

Board of Trustees Meeting Minutes

Village of Monticello

Wednesday, July 19th, 2023

6:00 pm

Call Meeting to Order

The meeting was called to order at 6:04pm by Mayor Nikolados.

Pledge to the Flag

Roll Call

Mayor Nikolados-Present

Trustee Rue-Present

Trustee Banks-Present

Trustee Massey-Present

Trustee Jenkins-Present

Also Present:

James Snowden-Village Manager

Antoinette Williams-Village Attorney

Michael Sussman-Special Counsel

Motion to accept the agenda

A motion was made by Trustee Banks with a second by Trustee Rue to accept the agenda. Upon the call of the roll, all present were in favor.

Approval of Minutes from the June 28th, 2023 Meeting

Minutes were omitted

Public Hearing- Local Law #1 of 2023, adding Chapter 131, entitled, "Constabulary"

Mayor Nikolados read the following into the record:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Village of Monticello be holding a Public Hearing on Wednesday, July 19th, 2023 at 6:00pm at Village Hall, 2 Pleasant Street, Monticello, New York 12701 to discuss the following proposed local law:

Local Law #1 of 2023, -Adding Chapter 131, entitled, "Constabulary" to the Village of Monticello Code and Specifying the Duties herein

PLEASE TAKE FURTHER NOTICE that the economical significance of said proposed Regulations & Local Laws will be reviewed by the Village Board of Trustees incident to and as a part of said public hearing. Copies of said proposed Regulations & Local Laws are available for review at Monticello Village Hall, 2 Pleasant Street, Monticello, New York 12701.

Dated: Tuesday, June 27th and Friday June 30th, 2023.

By Order of the Village Board of the
Village of Monticello, New York

7/19/23-Village Board Meeting Minutes

Janine Gandy-McKinney, Village Clerk

A motion was made by Trustee Rue with a second by Trustee Banks to open the Public Hearing at 6:21pm. Upon the call of the roll, all present were in favor.

The floor was opened to the Public and the following people spoke:

Debbie Mack-questioned who and what is it for and why is it needed

Trustee Banks- stated that he thinks that this should wait until we have the Chief present to discuss a matter that effects his department. He also stated that this came about because of the lack of police officers and the fact that we are paying an officer overtime to be in the Court. He said that he did talk to some of the officers and they are for it, but we should definitely be hearing from the Chief. He stated that as far the qualifications, anyone can do it, they just have to go through the proper training.

Trustee Rue- stated that she don't know why we are discussing this, it's a waste of time and the ladies in the Courts said that they would rather have a Police Officer present, this way they will feel safe and plus, a constable cannot arrest anyone, the Police would still have to be called.

Trustee Jenkins-stated that he is for it and it was a recommendation from Judge Solomon who runs the Justice Court.

Robert Freidland-stated that he is for it, it will cut down expenses and free up an officer to have them in the streets where they are needed.

Special Counsel, Michael Sussman-stated that a constable has the same authority as a police officer, they carry a weapon and they can arrest, they are trained to do these things. Plus, it is a recommendation from Judge Solomon, who is very familiar with the needs of the Court because he runs it and was a former Police Officer and Chief right here in this Village.

Annette Foy-stated that she is against it, it's just like putting a Security Guard in the school, it's a waste of time. They can't do anything.

Trustee Massey-stated that it makes sense to hire a constable because we cannot find officers to hire and with the way the world is and this Village is going, we need as many officers as possible in the streets.

Mayor Nikolados stated that he feels that we shouldn't close the Public Hearing until we hear from the Chief.

7/19/23-Village Board Meeting Minutes

A motion was made by Trustee Banks with a second by Trustee Rue to adjourn the Public Hearing at 6:32pm until the next scheduled Village Board Meeting. Upon the call of the roll, all present were in favor.

Mayors Report

There was no report from Mayor Nikolados

Discussion-Towing in the Village

Mr. Snowden made the Board aware that we need to get the Tow List going. Due to COVID, everything halted, so the same list has been used for the last two years. He Clerk has been getting calls about it, so I think we need to re-instate it and keep the same regulations. Also, I don't think that we need to go into a big discussion about it until the Chief is present. He had some ideas and opinions on how to better handle it going forward.

