

MINUTES
REGULAR MEETING OF THE BOARD OF TRUSTEES
VILLAGE OF MONTICELLO, N.Y.
TUESDAY, SEPTEMBER 2, 2008

MEETING TO ORDER

Mayor Jenkins called the meeting to order at 7:04 p.m.

PLEDGE TO THE FLAG

Roll Call

Upon call of the roll, the following were present:

Gordon Jenkins, Mayor
Theodore Hutchins, Trustee
Victor, Marinello, Jr., Trustee
Carmen Rue, Trustee
Scott Schoonmaker, Trustee

Also Present: John Barbarite, Village Manager
Jacob Billig, Village Attorney
Phil Klemen, Sewer Superintendent

APPROVAL OF MINUTES BOARD MEETING OF AUGUST 18, 2008

A motion was made by Trustee Marinello, seconded by Trustee Schoonmaker, unanimously approved on a roll call vote to adopt the minutes of the meeting of August 18, 2008 as presented.

PUBLIC COMMENT - AGENDA ITEMS ONLY

Regarding Agreement for Recycling Program Analysis

Gene Weinstein a Village resident questioned whether the Village should sign an agreement with Barton & Loguidice for a recycling program analysis at a cost of \$30,000. He indicated that he had spoken to the Village of Liberty's Recycling Superintendent Peter Parks who offered to attend the next Village Board meeting and volunteer his services for the Village of Monticello to begin a recycling program at no cost to the taxpayers. He noted that Mr. Park's could not attend this meeting due to prior

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family commitments and asked that the Board table this agenda item to the next meeting. Mr. Weinstein felt that \$30,000 was an excessive amount to pay for this type of survey when a neighboring community is willing to share their expertise at no cost.

Trustee Schoonmaker felt after speaking to James Marion, a recycling specialist with Barton and Loguidice he is under the opinion that Mr. Parks does not have the necessary information that the Monticello would use in this community. Mr. Marion will not only be outlining the recycling program, but it also will be a study of the man hours spent, the equipment, the overtime costs, the scheduling issues, etc. He felt that he would be more than willing to listen to Mr. Park's presentation, but also Mr. Marion's presentation again also.

Glen Gidaly of Barton and Loguidice explained that their proposal includes the following:

"Identify measures that the Village can implement to increase the rate of recycling and reduce landfill disposal fees. Focus on accomplishing this without significant net increase in collection and processing costs".

Review all sectors to determine total recycling potential; commercial, residential, institutional, government & multi-family.

On-site observation of these sectors and observation of current collection operation.

Review of the Village's capability; staffing, storage capacity, collection methods/schedules, and equipment.

Establish the "avoided cost potentials"

Identify grant funding sources for new equipment and citizen education.

If the County begins to export waste, tipping fees will rise above the current \$55/ton.

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RESOLUTION CORRECTING THE 2008/09 TAX ROLL

WHEREAS, penalties for utility charges were relieved to a certain property, SBL 113-3-14 erroneously on the 2008/09 tax roll; and,

WHEREAS, these charges are for unpaid water, sewer and sanitation charges for SBL 117-1-1.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Monticello does hereby authorize the Village Clerk to remove the following charges from the property tax bill, SBL 113-3-14 and relieved to SBL 117-1-1 and the Clerk is directed to send corrected bills to each property owner.

A motion was made by Trustee Schoonmaker, seconded by Trustee Marinello, unanimously approved on a roll call vote to adopt the above resolution.

RESOLUTION CORRECTING THE 2008/09 TAX ROLL

WHEREAS, property clean up charges were relieved to certain properties on the 2008/09 tax roll; and,

WHEREAS, these charges were relieved erroneously by various Village departments and the charges need to be removed.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Monticello does hereby authorize the Village Clerk to remove the following charges from the following properties and the Clerk is directed to send corrected bills:

<u>SBL</u>	<u>Amount of Charges To Be Removed</u>
112-5-24	Property Maintenance - \$400.00

A motion was made by Trustee Hutchins, seconded by Trustee Marinello, unanimously approved on a roll call vote to adopt the above resolution.

