

Board of Trustees Meeting Minutes

Village of Monticello

Wednesday, October 16th, 2024

6:00 pm

Call Meeting to Order

The meeting was called to order at 6:13pm by Mayor Massey.

Pledge to the Flag

Roll Call

Mayor Massey-Present

Trustee Jenkins-Present

Trustee Hutchins-Present

Trustee Davis-Present

Trustee Barbarite-Present

Also Present:

Michael Sussman, Special Counsel

James Snowden, Village Manager

Janine Gandy-McKinney, Village Clerk

Motion to accept the agenda

A motion was made by Trustee Hutchins with a second by Trustee Jenkins to accept the agenda with a few add-ons. Upon the call of the roll, all present were in favor.

Approval of minutes for the October 2nd, 2024 Regular Meeting

A motion was made by Trustee Hutchins with a second by Trustee Jenkins to approve the minutes. Upon the call of the roll, all present were in favor.

Mayors Comments

Once again, I approach you with sad news. Our condolences go out to the family of Jose Rodriguez who was fatally assaulted within the village. No matter the circumstances no human being deserves to have life taken away. Again, I want to express my deepest sympathy for the family and friends. This situation is occurring too often within our community, and it is time we regain control as a whole. If there is anyone with issues or concerns, they would like express to the mayor personally or anonymously, they may do so at the following email: mayor_masse845@yahoo.com. I ensure the confidentiality of all information received.

In addition, our sympathies go out to the family of long-time resident Bishop Leon Walker who recently passed on at the age of 98.

It has been a very discouraging time. There seems to be a lack of citizen involvement. My effort towards litter plucking does not seem to be garnering assistance from the public. These actions have led me to institute a Community Standards Project. This project will entail a set of expectations that are accepted by standards of courteous behavior. In addition, there will be regulations and guidelines that establish a safe environment for interactions, cleanliness and courtesies for the community. I will, with the assistance of the board, establish written policies that address problematic activities like violence, littering, maintaining properties and any other behavior that negatively influences the smooth operations of the village.

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On a high note, let me say that most of the building and landowners are still complying with requests towards maintaining their properties. This is a very important aspect of our community because this is the season that special attention should be paid to the fact that electric and propane heaters will be in use.

There are obvious hazards with fire, carbon monoxide and bum injuries. All landlords should have available contact information on file with the village in case of emergency. Once again, the efforts of those that keep their properties up to standards in this community should be commended.

Although most landowners and homeowners are following requests regarding their properties there are some who still do not comply with acceptable procedures. As a result, I plan to start addressing issues such as parking on your lawn, non-maintenance of garbage and containers, timely removal of such containers, cutting of lawns with debris intact, lack of proper parking spaces for tenant use, non- maintenance of vacant lots, etc.

Remember what our slogan is and Board members I am counting on you first to be involved! Every one of you should remember our new slogan **GET INVOLVED, BE PRESENT and ACTIVE in your community!!**

Since our last newsletter, here's what we have been working towards:

1. On September 9th I attended the grand opening of Catholic Charities. They opened their new facilities at 396 Broadway in Monticello. This is a newly renovated location for their food pantry and Case Management Services.
2. We are still working towards the New York State Grant in effort to upgrade our swimming pool located in DeHoyas Park.
3. I am still working towards restarting the annual Senior Games. Volunteers are needed for the committee.

October is Youth Month at Elizabeth Crawford Library. Events will include pumpkin carving, storytelling, etc.

1. Rocky Horror Picture Show
Fallsburg Playhouse
Every weekend in October
2. Recycling & Composting with Cassie Feldman
Elizabeth Crawford Library
October 17th 6-7 pm
3. Youth Clothing Swap & Donations for Babies and Teens
845-794-466. Ext 5
October 19th 11 am-2:30 pm

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4. Sullivan County Mobile Treatment
Unit Bridge Back to Life
100 North Street-October 22nd & 29th
Walmart Center-October 23rd, & 30th
38 Concord Rd-17th, 24th, & 31st
5. Ongoing
Weekly AA/NA Meetings
Ted Strobel Center
7pm-8:30 pm
6. Halloween Day Parade
Line up on Bank St. October 26th
Trunk or Treat will immediately follow at the Ted Strobel Community Center 10 Jefferson St

Reminder:

There is no overnight parking on Broadway. All resident vehicles will be ticketed or towed and fined daily. The Village Hall is closed from 12noon-1pm daily and as of November 1st, there will be no on-street parking throughout the entire Village.

Manager's Report

Mr. Snowden reported the following:

1. He got in touch with Mobil Medic in regards to the rent increase and they are paying the \$4,000.00 amount now and they are aware that they owe us the back rent amount and will be sending that soon
2. The Village will be repairing a major sewer line at the Raceway, our guys will be doing it. They will come in at 4am tomorrow morning and work until it is complete, they have to dig it up, replace it and then complete the job. This is the line that I've been telling you all about for the last few weeks.
3. I am going to get with Michael and see when he has time to set up a meeting with H2O, so we can hopefully get a meeting set up within the next week or so.
4. We have been diligent and have finally got in touch with all of the Outside User's except for four (4) of them. All other's have been contacted and we have collected over \$20,000.00. we have some set up on payment plans and others have paid in full. We have two (2) users with huge balances that are being turned over to our Attorney to handle.

