

Minutes of the Regular Meeting, of the Board of Trustees, of the Village of Montgomery, was held on Tuesday, April 19, 2022, in the Meeting Room, at 133 Clinton Street, Montgomery, NY 12549, at 7:30 pm.

Present: Mayor Brescia, Deputy Mayor Scheels, Trustee Andolsek, Trustee Hembury, Trustee Lindner, Atty. Will Frank, Village Clerk Rivera-Fernandez, Acquisitions Marketing (videographer), Mary Ann Lindner, Maria Beltrametti, John S. Vero, Don Berger, Jay Samuelson.

RE: CALL TO ORDER

PLEDGE OF ALLEGIANCE

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

MINUTES

Minutes of April 5, 2022 will be completed for May 3, 2022 meeting.

REQUEST TO MEET WITH BOARD

Mayor Brescia recused himself from this presentation due to a conflict of interest. Therefore, Deputy Mayor Scheels presided over the presentation of the applicant (Stratton Mill Paltz River, Inc.).

Mr. Jay Samuelson with Engineering Properties is representing for the property owner of 100 Ward Street, Stratton Mill Paltz River Inc. & Marc Devitt and requests the Board of Trustees to consider approving the PDD application, and a sketch plan conference for rezoning of the subject for a mixed-use PDD pursuant to §122-7.3 of the Village of Montgomery Zoning Code.

The existing building located at 100 Ward Street, on the street level where the Yoga on the Wallkill business is, with a secondary office, is another office in the basement, and with an apartment on the upper level. The applicant proposes to construct one new building comprised of two-stories. The first portion of the building consists of 1,920 square feet of commercial space on the first floor, an apartment on the upper level and as well as the basement level. The second portion of the building will consist of three stories with one apartment on each floor.

We are here to combine this as a mixed PDD for both sites, with all uses on this property into one overall site plan. The proposal provides parking for both of the existing buildings on site, and the proposed building. In doing so, we do not require any parking waivers that must be within the 500 feet. Although it's within in the required 500 feet of the building that we are requesting. The difference between this site is the compliance of the B-2 zoning, and the changes are basically the residential units on the first floor and the basement level of both buildings, that are not permitted in the B-2 zone. However, if we follow the B-2 zoning as it reads now, the building would be capable of ten units, along with commercial on the first floor. We do not have enough parking for ten units and the commercial space, so, a parking waiver within 100 feet would be needed but then the ten units would be relatively small even though they do meet the village code minimum. They are intended to be almost 2000 square feet apartments.

Marc is trying to do something that is much nicer with relatively large apartments and not a small apartment complex. This is why we are applying for a PDD. According to the village code, we are here with a sketch plan and to discuss it, get your comments and hopefully be referred to make a full application to the Planning Board. He asked the Board if they have any questions.

Trustee Lindner asked, if they would be converting what is currently Marc and Ed' s office.

Mr. Samuelson replied, we are not touching anything in the existing building. They will remain the same but rather we are including it as part of the PDD due to the existing mixed use in that building already. It has an office, commercial space on the first floor and basement, and residential on the second floor. To recap, we included everything to be considered as a PDD because they share a parking lot; to show multiple uses for the different buildings within PDD's. The parking complies for all of the buildings on the site.

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Deputy Mayor Scheels asked if the Board had any further questions?

Trustee Hembury asked if the proposed building would be built towards the Wallkill River?

Mr. Samuelson said the proposed building on the water side is three stories tall, however on the parking lot side, visually, it's two stories tall. It is set so low from Ward Street that if you look straight across you would only see one story.

Trustee Hembury said these are large square foot apartments.

Mr. Samuelson said, yes, one of the dimensions is 40 X 48, and the other is 32 X 56, which is not quite 2,000 square feet apartments but 1,600 to 2,000 sq. ft. range with two to three bedrooms.

Trustee Hembury asked what the rent fees are on these apartments?

Mr. Samuelson does not know what the rental fees would be but he could ask and get an answer.

Trustee Hembury said he is hesitant on apartments. He would rather see single family homes built here. For a 2,000 sq. ft. apartment you're going to get a big apartment. We have a lot of apartments in this village.

Ms. Beltrametti asked if there will be a curb opening?

Mr. Samuelson replied, there will be no new curb openings, the existing access will be at the light. The light has been updated to have the timers include the trip wires in the access route as well. Therefore, the traffic light is equipped for the flow of traffic in and out of this property.

Deputy Mayor Scheels asked if the Board had any further questions.

