

Minutes

Emergency Meeting of the Board of Trustees

Village of Monticello

February 20th, 2014

4:30pm

Call Meeting to Order

The meeting was called to order at 4:35pm by Mayor Jenkins.

Pledge to the Flag

Roll Call

Mayor Jenkins-Present Carmen Rue-Present Rochelle Massey-Present
Larissa Bennett-Present James Matthews-Present

Also Present: James Snowden-Code Enforcement Officer

Motion to Accept the Agenda

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

Discussion of 24 Bennett Street Property, SBL#117.-1-13.1

Attorney, Steve Mogel, was present to represent the owners of 24 Bennett Street- Wheat & Sons. Mr. Mogel stated that his client is currently before the Planning Board and has been waiting for a meeting for his application, but do to the weather and other reasons, the meetings have been cancelled. According to Mr. Mogel, any work that has been completed by Mr. Wheat has been cosmetic and does not require a permit from the building department such as painting walls, laying carpet, ect.

The Village Code Enforcement Officer, Mr. Snowden, made the Board aware that this matter has come before them because the current Village Justice and Village Acting Justice have both recused themselves from hearing the case. Mr. Wheat owns the property at 24 Bennett Street and has someone occupying it illegally. According to Mr. Snowden, last year he rode by and noticed that work was being done on the house that had been closed for several years. He stated that he spoke with Mr. Wheat and told him that being that the house had been closed for so many years; he would have to appear before the Village Planning Board to re-open the multiple units. He stated that he told Mr. Wheat what he had to do and since that time, he has gone by several times and the owner continued to work on the premise and has also now has someone living in the home. He stated that he has issued several stop work permits and even notices shutting the property down, but all to no avail and now that he has them in court because of all of their violations, now the Judges have both

recused themselves and he is in need of approval from the Village Board in order to shut the house down and then to move the issue to another or higher court than the Village. The property has not been inspected at all and they have electricity, without an electrical permit or anything else. Mr. Snowden stated that he has pictures of the site and there has been much more than cosmetic work done, walls have been moved and replaced, electrical has been done, the water is on, new electrical meters have been installed, ect. As per Mr. Snowden, any Stop Work Order placed on the property has been torn down by Mr. Wheat and he continues to do what he chooses and the Police Department can verify all that is being stated.

Trustee Rue stated that she is not sure why the matter is before the Board; Mr. Snowden has shut many houses and properties down without the consent or interference of the Board before, that is Mr. Snowden's job and why does the Board need to intervene now?

Mayor Jenkins stated that Mr. Snowden was doing his job and went to the Courts for help, but with them recusing themselves because of who is in front of them, Mr. Snowden had to come to the Board to move the matter further.

Mr. Mogel stated that it is not unusual for Judges to recuse themselves from cases if they know the parties involved, it happens all the time and the matter goes to another court.

Mayor Jenkins stated that there is too much recusing in our Village Courts because of friendships and relations with people being brought before them and that is why it is hard for anyone to get a fair case here. It's not right. If Mr. Snowden cannot go and do the job we hired him for then what is he here for, if he can't go and get help from the proper departments, when he needs their assistance, then what good is he and them? If we are just going to let people do whatever they want then what's the purpose of any of us being here?

Resolution authorizing Special Counsel to take Legal Action on behalf of the Village against the owners of 24 Bennett Street, SBL#117.-1-13.1

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

- Trustee Rue-nay
- Trustee Bennett-abstain
- Trustee Matthews-yea
- Trustee Massey-yea
- Mayor Jenkins-yea

Adjournment

A motion was made by Trustee Rue with a second by Trustee Bennett to close the meeting at 4:51pm. Upon the call of the roll, all were in favor.

Submitted by:

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

Janine Gandy, Village Clerk