

Minutes
Board of Trustees
Village of Monticello
May 21st, 2013
7:00pm

Call Meeting to Order

The meeting was called to order at 7:00pm by Mayor Jenkins.

Pledge to the Flag

Roll Call

Mayor Jenkins-Present Carmen Rue-Present T.C. Hutchins-Present
Larissa Bennett-Present James Matthews-Present

Also Present: Dennis Lynch-Village Attorney
James Snowden-Code Enforcement Officer

Motion to Accept the Agenda

A motion was made by Trustee Bennett and second by Trustee Matthews. Trustee Rue stated that she would like to amend the following items on the agenda:

1. Village Auditors-Gitlin, Knack & Pavloff said that they will no longer do the audit for the Village.

Mayor Jenkins stated that we can take that off and we are going to do an RFP, the Board just has to direct the Clerk to do so.

Trustee Rue continued, with her second amendment:

2. Deputy Village Treasurer-There was a resolution done in 2010, but the law was never sent to the state, so the Village Code still states that the Deputy Clerk, Deputy Treasurer and all of them have to reside within the Village or the Town. My point is that we should set up a Public Hearing for this to make it right to follow the law. The law was never sent in 2010, it was just a resolution that was done. I have here the Local Law #1 of 1996, so it's in the Village Code and I think in order to do the right thing, we should just set up a Public Hearing and make it right if you want to change it for the whole Sullivan County. Then we have 45-15-Residency of the Deputy Village Clerk and Deputy Village Treasurer, is local law #1 of 1996, the Deputy Village Clerk and Deputy Village Treasurer

must reside within the Town of Thompson NY, which is the Village of Monticello, NY. It never was changed. My only point is to follow the law and have a Public Hearing to do it right. If you want to change to the whole Sullivan County, I don't have a problem, the appointment has already been there for a year. So, that's the thing I want to change because I see that no one ever sent it to the State to change it.

Trustee Hutchins stated that so do you mean with those changes that you are taking out the Deputy Village Treasurer?

Mayor Jenkins stated that the Manager's appointment is a 1-year term and that's my appointment and I am going to keep the appointment until I check with the Attorney. The appointment is already in place and I'll check that out, but as of now, I'll keep the appointment, with all due respect to the Board.

Trustee Hutchins asked the Village Attorney for his input.

Mr. Lynch stated that he was not here 2010 when the law was passed or not passed. I think there are two issues here:

1. What the law currently is and from what I understand the law from the Mayor's comment is that it's the Mayor's appointment.
2. According to what Trustee Rue is saying is that apparently the law was changed in 2010, but it was never filed with the State. The law is only effective when it's was filed with the State. So, if the Board wants to do a resolution to set up a Public Hearing to have that Local Law #1 of 2010 be in effect re-adopted and then filed with Secretary of State you can do that too. It's the Board's call.

Mayor Jenkins stated that he wanted to check and see if it was filed with the State before he did anything, but the appointment is already there anyway.

The Village Attorney stated that he recommends that if the appointment was made under whatever laws exist right now, the appointment stays. If you want to change the law as Trustee Rue had said to do actually what I think you were going to do in 2010, the way to go about that is in effect to re-adopt the law. You may be able to just file it, I'm not sure of the law on that, but in the abundance of caution, I would think it's perfectly proper if you want to vote to have a Public Hearing in effect to have that law re-authorized and then filed as a Board, but none of that changes what the Mayor has already done under the existing law.

Upon the call of the roll, all were in favor of the changes to the agenda.

Approval of Minutes from the May 7th, 2013 meeting

A motion was made by Trustee Bennett and second by Trustee Matthews to approve the minutes.

Upon the call of the roll, all were in favor.

Manager Appointments:

1-Year Terms

Deputy Village Treasurer, Carrie LaJoie April 2014

A motion was made by Trustee Rue and second by Trustee Bennett to set a Public Hearing date for the residency of the Deputy Clerk and Deputy Treasurer for Tuesday, June 4th, 2013 at 7:00pm. Upon the call of the roll, all were in favor.

Gitlin, Knack, & Pavloff, Village Auditors April 2013

A motion was made by Trustee Rue and second by Trustee Bennett directing the Clerk to send out an RFP for a Village Auditor due back by June 15th, 2013 to be awarded at the June 18th, 2013 meeting. Upon the call of the roll, all were in favor.

Board Auditors April 2013

As per the Mayor, we will keep what we currently have in place.

