

MINUTES
REGULAR MEETING OF THE BOARD OF TRUSTEES
VILLAGE OF MONTICELLO, N.Y.
MONDAY, JUNE 16, 2008

MEETING TO ORDER

Mayor Jenkins called the meeting to order at 7:00 p.m.

PLEDGE TO THE FLAG

Roll Call

Upon call of the roll, the following were present:

Gordon Jenkins, Mayor
Theodore Hutchins, Trustee
Victor, Marinello, Jr., Trustee
Carmen Rue, Trustee
Scott Schoonmaker, Trustee

Also Present: John Barbarite, Village Manager
Jacob Billig, Village Attorney
Phil Klemen, Sewer Superintendent
Douglas Solomon, Chief of Police

APPROVAL OF MINUTES BOARD MEETING OF JUNE 2, 2008

A motion was made by Trustee Marinello, seconded by Trustee Schoonmaker, unanimously approved on a roll call vote to adopt the minutes of the meeting of June 2, 2008 as presented.

MANAGER'S REPORT

Restore NY

The Village hopes to participate and secure a grant known as Restore New York. It is expected the award will be capped at 2.5 million dollars, each project, for Main Street Improvements. It is expected to be announced late August or early September. Currently, two property owners have expressed great interest in participating. One property owner has deposited \$5,000 in escrow for design and grant writing services.

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The Mayor and I met with the County Manager and, as a result of that meeting, have secured the assistance of the County Grants Department in the preparation of the grant.

The Village's consulting engineering firm, Barton and Loguidice, together with the County Grants Department will be preparing the applications.

There will be a joint meeting of the Zoning Board of Appeals, Planning Board, and Village Board on June 26 to discuss the scope and impact of the projects.

Insurance

The proposal provides for insurance coverage for fiscal year 2008 2009 at all of the current levels of insurance now being carried with increased coverage for OCP, Failure to Supply, and Lease/Rental Equipment at a reduction in premium of \$19,000.00 from last year

OCP owner/contractors protective-names DOT as the insured for work permits by the Village on state roads.

Failure to Supply - provides insurance if water can't be supplied. The current policy has a limited version of this coverage. This policy provides full coverage.

Lease/Rented Equipment provides coverage if we damage equipment we lease. There is \$100,000 coverage per item.

Website

We are still negotiating the terms of the contract with the website provider. There is one item not yet agreed upon concerning liability. As soon as this item is resolved, the website should be up and running shortly. When the Board approved this contract in January, nothing was done by the previous manager to execute the contract. Upon my taking office I contacted the website provider and started to get the site information to him, only to find that we did not have a contract in place.

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Property Owner's Meeting

There was a meeting with Mayor Jenkins, Trustee Hutchins and myself with owners and representatives of Fairground Estates, Horizon and Moon Manor apartment complexes, and representatives of Section 8 housing together with concerned citizens.

The meeting dealt with gang activity and criminal behavior and code violations which were attributed to residents or visitors at Moon Manor.

There will be ongoing dialogue to address the concerns and fears expressed at the meeting.

The police department will be stepping up patrols and its presence at Moon Manor, Horizons, and Fairground Estates.

Building Department

The building Department has instituted a new procedure to deal with property owners who fail to maintain their properties in accordance with code. Each day the Code Enforcement Officer will inspect properties and issue violations of the Property Maintenance Code. The violations will be mailed or served on the day issued.

One week later, the Code Enforcement Officer will reinspect the property and if it is not brought into compliance the Highway and/or Sanitation Department will clean the property and bill the owner. This cleanup charge will be in addition to whatever fines might be imposed by the court.

Labor Management Meeting

Last year, the Village desired to create a new position, Grounds Maintenance Worker (groundskeepers) in the sanitation department. A meeting was held with representatives of the Union and the concept was approved.

Last week on June 6th there was a labor management meeting, called by the Union, to address the Village's failure to formalize the position by adding an addendum to the collective bargaining agreement.

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The former Manager failed to provide the proper documentation to identify the position, job duties, pay scale, and work hours so that Management and the Union could ratify the agreement.

The Mayor and I met with the union representatives and were able to iron out the remaining issues and we now can finalize the agreement.

He noted that if the Village does do the cleanup or grass mowing the property owner will be billed for the time and machinery that the Highway Department uses, an additional \$150.00 administration fee and they will have to appear in Court and possible be fined.

Trustee Marinello reminded the residents that grass is not allowed to be more than 6" high according to the Village Code.

