

MINUTES  
REGULAR MEETING OF THE BOARD OF TRUSTEES  
VILLAGE OF MONTICELLO, N.Y.  
MONDAY, AUGUST 3, 2009

**MEETING TO ORDER**

Mayor Jenkins called the meeting to order at 7:03 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: Ray Nargizian, Village Manager  
Douglas Solomon, Chief of Police

**MOMENT OF SILENCE FOR HARRY BRANTZ**

Mayor Jenkins asked for a moment of silence in memory of Harry Brantz was an activist in the Village for many years who was a loving and caring person.

**APPROVAL OF MINUTES OF THE MEETING OF JULY 20, 2009 AND THE SPECIAL MEETING OF JULY 30, 2009**

A motion was made by Trustee Hutchins, seconded by Trustee Marinello, unanimously approved on a roll call vote to adopt the minutes of the meeting of July 20, 2009 and the Special meeting of July 30, 2009.

**MAYOR'S REPORT**

**Bicentennial Celebration**

Mayor Jenkins reported that there was a bicentennial picnic at deHoyos Park; however the rainy weather kept the crowds to a minimum.

Minutes - Regular Village Board meeting  
8/3/09

### **Broadway Project Update**

Mayor Jenkins reported that he attended a meeting with the NYSDOT regarding the medium down Broadway. The NYSDOT has determined that there will be a medium because of the safety issue.

### **Employment Concerns**

Trustee Hutchins explained that there is a Civil Service position opened in the Building Department that was not filled from the civil service list. He felt that the Village is going back to filling positions with political favors or hiring family members and friends. He indicated to the Village Manager that the Village is in violation of the Civil Service Law as to the Grant Administrator position. He is also concerned about the Special meeting that was held on Friday, and after speaking with Trustee Marinello who enlightened him about that meeting which as a result a law suit will go forward from the Notice of Claim received last week. He felt that the Board acted recklessly in approving a contract with Mobilemedic since the 2009/10 FY budget has \$18,000 revenue being received from that company which has a 1.4% tax increase and members of the Board settled for \$12,000 leaving a \$6,000 shortfall. He questioned who is going to make up for the \$6,000 shortfall difference? He suggested that the Board donate their paychecks to make up for the \$6,000 and be responsible for this lost revenue. Trustee Hutchins noted that he wasn't part of any interviews for the position just filled in the Building Department and there is going to be another job that is supposed to be posted, but he has been advised that it is already filled. He questioned when is the Village going to give the community an opportunity to get a job working for the Village and be advertised in the local newspaper. He felt the Manager has the ability to fill job positions, but he should go through the right process in filling these positions.

Mayor Jenkins agreed with Trustee Hutchins that people need to be employed and it is a disgrace to not advertise these positions. He asked the public to look at what is happening and show their outrage and attend Board meetings to observe what is going on. He cautioned people to think who they are voting for and consider what is taking place at Board meetings.

Minutes - Regular Village Board meeting  
8/3/09

Trustee Rue noted that the Manager is not at this meeting, but he is looking at the Civil Service list to hire a part time Code Enforcement Officer.

Trustee Schoonmaker was concerned that there was a mistake in the notice sent out with the taxes advising them that interest will be charged if the property owner pays in two installments.

The Village Clerk noted that both she and the Treasurer reviewed this notice and did not catch the date error; however she assured the Board and public that those taxpayers that did not pay their taxes in August will be sent a reminder notice in late September with the proper dates and the official tax bill had the correct information on it. She also noted that she only received one phone call today that pointed out this typographical error.

Trustee Schoonmaker felt that the agreement with Mobilemedic was fair and that they do an excellent job saving lives and being available to the Village residents. He indicated that if someone cannot pay the bill is forgiven.

Mayor Jenkins felt it is a money making business.

Trustee Marinello indicated that if the taxpayers had to pay for one BLS ambulance it would cost them \$250,000 a year, which is how much it cost to run an ambulance and he knows as he has spoken to the owner and worked for them in the past also. He felt the Village of Monticello is getting an ambulance service at no cost and they are providing a service which is outstanding.

Trustee Rue felt the budget can always be adjusted since the contract was not agreed upon at that time.

**PUBLIC COMMENT - AGENDA ITEMS ONLY**

**44 Liberty Street**

Barbara Burton was concerned about the house at 44 Liberty Street that is being renovated. She noted that she had given the Code Enforcement Officer Sue Flora a letter listing her concerns.

Minutes - Regular Village Board meeting  
8/3/09

**Mobilemedic Concerns**

Christopher Jacques questioned if an RFP was advertised this service?