Presentation-Glen Gidaly-Barton & Loguidice-

Transportation Enhancement Program (TEP) Presentation

Glen Gidaly spoke on the Jefferson Street project that was started by Sullivan Renaissance last year and the TEP grant availability. This is an 80-20 grant matching program for the Village. The Deadline is August 16th, 2013 if the Village is interested. The grant administrators are interested in seeing a proposal from the Village due to the successful job done of Rte.42 (Walkable Monticello). It's a grant re-imbusement program just like the Rte. 42 program was. The only difference is this one is not fully funded as the Walkable Monticello Grant was, there will have to be a 20% match from the Village which does not include the grant writing cost of \$3,200.00. The Villages interest would have to be expressed in writing from either the Village Clerk or Mayor with the understanding of the funding match by the next Village Board Meeting.

Wastewater Treatment Plant Update

There is basically no new news at this time. We are just waiting for the Environmental Facilities Corporation (EFC) to approve the plans. We are still expecting to go out to bid in the late summer and have a bid opening. We are still hoping to have a ground breaking in the fall before the winter.

All is still moving forward and on schedule, the money is still there and still exists and that's the good news of that.

Water Plant Update

Anthony Egan was present also from Barton & Loguidice to speak in terms of the Water Plant. Mr. Egan stated that the Board had already authorized the application submission last fall. We have been informed by the FDA that the applications have been narrowed down and the Village had not been selected. The goof thing is that the application is still valid and already submitted for the next go round of funding for the next fiscal year. We are working with Heather, the Treasurer, clearing up any issues that may be with the budget or numbers for next year's submission and that's where we are right now.

Concord Water Project

Mr. Egan stated that they have had some technical discussion with EPT, no decisions have been made or commitments on behalf of the Village, we have only been supplying technical information of what the Village will require. We have another tentative meeting scheduled for Friday, to decide what information is needed from both parties on a technical perspective. We are wrapping up the model and we know that there have probably been some complaints due to the turbidity testing, but everything has been fine since then.

Trustee Rue asked that the Water & Wastewater Superintendent be included in these meetings with EPT.

Presentation-Paychex

Tate Lacy & Conni Mills from Paychex, Fishkill, NY, gave a presentation regarding to the payroll system. He spoke about the benefits of having a local provider and their efficiency in comparison with our current vendor, ADP, who is not local and hard to communicate with and responses to problems. Paychex will also provide Employee hand books and HR assistance which is something currently lacking in the Village. The one-time set-up fee for this system will include the total set-up and transitions from the old program to the new at \$3,900.00.

Questions were asked by the Board members, in regards to the time clocks, down-time due to installation, accruals, ect. The Board stated that they would discuss this issue in Executive Session and hopefully come out with a decision.

Presentation-Rabbi Katz & Bill Sattler, Adler Engineering-Waverly Gardens Project

Bill Sattler was present with Rabbi Katz. They presented an 80+/-residence town house development on Waverly Avenue that will be known as Waverly Gardens on the current Turick

property. The property will not be tax exempt and will remain on the tax roll to bring revenue into the Village year-around. Each home will be sold as separately and on its' own parcels. They have done environmental testing and found that the soil is not contaminated and are willing to revitalize that entire side of Waverly Avenue where Mr. Turick's house currently sits. With the blessing of the Board, they would like to move forward to the Planning Board to get the project started.

The Village Attorney spoke of pilot payments and the possibility of the discussions with the presenters Attorney.

Presentation-Andrew Youmans-Summer Feeding Program

Andrew Youmans discussed a Summer Feeding Program that will provide meals to those in need free of charge in connection with the School District to those 18 years old and younger. Michael Greco the Recreational Assistant spoke in favor of the program and the need of the program for our community and possibly utilizing the Neighborhood Facility for rainy days and feeding at night as an alternative. This Community is at the bottom of the barrel in regards to Public Health, due to the lack of access to farmer's markets, feeding sites, ect. Statistics have been done and there are talks going on in regards to making this access easier and more frequent to those in need because Monticello is at least half of the population mentioned in the statistics.

The Board discussed the possibility of making the Ted Stroeble center available and utilizing other resources to meet the needs of our Community.

Resolution Adopting the Budget Transfers, Fiscal Year Ending July 2013

A motion was made by Trustee Bennett and second by Trustee Matthews. Upon the call of the roll, the vote went as follows:

Trustee Rue-nay

Trustee Bennett-yea

Trustee Matthews-yea

Trustee Hutchins-nay

Mayor Jenkins-yea

Resolution authorizing the Village of Monticello Highway to tear down the former Justice Court Building at 18 Pleasant Street to create parking

A motion was made by Trustee Bennett and second by Trustee Rue.

