

Minutes

Meeting of the Board of Trustees

Village of Monticello

October 23, 2012

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

Heather Berg, Village Treasurer

Motion to Accept the Agenda

A motion was made by Trustee Hutchins and second by Trustee Matthews to accept the agenda with the following add-ons:

1. Resolution amending the Standard Work Day & Reporting Resolution passed July 5, 2012 and the adding the standard work day for the previous Village Manager, John LiGreci, at 8 hours per day in accordance with the reported and recorded information over a 3 month period
2. Resolution adopting a curfew for Halloween from 9pm – 6am starting October 26,2012-November 1, 2012
3. Resolution authorizing the payment of \$3,956.41 to the Town of Thompson for Diesel from their Diesel Bid 2012 for the Village Trucks from various appropriation numbers as listed
4. Resolution authorizing the purchase of Type 6 Blacktop not to exceed \$7000.00 from Town of Thompson Bid 2012, to resurface the Village portion of Rick Ridge Drive from app#A.5110.224

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

Manager's Appointments

- Deputy Village Clerk-Stacey Walker
- Deputy Village Treasurer-Carrie LaJoie

Tabled by Mayor Jenkins

Public Hearing to Amend section 265-5(5) & section 265-6 of the Village Code Entitled, "Existing Uses"

The Village Attorney, Dennis Lynch, presented the amendment to the prior resolution that was dated August 21st, 2012, where the Board previously agreed that even if one year elapse in the B1 & B2 Districts, the Building Department is given discretion to decide if the applicant should appear before the Planning Board or not. Any building that has been vacant for more than one year, as long as it is being built on the same foundation and for the same use, a Planning Board referral is not required and you can obtain a building permit from the Building Department.

A motion was made by Trustee Hutchins and second by Trustee Matthews to open the Public Hearing at 7:05pm. Upon the call of the roll, all were in favor.

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

Barbara Burton

A motion was made by Trustee Hutchins and second by Trustee Matthews to close the Public Hearing at 7:09pm. Upon the call of the roll, all were in favor.

Resolution of Adoption- Amending Section 265-5(5) & Section 265-6 – Existing Uses

A motion was made by Trustee Hutchins and second by Trustee Rue to adopt the Existing Uses Amendment-Section 265-5(5) & Section 265-6 of the Village Code. Upon the call of the roll, all were in favor.

Approval of Minutes from the October 2, 2012 Village Board Meeting & October 12, 2012 Emergency Board Meeting

A motion was made by Trustee Rue and second by Trustee Bennett to approve the minutes from the previous meetings. Upon the call of the roll, all were in favor.

Approval of Bills to be paid in the amount of \$1,955,532.48

A motion was made by Trustee Rue with a comment and a second by Trustee Hutchins with a comment to approve the minutes from the previous meetings. Upon the call of the roll, all were in favor.

Trustee Rue thanked the Treasurer for clarifying the transfers for her.

Heather Berg, the Village Treasurer, commented that the transfers that were done were between the different funds within the budget. None of the money transferred was because of a shortage or to cover an expense, they were all due to tax payment re-levys, that had to be deposited into the Water, Sewer & Sanitation Departments.

Trustee Matthews asked that the Treasurer clarify the transfers again.

The Treasurer re-explained the above.

Resolution Adopting the Budget Transfers, Fiscal Year Ending July 2013

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

John Fuller-Village Hall Renovations& Pipeline Project

Pipeline Project

The Village Engineer, John Fuller, commented that all of the piping had been completed from Spring St. through to St. John St. successfully; the only wait is on the paving, which should be happening shortly, once the rain stops. The HELP Loan is still available that the Village is eligible to cover the expenses incurred with the project in the amount of \$935,000.00 which is being given by NYS with a 0% interest rate. A new application has been submitted to FEMA, because they initially denied the first application due to the age of the pipes stating that this would have eventually happened no matter what. The new application states that in spite of the age of the pipes, they still were maintained and usable for a few more years, Hurricane Irene aided in their immediate destruction and the Village is due the assistance. The Village has already received \$40,000.00 +/-, but is still in need of the \$500,000.00+ from FEMA.

Trustee Rue stated that the Village has already incurred a surmountable amount of money because of this project, that are well over \$100,000.00 and this is not even including the bills incurred by Mr. Fuller, we are already pressed for money in the Village. We cannot wait for FEMA, they have already denied us, and we got whatever they were going to give the Village, we cannot keep going on like this.

Mr. Fuller stated that he knows for sure that the bills have not totaled over \$100,000.00 because the project was bid out, and the bid went to Lane, which was the lower bidder. As far as his bills, he is also sure they are not an outstanding amount, because he has stayed within his budget. Mr. Fuller made the Board aware that he is willing to sit down with Trustee Rue, the Treasurer and the Board to clear up whatever discrepancies there are, but he is sure that this project stayed within its' realms.

Village Hall Renovations

As per Mr. Fuller, he is waiting to discuss funding with the Village Treasurer, until that portion is discussed, there is not much else to discuss until funding has been put in place.

Presentation-EBS-RMSCO Employee Benefit Solutions

Russ Hayman, Joseph Monahan & Nannette Grosso presented a Self-Insurance policy to the Village Board of Trustees from EBS-RMSCO

Presentation-Jeff Siegel-Monticello Business Association

Jeff Siegel gave a presentation in regards to "The Bagel Capital" from the Monticello Business Association. The MBA needs the Village to do a Proclamation naming Monticello as "The Bagel Capital", along with the Town and County. The MBA plans to have a weekend festival next year and plans to make this a yearly thing to bring business and people into the Village.

