

Minutes

Meeting of the Board of Trustees

Village of Monticello

November 20th, 2012

7:00pm

Call Meeting to Order

The meeting was called to order at 7:09pm by Mayor Jenkins

Pledge to the Flag

Roll Call

Mayor Jenkins-Present Carmen Rue-Present T.C. Hutchins-at 7:17pm
Larissa Bennett-Present James Matthews-Present

Also Present:

Dennis Lynch, Village Attorney
James Snowden, Code Enforcement Officer
James Steinberg, Highway Superintendent
Chief Mir, Police Department

Motion to Accept the Agenda

A motion was made by Trustee Bennett and second by Trustee Rue with a comment & to accept the agenda with the following add-ons and omissions:

1. Omission of Resolution #20 as it was previously voted and passed November 2011
2. Addition of wording in Resolution #21, authorizing the acting Village Manager to continue talks regarding the Concord Water Contract
3. Discussion of a property on Cottage Street in Executive Session
4. Addition of James Snowden, Code Enforcement Officer to address the Board in Executive Session

Trustee Rue commented in regards to the wording of resolution# 21. She stated that we need to authorize the acting Village Manager to continue talks. The Village Manager should be talking to them.

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

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

Mayor's Report

Approval of Minutes from the October 23rd, 2012 Village Board Meeting

A motion was made by Trustee Bennett and second by Trustee Matthews to approve the minutes from the previous meetings. Upon the call of the roll, the vote went as follows:

Trustee Matthews-Yea

Trustee Bennett-Yea

Trustee Hutchins-Absent

Trustee Rue-Yea

Mayor Jenkins-Yea

Approval of Bills to be paid in the amount of \$1,630,836.44

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

Jeff Siegel-“The Bagel Capital” Proclamation

The Board decided to move forward with the Proclamation

Presentation-Alan Scott-SC Partnership

Alan Scott was present for Sullivan County Partnership. He gave a presentation on revolving Business Loans & made the Board & Public aware of the services offered by the Partnership for businesses old & new. He also gave an overview of the current projects that are being worked on by the Partnership and local businesses.

Resolution Adopting the Budget Transfers, Fiscal Year Ending July 2013

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

Resolution amending Local Law No.11 of 2012, Section 220-24 Entitled, “Owner required to remove from sidewalks” passed October 2nd, 2012 and deleting the calcium chloride requirement of the law

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

Trustee Hutchins commented that in the past notices were sent out to the business owners on Broadway; is this something that can be done again to let them know that the Calcium Chloride is not a requirement.

The Highway Superintendent, Jim Steinberg, stated that he will make sure that this is taken care of with the Clerk.

Trustee Rue asked if this was the law that was previously adopted and what are we actually amending?

The Village Attorney, Dennis Lynch, answered that his is the same law; we are only amending the Calcium Chloride requirement portion and keeping the weight limit for vehicles on the sidewalk, which was not in the original local law.

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 Rue and second by Trustee Hutchins with a comment. Upon the call of the roll, all were in favor.

Trustee Hutchins thanked the Highway Superintendent for clarifying the purchase amount.

Resolution authorizing a refund payment to the NYS Education Department, Grants Finance Division, in the amount of \$1,074.00 for the Records Grant

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

Trustee Rue asked the Clerk if the money could be used for another project, being that we did not use it all.

The Clerk responded that because this is a grant, the monies were slated for a specific project, and once that specific project is complete any unused monies must be returned.

Resolution approving Change Order# 3B-3 for Final Quantity Adjustments in the amount of a credit of \$42,355.80 and authorizing the Mayor to execute Change Order #3

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

Resolution authorizing the Mayor to approve Payment Request #3 for Merritt Construction, Inc. performing work under Contract 3B of the Nelshore Drive Waterline

Project and authorizes the Village to pay their Payment request in the amount of \$94,019.17 in accordance with the terms of their contract with the Village

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

Resolution acknowledging the work completed by Argenio under Contract 3A as complete in accordance with the terms of the contract, ready for Final Payment and authorizes the release of retainage

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

Resolution to rescind & re-vote the prior resolution dated October 23rd, 2012 regarding the settlement package of the former Village Manager, John LiGreci

Trustee Hutchins asked that we table this issue and discuss it in Executive Session.

Trustee Rue stated that this is not for executive session.

Trustee Bennett commented that this has already been done. I did want to rescind my vote and for the record I was ill-advised and she investigated the issue for herself and it was wrong and should not have been done, but it's too late now, we cannot take it back.

Trustee Rue stated that she wants everyone to know that she was against this resolution and did not vote in favor of this resolution. This was wrong and should not have passed, but we cannot take it back now because T.C. Hutchins has already delivered the check to Mr. LiGreci and it was wrong.

Resolution authorizing payment to MTek in the amount of \$3,312.57 for the Sewer Department for the FOG & activated sludge treatment

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

Resolution to set up a Work Session to discuss the requirements for the Village Manager position

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

Trustee Hutchins commented that he thinks that it is great to have a work session, but the Clerk should still be directed to advertise for the position, because it's going to take a couple of months anyway to fill the position. We can have these work sessions while we are advertising.

