

MINUTES
REORGANIZATIONAL MEETING OF THE BOARD OF TRUSTEES
VILLAGE OF MONTICELLO, N.Y.
MONDAY, APRIL 6, 2009

MEETING TO ORDER

Mayor Jenkins called the meeting to order at 7:02 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: Zachary Kelson, Village Manager
Jacob Billig, Village Attorney
Stanley Calhoun, Highway/Sanitation Supt.

**APPROVAL OF MINUTES OF MEETING OF THE SPECIAL MEETING OF
SATURDAY, MARCH 7, 2009 AND THE REGULAR VILLAGE BOARD MEETING OF
MARCH 23, 2009**

A motion was made by Trustee Rue, seconded by Trustee Schoonmaker, unanimously approved on a roll call vote to adopt the minutes of the Special meeting Saturday, March 7, 2009 and the meeting of March 23, 2009 as presented.

MAYOR'S REPORT

27 North Street Law Suit

Village Attorney Billig explained that there was a law suit concerning 27 North Street which was commenced prior to him being appointed Village Attorney. The case was won before the Third Department and he gave credit to former Village Attorney

Minutes - Reorganizational Meeting
4/6/09

Danielle Jose since the Board gave her the responsibility of writing the brief because she handled the matter in the lower court and he gave oral arguments in front of the Court and the decision proved that what the Village did was acceptable under the law.

Trustee Rue noted that it cost the Village \$7,000 to defend this law suit and she felt it was the Village Attorney's job to defend the matter at no additional cost to the taxpayers.

The Village Attorney responded that he had several discussions with the Village Board and the Board decided that because the former Village Attorney had handled the matter in the lower court you would allow her to write the brief knowing there would be an expense involved.

The Mayor noted that this was about the safety of the Village and it was necessary to argue the merits of the case.

The Village Manager added that Village Attorney Billig did a good job arguing the case and he came up with additional ideas to support the Village's position.

Trustee Hutchins gave credit to former Village Manager Barbarite and the Code Enforcement Officer Sue Flora.

Award of a \$333,000+ Sidewalk Grant - Route 42S from Broadway to the Monticello High School

Glen Gidaly explained that the Mayor and Village Board were very supportive of applying for a grant from the NYS Department of State to try to bring sidewalks from the school complex to Broadway intersection. At the time the Village applied for a \$266,000 with \$66,000 has to come from a local match, however the grant was not only approved but it is 100 percent funded from stimulus money. He thanked the County Grant Department for doing the majority of the writing of the grant with no charge to the Village.

Minutes - Reorganizational Meeting
4/6/09

MANAGER'S REPORT

Senior Center Computers

The Village Manager announced that the computers will be installed in the couple of weeks and possibly with internet service at no cost to the seniors.

Ted Stroebele Recreation Building Conditions

The Village Manager reported that this building is in disrepair with leaky roofs, etc. and felt that repairs must be made immediately before conditions deteriorate further. He suggested a committee of himself and two trustees look into the matter.

Trustee Schoonmaker and Trustee Hutchins were concerned with the poor conditions of other buildings, guardrails and signage. He recommended that this committee report back to the entire Board on their findings.

The Village Manager responded that he feels it is too big an idea right now and the emphasis should be on this building since it is deteriorating rapidly.

Sanitation Pickup Concerns

Trustee Schoonmaker was concerned that the sanitation trucks are being manned by only one driver and felt it is a critical safety problem. He suggested that possibly a highway employee can be used when there are not enough sanitation workers available. He felt that if there is a large surplus in the sanitation fund possibly some laborers could be hired to relieve the problem.

Dream Team Tank Project

Judge Finn has informed the Village Manager that the Dream Team Tank Project wants to work beautifying the triangle at the intersection of Jefferson Street and Route 17B across from the Schmidt's building.

SWEARING IN TRUSTEE THEODORE HUTCHINS

Village Clerk Edith Schop administered the Oath of Office to newly elected Trustee Theodore Hutchins.

Minutes - Reorganizational Meeting
4/6/09

PUBLIC COMMENT - AGENDA ITEMS ONLY

Rental Space - TSRC

Bess Davis questioned the Village Manager whether the Village has a rental of space in the Ted Stroebele Recreation Building that could help pay for the roof repair?