Resolution amending the prior resolution dated October 2, 2012 and authorizing the contract of Gitlin & Associates, LLP for the 2011 fiscal year audit and authorizing the Mayor to sign the same agreement

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

Resolution accepting the payment in the amount of 12,650.00 for the School Traffic Signal repair and to send the item out to bid

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

Resolution authorizing the purchase of Salt Services(snow and ice removal product) from Sullivan County DPW for a total of \$70,000.00 from state bid from app#A.5142.468-Current account balance \$70,000.00

A motion was made by Trustee Hutchins and second by Trustee Bennett to Table this resolution until more information is received from the Highway Superintendent. Upon the call of the roll, all were in favor.

Resolution authorizing the purchase of services from Sullivan County DPW for the line stripping of various Village Streets not to exceed \$7,800.00 from app#A.5110.227-Current account balance \$7,800.00

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

Resolution amending the Standard Work Day & Reporting Resolution passed July 5, 2012 and adding the standard work day for the previous Village Manager, John LiGreci, at 8 hours per day in accordance to the reported and recorded information over a 3 month period

A motion was made by Trustee Hutchins and second by Trustee Bennett with a question.

Trustee Bennett questioned why the two resolutions were separated and not done in one resolution.

Trustee Rue stated that she requested that the resolutions be separated because they are two separate individuals and should be voted on separately.

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

- Trustee Matthews-Yea
- Trustee Bennett-Yea
- Trustee Hutchins-Yea
- Trustee Rue-Nay
- Mayor Jenkins-Yea

Resolution amending the Standard Work Day & Reporting Resolution passed July 5, 2012 and adding the standard work day for Judge Josephine Finn at 6 hours per day in accordance to the reported and recorded information over a 3 month period

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

Resolution authorizing payment in the amount of \$1,140.00 to The Crowne Plaza-Lake Placid, NY for NYCOM Fall Training School for Trustee Bennett for her hotel stay from 9/10/12-9/14/12 from app#A.1010.406

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

- Trustee Matthews-Yea
- Trustee Bennett-Abstain
- Trustee Hutchins-Yea

Trustee Rue-Yea
Mayor Jenkins-Yea

Resolution to go out to bid for the Hauling & Disposal of the Waste Water Treatment Plant's Activated Sludge Cake for the 2012-2013 year. Bid Opening date Thursday, November 15, 2012 at 2:00pm

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

Resolution authorizing the surplus of equipment including a 1988 GMC 7000 Series Dump Truck to Roy Teitsworth Internet Auction in November 2012 to the highest bidder

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 purchase of Type 6 Blacktop not to exceed \$7000.00 from Town of Thompson Bid 2012, to resurface the Village portion of Rick Ridge Drive from app#A.5110.224

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

Resolution adopting a curfew for Halloween from 9pm – 6am starting October 26, 2012- November 1, 2012

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

Trustee Hutchins asked the Police Chief how the curfew will be enforced.

Chief Mir responded that anyone found out on the streets after the curfew time will be asked to go home and if they refuse, they will be taken home and their guardian notified.

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

Resolution authorizing the payment of \$3,956.41 to the Town of Thompson for Diesel from their Diesel Bid 2012 for the Village Trucks from various appropriation numbers as listed

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

Legal Update-

Executive Session

A motion was made by Trustee Rue and second by Trustee Bennett to go into an Executive Session at 9:55pm to discuss the following issue:

*Personnel-Village Treasurer
Pending Litigation*

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

A motion was made by Trustee Bennett and second by Trustee Matthews to come out of an Executive Session at 10:50pm. Upon the call of the roll, all were in favor.

A motion was made by Trustee Matthews and second by Trustee Hutchins to retain the services of Steve McGiff at the same rate of Burke, Miele & Golden due the resignation of Pat Burke in the District Attorney's investigation against the Village. Upon the call of the roll, the vote went as follows:

Trustee Matthews-Yea
Trustee Bennett-Yea
Trustee Hutchins-Yea
Trustee Rue-Nay
Mayor Jenkins-Yea

A motion was made by Trustee Hutchins and second by Trustee Matthews authorizing the Village Attorney to put in a stay of Arbitration in the case against the Monticello PBA. Upon the call of the roll, the vote went as follows:

Trustee Matthews-Yea
Trustee Bennett-Yea
Trustee Hutchins-Yea
Trustee Rue-Nay
Mayor Jenkins-Yea

A motion was made by Trustee Rue and second by Trustee Bennett authorizing the acting Village Manager to be paid \$3,000.00/month pursuant to the budget.

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

Trustee Matthews-Yea
Trustee Bennett-Yea
Trustee Hutchins-Nay
Trustee Rue-Yea
Mayor Jenkins-Abstain

A motion was made by Trustee Hutchins and second by Trustee Matthews to approve the settlement of the former Village Manager, John LiGreci, pursuant to the discussion in Executive Session. Upon the call of the roll, the vote went as follows:

Trustee Matthews-Yea

Trustee Bennett-Yea

Trustee Hutchins-Yea

Trustee Rue-Nay

Mayor Jenkins-Yea

A motion was made by Trustee Rue and second by Trustee Bennett authorizing the salary of the Treasurer, Heather Berg, at \$60,000.00/ year and hiring her full-time effective 30 days from this date, hours and start date to be discussed and determined by Mayor Jenkins. Upon the call of the roll, all were in favor.

A motion was made by Trustee Rue and second by Trustee Bennett authorizing the Mayor's appointments of the Deputy Village Clerk, Stacey Walker and Deputy Village Clerk, Carrie LaJoie. Upon the call of the roll, all were in favor.

Adjournment

A motion was made by Mayor Jenkins and second by Trustee Matthews to close the meeting at 11:00pm. Upon the call of the roll, all were in favor.

Submitted by:



Janine Gandy, Village Clerk