

Board of Trustees Special Meeting Minutes

Village of Monticello

Wednesday, November 30<sup>th</sup>, 2021

3:00 p.m.

**Call Meeting to Order**

The meeting was called to order at 3:00pm by Mayor George Nikolados.

**Pledge to the Flag**

**Roll Call**

Mayor Nikolados-Present

Trustee Rue-Present

Trustee Massey-Present

Trustee Sabatino-Present

Trustee Banks-Present

**Also Present:**

Janine Gandy-McKinney, Village Clerk

Michael Davidoff, Village Special Counsel

Jay Sherb, Highway Superintendent

Gary Lasher, Village Treasurer

**Motion to accept the agenda**

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

**Resolution authorizing the Emergency Purchase of a Protect SP 12 Snow Pusher fully installed from RTS Truck Center in the amount of \$4,560.00 from app#CL.8120.421 (Sanitation-Repairs & Maintenance). Current account balance before purchase is \$14,421.92**

A motion was made by Trustee Sabatino with a second by Trustee Banks.

Jay Sherb, the Highway Superintendent made the Board aware that the reason for this purchase is that currently the blades on our plows are constantly being replaced because of the amount of snow we get and their constant use. They are not strong enough for repeated cycles in the parking lots and streets that we have to plow. The purchase of this Snow Pusher would save the Village a lot of money, wear, tare, and replacement of the plows yearly. This Pusher is made for big jobs like parking lots and things of that sort. I feel that we will make our money back off its initial use, because it will save a lot of time and you can get more done at a quicker pace. The price that is listed includes the cost along with the installation fee.

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

**Discussion-Taxi Medallions**

Mayor Nikolados reminded the Board that Christina Bruno of We Care Travels was at the last Village Board meeting and wanted to purchase the Medallions from Gary Putter, the owner of Sureway Taxi. Mayor Nikolados stated that he feels that we need to make some changes to this process before any medallions are transferred and or purchased. There are so many issues as far

as the conditions of the taxis, cars from other municipalities being utilized in the Village, multiple colored cars, the waiting time and just the over-all non-compliance of the current companies that are running in the Village right now, there are certainly more issues with one in particular than with the other and we do not have any interest in continuing this. Now is the time to make the changes and regulations because we don't want these issues to continue with a new company. I know that she said if she doesn't purchase a property, she would find one to rent to have a spot for her drivers to sit in during idle time or down time. But we have to look and see if that is something that we want, especially on Broadway.

Michael Davidoff, Village Special Counsel, made the Board aware that current owner of Sureway has the right to sell the medallions to whomever he wants. There is no other way for him to make a return on his investment, other than him selling them. The Village issues the medallions, but we do not own them, they are owned by whomever purchases them and they have the right to do whatever they want to. The Village has to understand that they regulate and make sure that the taxi companies obey the laws that has been set up by the Village and that's it. Janine was able to locate the settlement agreement from the litigation back in 2012 that was won by the taxi cabs, allowing the two companies that are currently in the Village to have most of the medallions and it also detailed other specifications. There was a five-year statute of limitations, that has since passed and at this time, anything stated in this lawsuit is now null and void, so if the Village would like to make changes, open up more medallions, allow for more companies to purchase them, now is the time. It is my opinion that the Village set up a committee consisting of myself, the Village Clerk, 2 Trustees and one of the taxi cab owners to review what we currently have on the books, make the necessary changes and present that information to the Board and the Board would have the final decision, of course it would have to be done through amendments, local laws, and a public hearing or two. In reading the Village Code, there is nothing listed neither is it spelled out that the taxis company must have a business located in the Village as they will be transporting Village residents, but it is assumed and that is something that the Board has to decide if they will add that a requirement in the changes that they are looking to make to the current law on the books.

Trustee Banks stated that some changes definitely has to be made. It is a shame the time that those in need of a taxi has to wait for over an hour and sometimes two just to get a ride home and/or to a store. On top of that, they pick up multiple stops and are charging the riders for the in-between stops before they reach their destination which is not fair. Plus with COVID and this pandemic still going on, they are supposed to be picking up one ride at a time, but that is not the case at all, the cabs are filthy, and frankly a lot of them should not even be on the road because they are not safe and we are putting lives in danger because nothing is being done about it on our part. As far as the individual who wants to purchase Sureways medallions, I too feel that she should have a place located in the Village or a place to park in the Village; that would be insane for someone to have to wait for them to drive all the way from Loch Sheldrake just for a ride to the store. I'm not saying that they have to own a business, but maybe rent a parking lot or something in the Village because we cannot allow the current to go on. I know that we haven't been inspecting the cabs like we should due to a lack of manpower, but hopefully we have that rectified now and we can get back on track with that. We need to allow for more medallions and companies to come in, because this current monopoly is not working. If we can the opportunity to make the change then we need to do it.