Trustee rue stated that we need to have a work session because in the past we did not have down any requirements for what we wanted and we also need to discuss the residency, if someone applies from New York City, do we want them to live in the Village, and we have to discuss that.

Trustee Hutchins stated that he agrees with all of that, but we can still advertise in the meantime. We should go by what current requirements we have so that we can start getting the word out. It is going to take 30 to 45 days to run the advertisement and in that time we can come up with whatever requirements we want.

Mayor Jenkins stated that with these work sessions, we can decide if we want someone outside of the Village instead of inside the Village.

Trustee Rue stated that in 2009, the Board met for a whole month to come up with requirements for a Village Manager, the Village Code does not state any requirements. We are not going to put one person or the Clerk over the requirements for what we need.

Mayor Jenkins asked what wrong with a work session, a work session can get us all on Board with what we are looking for in a Manager, so that we can come up with something because as you can see Manager's are not working, it's not happening, so this Board should get together and decide what we want and are looking for through a work session. That's the best way to go. If you advertise first, you are going to have to spend money and if we do not get what we are looking for spend money again, why spend money twice?

Trustee Hutchins stated that you are going to have to spend money anyway to advertise, so why not go ahead and start advertising and in the meantime, do the work sessions.

Trustee Rue stated who is going to decide what goes into the advertisement, you, me, no, I would like to sit down as a Board and come up with what we are looking for.

Mayor Jenkins stated I would like to just sit down with the Board as a whole, just like we do our budgets and everything, we sit down as a Board as a whole and discuss it.

Trustee Rue stated that it is not fair to not discuss this issue in front of the Public; this is not an issue for an Executive Session because it's not Personnel.

The issue was tabled by Mayor Jenkins.

Resolution authorizing the acting Village Manager to continue talks regarding the Concord Water Contract & Village of Monticello

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

Resolution to go out to Bond for the \$935,000.00 HELP Loan being given by NYS with a 0% interest rate for the St. John & Spring St. Pipeline Project

Omitted from agenda

Trustee Rue stated that the Engineer is not here, but we believed the Engineer and former Village Manager and it is not right to apply to the Federal Government for a \$935,000.00, when we have only used up to \$100,000.00 to date. It's like a lie to the Federal Government, this is not true. I looked at the bills and we have only spent \$98,000.00 until now, we have already paid a person to do the bonding for us and even if it's a 0% interest rate, we still have to pay the fee for the bonding, we still have to pay the fee for the Attorney, so this is kind of a waste of money, we do not need \$900,000.00, we only need about \$140,000.00 because the only thing left to do is the parking lot of Ramsay's Funeral Home on St. John. I just wanted to say that we should look at this and when the Engineer comes back from vacation, he should rectify the FEMA application because we do not need to apply to the Federal Government for something that is not true.

Mayor Jenkins stated that this is only a line of credit; we can use what we need and return the rest.

Trustee Rue stated that I do not want to discuss it here, but there are discrepancies there and it needs to be looked at.

Resolution authorizing the increase of Sewer Rates for the Village of Monticello Users and Outside User's by 11% for inside users and 20% for outside users

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

Trustee Rue stated that this is the Sewer Project and asked Glen Gidaly from Barton & Loguidice explain why there is going to be an 11% and 20% increase in the sewer rates.

Glen stated that the Village does have the grant that was given to the Village along with a lot of low interest loans that had to be taken out and have to be paid back. The construction is set to start in either March or April of 2013 and it will be a full functioning modern plant for the sewer department. I am not clear on what the exact amounts are or what the exact increase is per taxpayer, this is for Heather to clarify.

Trustee Rue stated that this project is important to the Village because we are in jeopardy of getting fines from the DEC due to the condition of the current sewer plant; because the electrical is bad and we have to run generators to keep it running, so this is why we have to pay the 11%. We got \$7,000,000.00 in grants and the other \$7,000,000.00 had to be bonded.

Legal Update-

Executive Session-

A motion was made by Trustee Bennett and second by Trustee Rue to go into an Executive Session at 7:57pm to discuss the following issues:

*Cottage Street Property
Code Enforcement Officer*

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 8:53pm. Upon the call of the roll, all were in favor.

A motion was made by Trustee Hutchins and second by Trustee Matthews authorizing that an outside opinion of interpretation be given for the applicant of 2 Holmes Street in regards to subdividing. Upon the call of the roll, all were in favor.

A motion was made by Trustee Hutchins and second by Trustee Bennett authorizing a Work Session is set to discuss the parameters and requirements for Village Manager on Tuesday, December 4th, 2012 at 6:00pm. Upon the call of the roll, all were in favor.

Adjournment

The meeting was closed at 8:58pm by Mayor Jenkins.

Submitted by:

A handwritten signature in cursive script that reads "Janine Gandy".

Janine Gandy, Village Clerk