PUBLIC COMMENT - AGENDA ONLY

Broadway Sidewalk Restoration

Becky Whipple questioned why the Village will be paying for the sidewalk title searches when it is a NYSDOT project?

The Village Manager explained that last year the Village secured easements from all the Broadway property owners, however, after an audit by the Federal Government on another project done elsewhere they determined that easements weren't enough to allow the State to improve private property with a sidewalk, so the Village was advised that we had to secure ownership of the individual parcels. These parcels have to title searched and then the Village has to obtain ownership either by purchase, eminent domain or some other method. He indicated that the Village will have to pay for this.

Addendum Items

Tom Rue requested that when there is an addendum copies be made available to the public prior to the meeting to allow the public the opportunity to have public comment on the additional items.

The Village Clerk responded that when there is an addendum copies will be available to the public at the beginning of the meeting.

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**RESOLUTION APPROVING THE PURCHASE OF HOMA PUMP FOR EAST BROADWAY
PUMP STATION FOR THE WASTE WATER TREATMENT PLANT IN THE AMOUNT
OF \$8,970.00**

WHEREAS, the pump station at the East Broadway Waste Water Treatment Pump Station of the Monticello Waste Water Treatment Plant is in need of replacing the HOMA Pump which has been in service for 40+ years; and,

WHEREAS, this is a most important piece of equipment to avoid a possible sewage overflow condition that would lead to possible NYSDEC fines, and,

WHEREAS, it is in the best interests of the health, safety and welfare of the citizens of the Village of Monticello for the Monticello Waste Water Treatment Plant to function within the Village.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of Village of Monticello does hereby approve the purchase of a HOMA Pump at the East Broadway Waste Water Treatment Pump Station of the Monticello Waste Water Treatment Plant from R & R Pump & Control Services, P.O. Box 533, Franklin Lakes, NJ 07417 the sole source provider for this pump.

A motion was made by Trustee Schoonmaker, seconded by Trustee Rue, unanimously approved on a roll call vote to adopt the above resolution.

**RESOLUTION APPROVING THE EMERGENCY PUMP OUT & CLEANING OF EAST
BOADWAY PUMP STATION FOR THE WASTE WATER TREATMENT PLANT IN THE
AMOUNT OF \$1,040.00**

WHEREAS, the pump station at the East Broadway Waste Water Treatment Pump Station of the Monticello Waste Water Treatment Plant was failing and in need of immediate repair and because of this the emergency pumping out of the pump station needed to be done in order to get into the pump station and make temporary repairs until additional parts can be ordered to finish fixing the pump station.

WHEREAS, the cost of the emergency services was not known prior to work starting due to the fact of not knowing how long the work was going to take.

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WHEREAS, it is in the best interests of the health, safety and welfare of the citizens of the Village of Monticello for the Monticello Waste Water Treatment Plant to function within the Village.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of Village of Monticello does hereby approve the emergency pump out and cleaning of the East Broadway Waste Water Treatment Pump Station of the Monticello Waste Water Treatment Plant by Sullivan County Septic in the amount of \$1040.00.

A motion was made by Trustee Rue, seconded by Trustee Marinello, unanimously approved on a roll call vote to adopt the above resolution.

RESOLUTION APPROVING EMERGENCY REPAIR SERVICE AT THE PARK AVENUE PUMPS STATION FOR THE WASTE WATER TREATMENT PLANT IN THE AMOUNT OF \$1,767.50

WHEREAS, the pump station at the Park Avenue Waste Water Treatment Pump Station of the Monticello Waste Water Treatment Plant needed the replacement of antiquated bubbler system with a pressure sensitive wet well level control system, and;

WHEREAS, this was an emergency repair that had to be done as quickly as possible.

WHEREAS, it is in the best interests of the health, safety and welfare of the citizens of the Village of Monticello for the Monticello Waste Water Treatment Plant to function within the Village.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of Village of Monticello does hereby approve the emergency repair at the Park Avenue Waste Water Treatment Pump Station in the amount of \$1,767.50 by R & R Pump & Control Services, P.O. Box 533, Franklin Lakes, NJ 07417 the sole source provider for this pump and are also familiar with the Village's pump stations.

A motion was made by Trustee Schoonmaker, seconded by Trustee Marinello, unanimously approved on a roll call vote to adopt the above resolution.

