

Minutes of the Regular Meeting of the Board of Trustees, of the Village of Montgomery, held at the Montgomery Senior Center, 36 Bridge Street, Montgomery, NY 12549, on Tuesday, October 15, 2024, at 7:30pm.

Present: Mayor Hembury (Absent), Deputy Mayor Andolsek, Trustee Picarello, Trustee Conero, Trustee Wilbur, Atty. Will Frank, Deputy Village Clerk Murphy, Emily Picarello, Margaret Bussigel, Mary Lippincott, Lori Polesel, Fred & Teri Dobbertin, Tom & Wendy McNutt, Cynthia Nokland, Patrick Finn, John Tracy, Rianne Enright, Karen DeCrosta, James Kiernan, Don Berger, Mark Palczewski, Theresa Gabrynowicz, Elizabeth Setteducato, Hilda Folchi, Marguerite & Fred Flood, Doug Hantusch, Nicole Hanley, Walt Pahucki, Sylvie Rainaldi, E Mattsen, Keith Studt, Mary McClintock, Sibyl Librandi, Tom Steed, Rose Picarello, 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.

OLD BUSINESS

Deputy Mayor Andolsek: We had four comment letters come in after we closed the public hearing on Local Law #6. They will be attached to the minutes.

Trustee Conero: I told the public that I would investigate resources for individuals who are sleeping in the park or need a safe environment and there is a list of them: Orange County Department of Social Services, HONOR, Project L.I.F.E., Housing Resource Center (Catholic Charities) and RECAP (List also attached with minutes.)

Trustee Picarello: I wanted to suggest you put it on our website, having that and other resources, depending on what comes up in the economy and in our area would be helpful to everybody.

CONSIDER ADOPTING LOCAL LAW #6 AMENDING CHAPTERS 80 AND 83 OF THE VILLAGE CODE.

Moved by Trustee Conero, seconded by Trustee Wilbur, the Board motioned to adopt Local Law #6 amending Chapters 80 and 83 of the Village Code. Motion carried 3-Ayes, 1-Nay (Trustee Picarello), 1-Absent (Mayor Hembury).

CONSIDER RENEWING M&R ENERGY CONTRACT

Moved by Trustee Wilbur, seconded by Trustee Picarello, the Board motioned to renew the M&E Energy Contract for a term of 24 months at a rate of 8.75 per kilowatt-hour. Motion carried 4-Ayes, 0-Nays, 1-Absent (Mayor Hembury).

NEW BUSINESS

ADOPT A RESOLUTION FOR CERTIFICATION OF AUTHORITY, FOR THE VILLAGE OF MONTGOMERY BOARD OF TRUSTEES, AUTHORIZING THE MAYOR TO SIGN THE MUNICIPAL AGREEMENT FOR FY 2024 BETWEEN THE COUNTY OF ORANGE THROUGH ITS OFFICE OF COMMUNITY DEVELOPMENT AND THE VILLAGE OF MONTGOMERY, AND FOR ENTERING INTO A MUNICIPAL COOPERATION AGREEMENT WITH THE COUNTY TO APPLY FOR AND RECEIVE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FROM THE UNITED STATES DEPARTMENT OF HOUSING AND COMMUNITY

DEVELOPMENT UNDER TITLE 1 OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS PART OF THE ORANGE COUNTY URBAN COUNTY CONSORTIUM FOR THE FISCAL YEAR 2024, PURSUANT TO 24 C.F.R § 570.501 (B) AND § 570.503, THIS SEPARATE AGREEMENT IS NECESSARY FOR THE MUNICIPALITY TO RECEIVE THE CDBG FUNDS THROUGH THE COUNTY TO IMPLEMENT COMMUNITY DEVELOPMENT ACTIVITIES. PURSUANT TO THE AGREEMENT, THE MUNICIPALITY WILL RECEIVE \$47,125.00 FOR SENIOR CENTER IMPROVEMENTS, SPECIFICALLY REPLACEMENT OF THE AIR CONDITIONING SYSTEM.

Moved by Trustee Picarello, seconded by Trustee Conero, the Board motioned to adopt a resolution for the certification of authority, for the Village of Montgomery Board of Trustees, authorizing the Mayor to sign the municipal agreement for FY 2024 between the County of Orange through its Office of Community Development and the Village of Montgomery, and for entering into a municipal cooperation agreement with the County to apply for and receive Community Development Block Grant Funds from the United States Department of Housing and Community Development under Title 1 of the Housing and Community Development Act of 1974, as part of the Orange County Urban County Consortium for the Fiscal Year 2024, pursuant to 24 C.F.R § 570.501 (B) and § 570.503, this separate agreement is necessary for the municipality to receive the CDBG funds through the County to implement Community Development Activities. Pursuant to the agreement, the municipality will receive \$47,125.00 for senior center improvements, specifically replacement of the air conditioning system. Motion carried 4-Ayes, 0-Nays, 1-Absent (Mayor Hembury).

