

**Minutes**  
**Village of Monticello**  
**Monday March 15, 2010**

**1-MEETING TO ORDER**

Mayor Jenkins called the meeting to order at 7 PM

**2-PLEDGE TO THE FLAG**

**3-ROLL CALL**

The following were present

Gordon Jenkins, Mayor

Theodore Hutchins, Deputy Mayor/Trustee

Victor Marinello, Trustee

Carmen Rue, Trustee

Scott Schoonmaker, Absent

Also present: Doug Solomon, Police Chief

Bob Gaiman, Village Attorney

Glen Gidaly, Barton&Loguidice

James Steinberg, Highway& Sanitation Superintendent

**4-APPROVAL, Minutes-February 1, 2010-March 1, 2010**

Yes, for February 1, 2010 with corrections. Table minutes of March1, 2010 for corrections.

Village Clerk. I would like everyone to know that a correction is not warranted. If a person says something incorrectly or if a person is not using the correct word. Only if there is a spelling error or the person was quoted incorrectly. Thank you

Theodore Hutchins, Trustee Carmen I think you need to give the Village Clerk. The suggested changes that you have in mind and label it for him so he can review them

5-Mayor's Report-I will pass on a report for this meeting.

6-Manages Report-Absent

Theodore Hutchins, Trustee-Where is the Manager? Has anybody received a letter form in a request to go on vacation?

Village Clerk-I think he told me he's on vacation.

Carmen Rue, Trustee-he told me he was taking a few days off and is coming back on Wednesday

Theodore Hutchins, Trustee-it's good that he told you common, but you're not the whole board. I think we have a communication breakdown. The Manager needs to let the Mayor, no because in the absence of the Manager. The Mayor is responsible. My question is, if the Manager is not here and no one contacted The Mayor. Who is taking care of the day to day daily operation?

Carmen Rue, Trustee-John he told you to tell the Mayor and everyone.

Village Clerk, I am not going to get caught up in the middle of this Carmen. He told me he wouldn't be here for two weeks, and he's the Village Manager. He never did and he doesn't have to explain to me why he is not here

Theodore Hutchins, Trustee- He is the Manager and we are responsible. We supervise the Manager. I am pretty sure if the Highway Superintendent, when you decide to go on vacation. You just don't decide I am going and don't tell anyone. There is a chain of command. We need to take him before the board to discuss this and also put a letter of protest memo reminding him that there is a procedure to be followed. When you take time off. And put that in his file. The Manager is not above the procedure that needs to be followed.

Mayor Jenkins-the bottom line is the Manager needs to have responsibility and answer to the board. We are his boss.

Theodore Hutchins, Trustee-Mr. Mayor. I think we need to direct the Clerk immediately to contact all of the department heads to let them know that if there is any issues or concerns to contact the Mayor.

Village Clerk-I will if I am directed by the board.

Victor, Marinello. Trustee-I think there should be some kind of a memo going out to inform the employees to make it official and let the people know what's going on.

Theodore Hutchins, Trustee-John (Village Clerk). You have three board members that are directing you to contact the department heads and let them know the manager is not in and if there is an emergency to contact the Mayor or the Village Clerk and I will let the board know of any issues.

Mayor Jenkins-Glen Gidaly is going to talk to us about the walkway project.

Glen Gidaly-we talked before at private meetings about the walk able Monticello project. This is a public informational meeting about the project. We would like to explain the background, where we are now in terms of the project. When it's going to be delivered and how you can make comments about the project. This project started a little over a year ago, some of you may recall. There was an opportunity to apply for funds under the transportation enhancement program through the New York State Department of Transportation program. Working with the village we were able to have the County planning department put the grant together for no charge to the village. We worked with them. The grant was highly rated and was approved at 80% funding 20% local. Subsequent to that the village was able to get funded through the stimulus program, which is federal money at 100% the way this works is that it's a reimbursement. The village fronts money and then applies for reimbursement. The total was \$330,000 dollars.

Dan Walker-I would like you to know that we are 100% funded with the project. We just need to follow federal guidelines. One of the guidelines is to put together a schedule and follow it. The next guideline taking care of our environmental guidelines. We also need to develop a design. We need to have an informational meeting with the public to let them know what's going on and answering their questions. We will answer questions on traffic and impacts to the road. We will also talk about construction time that will give us the least amount of impact to the public. If you have any questions. I will be happy to answer.