Discussion-Requiring all housing projects to set aside 15% of their development for low income housing

Trustee Jenkins stated that he had been discussing this matter with the Village Special Counsel and he thinks it's a great idea especially with the housing crisis here in the Village that we are currently facing.

Mr. Sussman stated that there are several other municipalities that have done this and it's fairly easy process that can be passed by you all the governing body of the Village. The Village can require all new projects to dedicate at least 15% of their new construction to affordable housing. It can be done through a local law and the planning Board would implement it when they reviewed site plans.

Trustee Banks stated that his background is real estate and housing and from what he knows, due to the fair housing market, he doesn't think that's legal for the Village to do, he believes that we can be sued by the developer and HUD is the only one that can enforce low income housing and we have no jurisdiction over HUD other than appointing the Board members.

Mr. Sussman stated that there is nothing illegal about it, nor is it regulated by HUD, all of that is false. I have worked with municipalities to create the local law that govern it. It's against the law for the Village to require the entire project, but not a portion of it. You are facing a housing crisis just like places like New Rochelle and Poughkeepsie and they enforced a local law doing the same thing and it worked. It is up to you all as the governing body to do something about the housing. Of course these landlords are going to keep gauging the prices because no one is doing anything about it and what you are saying Trustee Banks is untrue and illogical.

7/19/23-Village Board Meeting Minutes

Trustee Banks stated that if I was you all, I wouldn't listen to him, he's giving bad advice. I'm telling you, real estate is my life and HUD, which is a Federal Program, are the only ones that can enforce and create affordable housing. We cannot demand a make a local law forcing a developer to do anything with their money, if we were putting money in, that's one thing, but were not, this is another man's money and we have no legal right to tell them what to do with it.

Mr. Sussman responded that what Trustee Banks is saying is absolutely untrue, as the governing body, you have a responsibility to your constituents and one of those responsibilities is providing affordable housing and as a right now, you are doing them a huge disservice by not doing your due diligence. No one is saying that this is what you must do, but you have to find a way to make sure that your constituents have safe and affordable housing. This is just a suggestion that I was asked to look into by some of the Board members because the question came up in the Planning Board meeting last week from some of the Public that was in the audience. No one has a gun being held to their head, again this is just a suggestion.

Antoinette Williams, Village Counsel, stated that she would like to see the information or stats of the places that were mentioned and how it's working out in those areas. Maybe the Board needs to see it actually in place before they can begin to form an opinion about it.

Mr. Sussman stated that he'd be more than happy to provide that information.

Discussion-Recreation Building for Youth

Trustee Jenkins stated that this is another item that he wanted put on the agenda so that there is something on the record. He stated that he feels that since the budget was just passed, all of the money that's being spent on salaries and trucks, the Village could find some money for a youth center or maybe we can accept donations, something to get a Youth Center for these youth.

Mayor Nikolados stated that the truth needs to be told. It is the responsibility of the Village Manger to go after grants, just like I did when I was in that seat. Take the time and look, they are out there, I found them, that's how we got the Splash Pad that coming next year and we are working on getting a new pool so that we can have everything in one area. Gordon you know good and well that you cannot take money from salaries and other funds for a Youth Center, that is illegal. I will not let you sit up here and lie to the Public. We set up a line in the budget called park fee's where new construction has to set aside funds if they cannot provide a recreational space for their residences, maybe we set it too low, but we cannot take or borrow monies out of other funds for something like this.

7/19/23-Village Board Meeting Minutes

Mr. Sussman interjected that he's quite sure that Trustee Jenkins is aware of that, but he is right in saying that donations can be taken up and I, myself along with a few other people I know will be more than happy to donate funds towards something like this.