Mr. Samuelson said regarding the multiple apartments, he does know that Marc has a heavy wait list for the ones he is currently building off 17K on Ward Street. He is aware of several other projects in the area talking about apartments, that are before the Planning Board now. He is also aware that there is a lot of interest in those apartments.

Trustee Hembury asked if this sketch plan has been presented to the Planning Board.

Mr. Samuelson replied, no, this sketch plan has not been presented to the Planning Board.

Deputy Mayor asked the Board if they have any issues with allowing them to move forward.

Trustee Hembury said he doesn't have a problem with apartments but does not like apartments taking over home ownership. The National Realtor said your best neighbor is a home owner. He has spoken with enough people around here that are hesitant on voting for apartments. He does not have any problems with them moving forward with their application.

Trustee Andolsek also does not have any issues with them moving forward.

Atty. Will Frank suggests the Board move forward to make a motion to permit the applicant to submit a full application with all the necessary documentation to the Village Board. So moved by Trustee Andolsek, seconded by Trustee Lindner. Motion carried, 4-Ayes, 0-Nays, 1-Abstention (Mayor Brescia).

RE: OLD BUSINESS

CONSIDER INCREASING WATER RATES AND INCREASE WATER /SEWER CONNECTION FEES,
EFFECTIVE JUNE 1, 2022 BILLING

April 19, 2022

The Board is considering an increase of the water rates and the water/sewer connection fees for properties within and outside the boundaries of the Village's water districts effective June 1, 2022 billing as follows.

	Current	Proposed
Water in District < 50,000 gallons:	\$ 3.85/1000 gal.	\$ 4.45/1000 gal.
Water in District > 50,000 gallons:	\$ 4.45/1000 gal.	\$ 5.15/1000 gal.
Water out of District:	\$ 9.62/1000 gal.	\$11.15/1000 gal.

The proposed water system tapping/connection fees within the boundaries of the Village's water district are as follows:

- A. Tapping charges for connections 1 inch or smaller: \$1,500.00 per tap. This fee will apply to all new service connections made by a plumber
- B. Tapping charges for connections over 1 inch: \$2,500.00 per connection. This fee will apply to all new service connections made by a plumber
- C. Inspection fee for All Size Taps: \$150.00 per tap. This fee is in addition to the above fees and covers the inspection by Village personnel of a new water service installation; and the proposed sewer connection fees within the boundaries of the Village's sewer district are as follows:

Charges for all connections: \$1,500.00 per connection

Inspection fee for sewer connections: \$150.00 per connection

SET PUBLIC HEARING DATE FOR CONSIDERATION OF INCREASING WATER RATES AND INCREASE WATER /SEWER CONNECTION FEES, EFFECTIVE JUNE 1, 2022 BILLING

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board set the Public Hearing date for May 3rd, 2022, at 7:15 pm, held in Meeting Room, 133 Clinton Street, to consider the setting of water rents as well as setting the tapping and connection fees for properties within and outside the boundaries of the Village's water districts effective June 1, 2022 billing as follows. Motion carried, 5-Ayes, 0-Nays.

Atty. Will Frank mentioned he will prepare the Public Hearing Notice.

Village Clerk Rivera-Fernandez said thank you.

RE: NEW BUSINESS

CONSIDER APPROVING THE BUDGET ADJUSTMENTS AS TREASURER GRIFFITH HAS OUTLINED

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board approved the Budget Adjustments as Treasurer Griffith has outlined.

\$2,600.00 from D.A.R.E PS A0-4210.100 to Concert Series A0-7270.000

\$3,500.00 from Sanitation Cont. A0-8160.400 to Summer Rec Cont. A0-7310.400

\$705.00 from BBall PS A0-7320.100 to BBall Cont. A0-7320.400

\$560.00 from Sanitation Cont. A0-8160.400 to PT Historian A0-7510.110

\$1,500.00 from Sanitation Cont. A0-8160.400 and \$500.00 from Teen Dances A0-7270.401 totaling \$2,000.00 to Celebrations A0-7550.000. Motion carried, 5-Ayes, 0-Nays.

RFP BID OPENING RESULTS FOR THE PREPARATION OF THE DOWNTOWN DESIGN GUIDELINES

Bid Opening results, of the (RFP) Request for Proposal, for the Preparation of the Downtown Design Guidelines, held on Monday, April 18, 2022 at 4 pm, in the Meeting Room, 133 Clinton Street.