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**RESOLUTION APPROVING THE EMERGENCY REPAIR OF THE EAST BROADWAY
WASTE WATER TREATMENT PLANT PUMP STATION IN THE \$2,219.25**

WHEREAS, emergency repair of the East Broadway Waste Water Treatment Plant was necessary as the level control at the pump station failed; and,

WHEREAS, the parts were not available locally and a temporary level control system wired to maintain pump station operation had to be done; and,

WHEREAS, new pump wired and put on line due to only operable pump having a seal failure and pump is not fiscally reasonable to repair.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of Village of Monticello does hereby approve the emergency repair of the East Broadway Waste Water Treatment Plant pump station in the amount of \$2,219.25 by R&R Pump & Control Services, LLC, P.O 533, Franklin Lakes, New Jersey 07417 in the amount of \$2,219.25.

A motion was made by Trustee Rue, seconded by Trustee Schoonmaker, unanimously approved on a roll call vote to adopt the above resolution.

**RESOLUTION AUTHORIZING THE PURCHASE OF EIGHT (8) TASERS,
HOLSTERS AND ALL RELATED EQUIPMENT FOR THE MONTICELLO POLICE
DEPARTMENT IN THE AMOUNT OF \$9,993.33**

WHEREAS, the Board of Trustees of the Village of Monticello adopted the policy for the use of tasers by the Monticello Police Department as set forth by Chief of Police Douglas Solomon at the Village Board meeting of August 18, 2008; and,

WHEREAS, the Monticello Police Department received a grant from the New York State Department of State for the purchase of this equipment.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Monticello does hereby authorize the purchase of eight (8) tasers, holsters and all related equipment for the use

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by the Monticello Police Department from Taser International, 17800 N. 85th Street, Scottsdale, Arizona 85255 the sole source provider for this equipment in the amount of \$9,993.33

A motion was made by Trustee Hutchins, seconded by Trustee Rue, unanimously approved on a roll call vote to adopt the above resolution.

RESOLUTION APPROVING BUDGET TRANSFERS FOR FY 2007/08

WHEREAS, the Village of Monticello has adopted its annual budget for the 2007/08 fiscal year; and,

WHEREAS, the Village will incur expenditures that exceed the adopted line items amount authorized by the Village Board of Trustees, and;

WHEREAS, there are revenues that exceeded budgetary amounts and/or expenditures line items that may be reduced.

NOW, THEREFORE BE IT RESOLVED, that the following line items are increased/decreased as adopted, and the Village Treasurer is directed to make the following modifications to the annual budget: [see attached]

A motion was made by Trustee Hutchins, seconded by Trustee Marinello, unanimously approved on a roll call vote to adopt the above resolution.

RESOLUTION AUTHORIZING THE MAYOR TO SIGN A AGREEMENT WITH BARTON & LOGUIDICE, P.C. FOR A RECYCLING PROGRAM ANALYSIS IN THE AMOUNT OF \$30,000 (THIRTY THOUSAND DOLLARS)

WHEREAS, the Village of Monticello is interested in fiscal and physical efficacy of expanding the collection, processing and marketing of recyclable and marketing of recyclable materials from commercial and residential generation points within the Village; and,

WHEREAS, to achieve this goal an analysis of the types of waste and recyclable materials currently collected by Village crews including curbside landfill bound materials and dedicated recycling collection must be analyzed; and,

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WHEREAS, information would be collected from interviews and on site observations of generators of various recyclable materials; and,

WHEREAS, a technical review of the capabilities of existing Village infrastructure for the collection and processing of recyclable materials will be undertaken.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Monticello does hereby authorize the Mayor to sign an agreement with Barton & Loguidice, P.C. a Recycling Program Analysis in the amount of \$30,000.

A motion was made by Trustee Hutchins, seconded by Trustee Marinello, unanimously approved on a roll call vote to table the above resolution to the next Village Board meeting.

The Board agreed to have a work session at 6:00 p.m., to discuss the recycling program on September 15, 2008.

ORDERING BILLS PAID

A motion was made by Trustee Schoonmaker, seconded by Trustee Rue, unanimously approved on a roll call vote that the bills audited by the Auditing Committee of the Board of Trustees and appearing on the Abstracts of the bills herewith submitted are ordered paid.