Theodore Hutchins, Trustee-are there more funds that we have to pay for this project.

Dan Walker-Excess of \$330,000 dollars. Anything over this amount that Village of Monticello will be responsible for paying

Glen Gidaly-we would come back to you with the bids and only the village could accept or reject the bids no one else

Carmen Rue, Trustee-how many companies you get their

Glen Gidaly-it will be an open public bid as many that reply.

Theodore Hutchins, Trustee. Is there any way we could tie into with these contracts as to them hiring local people that live in the village to create some jobs

Glen Gidaly-what's good about this particular one as opposed to say the sewer plant or some of the bigger projects. Is that we're expecting some of the smaller firms to be able to do this. Or do you mean putting language in the bids stating this.

Theodore Hutchins, Trustee-I'm not asking to put it in the bid process. However, we would like to let them know that we would like for them to hire some local workers from here.

Village Attorney-I don't they keep going to be able to the T.C. because the funding is based upon a contract that the federal government and the DOT are going to require you to use. Because there is federal money being used. What you can do is when you get the lowest bidder. You could informally ask him to hire some local people.

Glen Gidaly-I think the board in terms of policy has made very clear to us that we need to speak to the contractors about this issue. I think in terms of putting it in writing and a bit form. It's not something we could do

Glen Gidaly-I would like to be clear with the sidewalk project that the village is delivering for the people. People will be responsible and there already is an ordinance that has to do with snow shoveling and that type of maintenance. The village is not going to be doing that the property owner is responsible.

Unidentified person-the appearance of the sidewalk, is there any money for landscaping or amenities between the sidewalk and the road?

Dan Walker-whatever money is left from our engineering will be use for sidewalk landscaping.

Village Attorney-it will be similar to the sidewalks that were made in Rock Hill.

Tina-on this picture you have grass, sidewalk and then whoever lives there or if it's the high school the lawn has to be mowed. The sidewalk has to be cleared of snow and there are stretches on your map that indicates that.

Dan White-that map that you are looking at indicates that we are 1500 feet away from the school.

Brian Solar-I have a question but just let me piggyback on that. I remember when they redid ideal bungalows. They had originally put a crosswalk and after the project were completed. I believe they had to take a crosswalk out could there be an agreement with the village to keep that area clean and meet.

Glen Gidaly-Anything is possible, these particular funds were given to be on this particular state highway. I think, the chief would like to reinforce this.

Village Attorney-that could always be addressed later, what Mr. Solar said.

Victor Marinello, Trustee-just hypothetically, in what you said, how do you rebuild the sidewalk without rebuilding the grades also. I think this is a great project, but I rather see the money be spent on a complete project. Then, a partial job.

Dan White-I think maybe I misspoke. We will do what we have for budget maintains the existing drainage and if there are areas of concern. We will also take care of that issue, but keep in mind funding is specific that it is a sidewalk project.

Barbara Burton-the following is my fourth attempt to make one going to say, understood to Mr. to Gidaly and B&L in general. Okay who's ever been here? And that includes stake and federal participation in before I give you the sentence that I want to give. I did attend a SEQRA meeting this past week they themselves don't know what they are doing. They admitted it and I found a fly in the ointment at that meeting. I was invited at the last minute and let me tell you something, everything is going to be A okay. Now my statement. Once again, while our guests , and I (Carmen I want to go home) any action taken at this time with this or any Project of its kind is not in order both cost-effective and ethically do to the absence of all relevant factors. Thank you.

Mayor Jenkins-anyone else, any questions?

Glen Gidaly-Mayor, I would like to talk about a different project now, this is the sewer project that we discussed at the last few meetings. I provided to the village clerk and copies were made to the Trustees on the negative declaration resolution establishing that the SEQRA full environmental assessment has been completed and the village is declaring a negative declaration on the project. I believe the clerk has that resolution.

Theodore Hutchins, Trustee-just for a quick discussion

Carmen Rue, Trustee-what about if we put a motion and the second first

Motion by Carmen Rue, yes

Second by Victor Marinello, yes

Theodore Hutchins-it says on their about not having a significant effect. When they do the review and if the prices of the house decrease because of the project. I'm good this is the wrong project. I'm thinking about.

Theodore Hutchins, yes

All in favor (carried) 1 Absent

Mayor Jenkins-the Village of Monticello New York State Department of Transportation and the Federal Highway Administration welcome you to a Republic information meeting for walk able Monticello Forestburgh road sidewalk construction Monday, March 15, 2010 at 7 PM as part of the village board meeting at the Monticello Village Hall.

