

Minutes

Board of Trustees

Village of Monticello

May 6th, 2014

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

Jill Weyer-Present

Larissa Bennett-Present

Douglas Solomon-Present

Also Present: Michael Davidoff-Village Attorney
Ray Nargizian-Village Manager
James Snowden-Code Enforcement Officer
Phil Klemen-Water & Wastewater Superintendent

Motion to Accept the Agenda

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

1. Tabling the minutes from April 16, 2014
2. Presentation-Charlie Degliomini-Empire Resorts, Inc.
3. Resolution directing the Village Manager to oversee the arrangement of the Clerk's office and to move the Building Department and all its files back to Village Hall
4. Resolution retaining the services of Richard Baum, Esq. to represent the Village in connection with the Lawsuit entitled, "Village of Monticello v. Wheat & Sons General Contracting, Inc.
5. Resolution retaining the services of Richard Baum, Esq. to represent the Village in connection with the Lawsuit entitled, " Application of Wheat and Sons Property Management, LLC against The Village of Monticello, et al"
6. Resolution setting a Public Hearing date to amend Local Law#11 of 1994
7. Resolution hiring Brenda Galligan as the Assistant Treasurer at \$40.00/hr

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8. Resolution hiring Walter Fedun, Jr. as the Deputy Village Manager at a salary of \$55,000.00/year

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

Daniel Teplesky-2015 Monticello Central School District Budget

Monticello Central School Superintendent, Daniel Teplesky, was present with the districts Business Officer to discuss the 2015 budget. They discussed the proposed budget, prevention measures, and savings that are listed in the 2015 budget. They also, encouraged everyone to vote on Tuesday, May 20th, 2014.

Andrew Arias-Village Auditor-2013 Audit Presentation

Andrew Arias, the Village Auditor, was present to discuss the 2013 audit. He discussed discrepancies in fund balance and the spending trends in the Village. He also stated that the Village is up to date and all of the financial information is current.

Presentation-Charlie Degliomini-Empire Resorts, Inc.

Mr. Degliomini, Executive Vice President was present from Empire Resorts. He began by thanking the Board for moving forward on the Water agreement and getting it completed. He also stated that they are leaps and bounds ahead of their competitors in regards to completing the application to the State for a casino license in this area and are hopeful for a favorable response. He also stated that they are looking at plans for developing the current Raceway site and making sure that the Village is always maintained.

Public Hearing to allow Assisted Living in the B1 (General Business) Zoning District

As per the Village Attorney, Michael Davidoff, the Planning Board is still discussing the issue and Mr. Baum informed me that they are looking into the language of the B-2 and getting advice from the Village Engineer. This item should be tabled until the first meeting in June to give the Planning Board a chance to prepare a recommendation and give it to the Village Board.

The Planning Board Attorney, Richard S. Baum, stated that he is looking into this issue to see what exactly what was passed with the B-2 Zone, and once he can recover this information, he will have a better idea on how to advise the Planning Board, but they have to first see exactly what happened.

A motion was made by Trustee Rue with a second by Trustee Solomon to Table this item until the first Board meeting in June. Upon the call of the roll, all were in favor.

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Public Hearing-Amending the Village Code and Repealing Chapter 53 entitled, “Police Commission” for the Village of Monticello

A motion was made by Trustee Solomon with a second by Trustee Weyer to open the Public Hearing at 7:52pm. Upon the call of the roll, all were in favor.

The Public notice was read by the Clerk.

Mayor Jenkins stated that he wanted to explain what the Commission was about. He stated that he had been on Boards for about 12 years and there was no actual grievance committee or procedure in the Village for the residents and Police Officers in the Village. So, I came up with this idea of the Police Commission. Police Commissions are not uncommon. I know the DA, James Farrell, & the PBA, John Riegler; they have a problem with it. I think it is something that is definitely needed in the Community because there is no relationship between the civilians and the Police Officers in this Village. When they have grievances, who do they go to? Maybe I made a mistake by being on the grievance committee; it's not about me being on that committee. Maybe we can give it to Doug Solomon, maybe we can give it to Carmen, but we do need something where if there is an issue in the Village a person should be able to come to someone and have their issue addressed. I don't think that this Village should be just about locking up everyone and putting felonies on them and putting them in this \$95 million dollar prison that is being built. I think there are better avenues than people going to prison; crime fits where it belongs, but things are getting a little ridiculous. Doug Solomon was the Chief here and we would sit here and deal with some serious complaints in this Village and I think that it was good that they had someone to go to air out their differences, without a person being able to air out their grievances or differences, you can create some serious problems when a person does not have an outlet. People do come with serious issues and there needs to be a grievance or complaint procedure in this Village, where do they go?