Resolution authorizing payment of the Village Bills in the amount of \$81,027.06

A motion was made by Trustee Hutchins with a second by Trustee Jenkins to pay the Village bills. Upon the call of the roll, all present were in favor.

Resolution authorizing payment to the Sullivan County Treasurer in the amount of \$13,358.28 for SBL#110.-3-39, 115.-7-19 & 118.-1-4.1 to avoid the County's Foreclosure Proceedings from app#A.1950.400 (Taxes Assessments & Adjustments). Current account balance is \$22,665.14 before expense

A motion was made by Trustee Hutchins with a second by Trustee Barbarite with a discussion. Trustee Barbarite stated that parcel 110.-3-39 should be omitted from this payment as it is part of DeHoyas Park and should be reclassified as such. I recommend that that we pay this bill with the omission of this one parcel or we pay this parcel Under Protest and that we direct the Village Clerk and/or Special Counsel to write a letter to the Assessors office or the County requesting that this parcel be reclassified.

A motion was made by Trustee Hutchins with a second by Trustee Jenkins to have pay the taxes to avoid foreclosure proceedings in the amount of \$12,929.10, omitting parcel 110.-3-39 and directing the Village Clerk and or Special Counsel to send a letter requesting a reclassification.

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

Resolution authorizing payment to Empire Electric Motors, Inc in the amount of \$1,450.00 for the repair of the Smith & Loveless 30 HP Motor at the Raceway Pump Station from app#G.8120.421 (Sanitary Sewers-Repairs/ Maintenance) for the Sewer Department Current account balance is \$25,869.99 before expense

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

Resolution authorizing payment to AM Zaccagnino Technical Services in the amount of \$3,360.00 for the Shut-Down and the Start-Up of Removal of all the UV Modules for the Wiper Containers from app#G.8130.408 (Treatment/Disposal-Service Contracts) for the Sewer Department. Current account balance is 16,514.76 before expense

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

Resolution authorizing the Emergency Purchase of a filter for the SCADA System for the Central Building from RS Allied Electronics Automation in the amount of \$1,328.22 from app#G.1940.400 (Sewer Reserved Project). Current account balance is \$73,333.78 after expense

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

Resolution authorizing the Emergency Purchase of Parts from Layne Christensen Company in the amount of \$16,150.00 and for the repair of the Park Avenue Well #1 & #3 from app#F.1990.400 (Contingent Account). Current account balance before expense is \$50,000.00

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

Resolution authorizing payment to Badger Meter (sole source provider) for the purchase of an Orion Cellular Lte Service Unit not to exceed \$1,800.00 from app#F.8320.459 (Source of Supply-Plant Operations). Current account balance before expense is \$60,530.24

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

Resolution authorizing the Village Mayor, Manager, Special Counsel and Village Clerk to sign the

Consent for the Formation of a Sewer Transportation Corporation as recommended by the NYS DEC between Woodstone Villas, LLC and Woodlands Village Development to be known as Woodstone Villas Sewage Works Corp

A motion was made by Trustee Hutchins with a second by Trustee Jenkins.

Trustee Barbarite asked what is the location?

Mr. Snowden responded at the top of the hill on West Broadway.

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

Resolution setting a Public Hearing Date for Proposed Local Law#10 of 2024, adding Chapter 131, entitled, "Constabulary" on Wednesday, November 6th, 2024 at 6:15pm

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

Add-Ons:

1. **Resolution setting a Public Hearing date to Amend Local Law #1 of 2023-Planned Unit Development**

A motion was made by Trustee Hutchins and second by Trustee Jenkins to set a Public Hearing date for a Discussion to either Rescind local Law #1 of 2023-Planned Unit Development or to Place a Moratorium on the Planned Unit Development Local Law on Wednesday, November 6th, 2024 at 6:30pm. Upon the call of the roll, all present were in favor.

2. **Resolution requesting an Engineering RFP for the new DeHoyas Park Pool**

A motion was made by Trustee Hutchins and second by Trustee Jenkins requesting the Village Clerk to send out an RFP for Engineering Services for the new DeHoyas Park Pool. Upon the call of the roll, all were in favor.

3. Discussion-Towing in the Village-

Trustee Barbarite wanted to have a discussion regarding the Tow list in the Village. He stated that the way he reads the law is that the ordinance says the call list begins on January 1st and ends December 31st of each year, so in his eyes because we have not in those parameters right now, anyone can be added to the list at any time. From what I was told the call list that was recently put out had the start dates of October 1st- September 30th, which does not follow the Code.

Special Counsel, Mr. Sussman, stated that he was not aware of this coming up for a discussion this evening, and he thought that the Board had already had a discussion on this and made a decision a few weeks ago during public comment. He stated that he also feels that the proper people need to have a say-so before the Board makes a rush decision and I'm quite sure the Clerk and or the Village Manager can give insight as to what happened because I believe that there were some deadlines or something missed am I correct Madame Clerk.