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**RESOLUTION APPROVING REPAIR OF CHECK VALVE AT #1 PUMP AT
THE EAST BROADWAY PUMP STATION FOR THE WASTE WATER TREATMENT
PLANT IN THE AMOUNT OF \$1,300**

WHEREAS, the check valve is necessary in the repair of the pump station at the East Broadway Waste Water Treatment Pump Station of the Monticello Waste Water Treatment Plant, and;

WHEREAS, this is a repair that is necessary of the #1 pump set at the East Broadway Pump Station; and,

WHEREAS, it is in the best interests of the health, safety and welfare of the citizens of the Village of Monticello for the Monticello Waste Water Treatment Plant to function within the Village.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of Village of Monticello does hereby approve the emergency repair at the Park Avenue Waste Water Treatment Pump Station in the amount of \$1,767.50 by R & R Pump & Control Services, P.O. Box 533, Franklin Lakes, NJ 07417.

A motion was made by Trustee Schoonmaker, seconded by Trustee Marinello, unanimously approved on a roll call vote to adopt the above resolution.

**RESOLUTION APPROVING REQUEST FOR FIREWORKS DISPLAY AT THE
MONTICELLO RACEWAY ON FRIDAY, JULY 4, 2008**

WHEREAS, the Monticello Raceway has submitted an application to obtain a Fireworks Display permit for Friday, July 4th, and;

WHEREAS, the Monticello Raceway has submitted all the necessary paperwork required by NY Penal Law Sec. 405.00 including a map, Certificates of Insurance and a letter from the fireworks company with the attachments regarding the experience of the person discharging the fireworks, length of time the company has been in business and the type and number of fireworks being discharges; and,

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Monticello does hereby approve and authorize the Village Clerk to issue a Fireworks Display permit for Friday, July 4, 2008 at the Monticello Raceway.

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**RESOLUTION BY THE VILLAGE BOARD OF TRUSTEES ACCEPTING TWO
(2) \$10,000 GRANTS FOR THE POLICE DEPARTMENT FOR THE
PURCHASE OF EQUIPMENT AND/OR CAPITAL IMPROVEMENTS**

WHEREAS, the Monticello Police Department was awarded two (2) \$10,000 grants for the purchase of equipment and/or capital improvements; and,

WHEREAS, one grant is from the Division of Criminal Justice Services and the other grant is from the Department of State; and,

WHEREAS, the Village Board is pleased to accept these grants in the amount of \$10,000 each.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Monticello does hereby accept the two (2) grants in the amount of the \$10,000 each for the Monticello Police Department for the purchase of equipment and/or capital improvements

A motion was made by Trustee Schoonmaker, seconded by Trustee Marinello, unanimously approved on a roll call vote to adopt the above resolution.

RESOLUTION AUTHORIZING THE MAYOR TO FILE A GRANT APPLICATION FOR FUNDS FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION (NYS DOT) FOR ASSISTANCE THROUGH THE TRANSPORTATION ENHANCEMENTS PROGRAM (TEP) IN THE AMOUNT NOT TO EXCEED \$500,000

WHEREAS, the Board of Trustees of the Village of Monticello is interested in installing sidewalks on Forestburgh Road (NYS Route 42), and;

WHEREAS, the New York State Department of Transportation (NYS DOT) is offering a grant for assistance in an amount not to exceed \$500,000 for sidewalk replacements.

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NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Monticello authorizes and directs the Mayor to file a grant application for funds from the New York State Department of Transportation (DOT) for assistance through the Transportation Enhancements Program (TEP), in an amount not to exceed \$500,000, and upon approval of said request enter into and execute a Project Agreement with the State for such financial assistance. The purpose of the request is to support the "Making Monticello Walkable" project, which will result in the placement of sidewalks and related facilities from the High School, along Rte 42 to the Broadway corridor.

A motion was made by Trustee Schoonmaker, seconded by Trustee Hutchins, unanimously approved on a roll call vote to adopt the above resolution.

RESOLUTION AWARDING THE ANNUAL BIDS FOR VARIOUS MATERIALS USED BY WATER AND SEWER DEPARTMENTS FOR FY 2008/09 AND BIDS ON METERS

WHEREAS, bids for various chemicals used by the Water and Sewer Departments were solicited by the Village Clerk for FY 2008/09; and,

WHEREAS, bids for various meters used by the Water Departments; and,

WHEREAS, the Water and Sewer Department Superintendents have reviewed the bids and recommended the bids be awarded to the lowest responsible bidder.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Monticello does hereby accept the bids for the various chemicals and meters to the lowest responsible bidder.

A motion was made by Trustee Marinello, seconded by Trustee Hutchins, unanimously approved on a roll call vote to adopt the above resolution.