Trustee Marinello felt that nowhere else gives the service the Village gets when they are giving the Village \$12,000 a year in rent. He felt that both the Mayor and Trustee Hutchins are wrong and they are not using the building for free. He felt they are paying fair market value and at the same time providing a service to the taxpayers at no cost.

Trustee Hutchins felt that they are not paying fair market value and also there is no rent increases for the next four year even though the Village taxes will go up next year.

Trustee Schoonmaker noted that the Board decided that was the right amount to charge and by law the Board could have opted to charge them nothing in lieu of services rendered.

Christopher Jacques felt it should have been offered to any company that qualifies.

Trustee Hutchins noted that they bartered in the last contract but the Village did not receive one red penny for those services and also Mobilemedic was supposed to install a generator, provide cots and food rations on premises but these were never produced.

Christopher Jacques noted that he is forbidden from this community to bring in services to this community to provide taxis, so his comment was that if this Village wishes an edge to other individual and creates an unfair society for business he can come into to this community, because what you did not allow this individual that time if I chose to as a business person he come into this community and give a taxi service, so long as he does not charge the public for that service the Village has no regulation over him.

Trustee Rue explained that Mobilemedic has the cots, the food and the generator sitting there and cannot give it to the Village because it is to be used for emergency response.

Minutes - Regular Village Board meeting  
8/3/09

Rochelle Massey noted that when a bus load of teenager got stranded in a snowstorm last year no one could find the cots to provide a safe stopover.

**MAYOR'S APPOINTMENT - VILLAGE AUDITOR**

Mayor Jenkins asked if Trustee Schoonmaker would take the position.

Trustee Schoonmaker replied that he would not be a Village Auditor.

Mayor Jenkins indicated that since Trustee Schoonmaker has said he doesn't have time to audit bills, he will continue letting Trustee Hutchins audit the bills at the same time as being Deputy Village Mayor until he is advised that this is not legal.

The Village Clerk advised the Mayor that this is a conflict.

**PUBLIC HEARING - PUBLICS' VIEWS ON THE NEED FOR ADDITIONAL TAXI CAB MEDALLIONS**

Mayor Jenkins opened the public hearing at 7:40 p.m.

Gerald Lederman explained that he lives in Liberty, but works in Monticello for Sureway Taxi. He noted that Sureway is based in Monticello and is just breaking even without any additional companies being added. He felt that if his company was allowed two extra taxis the community would be better served. He felt the Board has an obligation to protect the two companies that are already established.

Yvonne Van Dunk felt that there is a need for more taxi medallions. She questioned what is taking the Board so long to make a decision when they have a company that is trying to provide a service to the people that the Board represents and it is only being delayed over and over again.

Trustee Hutchins agreed with Ms. Van Dunk and the reason for the public hearing is for the Board to make a decision on what they want to do.

Minutes - Regular Village Board meeting  
8/3/09

Wesley Wade indicated that people are losing their jobs because with one of the taxi companies cannot get them to work on time even if they call a cab an hour before they are needed. The Board has already acknowledged the need for more taxi service. He felt the Board is spending too much time bickering among themselves and not getting anything done.

Christopher Jacques felt that the Village Board has not properly sat with the Village Attorney and asked for his legal opinion of the present Village taxi law. He felt the present Village law does violate many rights of private business. Those laws merely limit the taxi business not taxi livery, private car, limousine services and prohibits the use of private car services that are prearranged. He felt the present Village law will not stand up in the courts. He noted that the Board can't protect the Mayor from another sneaker store opening on the other end of town. He questioned why the Board is protecting the two taxi companies. He indicated that the Board helped Mobilemedic come into this community since it is a service that is limited by "need", but by limiting the Village to two taxi services is not helping the community and not caring if riders do not get to their destination on time. He felt that this is not free enterprise or looking after the community and the Board should think of what is in the best interest for the community not the individual businessman.

Alan Kesten, owner of Yellow Cab explained that the Village law has been challenged and upheld. He indicated that he has stated at other meeting that there probably is a need for more transportation, whether it is taxi or livery (and there is some relevance to what Mr. Jacques said) he now has seven vehicles on the road that are not medallion taxicabs but do nothing but Medicaid transportation. The community has a specific time of the day when there are not enough taxicabs available and over many years he has invited members of the Village Board to come to his business to find a way to make taxi service better for the Village of Monticello. He indicated that through an association he belongs to that had a comparison of taxi rules regulations, rates and number of taxicabs in most major cities in America and in the criteria of population verses the number of taxicabs the Village of Monticello with a population density of 7,000 people we have twice as many taxicabs as the City of New York.