The Mayor stated that this was just a discussion with the Highway Superintendent. The Mayor stated that he thought that Mr. Steinberg would be here to discuss the numbers and the details of the project.

Trustee Rue stated that she wants to make sure that three proposals are presented for items that are rented because it is not fair to rent items only from the Planning Board Chairman, Mr. Sternberg, for him to benefit and it is unethical.

The Mayor stated that it was just a discussion because it is a huge eye-sore, but it can be tabled.

Trustee Hutchins stated that Mr. Steinberg should also talk with the Treasurer to see where the monies will come from to rent this equipment before this issue is brought back before the Board.

A motion was made by Trustee Rue and second by Trustee Hutchins to Table this matter. Upon the call of the roll, all were in favor.

Resolution authorizing the emergency rental of a Boom 65'Genie w/Jib 4x4 from the Rental Center for the repair of the High Street stand tank for the Water Department in the amount of \$1,661.00 from app#F.8320.459-current account balance-\$6,152.14

A motion was made by Trustee Hutchins with a comment and second by Trustee Matthews.

Trustee Hutchins commented that a several quotes should have been presented instead of the one proposal that was submitted. He asked the Mayor if he could please make sure that we are following procurement and getting three quotes for any items over \$1,000.00, whether it be emergencies or not.

Upon the call of the roll, all were in favor.

Resolution authorizing the algae treatment of Kiamesha Lake by Allied Biological for the Water Department in the amount of \$2,400.00 from app#F.8320.482-current account balance-\$8,872.10

A motion was made by Trustee Rue and second by Trustee Matthews. Upon the call of the roll, all were in favor.

Resolution authorizing the Mayor to sign the Service Agreement for Harbridge Consulting Group, LLC

A motion was made by Trustee Rue and second by Trustee Bennett.

Mayor Jenkins explained that this is the retirement, what was discussed when we got audited and they said that we had to pay this yearly for pre-retirement. The information is in the back of your books.

Upon the call of the roll, the vote went as follows:

Trustee Rue-yea

Trustee Bennett-yea

Trustee Matthews-yea

Trustee Hutchins-abstain

Mayor Jenkins-yea

Resolution accepting the donation of property on the corner of Fulton & Lakewood Avenue, SBL#111.-6-12 from Michael Rollins for Village use

The Mayor stated that Mr. Rollins wants to donate this piece of property back to the Village.

Trustee Rue stated that there are no monies owed in taxes.

Trustee Hutchins stated that he is thankful that Mr. Rollins wants to donate the property back to the Village, but what are we going to do with the property, sell it or bid it out?

Mr. Lynch responded that Mr. Hutchins analysis is a good one, the Village can have the property assessed and can be given fair market value for the property once the paperwork transferring the property is complete.

A motion was made by Trustee Bennett with a second by Trustee Rue. Upon the call of the roll, all were in favor.

Special Meeting for the Budget

A motion was made by Trustee Rue with a second by Trustee Bennett to set the meeting date for Tuesday, June 4th, 2013 at 9:00am to discuss the Tentative Budget for 2013-2014. Upon the call of the roll, all were in favor.

Executive Session (if necessary)

A motion was made by Trustee Rue with a second by Trustee Hutchins to go into Executive Session at 8:38pm. Upon the call of the roll, all were in favor.

Legal Update

Personnel

A motion was by Trustee Hutchins with a second by Trustee Matthews to come out of Executive Session at 8:54pm. Upon the call of the roll, the vote went as follows:

Trustee Rue-yea

Trustee Bennett-absent

Trustee Matthews-yea

Trustee Hutchins-yea

Mayor Jenkins-yea

A motion was made by Trustee Rue with a second by Trustee Hutchins directing the Mayor/Manager to direct the Treasurer to email the Tentative 2013-2014 Fiscal Budget. Upon the call of the roll, the vote went as follows:

Trustee Rue-yea
Trustee Bennett-absent
Trustee Matthews-yea
Trustee Hutchins-yea
Mayor Jenkins-yea

A motion was made by Trustee Rue with a second by Trustee Bennett directing the Mayor/Manager to go into contact with PayChex and terminate the existing contract with ADP Payroll. Upon the call of the roll, the vote went as follows:

Trustee Rue-yea
Trustee Bennett-yea
Trustee Matthews-yea
Trustee Hutchins-nay
Mayor Jenkins-yea

Adjournment

A motion was made by Trustee Rue with a second by Trustee Bennett to close the meeting at 9:00pm. Upon the call of the roll, all were in favor.

Submitted by:



Janine Gandy, Village Clerk