RESOLUTION AWARDING THE ANNUAL BIDS FOR VARIOUS MATERIALS USE BY THE HIGHWAY DEPARTMENT FOR FY 2008/09

WHEREAS, bids for various materials used by the Highways Department were solicited by the Village Clerk for FY 2008/09; and,

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WHEREAS, the Highway Department Superintendent has reviewed the bids and recommended the bids be awarded to the lowest responsible bidder.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Monticello does hereby accept the following bids for the various materials used by the Highway Department:

LP Propane Gas	-	CEO	-	\$ 2.28676
Run Of Bank Gravel	-	Woodbourne Lawn	-	\$ 9.00T FOB)
Ice Control Sand	-	Woodbourne Lawn	-	\$ 7.50/T(FOB)
Unleaded Gas	-	Ultra Power Corp	-	\$ 3.0595/Gal.
#2 Fuel Oil	-	Ultra Power Corp	-	\$ 3.5292/Gal.
Crusher Run	-	Callihan	-	\$ 9.50/T
Bituminous Concrete	-	Callanan Ind.	-	As bid for Various sizes
Motor Oils/Greases & Anti Freeze	-	Craft Oil Corp	-	As bid for (Various Materials)
Poly Pipe	-	Chemung Supply	-	As bid for Various sizes

A motion was made by Trustee Schoonmaker, seconded by Trustee Hutchins, unanimously approved on a roll call vote to adopt the above resolution.

AWARDING OF BID - INSURANCE LIABILITY PROPOSAL

A motion was made by Trustee Marinello, seconded by Trustee Hutchins, unanimously approved on a roll call vote to award the bid proposal for the Village's Insurance/Property Liability for FY 2008/09 to **DeForest Agency, Inc.** of Kingston, New York in the amount of **\$180,825.04**.

AWARDING OF BID - BROADWAY SIDEWALK RESTORATION BID

Bid award was tabled at this time.

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PUBLIC COMMENT

Heating Concerns

Trustee Schoonmaker was concerned that senior citizens would not have enough money to pay for fuel oil to heat their homes this winter since the projection is that it will cost \$5.00 a gallon for fuel oil. He felt that the Village should possibly contact the Berman Family who has set up a fund which could contribute to seniors in financial need to ensure that they do not freeze this winter.

Charlie Sabatino suggested that the Village contact Congressman Hinchey to find out if he can help in any way.

Recycling Update

Trustee Schoonmaker explained that he has been in touch with the Village of Liberty's Recycling coordinator Peter Parks to help Monticello initiate our recycling program to work as successfully as Liberty's, although they are still having trouble with compliance. He felt that beginning in September the Village must get vigilant in the enforcement of the recycling laws which will greatly reduce the Village's landfill tipping fees.

Conditions on Broadway

Becky Whipple was concerned with the Kaplan's store front that has brown paper peeling off the windows and the façade of the old Napoli's building that hasn't replaced the windows on the second and third floors.

The Village Manager responded that violations have been issued and it is returnable in court awaiting the judge putting it on her docket.

The Mayor indicated that he has spoken with the owner of the building to get them to fix up these buildings, as well as the Code Enforcement Officer issuing those tickets.

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27 North Street

Ray Lustig owner of 27 North Street indicated that the building was opened last week and thanked Thomas Mack for his help in getting this accomplished. He asked that the Village allow him to have tenants occupy the 3rd floor.

Trustee Schoonmaker advised him that the 3rd floor at this time cannot be occupied.

The Mayor explained that the Village's viewpoint is that the 3rd floor is unsafe and cannot be occupied.

Community Meeting

Caroline Massey reported that prior to this meeting a group of concerned citizens representing some of the apartment complexes and the Afro American Community met to discuss taking the responsibilities for some of the gang activities, the deterioration of some of the housing complexes and the problems with substance and alcohol abuse. At that meeting committees were formed to address these issue and they will continue to work with the Mayor and the entire Village Board.

Debra Mack indicated that the entire community will be asked to participate since it is a village wide problem.

EXECUTIVE SESSION

At 7:45 p.m., a motion was made by Trustee Marinello, seconded by Trustee Hutchins, unanimously approved on a roll call vote to move into Executive Session to discuss a personnel matters regarding particular individuals.

ADJOURNMENT

At 9:05 p.m., a motion was made by Trustee Marinello, seconded by Trustee Schoonmaker, unanimously approved on a roll call vote to move out of Executive Session and adjourn the Regular Village Board meeting.

EDITH SCHOP, Village Clerk