Minutes - Regular Village Board meeting  
8/3/09

Trustee Schoonmaker noted that this survey does not take into account the influx of summer visitors. He recommended that the Village add ten (10) additional medallions to try and determine if more are needed. He felt to protect the integrity of these medallions a fair cost in a minimum of \$10,000 to begin the bidding.

The Village Clerk advised the Board that possibly the Village Manager or Mayor should direct the Village Attorney on his return from vacation next week to have him rewrite the local law as the Board needs to have that proposed local law on their desks ten days before the public hearing.

Christopher Jacques noted that someone cannot come over the streets of this Village nor the Town of Thompson with any livery or "for hire" vehicles unless someone wishes to provide a free service to this community. He felt the Board should let anyone open a taxi service and the community will dictate whether they succeed or fail. He felt that the Village law is not being enforced at this time and has not even protected the community to get fair service. The only thing that the law is protecting is the current individuals that hold the licenses to basically have cart blanch so no one else can come into the Village or the Town of Thompson with a taxi, private car service or livery service.

Sean Rieber felt that a \$10,000 minimum bidding process is a fair amount to charge for a medallion since if someone doesn't have the money it takes to open any business they can't open that business but could borrow the money from a bank and have a business plan already in place.

Mayor felt that anyone should be able to get a taxi medallion because that is what free enterprise is about.

Susan Taylor indicated that her tenants sit on the porch along time waiting for a taxi to arrive to pick them up.

Trustee Marinello explained that the Village has to amend the present local law.

Trustee Rue agreed that \$10,000 was a fair starting price for the bidding.

Minutes - Regular Village Board meeting  
8/3/09

Trustee Schoonmaker noted that the owners of A to B taxis, Sureway and Yellow Cab met with the Village Manager and all agreed that the price for taxi medallions would be \$10,000.

Mayor Jenkins did not agree with the \$10,000 figure.

Christopher Jacques explained that as an individual he lives and resides in Orange County and owns several businesses in Orange County and in answer to Trustee Rue's question as to why should he as an individual from Orange County should not be allowed to come to Sullivan County because it is free enterprise.

Trustee Rue responded that she did not say that, but the Village should limit only to residence of Sullivan County. She questioned whether she could buy medallions in Orange County or New York City if she lives in Sullivan County. She answered, "absolutely not", they don't give you medallions.

Christopher Jacques questioned if Trustee Rue knows this for a fact?

Trustee Rue responded that she knows this for a fact because she knows people would have to move to the NYC to have a taxicab business.

Christopher Jacques felt that living in Orange County should not really matter here. He indicated that he comes from an industry of transportation for the past 32 years and started with taxis and limos and is primarily in school busing industry predominately and he is considered good enough by Monticello Central School District to transport their school children, but yet Trustee Rue wonders if he should come into the Village and transport taxis. He noted that in the entire State of New York he can go transport school children with his school children with his school buses. He noted that he has contracts with 18 school districts throughout Orange, Sullivan, Ulster, Rockland and Westchester counties and he did not have to apply for a license.

Trustee Rue felt that school buses are different.



Minutes - Regular Village Board meeting  
8/3/09

Christopher Jacques indicated that it is transporting public transportation and it is really not any different because it is a company providing drivers and transportation from point A to point B.

Mayor Jenkins closed the public hearing at 8:40 p.m.

**RESOLUTION AMENDING THE FEE SCHEDULE-SANITATION SURCHARGES**

The Board agreed that the fees should not be changed

**RESOLUTION AUTHORIZING THE VILLAGE ATTORNEY TO PERFORM LEGAL SERVICE NECESSARY TO THE ORGANIZATION, FINANCING AND RECONSTRUCTION OF THE WASTEWATER TREATMENT PLANT IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$15,000**

A motion was made by Trustee Schoonmaker, seconded by Trustee Marinello, unanimously approved on a roll call vote to table the matter to the next meeting

**PUBLIC COMMENT**

**West Broadway Blinker Light**

Dick Kelly suggested that a traffic signal be installed at the intersection.

**North Street Paving**

The owner of 27 North Street complimented the Village Highway Department of the paving job they completed on North Street.

**Gary Greenwald**

Ray Lustig in referring to Gary Greenwald' letter in the Sullivan County Democrat, in thanked Trustee Rue for clarifying the matter.

**Village Clerk's**

Bess Davis indicated that she has heard rumors that some of the Board members want to get rid of Edith Schop as Village Clerk and she felt they should have more respect for someone who

Minutes - Regular Village Board meeting  
8/3/09

does a tremendous job for all these years and deserves more respect from the Board.

The Mayor noted that the first week the Manager was appointed he wrote Ms. Schop up for four reprimands. The Mayor felt it is a disgrace and he felt she does an outstanding job protecting the Village and in all her duties.