## 8-Resolution to approve bills

Motion by Carmen Rue, yes

Second by Victor Marinello, yes

Theodore Hutchins, yes

Scott Schoonmaker, Absent

All in favor (carried) 1 Absent

## 9-Resolution, water Department

Whereas, The Water Department needs to pay for repairs for AURORA PUMP QUOTE of supply vehicle truck equipment in the amount of 4,330.00 dollars to R and R Pump and Control Service

Motion by Carmen Rue, yes

Second by Victor Marinello, yes

Theodore Hutchins, yes  
Scott Schoonmaker, Absent  
All in favor (carried) 1 Absent

### 10-Resolution Water Department

Whereas, The Water Department needs to pay for repairs of AURORA PUMP QUOTE source of supply; cap. Pro, Extended. In the amount not to exceed 1, 490.00 dollars. To R&R Pump& Control Service

Motion by Carmen Rue, yes  
Second by Theodore Hutchins, yes  
Victor Marinello, yes  
Scott Schoonmaker, Absent  
All in favor (carried) 1 Absent

### 11-Resolution Village of Monticello

Whereas, the Village of Monticello needs to pay for NYS contract NO-DO32034 Estimate NO.4 PAYEE ID 16-1020368 FROM 12-27-2009 TO 1-30-2010 Sidewalk Grant 330, 000.00 dollars NYSDOT to Barton&Loguidice in the amount not to exceed \$4,911.15

Motion by Theodore Hutchins, yes  
Second by Carmen Rue, yes  
Victor, Marinello, yes  
Scott Schoonmaker, Absent  
All in favor (carried) 1 Absent

### 12-Resolution Village of Monticello

Whereas, the Village of Monticello needs to pay for Project no-1154.005.001 INVOICE Number: 50320 DATED: October 31, 2009 RACEWAY PROJECT: Village IMPROVEMENTS to B&L not to exceed \$3,103.00 dollars

Motion by Carmen Rue, yes  
Second by Victor, Marinello, yes,  
Theodore Hutchins, yes  
Scott Schoonmaker, Absent  
All in favor (carried) 1 Absent

### 13-Resolution-Police Department

Whereas, the police chief needs to purchase one Kenwood TK 790 mobile radio for the new patrol car from KJBL Radio White Sulfur Springs. Not to exceed \$1,657.00

Motion by Carmen Rue, yes  
Second by Victor, Marinello, yes  
Theodore Hutchins, yes  
Scott Schoonmaker, Absent  
All in favor (carried) 1 Absent

#### 14- Resolution-Highway Street Superintendent

Whereas, the Highway Street Department needs to purchase 4 catch basins with the frame and grates from Schmidt's wholesale in the amount not to exceed \$3,000.00 dollars

Motion by Carmen Rue  
Second by Victor, Marinello, yes  
Theodore Hutchins, yes  
Scott Schoonmaker, Absent  
All in favor (carried) 1 Absent

#### 15-Resolution- Highway Street Superintendent

Whereas, the Highway Department needs to purchase 400'10" pipe with bands and 500 feet of 15 inch pipe with bands to Chemung in the amount not to exceed \$4,500.00

Motion by Carmen Rue, yes  
Second by Theodore Hutchins, yes  
Victor, Marinello, yes  
Scott Schoonmaker, Absent  
All in favor (carried) 1 Absent

#### 16-Resolution Water Department

Whereas, The Water Department has Bids that need to go out within the next couple of weeks for Chemicals and for Fire Hydrants, Valves, Power Seal Ductile Iron Compression Couplets, Wrap Around Clamps and need to go out by March 23, 2010 and to be open in the Clerk's Office on Tuesday April 20, 2010 at 2 PM

Motion by Theodore Hutchins, yes  
Second by Carmen Rue, yes  
Victor, Marinello, yes  
Scott Schoonmaker, Absent  
All in favor (carried) 1 Absent

#### 17-resolution sewer department

Whereas, the Sewer Department needs to cover the cost of sludge hauling and disposal by WE CARE who the bid was awarded to from accounts#1990.400 contingent account \$15,000 to Plans Repairs and Maintenance \$15,000

Motion by Carmen Rue, yes

Second by Theodore Hutchins, yes

Victor Marinello, yes

Scott Schoonmaker, Absent

All in favor (carried) 1 Absent

Theodore Hutchins, Trustee-we had asked our Village Manager and Village Attorney to look into this matter. Where are we with this?