Trustee Rue commented to the Human Rights Commission. The Village adopted the local law and it was up to the Manager to appoint seven (7) members. I can give you the local law, and it's not only for the Police Department, it's for tenants, land lords, for everybody. I was the Chairman for a few years and I always came and tried to resolve the problems and we didn't have the commission and it worked very well.

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

Carl Hornbeck

John Riegler, PBA President

James Farrell, DA

David Gillman

Thomas Rue

Monique Newsome

Eric Berg

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Bess Davis
Janette Williams
Charlie Sabatino

Adoption of Local Law #1 of 2014

A motion was made by Trustee Rue with a second by Trustee Solomon to abolish and repeal Chapter 53 of the Village Code entitled, "Police Commission". Upon the call of the roll, the vote went as follows:

Trustee Rue-yea
Trustee Bennett-yea
Trustee Solomon-yea
Trustee Weyer-yea
Mayor Jenkins-nay

Trustee Rue stated that if anyone is interested in joining the Human Rights Committee to please contact the Village Manager.

Approval of Minutes from the April 16th, 2014 meeting

Tabled

Mayor's Comments

No Comment

Manager's Report

The Village Manager, Mr. Nargizian, reported that he had several meetings with Adelaar, the cooperation vying for the casinos at the old Concord site. A couple of the representatives are currently here and have spoken tonight and I thank them. I also attended the Monticello Housing Authority monthly meeting and I explained to them what is going on and that it was the Village Manager's job to appoint open seats on their Board. There are three open seats and I will appoint said individuals to the open seats before the next Board meeting. Any person interested in applying for this position, should arrange for an interview with the Village Manager. The Zoning Committee met on May 1st to complete the re-zoning for the Village, members of this committee are either long-time residents or professional planners. Prior to the meeting Ethan Cohen from the SC DPEM spoke to us in regards main street technical assistant grants and historic property tax credits. On Monday, April 28, 2014 I had a meeting with Dave McEwen from the NYSDOT, Helen Buddrock, James Steinberg & Bill Masters, this was regarding the Jefferson Street Transportation Improvement Project. The terms of the project were discussed and the letters of intent have been mailed out to five (5) consulting firms on the Sullivan County short list. All letters of interest must be returned no later than Thursday, May 14, 2014 at which time a consulting firm will be chosen. I will keep everyone abreast as the project moves forward. Heather Shear was dismissed from her position as Confidential Secretary to the Manager on

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Monday, May 5, 2014. Also on Monday, some Village employees met with the County and took a walk along Broadway to see what properties may be eligible for credit assistance grants. Thank you all for listening.

Approval of Budget Transfers for fiscal year ending July 2014

A motion was made by Trustee Rue with a second by Trustee Bennett to approve the budget transfers. Upon the call of the roll, all were in favor.

Resolution allowing an Easement to the sidewalk at 476 Broadway (SBL#111.-5-23 & 24) and authorizing the Mayor to execute and sign an agreement stating the same

A motion was made by Trustee Rue with a second by Trustee Bennett to Table this item as more information is being looked into. Upon the call of the roll, all were in favor.

Resolution authorizing the Clerk to remove a water/sewer/sanitation lien from the 2013/2014 tax bill of SBL# 115.-1-11 in the amount of \$12,388.82 and correcting the tax bill with the lien amount of \$919.60

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

Resolution authorizing payment to Barton & Loguidice, DPC in the amount of \$10, 918.50 from the MRMI-EPT Concord LLC -Water Supply Agreement escrow account app#T.0032.575-Current account balance is \$19,513.50

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

Resolution of the Village of Monticello in support of MRMI's application for a destination gaming resort at Adelaar, a comprehensive planned destination resort in Sullivan County, in the Town of Thompson

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

Resolution supporting the siting of the first two Class III gaming casino destination resorts in the Catskill region strictly in the County of Sullivan

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

Resolution authorizing payment to East-Tek Security Systems in the amount of \$2,172.80 for the Parks & Rec Department from app#A.7140.101-Current account balance is \$32,532.98

Mayor Jenkins commented that this is the bill for the work done over in the Ted Stroebele Center and it needs to be paid.

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A motion was made by Trustee Rue with a second by Trustee Solomon to Table this item. Upon the call of the roll, all were in favor.

Resolution authorizing going out to bid for the removal for the Justice Court debris and setting a bid opening date & time

A motion was made by Trustee Solomon with a second by Trustee Rue to withdraw this item from the agenda. Upon the call of the roll, all were in favor.