Rochelle Massey noted that everyone makes mistakes including the Board members in what they are doing to the taxpayers.

**Mobilemedic Comments**

Rochelle Massey explained to Trustee Marinello that Mobilemedic is running a business and when her father-in-law got sick they got a bill for over \$900.00.

Trustee Marinello responded that if the taxpayers were hit with what it would cost them for Mobilemedic to do service here, it would bankrupt the Village.

Rochelle Massey explained that when she sees a doctor, the doctor bills her and if it is not paid it would go to a collection agency for payment.

Trustee Hutchins asked Trustee Marinello if he is saying that if a person does not have insurance and calls Mobilemedic that person does not have to their bill and the slate is clean.

Trustee Rue indicated that Mobilemedic has told her that if a person does not have Medicaid or any other subsidy they do not have to pay for the service.

Trustee Marinello said that Mobilemedic does almost a half a million dollars worth of services and doesn't get paid. He noted that there are people in this community he doesn't get money from that he has to respond to emergency calls and he does respond to those calls. He noted that Mobilemedic has stayed in the community and provides a service to the community that is desperately needed.

Minutes - Regular Village Board meeting  
8/3/09

Mayor Jenkins felt that several members of the Board are only asking that Mobilemedic pay their fair share and he also felt the Trustee Marinello should recuse himself because he worked for that company and is playing the favorite.

Trustee Marinello felt this is not a conflict since he hasn't worked for Mobilemedic for at least a year and a half. He noted that he is not afraid of the Mayor's "little group" here.

Sean Rieber felt is the Board takes the finance part out of the conversation it is good to have several rigs headquartered in the Village is a good thing.

Teresa Peterson asked Trustee Marinello what he meant by referring to "Gordon's little group" here. She asked who the "group" is and she is interpreting it as a racist remark.

Trustee Marinello responded that there are some people here that Gordon wants to attack us with and he did not think it was right. He indicated that if the comment offended her she apologized, but he thinks it is absolutely ridiculous when we put race into the issue. He indicated that he did not say anything about race or color. He indicated that there is nobody in this community that is more non racist than me and I have said at public meetings we are all the same color.

Debra Mack felt that it is an insult for it to come out of Trustee Marinello's mouth; it has to relate to being a black issue because the Mayor is black. She felt the Board members should be careful how they pick their words. She explained she attends meetings as a Village of Monticello resident and she has a right to be here and say what she wants. She felt the Board is getting too personal with the Mobilemedic matter since it is a business enterprise. She questioned if the Board had a contract that was already agreed upon why were the terms changed and the monthly rent lowered.

Thomas Mack felt that the Village Clerk works hard for the residents and does it professionally and the Village should employ more people like that to get back on the right track. He felt the Village is not here to lose money and if we continue on this track the Town and the Village will have to merge.

Minutes - Regular Village Board meeting  
8/3/09

Mr. Mack questioned whether Mobilemedic has completed the last contract and paid what is due the Village for those years.

Trustee Schoonmaker felt that not only material items should be looked at it is what we don't see that is also important such as the roof and plumbing repairs, etc.

Trustee Hutchins noted that no monies were received by the Village in the last contract except for utility bills and Mobilemedic was supposed to provide a generator on site in year one and an emergency evacuation plan. Cots were purchased and should be housed in the building, along with food rations. The food rations do not belong to the Village as he has a contract with Red Cross that in the event there is an emergency he is able to get the food from Red Cross. Mobilemedic was also supposed to perform DWI tests for the Monticello Police Department and it was stopped by the Sullivan County District Attorney because the tests weren't valid in court proceedings and he also was supposed vaccinate Village employees but he questioned why these employees need vaccination when the Village provides health insurance. He felt that with all the bartering Mobilemedic still owes the Village \$50,000 and with the exception of the Mayor and himself everyone else let it go for the last four years we will make sure it gets paid this contract. He also noted that there will not be any increase in rent for the next 4 years with no gradual increase although the Village taxpayers increase each year.

Tommy Mack questioned whether the Village Board will go on record as trying to collect what is owed from the last 4 years.

#### **PBA CONTRACT**

Trustee Rue felt that the Memorandum of Understanding between the PBA and the Village is binding and the Village cannot renegotiate those items that were already agreed upon.

#### **Reduction of Work Force**

Rochelle Massey noted that every municipality is cutting their work force to control spending except for the Village of Monticello.

Minutes - Regular Village Board meeting  
8/3/09

**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.

**ADJOURNMENT**

At 9:33 p.m., a motion was made by Trustee Schoonmaker, seconded by Trustee Marinello, unanimously approved on a roll call vote to adjourn the Regular Village Board meeting.

---

EDITH SCHOP, Village Clerk