Sleepy Hollow Project

The Village Clerk reported that the Village has received an annexation petition from Sleepy Hollow Development to annex a small portion of their property into the Village.

Annual Appointments

Mattie Anderson questioned whether the Manager will be making the annual appointments as he will be replaced shortly when a permanent Manager will be appointed?

Trustee Hutchins felt that it is unfair that this Manager make those appointments as the Village is presently interview candidates for that position.

Trustee Marinello felt that the present Village Manager can and should make those appointments.

RESOLUTION TERMINATING THE EMPLOYMENT OF ZACHARY KELSON AS INTERIM MANAGER, MANAGER OF THE VILLAGE OF MONTICELLO IMMEDIATELY

Trustee Hutchins proposed the following resolution:

WHEREAS, the Village of Monticello operates under the Manager form of government; and,

WHEREAS, on December 12, 2008 the office of manager became vacant; and,

WHEREAS, Local Law Number 4 of 1992, Village Code Section 45-9 provides that when the office of manager is vacant the mayor serves as Acting Manager until a permanent manager is appointed; and,

Minutes - Reorganizational Meeting
4/6/09

WHEREAS, a permanent manager has not been appointed; and,

WHEREAS, Public Officers Law §3 requires Public Officers to reside in the municipality; and,

WHEREAS, Village Law § 3-300 requires holders of village office to reside in the municipality; and,

WHEREAS, on December 14, 2008 the Village Board appointed Zachary Kelson as Interim Manager; and,

WHEREAS, Village Code § 45-9 was not complied with; and,

WHEREAS, Zachary Kelson does not reside within the Village and therefore fails to qualify to hold office in accordance with Public Officer Law § 3 and Village Law § 3-300; and,

WHEREAS, when an office holder fails or ceases to possess the requisite qualifications for office the office becomes vacant; and,

WHEREAS, despite the above ,Zachary Kelson continues to act as village manager with the consent of the Board; and,

WHEREAS, the Village Board desires to correct any mistakes made by appointing Kelson or other defects in his appointment and holding office and to otherwise conduct itself in a lawful manner; and,

NOW, THEREFORE BE IT RESOLVED, Zachary Kelson is removed as Village Manager and from any and all duties associated with that position immediately.

A motion was made by Trustee Hutchins. Trustee Hutchins withdrew his motion.

EXECUTIVE SESSION

At 7:48 p.m., a motion was made by Trustee Schoonmaker, seconded by Trustee Hutchins, unanimously approved on a roll call vote to move into Executive Session to discuss a personnel matter regarding a particular person.

Minutes - Reorganizational Meeting
4/6/09

RECONVENING THE REGULAR VILLAGE BOARD MEETING

At 8:20 p.m., a motion was made by Trustee Schoonmaker, seconded by Trustee Hutchins unanimously approved on a roll call vote to reconvene the Reorganizational meeting.

RESOLUTION TERMINATING THE EMPLOYMENT OF ZACHARY KELSON AS INTERIM MANAGER, MANAGER OF THE VILLAGE OF MONTICELLO IMMEDIATELY

A motion was made by Trustee Hutchins, seconded by Mayor Jenkins on a roll call vote as follows: Trustee Schoonmaker, nay; Trustee Hutchins, aye; Trustee Marinello, nay; Trustee Rue, nay. Motion failed. 1 aye - 3 nays.

MAYOR'S APPOINTMENT WITH VILLAGE BOARD APPROVAL - VILLAGE ATTORNEY

Mayor appoints **Jacob Billig** as **VILLAGE ATTORNEY**

On a roll call vote as follows: Trustee Schoonmaker, nay; Trustee Hutchins, aye; Trustee Marinello, nay; Trustee Rue, nay; Mayor Jenkins, aye. **Jacob Billig** remains a "hold over" at this time.

MAYOR'S APPOINTMENT WITH VILLAGE BOARD APPROVAL - DEPUTY VILLAGE ATTORNEY

Mayor appoints **Robert Gaiman** as **VILLAGE DEPUTY ATTORNEY**

On a roll call vote as follows: Trustee Schoonmaker, aye; Trustee Hutchins, aye; Trustee Marinello, nay; Trustee Rue, nay; Mayor Jenkins, aye. 3 ayes - 2 nays.