Resolution authorizing payment to the Sullivan County Treasurer's Office for Foreclosure Fee's in the amount of \$11,700.00 from app#A.1235-Current account balance is \$11,700.00

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

Resolution authorizing payment to Allen Tunnel Corporation for the installment & update of the Installment Contract Program in the amount of \$1,000.00 from app#A.1330.200-Current account balance is \$5,700.00

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

Resolution authorizing payment to Schmidts Wholesale Inc for a Check Valve for #2 Low Lift Pump at the Water Plant for the Water Department in the amount of \$2,508.99 from app#F.8320.459-Current account balance is \$9,715.29

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

Resolution setting the dates for the Annual Spring Clean-Up for May 17th – May 24th, 2014 from 8am – 2pm M-F and 8am - 11am Saturdays, no Sundays. All debris is to be taken directly to the Landfill (Sullivan County Transfer Station) on East Broadway

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

Trustee Rue commented that the seniors can put their items on the curb and the Village will pick it up for them, so that they do not have to haul it on their own.

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

Resolution setting up Budget Workshop Meetings for the 2014/2015 Fiscal Year

A motion was made by Trustee Solomon with a second by Trustee Rue to set the meeting dates for Thursday, May 15 & Tuesday, May 20th, 2014 at 5:30pm. Upon the call of the roll, all were in favor.

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Resolution authorizing the Clerk to Advertise for a Village Manager in the local newspapers

A motion was made by Trustee Rue with a second by Trustee Solomon to withdraw this item from the agenda. Upon the call of the roll, all were in favor.

Resolution authorizing payment to Immel & Son Welding for the Emergency Repair to Stand Tank on High Street in the amount of \$1,320.00 from app#F.8340.421-Current account balance is \$4,910.66

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

Resolution retaining the continued engineering Professional Services of Barton & Loguidice, DPC for Improvements to the Village of Monticello Wastewater System

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

Resolution retaining the continued engineering Professional Services of Barton & Loguidice, DPC for Improvements to the Village of Monticello Water System

A motion was made by Trustee Weyer with a second by Trustee Solomon. Upon the call of the roll, all were in favor.

Resolution accepting the Corrective Action Plan and Authorizing the Submittal of the same to the Office of the State Comptroller as amended with the necessary corrections

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

Resolution authorizing the Village Manager or Designee to prepare and submit disbursement requests to NYSEFC for payment of invoices from the Short Term Financing obtained in support of the USDA Project

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

Resolution identifying Barton & Loguidice, DPC as the Village Water & Sewer Engineers

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

Resolution authorizing payment to Baum Law Offices, LLP in the amount of \$1,050.00 for various Legal Services from app#A.1420.404-Current account balance is 12,206.24

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

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Resolution directing the Village Manager to oversee the arrangement of the Clerk's office and to move the Building Department and all its files back to Village Hall

A motion was made by Trustee Rue with a second by Trustee Solomon.

Mayor Jenkins stated that we have not even paid the bill yet and already you want to change things back and create another bill.

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

Trustee Rue-yea
Trustee Bennett-yea
Trustee Solomon-yea
Trustee Weyer-yea
Mayor Jenkins-nay

Resolution retaining the services of Richard Baum, Esq. to represent the Village in connection with the Lawsuit entitled, "Village of Monticello v. Wheat & Sons General Contracting, Inc."

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

Resolution retaining the services of Richard Baum, Esq. to represent the Village in connection with the Lawsuit entitled, "Application of Wheat and Sons Property Management, LLC against the Village of Monticello, et al"

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

Resolution setting a Public Hearing date to amend Local Law#11 of 1994

A motion was made by Trustee Rue with a second by Trustee Bennett setting the Public Hearing date for Tuesday, May 20th, 2014 at 7pm. Upon the call of the roll, all were in favor.

Resolution hiring Brenda Galligan as the Assistant Treasurer at \$40.00/hr not to exceed \$5,000.00

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

Trustee Rue-yea
Trustee Bennett-yea
Trustee Solomon-yea
Trustee Weyer-yea
Mayor Jenkins-nay

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Resolution hiring Walter Fedun, Jr. as the Deputy Village Manager at a salary of \$55,000.00/year

A motion was made by Trustee Solomon with a second by Trustee Bennett to Table this matter until the May 15, 2014 Work Session. Upon the call of the roll, all were in favor.

There was no Executive Session

Adjournment

A motion was made by Mayor Jenkins with a second by Trustee Weyer to close the meeting at 9:28pm. Upon the call of the roll, all were in favor.

Submitted by:



Janine Gandy, Village Clerk