AUTHORIZE THE MAYOR TO SUBMIT FIRST PAYMENT FOR SENIOR CENTER IMPROVEMENTS FROM THE CDBG CONTRACT CURRENTLY IN PLACE, IN THE AMOUNT OF \$73,805.50.

Moved by Trustee Picarello, seconded by Trustee Conero, the Board motioned to authorize the mayor to submit the first payment for senior center improvements from the CDBG contract currently in place, in the amount of \$73,805.50. Motion carried 4-Ayes, 0-Nays, 1-Absent (Mayor Hembury).

CONSIDER APPROVING A NEW PHONE SYSTEM FOR THE VILLAGE OFFICES.

Trustee Conero received 3 bids for a new telephone system for the Village offices:

ITC - \$1,007.48

Hogan - Technology \$1,433.50

Zultys Cloud Service - \$1,140.32.

Moved by Trustee Conero, seconded by Trustee Picarello, the Board motioned to approve ITC to provide a new phone system for the Village offices, provided they add an early termination clause to the contract, to be reviewed by the Village attorney. Motion carried 4-Ayes, 0-Nays, 1-Absent (Mayor Hembury).

CONSIDER ADOPTING A CYBER RESPONSE PLAN

Trustee Conero: One of the things we didn't have here when I first was elected was, a cyber security response plan and basically what that is, is if we were ever attacked with malware or ransomware or any kind of breach, we didn't have a plan in place to respond to that. What I did was create a plan that lists steps that we could take, we have sample letters we can send to the public, sample letters to send to staff members, let them know what happened. A lot of times when these things happen, the cyber security insurance

company takes over control, but we still have to be included in there so there might be some areas where you're not going to find out any information because cyber security insurance company takes over so at that point, we're kind of like blocked. I know you would ask questions Randi about some gray area, but you know it is a working document, I don't expect it to be in stone forever; we always make changes to it. I just think it's a really important thing that we do it now and not wait so we have some plan in place.

Trustee Picarello: I feel like that's all I hear here is that it's important to do it now and I don't disagree because I brought it to attention to this board in May after NYCOM. I think there are 5 policies that should be reviewed annually, and they haven't done it. I'm glad to see that we're working on this now, my issue is that there are a couple questions. I'm here to send it to you albeit late today, it was a lot to read and googled some terms I wasn't familiar with, but I did see, I had sent in May, a copy of the village of Walden's which laid out a little bit better how they would let affected residents know. I just think there should be a little bit more discussion about it. I'm in favor of it I would like to be compliant as soon as possible. I think it looks great it was just for that and where the template came from and where else might be using this that you know table it until the next meeting, I think it would be...I would be comfortable voting on it at the next meeting. If it's something that should be done but we have to do it now without discussion, I'm not comfortable with it.

Trustee Wilbur: What do you mean by living document?

Trustee Conero: Sometimes things change, like you might have office staff that's changing, names of people who would be in charge of certain areas, you might have a new another breach or something you want to add in there, or maybe the cyber insurance company that we have might want to add something in there, too. A lot of the document has been compiled by the State Office of Technology Services and also with CISA, which is a federal government cyber security. They do CIS controls that I added in there. I did reach out to NYCOM, they sent me something that was completely antiquated. It looked like it was done in the early 90s or something, so I wasn't happy with that. I went through and did the best I can. This pretty much mirrors some of what the school districts have done and have been approved by their boards, their attorneys and their cyber insurance companies. I feel pretty confident that we could vote on it tonight.

Trustee Wilbur: So, the intent of this is basically to notify all affected people and beyond that, you're saying the cyber insurance company takes over. It's not fixing the problem, it's not remediating, it's not negotiating, it's basically responding to and letting people know what's going on. It's a response plan.

Trustee Picarello: This one calls this one, this one calls that one, don't talk about this, don't talk about that, it's very comprehensive.

Trustee Wilbur: But it's also something that detail can be added to as it becomes clear what we need.

Atty. Frank: It's not a local law, we can modify it at every meeting if we want to. It's not something subject to public hearing, this is an adopted policy of the Village Board. As such, if somebody on the board or an outside consultant says, hey you should have this in here, we can add it at the next meeting if we want to. It's a very live, fluid kind of document.

Trustee Conero: The mayor asked me to look into any computer related things at the village.

Trustee Picarello: Can we add to that some kind of date that you'll review annually, just so that it doesn't get away from us?

Atty. Frank: We can certainly add to the document and adopt it this evening with additional language that says this policy will be revisited on an annual basis.