Mrs. McKinney responded yes Mr. Sussman you are correct. Every tow company received the same information on the exact same date and time because I did a mass email. All of the other companies complied and responded on time and I even gave a few extra days after the deadline to see if anything was coming in the mail. Once the extra days were up, I did the new call list and sent the individuals that did not comply an email using the same one I used to initially send everything a notice letting them know that since I did not hear from them and they did not pay their appropriate fee's, they would not be on the Tow Call list for the year. Remarkably, with two days, they came in with all of their information and payment which I refused to take because the deadline had passed which I expressed to the owner. She stated that they had never received my initial email and only received the one stating that they were no longer on the list. I explained to her that I only have one email for them and it's the one that I used both times, so that's not my fault. She insisted and told me that I had the wrong email or stated that it had to somehow go into their spam mail. In regards to the list being done later in the year, from January to September is a very hectic time in the Village as a whole and especially for me as the Clerk. I have 2nd payment of tax bills to mail out and collect, Re-org, Taxi Cab renewals, Foreclosure, Annual Budgeting Process begins and ends, then lastly, annual tax bill calculating, printing, mailing and collecting and let's not forget the other in-between things that are done daily. That's the reason why I started doing them from 10/1-9/30 and also because of Covid, once restrictions started being lifted which was September of 2020, I was advised by the mayor at that time, to start back up the Towing and it fell in September. So, this has been like this for the last four (4) years and there haven't been any issues.

Mr. Sussman responded so there is a legitimate reason behind the change of the dates.

Mr. Snowden responded yes, the Clerk has a huge responsibility and she tries to accommodate everyone and she did her due diligence. If this company knew that the list came out in October, why didn't they reach out to the Clerk earlier? Why would they wait until they received the second email? Had they even told her that they got her email and needed some time, I'm sure she would have given them some more time as she said, she waited days even after the deadline and got no response or notice from them. Plus, like Michael said, this was already brought before the Board and a decision was made, so why is this before us again?

Trustee Barbarite stated that he wanted to discuss it again, once he read the law and realized that we were not in compliance. My position is, to allow this company to be on the list for this last quarter of the year and then on January 1, open the list back up and everyone will have to pay again to be on it. I mean to me, that's fair.

The Village Clerk responded those that paid and were on time, already paid for the full year, so you want them to pay again for January 1? That's not fair, it's a set fee for the year, and it's not fair to those that complied and met the deadline. This company had a fair chance just like the other ones on the list and why should we now allow them to be on the list? They shouldn't be. It's not fair, especially when I did my due diligence.

Trustee Hutchins stated that he understands what Trustee Barbarite is saying and he agrees with it. He stated that he doesn't feel that it's fair to make everyone repay in January, but he does feel that some leniency should be given because we are not exactly following the law as it is written, and this company should be allowed to be on the list, especially if they've been on the list in the past. Madame Clerk, I understand your position also, you have deadlines and you have a lot of work and you set these deadlines so your work can flow a bit easier, but at the end of the day, the law is the law and if there are going to be any changes to the law, that's up to the Board.

Mrs. McKinney responded, you are correct Trustee Hutchins and it's a Board decision, not mine.

Mr. Sussman questioned how many companies are on the current list?

Mrs. McKinney responded four (4), Prestige has a total of three (3) under separate legal names and then there's Sedlack's on Forestburg Road.

Mr. Sussman stated so it's not just one company monopolizing the list, but the issue is, if the Board decides to add this company, this can now allow others to come in and say that they want to be added to the list because we are outside of the parameters set in the Village Code and I don't know if that is what the Board wants to do and I certainly know it's not what the Clerk desires as she has explained, her plate is already running over.

Trustee Hutchins stated that no, that's not what we're saying. If other come and they've never been on the list, then they should have to wait, but this company has been on the previous list and for whatever reason, they missed the deadline, so that's a different case and they are not just new people coming to be added to the list.

Mr. Sussman stated I just want the record to be clear on why you all, the Board, would consider to add them after this discussion or maybe you will choose not to, but I understand both arguments and I just want everyone to be clear. Mayor it's in your hands.

Resolution to add Gary Mann and his companies to the October 1st, 2024-September 30th, 2025 Tow List

Trustee Hutchins made a motion with a second by Trustee Barbarite to add Gary Mann and his three (3) Towing Companies to the current list that is in place as long as all the applicable fees are paid in full and immediately. Upon the call of the roll, all present were in favor.

Executive Session (if necessary)

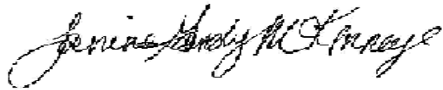
There was no Executive Session

Adjournment

A motion was made by Trustee Hutchins with a second by Trustee Jenkins to close the meeting at 7:09pm. Upon the call of the roll, all present were in favor.

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Submitted by:

A handwritten signature in cursive script, reading "Janine Gandy-McKinney".

Janine Gandy-McKinney
Village Clerk