

Minutes of the Regular Meeting of the Board of Trustees, held at the Village Court Room, 133 Clinton Street, Montgomery, NY 12549, on Tuesday, July 23, 2024, at 7:30pm.

Present: Mayor Hembury, Deputy Mayor Andolsek, Trustee Picarello, Trustee Conero, Trustee Wilbur, Deputy Village Clerk Murphy, Stacey Hillman, Mary Lippincott, Susan Petagno, Hilda Folchi, Emily Picarello, Rose Picarello, Karen DeCrosta, Lois Kurisko, B Picarello, Rita Santo, Bernie Hillman, Nina & Steve Snyder, Sylvie Rainaldi, Cynthia Nokland, Wendy McNutt, Kim Allard, Nick Picarello, James Kiernan, Mark Palczewski, Walt, Claire and Will Pahucki, F Bryan Paz, Lori Polesel, Karina Tipton, Jake Henry, Dave Anderson, Nerissa Estrada

CALL TO ORDER – PLEDGE OF ALLEGIANCE

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

ABSTRACT NO. 06-2024

Moved by Deputy Mayor Andolsek, seconded by Trustee Wilbur, the Board approved, all bills listed on ABSTRACT NO. 06-2024 were audited and approved for payment with \$242,749.53 from the General Fund, \$2,434.27 from the Water Fund, \$24,236.56 from the Sewer Fund and totaling \$269,420.36. Check No: 81126 – 81204 / 2330 - 2338. Motion carried 5-Ayes, 0-Nays.

Treasurer Palmieri reported a CASH BALANCE for the month of May 2024, as follows: General Fund \$2,146,506.58, Water Fund \$305,443.80, Sewer Fund \$520,578.97.

OLD BUSINESS

Trustee Conero updated the Board regarding the water moratorium, the County and the State. The State claimed there were missing forms, so the Village engineers resent them.

NEW BUSINESS

Mayor Hembury mentioned that the Supreme Court's landmark decision leaves it up to municipalities to decide on how to handle homelessness.

Atty. Frank said it is already in place in the parks (in the Village code), the law would enforce how the public spaces are regulated in addition to homelessness; additional legislation where there is no overnight sleeping in public spaces. He will be drafting legislation to that effect.

Findings of Special Counsel:

RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTGOMERY WITH RESPECT TO THE INVESTIGATION OF TRUSTEE

RANDI PICARELLO

WHEREAS, the Village's investigating attorney conducted a review of: i) allegations relating to certain text messages containing inappropriate, obscene and in some instances racially insensitive language created and sent by Village Trustee Randi Picarello prior to taking office with the Village; ii) allegations that Trustee Picarello directed an obscenity at a Village resident on the evening of a recent Board of Trustees

meeting; and iii) allegations that Trustee Picarello's job as Director of the Business Council of Greater Montgomery created a conflict of interest with her position as a Village Trustee; and

WHEREAS, the Board of Trustees has been provided with recommendations by the Village's investigating attorney and wishes to implement same, including the recommendation that Trustee Picarello be formally reprimanded for the aforesaid inappropriate text messages and verbal abuse of a Village resident,

NOW, THEREFORE, BE IT HEREBY:

RESOLVED, by the Board of Trustees as follows:

1. Trustee Picarello is hereby censured for her inappropriate text messages and verbal abuse of a Village resident.
2. Based on Trustee Picarello's use of obscenities and racially insensitive language in text messages as well as recently directing an obscenity to a Village resident, the Board of Trustees is of the opinion that Trustee Picarello should attend a one-on-one comprehensive harassment prevention training program to better sensitize her to the concerns regarding her prior actions and the potential impact on some of the people in the community that she is representing.
3. Based on the appearance of a conflict of interest due to Trustee Picarello's roles as Director of both Business Council of Greater Montgomery and ETB Solutions, LLC, Trustee Picarello should execute an affirmation confirming that she must remove herself from, and cannot vote on, a matter that may involve a business that she represents through her capacity as Director of either organization. As part of that affirmation, Trustee Picarello should provide a list of any Village business that she represents.
4. The mayor and all other Village trustees should submit a similar affirmation listing any Village businesses which they represent to avoid any future conflicts and safeguard the integrity and lack of bias of future Village Board votes.

Moved by Deputy Mayor Andolsek, seconded by Trustee Wilbur, the Board motioned to approve the resolution regarding the investigation of Trustee Randi Picarello. Motion carried 4-Ayes, 1-Nay (Trustee Picarello).

Brian Paz, attorney for Randi Picarello, is there on her behalf, disagrees with the investigation and how they feel it was formulated and acted on.

REQUEST TO MEET WITH THE BOARD

Several residents had questions and concerns.

Trustee Picarello had concerns about ATVs in her development, driving fast, no helmets. Chief Herlihy advised that if there are issues with ATVs, or any concerns, to contact the police department. He is also setting up an email address for people to reach out to them: pdinfo@villageofmontgomery.org.

ADJOURNMENT

Moved by Deputy Mayor Andolsek, seconded by Trustee Picarello, the Board motioned to adjourn the meeting at 8:20pm. Motion carried 5-Ayes, 0-Nays.

Tina Murphy, Deputy Village Clerk