MAYOR'S APPOINTMENT WITH BOARD APPROVAL FOR A FIVE (5) YEAR TERM TO THE PLANNING BOARD

Trustee Rue questioned whether this is a managerial appointment or the Mayor's appointment?

The Village Attorney explained that in 1999 the Village Code 45-7 was amended to give Village Manager the ability to appoint

Minutes - Reorganizational Meeting
4/6/09

offices and employees of the Village, however with respect to the Zoning Board of Appeals that code specifically refers to the Manager appointing ZBA members. So even though claimed to be a super session which it does have broad powers there is still the Code in 1999 which specifically was changed to say under 280-55, however for the Planning Board section 280-57 specifically was not changed in 1999, but Section 280-55 referring to the ZBA was changed. The logical answer is that if the changed 280-55 to go along with Section 45-7 that the Manager's appoints, than why did they not change 280-57. He felt the only logical conclusion is that the Board wanted to carve out the Planning Board to still give that authority to the Mayor otherwise 280-57 would have changed at the same time in 1999 that 280-55 was in changed for the ZBA.

The Village Manager responded that 45-7 is very specific, but notwithstanding that he felt the Village Attorney needed to go back look at the legislative history and after his conversation with the Mayor it appears they would be appointing the same person.

Mayor appoints Dennis Diuguid to the Planning Board for a five year term to expire April 2013.

On a roll call vote Mr. Diuguid was appointed unanimously.

MAYOR'S APPOINTMENT WITH BOARD APPROVAL OF THE PLANNING BOARD CHAIRMAN

Mayor appoints Dennis Diuguid as Chairman of the Planning Board.

On a roll call vote Mr. Diuguid was appointed Chairman of the Planning Board unanimously.

MAYOR'S APPOINTMENTS

Mayor appoints Trustee Schoonmaker as Deputy Mayor.

Mayor appoints Trustee Hutchins and Trustee Marinello Board Auditors.

Minutes - Reorganizational Meeting
4/6/09

MANAGER'S APPOINTMENTS - One Year Appointments

Manager appoints Stacey Walker Deputy Clerk

Manager appoints Sheri Bisland Deputy Treasurer

Manager appoints Glenn Smith Village Engineer

Manager appoints Irwin Gitlin Village Auditor

Manager appoints Tom Rue as Village Historian. The Mayor asked that the Village Attorney research whether there is a conflict of interest in Mr. Rue serving as Village Historian while his wife is a Trustee.

Manager appoints Sullivan County Democrat as the Official Newspaper

Manager appoints (1)Chase Bank (2)Key Bank, (3) Catskill Hudson Bank (4)Bank of America (5) TD North (6) First National Bank of Jeffersonville and (6) J.P. Morgan Chase as Village Depositories
Manager appoints Dr. Edward Epstein, Dr. Joseph Lauterstein, Dr. David Sager, Dr. Sheldon Leidner & Dr. Abe Garfinkel as Police Surgeons

Manager appoints Recardo Ramero & *Rabbi Chanowitz*.

The Manager appointed **Leo Glass** as **Acting Village Justice**.

Manager reappoints June Bartol to the Zoning Board of Appeals to a five (5) term to expire April, 2013.

Manager reappoints Dennis Diuguid to the Planning Board to a five (5) term to expire April, 2013.

RESOLUTION SETTING THE DATE, TIME AND PLACE OF REGULAR VILLAGE BOARD MEETINGS

WHEREAS, the Village Board holds regular board meetings twice a month; and,

Minutes - Reorganizational Meeting
4/6/09

WHEREAS, the Village Board wishes to hold its Board Meetings on the first and third Monday's of each month with Village Board meetings at 7:00 p.m.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Monticello does hereby set the regular Board meetings to be held on the first and third Monday of each month, at 7:00 p.m., in the meeting room at the Ted Stroebele Recreation Building, 10 Jefferson Street, Monticello, NY.

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

RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO ALLOW EMPLOYEES TO ATTEND SEMINARS AND CONFERENCES WHICH WILL BENEFIT OR FURTHER THE INTERESTS OF THE VILLAGE

WHEREAS, the Village Board of the Village of Monticello encourages their employees to attend seminars and conferences which will benefit or further the interests of the Village, and;

WHEREAS, the Village Manager reviews each of these requests from the employees.