- a. Delaware Engineering, D.P.C. 28 Madison Avenue Extension, Albany, NY 12203

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Trustee Lindner mentioned only one bid was submitted to be considered, which is a highly reputable company. He knows Brian Fitzpatrick checked with the state grant authority and as long as we have the proper paperwork and certificates of notification, that we can go ahead and grant it. He recommends the Board vote to accept the bid. The plan looks very good. There is a copy available if anyone wants to see it.

CONSIDER ACCEPTING OR DENYING ALL OF THE RFP FOR THE PREPARATION OF DOWNTOWN DESIGN GUIDELINES

Moved by Deputy Mayor Scheels, seconded by Trustee Hembury, the Board accepted the Delaware Engineering, D.P.C. RFP for the Preparation of Downtown Design Guidelines. Motion carried, 5-Ayes, 0-Nays.

EVENTS

Village Wide Yard Sale Day, May 14th, 10 am to 5 pm. Rain Date to be determined.

Grand Montgomery Chamber Music Series presents the performance of Yalin Chi, pianist on May 15th, at 3 pm, held at the Montgomery Senior Center, 36 Bridge Street.

March with the Osborn-Fitzsimmons American Legion Post 521 in the Village of Montgomery, **Memorial Day Parade**, on Monday, May 30, 2022. Line up begins at 10:30 am at the corner of Clinton Street and Wallkill Avenue. (Organization or group interested in marching in the parade contact Stacy Brescia-Spreer at (845) 457-9661 Ext. 217 or email: events@villageofmontgomery.org.)

Village Museum Mastodon Showing on May 7th, beginning at 4 pm to 7 pm, at 142 Clinton Street, Montgomery, NY.

Trustee Hembury proposes a First Responders at the corners of Roosevelt Avenue and Goodwill Road, with a sign.

Mayor Brescia suggested Trustee Hembury get a rendering of the sign, for the next meeting to be considered.

Trustee Hembury said it will be similar to the Veterans Corner sign.

WALDEN HUMANE SOCIETY REQUESTS USE OF THE VETERANS MEMORIAL PARK TO HOST A PET PALOOZA PUP WALK FUNDRAISER ON MAY 22, 2022 FROM 10 AM TO 2 PM.

Moved by Trustee Hembury, Seconded by Deputy Mayor Scheels, the Board approved the use of the Veterans Memorial Park by the Walden Humane Society to host their Pet Palooza Pup Walk fundraiser, with the conditions of providing a certificate of insurance, listing the Village as the additional insurer, paying a clean up deposit, as well as providing the proper DOH certification and insurance for the food vendors. Motion carried, 5-Ayes, 0-Nays.

UPDATE ON THE COMMITTEE MEETING FOR CREATING THE AMBULANCE DISTRICT

Deputy Mayor Scheels mentioned she attended the committee meeting for creating the Town of Montgomery Ambulance District. A review of their budget was done. Their upcoming events consist of a job fair at the Valley Central High School on April 21, 2022, from 8 am to 2 pm. A Mock Disaster is scheduled for May 3rd, also at the Valley Central High School. On October 15th, Randi is organizing a Triathlon.

They also discussed having a Full-Time Ambulance and EMT services which would allow for them to provide 24/7 service to all of the Town of Montgomery. This is their goal and what they're working towards now.

Mayor Brescia asked how they are setting that up, through RFP for agencies to do that.

Deputy Mayor Scheels replied as far as she knows they are because they want to get this off the ground. They feel it beneficial for the entire town to have 24/7 ambulance service and to have a medic on every single call. A CPR class will be available soon, that is open to the public, although no date has been set. That's all that I have.

PUBLIC PORTION

Mr. Berger said recently a Planning and Zoning Fee Schedule was passed. For clarification, while the Board was discussing it, a term was used, such as Park Land Fees. For instance, when a person builds a house when do they have to pay the fees by?

Mayor Brescia said it is usually when the building permit is issued. We have made a few exceptions in the past.

Mr. Berger asked when the village receives the fees, he has heard it called parkland fees. He thought that meant those fees are going to the park.

Mayor Brescia said its money in lieu of parkland, or Parkland in lieu of money.

Village Clerk Rivera-Fernandez said MILOP (money in lieu of parkland) it's set up in a separate account.

ADJOURNMENT

Moved by Trustee Andolsek, seconded by Deputy Mayor Scheels, the Board adjourned the meeting of April 19, 2022. Motion carried, 5-Ayes. 0-Nays.

Monserrate Rivera-Fernandez, Village Clerk