Trustee Conero: The response plan would not be on the website.

Trustee Picarello: The village of Walden does list online that they have a policy and protocol in place and if your information is affected, how they will contact you, so that should be something we have in place as well.

Moved by Trustee Wilbur, seconded by Trustee Conero, the Board motioned to adopt a cyber response plan, a living document, to be reviewed annually. Motion carried 4-Ayes, 0-Nays, 1-Absent (Mayor Hembury).

ACCEPT THE RESIGNATION OF POLICE OFFICER MATTHEW MAHONEY EFFECTIVE SEPTEMBER 22, 2024.

Moved by Trustee Picarello, seconded by Trustee Conero, the Board motioned to accept the resignation of Police Officer Matthew Mahoney effective September 22, 2024. Motion carried 4-Ayes, 0-Nays, 1-Absent (Mayor Hembury).

ACCEPT THE RESIGNATION OF VILLAGE CLERK MONSERRATE RIVERA-FERNANDEZ EFFECTIVE OCTOBER 11, 2024.

Moved by Trustee Wilbur, seconded by Trustee Conero, the Board motioned to accept the resignation of Village Clerk Monserrate Rivera-Fernandez effective October 11, 2024. Motion carried 4-Ayes, 0-Nays, 1-Absent (Mayor Hembury).

ACCEPT THE RESIGNATION OF DEPUTY CLERK TINA MURPHY EFFECTIVE OCTOBER 15, 2024.

Moved by Trustee Conero, seconded by Trustee Wilbur, the Board motioned to accept the resignation of Deputy Clerk Tina Murphy effective October 15, 2024. Motion carried 4-Ayes, 0-Nays, 1-Absent (Mayor Hembury).

APPOINT TINA MURPHY TO THE POSITION OF VILLAGE CLERK EFFECTIVE OCTOBER 15, 2024, AT THE BUDGETED RATE OF PAY.

Moved by Trustee Picarello, seconded by Trustee Conero, the Board motioned to appoint Tina Murphy to the position of Village Clerk at the budgeted rate of pay, effective October 15, 2024. Motion carried 4-Ayes, 0-Nays, 1-Absent (Mayor Hembury).

ACCEPT THE RESIGNATION OF DEPUTY TREASURER DEBORAH DELGADO EFFECTIVE OCTOBER 15, 2024.

Moved by Trustee Conero, seconded by Trustee Wilbur, the Board motioned to accept the resignation of Deborah Delgado effective October 15, 2024. Motion carried 4-Ayes, 0-Nays, 1-Absent (Mayor Hembury).

APPOINT DEBORAH DELGADO TO THE POSITION OF TREASURER EFFECTIVE OCTOBER 15, 2024, AT THE BUDGETED RATE OF PAY.

Moved by Trustee Picarello, seconded by Trustee Conero, the Board motioned to appoint Deborah Delgado to the position of Treasurer at the budgeted rate of pay, effective October 15, 2024. Motion carried 4-Ayes, 0-Nays, 1-Absent (Mayor Hembury).

APPOINT HEATHER MERES TO THE POSITION OF DEPUTY TREASURER AT A RATE OF PAY OF \$25.00/HOUR EFFECTIVE OCTOBER 21, 2024.

Moved by Trustee Wilbur, seconded by Trustee Conero, the Board motioned to appoint Heather Meres to the position of Deputy Treasurer at a rate of pay of \$25.00/hour. Motion carried 4-Ayes, 0-Nays, 1-Absent (Mayor Hembury).

ACCEPT THE RESIGNATION OF HISTORIAN BRIAN FITZPATRICK EFFECTIVE NOVEMBER 15, 2024.

Moved by Trustee Picarello, seconded by Trustee Conero, the Board motioned to accept the resignation of Historian Brian Fitzpatrick effective November 15, 2024. Motion carried 4-Ayes, 0-Nays, 1-Absent (Mayor Hembury).

APPOINT JO-ANN CORRIGAN TO THE POSITION OF RECREATION AIDE FOR THE MONTGOMERY SENIOR CENTER AT A RATE OF PAY OF \$25.00/HOUR.

Moved by Trustee Wilbur, seconded by Trustee Conero, the Board motioned to appoint Jo-Ann Corrigan to the position of Recreation Aide for the Montgomery Senior Center at a rate of pay of \$25.00/hour. Motion carried 4-Ayes, 0-Nays, 1-Absent (Mayor Hembury).

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

Several residents had concerns and comments.

ADJOURNMENT

Moved by Trustee Conero, seconded by Trustee Wilbur, the Board motioned to adjourn the meeting at 8:24pm. Motion carried 4-Ayes, 0-Nays, 1-Absent (Mayor Hembury).

Tina Murphy, Village Clerk