NOW THEREFORE BE IT RESOLVED, that the Village Board of the Village of Monticello does hereby authorize the Village Manager to allow employees to attend seminars and conferences which will benefit or further the interests of the Village.

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

RESOLUTION AUTHORIZING PAYMENT IN ADVANCE OF AUDIT CLAIMS FOR PUBLIC UTILITY SERVICE

WHEREAS, the public utility service bills must be paid on a timely basis to avoid incurring additional penalties, and;

WHEREAS, these public utility service payments are subsequently reviewed by the auditing committee.

Minutes - Reorganizational Meeting
4/6/09

NOW, THEREFORE BE IT RESOLVED, that the Village Board of the Village of Monticello does hereby authorize the payment in advance of audit claims for public utility service.

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

RESOLUTION DIRECTING THE ANNUAL AUDIT OF THE VILLAGE OF MONTICELLO JUSTICE COURT RECORDS BY THE VILLAGE INDEPENDENT AUDITORS

WHEREAS, the Monticello Justice Court Records must be audited annually, and;

WHEREAS, the Village Auditors have the expertise to perform this independent audit of these records with no additional cost to the Village.

NOW THEREFORE BE IT RESOLVED, that the Village Board of the Village of Monticello does hereby direct the Village Independent Auditors to do the annual audit of the Village Justice Court Records.

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

RESOLUTION REGARDING PROCUREMENT OF ALL GOODS AND SERVICES BY DEPARTMENTS OF THE VILLAGE OF MONTICELLO

WHEREAS, Section 104-b of the General Municipal Law requires the governing body of every municipality to adopt a procurement policy of all goods and services which are not required by law to be publicly bid; and,

WHEREAS, the Village first adopted a procurement policy on September 22, 1996; and,

WHEREAS, all departments have been made aware of the guidelines of this procurement of all goods and services.

NOW, THEREFORE BE IT RESOLVED, that the Village of Monticello does hereby adopt the following procurement policy which is intended to apply to all goods and services which are not required by law to be publicly bid.

PROCUREMENT POLICY FOR THE VILLAGE OF MONTICELLO

1. Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate amount to be spent of the item of supply or service is past purchases and aggregate amount spent per year. The following items are not subject to competitive bidding pursuant to Section 103 of the General Municipal Law: purchase contracts under \$10,000 and public works contracts under \$20,000; emergency purchases; certain agencies for the blind or severely handicapped; goods purchased from correctional institutions; purchases under State and County contracts; and surplus and second hand purchases from another governmental entity.

The decision that a purchase is not subject to competitive bidding will be documented in writing making the purchase. This documentation may include written or verbal quotes from vendors, a memo from the purchaser indicating how the decision was arrived at, a copy of the contract indicating the source which makes the item or service exempt, a memo from the purchaser detailing the circumstances which led to an emergency purchase, or any other written documentation that is appropriate.

2. All goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method that assures those goods will be purchased at the lowest price, except in the following circumstances: purchase contract over \$10,000 and public works contracts over \$20,000; goods purchased from agencies for the blind or severely handicapped pursuant to Section 175-b of the State Finance Law; goods purchased from correctional

institutions pursuant to Section 186 of the Correction Law; purchases under State contracts pursuant to Section 104 of the General Municipal Law; purchases under County contract pursuant to Section 103(3) of the General Municipal Law; or purchases pursuant to subdivision 6 of this policy.

3. The following method of purchase will be used when Required by this policy in order to achieve the highest savings:

Estimated Amount of Purchase	Method
\$501 - \$2,999	Verbal quotation
\$3,000 - \$9,999	Written/fax quotation
Estimated Amount of Public Works Contract	Method
\$501 - \$2,999	Verbal quotation
\$3,000 - \$4,999	Written/fax quotation
\$5,000 - \$19,999	Written/fax quotation or written request for proposal

A good faith effort shall be made to obtain the Required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotation, the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

4. Documentation is required of each action taken in connection with each procurement.

5. Documentation and an explanation is required whenever a contract is awarded to other than the lowest responsible offerer. This documentation will include an explanation of how the award will achieve savings or how the offerer was not responsible. A determination that the offerer is not responsible shall be made by the purchaser and may be challenged under any circumstances.
6. Pursuant to General Municipal Law Section 104-b(2)(f), the procurement policy may contain circumstances when, or types of procurement for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interests of the Village of Monticello to solicit quotations or document the basis for not accepting the lowest bid.
 - a. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based accountability, reliability, responsibility, skill, education and training, judgment, integrity, and moral worth. These qualifications are not necessarily found in the lowest price and the nature of these services is such that they do not readily lend them to competitive procurement procedures.