Resolution authorizing the payment of the Village Bills in the amount of \$602,486.22

A motion was made by Trustee Banks with a second by Trustee Rue. Upon the call of the roll, the vote went as follows:

Mayor Nikolados-yea
Trustee Rue-yea
Trustee Banks-yea
Trustee Massey-nay
Trustee Jenkins-nay

Resolution in Support of the 2023 Bagel Festival on Sunday, August 13th, 2023 on Broadway in the Village of Monticello

A motion was made by Trustee Banks with a second by Trustee Rue. Upon the call of the roll, the vote went as follows:

Mayor Nikolados-yea
Trustee Rue-yea
Trustee Banks-yea
Trustee Massey-nay
Trustee Jenkins-nay

Resolution authorizing the return of a Bond Check in the amount of \$15,000.00 to Custom Creative Corp from app#T.0033.649

A motion was made by Trustee Rue with a second by Trustee Banks to Table. Upon the call of the roll, the vote went as follows:

Mayor Nikolados-yea
Trustee Rue-yea
Trustee Banks-yea
Trustee Massey-nay
Trustee Jenkins-nay

Resolution authorizing payment to Barton & Loguidice in the amount of \$15,070.86 from app#F.8320.484(Source of Supply-Engineers) for work completed on the Water System Design and Bidding

A motion was made by Trustee Banks with a second by Trustee Rue. Upon the call of the roll, the vote went as follows:

Mayor Nikolados-yea
Trustee Rue-yea

7/19/23-Village Board Meeting Minutes

Trustee Banks-yea
Trustee Massey-nay
Trustee Jenkins-nay

Resolution authorizing payment to Pace Analytical Services (sole source provider) in the amount of \$1,176.00 from app#G.8130.419 (Treatment/Disposal-Lab Supply/Testing) for the Sewer lab testing. Current account balance is \$6,103.37 after expense

A motion was made by Trustee Banks with a second by Trustee Rue. Upon the call of the roll, the vote went as follows:

Mayor Nikolados-yea
Trustee Rue-yea
Trustee Banks-yea
Trustee Massey-nay
Trustee Jenkins-nay

Resolution authorizing payment to Matco Tools, Scott Fisher (sole source provider) in the amount of \$3,114.61 from app#A.1640.206 (Central Garage-Tools/P/Cutter) for the purchase of a Vehicle Scanner software update. Current account balance before expense is \$5,816.54

A motion was made by Trustee Rue with a second by Trustee Banks. Upon the call of the roll, the vote went as follows:

Mayor Nikolados-yea
Trustee Rue-yea
Trustee Banks-yea
Trustee Massey-nay
Trustee Jenkins-nay

Resolution authorizing payment to Anthem Sports, LLC in the amount of \$1,140.71 from app#A.7020.421 (Recreation Admin Repair/Maintenance) for the purchase of a Bison Fan Aluminum Backboard w/Board and a Bison Super Goal Hoop

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

Resolution authorizing payment to Peak Power Systems (sole source provider) in the amount of \$4,994.50 from app#G.8120.233(Sanitary Sewers-Equipment Purchase) for Replacement Batteries for the Generator at the Sewer Department. Account balance before purchase is \$79,854.13

A motion was made by Trustee Banks with a second by Trustee Rue. Upon the call of the roll, the vote went as follows:

Mayor Nikolados-yea
Trustee Rue-yea

7/19/23-Village Board Meeting Minutes

Trustee Banks-yea
Trustee Massey-nay
Trustee Jenkins-nay

Managers' Report

There was no report from the Village Manager

Executive Session

A motion was made by Trustee Massey with a second by Trustee Jenkins to go into Executive Session at 8:15pm to discuss the following:

Personnel

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

A motion was made by Trustee Rue with a second by Trustee Jenkins to come out of Executive Session at 8:48pm. Upon the call of the roll, all present were in favor.

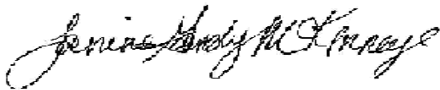
Resolution terminating the Village Special Counsel, Michael Sussman, effective immediately. Upon the call of the roll, the vote went as follows:

Mayor Nikolados-yea
Trustee Rue-yea
Trustee Banks-yea
Trustee Massey-nay
Trustee Jenkins-nay

Adjournment

A motion was made by Trustee Banks with a second by Trustee Rue to close the meeting at 8:49pm. Upon the call of the roll, all present were in favor.

Submitted by:



Janine Gandy-McKinney, Village Clerk