.400	Election Cont. 1450.400
\$1500.00	Park Rec Cont. 7140.400	Park Rec Equip. 7140.200
\$1000.00	Historian 7510.400	PT Historian 7510.110
\$1000.00	Celebration 7550.000	U/I 9050.800
\$3000.00	Disability Ins 9055.800	WC 9040.800

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

EVENTS

St. Pat's Ramble:

- Race Packet Pick Up and Registration is held on Friday, March 18th, 5 pm to 7 pm, and Saturday, March 19th, 8 am to 9:45 am, at the Village Hall, 133 Clinton Street, Montgomery, NY 12549
- Rainbow Dash Kids Fun Run starts at 9:40 am on Saturday, March 19th at the intersection of Wallkill Avenue and Clinton Street, Montgomery, NY 12549
- Parade line up begins at 12:00 pm, and steps off at 1 pm, on Saturday, March 19th, in front of the Montgomery Elementary School on Union Street.

SET FY 2022-2023 TENTATIVE BUDGET PUBLIC HEARING

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board set the Public Hearing for the FY 2022-2023 Tentative Budget to be held on April 5, 2022 at 7:00 pm. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Lindner).

PUBLIC PORTION

None

ADJOURNMENT

Moved by Deputy Mayor Scheels, seconded by Trustee Andolsek, the Board adjourned the meeting of March 15, 2022, at 8:25 pm. Motion carried, 4-Ayes, 0-Nays, 1-Absent (Trustee Lindner).

Monserate Rivera-Fernandez, Village Clerk