Village Attorney-there is two ways to handle this. Some agreements that were drawn up a long time ago. I think the County Attorney never contemplated that the landfill would stop taking the sludge and the only alternative you have is the Manager and Mayor need to go to the County and negotiate in order to attempt to come to a new agreement. And if they can't come up with a agreement, then the only alternative is and we need to go into executive session to discuss that. And the Manager knows that I told him 2 or 3 times. While we are on this topic. I think it's incumbent of me and I usually don't get in this hearsay stuff. On February 1, 2000 minutes. The manager made some sort of comments that I am not cooperating with them or whatever and Mr. Hutchins spoke to me about that, at that time. That day I said to the manager at that meeting. If you need me to review any documents to e-mail them to me fax them to me or put them in my mailbox or, call me on the phone. So far, I received nothing from our Village Manager to date. Prior to February 1 told the manager also. When anything needs to be review to give it to me and use the same process that I have mentioned above, and it has never happened.

Village Attorney-the way to handle this sewer situation. We had a preliminary meeting with the County and Phil was there, I am not sure if any of the board members were there. The Manager was there also and our legislator. I think the way to try to handle this is to work on our legislators to come up with an agreement.

Theodore Hutchins, Trustee, is there any way you could coordinate this and work with the Mayor and any other Trustee that will be interested in sitting in on this in the absence of the Manager. So we can start dialogue between the County and the Village

Village Attorney-yes, I would be happy to, but I think the Mayor would have more influence scheduling a meeting with The County and the Village that we could all sit in on. The County has to realize that we are providing a service for them and not being paid for it.

Mayor Jenkins-I think, if the board would like me to do this and take care of this deal with the County the board needs to give me the authorization to do so. And not the County Manager. The two of us can't do it at the same time. It's not going to work. And he's gone.

Carmen Rue, Trustee-what about you as A Attorney. That's the whole thing this is an issue you should set up a meeting

### 18-Resolution Treasurer's Office Budget Transfers.

Whereas, The Treasurer needs to do budget transfers to balance the Village of Monticello's budget

Whereas, The following amendments in budgetary transfers need to be made for the purpose of supplementing the items in each account as stated.

Motion by Carmen Rue, yes

Second by Victor Marinello, yes

Theodore Hutchins, yes

Scott Schoonmaker, Absent

All in favor (carried) 1 Absent

### 19-Resolution Planning Board and Zoning Board Alternate

Whereas, the Planning Board and zoning board needs and alternate member to stand in for members that are absent from the duties to: Make a quorum, Break a tie, or a Super Majority Vote.

Whereas, The Village Clerk (Planning and Zoning board secretary) needs to be approved for that responsibility.

Motion by Carmen Rue, yes

Second by Victor Marinello, yes

Theodore Hutchins, yes

Scott Schoonmaker, Absent

All in favor (carried) 1 Absent

Public Comment

Brian solar-I guess prior practice was at the village clerk was also the alternate for the planning and zoning board. If you have only 4 members expands it to 5 members  
Village Clerk and Carmen Rue-it's already five members. That's the problem; we need an additional member in case one is not there.

Village Clerk-I would just like to point out, and I understand what you are trying to say Mr. solar. When you do a majority of five and you need a majority plus one. That means if one member is not there and you have very important decision. The applicant may lose a month and that is counterproductive. To you have an ad hoc or an alternate, it just makes good sense.

Highway Superintendent, Jim Steinberg-Saturday evening. Between midnight and 7 AM the roof blew off of the Sanitation Highway garage, and I'm asking the board to pass a emergency resolution to have it repaired. And John (Village Clerk) and I have contacted the insurance company to see if it's covered under our policy

Village Clerk-while he talked to the insurance company Carol claims adjuster indicated that we were covered.

Theodore Hutchins, Trustee-Bob (Village Attorney), what can be done about the condemned buildings that the owners are not doing anything about.

Village Attorney-you need to have the Engineer and the Building Inspector reviews the building and based upon their report. You can take it to the next level. You need to have documentation before you knock anyone's building down and try to charge them for the work.

Mayor Jenkins meeting adjourned at 9:15 PM

Respectfully Submitted

John LiGreci

Village Clerk