RESOLUTION TO AUTHORIZE FILING A GRANT APPLICATION TO THE NYS UNIFIED COURT SYSTEM FOR A JUSTICE COURT ASSISTANCE PROGRAM GRANT

WHEREAS, the NYS Unified Court System has requested applications for the next cycle of the Justice Court Assistance Program grants; and

WHEREAS, the Village is interested in applying for funds to upgrade equipment currently in use at the Justice court; and

WHEREAS, the program requires the Village to adopt a resolution authorizing the application.

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NOW, THEREFORE, BE IT RESOLVED, that the Monticello Village Board authorizes that an application be filed with the NYS Unified Court System; and

BE IT FURTHER RESOLVED, that the Village Mayor be authorized and empowered to certify the application in the name of the Village of Monticello.

A motion was made by Trustee Schoonmaker, seconded by Trustee Marinello, unanimously approved on a roll call vote to adopt the above resolution.

PUBLIC COMMENT

Broadway Project

Trustee Rue questioned the letter received from NYSDOT regarding the delay of the Broadway Project and felt it was because of the question of the decorative lighting being removed. She asked who authorized this change.

Trustee Marinello indicated that the Village Board last January approved unanimously the decorative lighting on Broadway. He indicated that it is his understanding that the DOT is deleting the decorative lighting and replacing them with landscaping in the medium. He asked who authorized this change since no one can amend a resolution but the Village Board.

Village Manager Barbarite explained that Trustees Marinello, Schoonmaker, Hutchins and Mayor Jenkins were all parties to discussions at various points in time as to the meeting that took place with NYSEG concerning the additional lighting on Broadway and which would increase the electricity costs for the Village. A decision was made when it was switched to overhead wiring and these decorative lights would cost the Village high energy bills so it was decided to eliminate the decorative lighting. After that decision was made a discussion regarding the landscaping of the medium was had with pictures of how other communities looked with similar landscaping on the medium instead of a simple blacktop area and it was agreed to include this in the final design. Regarding the "re-letting" of the bids for the Broadway Project, the contract is being "re-let"

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because of the right of ways sidewalk issue because at the time it was under New York State Guidelines for right of ways on sidewalks and caused the contractors to sign bid documents that they agreed to New York specifications, but because the Village Attorney was able to convince the DOT that the Village had ownership of the sidewalks, NYSDOT decided that they wanted to go with the Federal specifications because that would increase federal funding for the project, so the State in order to have the contractors agree to the Federal specifications have to re-let the job with those specifications. The DOT is re-letting the project hopefully in December so that the State can take advantage of the extra Federal funding that is available using the Federal guidelines for the right a way acquisition.

Trustee Schoonmaker indicated that he was present, along with the Village Manager and Mayor during a conference call with Charles Walker of NYSDOT regarding the re-letting of the project. He explained that originally the State estimated that the project would cost approximately eleven to twelve million dollars, however, the lowest bid was about nine million dollars. The State was concerned that the bids were so low, and took this into consideration, but because of the sidewalk issue being resolved by the work the Village Attorney did, the federal government is now providing more funding to offset some of the State funds.

The Village Manager explained that the resolution adopted by the Village Board in January was to agree to paying for the electric and maintenance of the lighting on Broadway for ten years.

Trustee Rue noted that originally the Village was to get 64 decorative lights on Broadway and these were eliminated after the Village Manager sent a letter to NYSDOT without the Village Board's approval.

The Village Manager noted that this letter was sent to Charlie Walker after discussions with the majority of the Village Board because of the excessive electricity costs and there would be lights under lights.

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EXECUTIVE SESSION

At 7:46 p.m., a motion was made by Trustee Hutchins, seconded by Trustee Marinello, unanimously approved on a roll call vote to move into Executive Session to discuss litigation.

ADJOURNMENT

At 8:06 p.m., a motion was made by Trustee Hutchins, seconded by Trustee Schoonmaker, unanimously approved on a roll call vote to move out of Executive Session and adjourn the Regular Village Board meeting.

EDITH SCHOP, Village Clerk