Trustee Rue stated that it is a shame with the cabs. She stated that when she used to work in the

office, the clients would have to wait hours for taxis and that's not right. She stated that we do need to make changes and that it should state in the Village Code that they need to have a business in the Village, if not we are defeating the purpose. If the Village is the people being picked up, then they should not have to wait for a taxi to come from another municipality to pick them up. That is wrong. I just want us to be careful that we don't run into another lawsuit like we did the last time. It was a mess and we can't afford another lawsuit.

Mr. Davidoff responded that everyone has good ideas and he is not in disagreement with any of it, but we have to make the changes feasible for all interested parties. He stated that he looked at Liberty's Code and it is very similar and there are little differences, Liberty has a similar population and similar transportation needs as the Village. I feel that we definitely need to set up a committee as I stated before and of those listed this way, the Board members can address the concerns from the Board, the Clerk will take the notes and also provide input being that she deals with these companies, myself and we can get in touch with Mr. Kesten or Mr. Putter to have their input as well. This way it's a group effort and all issues are rectified.

Mayor Nikolados and the rest of the Board all stated that they are in agreement with setting up a committee.

Mayor Nikolados appointed Trustee Massey and Trustee Banks to the committee along with the others mentioned by Mr. Davidoff.

Mr. Davidoff stated so that the Board is aware, you are welcomed to come and view, but you cannot participate in the meetings because we do not want to be in violation of any laws.

Trustee Banks stated that he hopes that the Village will make the applicant aware that wants to purchase the medallions from Sureway that the Board will not have a decision on December 8<sup>th</sup>, so that she doesn't waste her time coming up here for nothing.

Mayor Nikolados asked the Clerk to reach out to the applicant on behalf of the Board.

### **Discussion-Union Contracts**

Mr. Davidoff stated that they are still in negotiations with the Unions and they hope to have some of these contracts settled soon.

The Village Treasurer, Mr. Lasher stated that Mr. Davidoff is correct. They have been able to work out an agreement with the White Collar and Highway Department due to the Covid Hazard monies that the Village received from the State. We were given \$350,000.00 and the specifications for using the money is hazard pay for employees that worked during Covid, Internet and Water/Sewer gaps. We came up with giving each employee \$1,000.00 to settle all old contracts and to start fresh. As far as those eligible, it's only for the employees, the Board has to decide if they want to give it to appointed officials such as myself and the Village Clerk. \$70,000.00 from \$350,000.00 doesn't really begin to fill the gap in the Village budget, but we have to make do with what we have and some of it definitely has to go to employees as that is was it is earmarked for. I would like to get it to those that are in agreement with closing their old contracts before Christmas as I know we can all use a little help, but again, that is up to the Board and how fast we can get everything signed with the Unions.

Trustee Rue stated that she feels everyone should get it because the Village was still open and the employees still worked, even though no one was allowed to come in, the Village still ran and was open.

Mayor Nikolados stated that we are trying to give it to them, but they have to agree to it and as it has already been said, only the white collar and highway collar has agreed to it.

**Executive Session**

A motion was made by Trustee Rue with a second by Trustee Banks to go into Executive Session at 3:38pm for the following:

Personnel

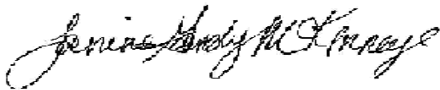
Upon the call of the roll, all were in favor.

A motion was made by Trustee Sabatino with a second by Trustee Massey to come out of Executive Session at 4:07pm. Upon the call of the roll, all were in favor.

**Adjournment**

A motion was made by Trustee Banks with a second by Trustee Sabatino to close the meeting at 4:07pm. Upon the call of the roll, all were in favor.

Submitted by:



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Janine Gandy-McKinney, Village Clerk