In determining whether a service fits into this category the Board of Trustees of the Village of Monticello shall take into consideration the following guidelines:

(a) whether the services are subject to State licensing or testing requirements; (b) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and (c) whether the services require a personal relationship between the individual and municipal officials. Professional or technical services shall include but not limited to the

following services: services of an attorney; services of a physician; technical maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing or art work; management of municipally owned property; and computer software or programming services for customized programs, or programming services for customized programs, or services involved in substantial modification and customizing of pre-packaged software.

- b. Emergency purchases pursuant to Section 103(4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternative proposals may threaten the life, health, safety or welfare of the residents. This section does not preclude alternate proposals if time permits.
 - c. Purchases of surplus and second-hand goods from any source. If alternate proposals are required, the Village is precluded from purchasing surplus and second-hand goods at auction or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods and a lower price may indicate an older product.
 - d. Goods or services under \$501. The time and Documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.
7. This policy is effective August 19, 1996, and will be reviewed annually.

Minutes - Reorganizational Meeting
4/6/09

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

RESOLUTION ADOPTING INVESTMENT POLICY FOR THE VILLAGE OF MONTICELLO

WHEREAS, the Village Treasurer has need to deposit funds in various appropriate accounts; and,

WHEREAS, the Village has, in the past, adopted such an investment policy to be used by the Treasurer or designee for administration of the investment program to provide a satisfactory level of accountability based on a data or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Monticello does hereby adopt the attached Investment Policy for the Village of Monticello.

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

RESOLUTION AUTHORIZING THE VILLAGE JUSTICE AND ACTING VILLAGE JUSTICE TO HAVE SOLE AUTHORIZATION ACCOUNTS IN THE TD NORTH BANK

WHEREAS, the Village Justice and Acting Village Justice have monies paid to the Court for fines, bail and restitution; and,

WHEREAS, this money must be deposited in accounts by the Village Justice and Acting Village Justice; and,

WHEREAS, only the Village Justice and the Acting Village Justice have sole authorization for deposits and withdrawals of these accounts.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Monticello does hereby authorize the Village Justice and Acting Village Justice to open the necessary accounts in the TD North Bank.

Minutes - Reorganizational Meeting
4/6/09

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

RESOLUTION AUTHORIZING THE MAYOR, DEPUTY MAYOR, TREASURER AND DEPUTY VILLAGE TREASURER HAVE SOLE AUTHORIZATION OF THE ACCOUNTS IN THE CHASE BANK, KEY BANK, COMMUNITY BANK OF SULLIVAN COUNTY, BANK OF AMERICA, AND FIRST NATIONAL BANK OF JEFFERSONVILLE

WHEREAS, the Mayor, Deputy Mayor, Treasurer and Deputy Treasurer are authorized to sign checks for various accounts; and,

WHEREAS, this money must be deposited in accounts by the Village Treasurer; and,

WHEREAS, only the Mayor, Deputy Mayor, Treasurer and Deputy Treasurer have sole authority of these accounts in Chase Bank, Key Bank, Community Bank of Sullivan County, Bank of America and First National Bank of Jeffersonville.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Monticello does hereby authorize the Mayor, Deputy Mayor, Treasurer and Deputy Treasurer to maintain or open the necessary accounts in Chase Bank, Key Bank, Community Bank of Sullivan County, Bank of America and First National Bank of Jeffersonville.

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

PUBLIC HEARING TO REVIEW, DISCUSS AND ADOPT LOCAL LAW NO. 1 OF 2009 AMENDING THE VILLAGE CODE SECTION 105-4 (K) REGARDING THE ISSUANCE OF BUILDING PERMITS UNTIL ALL CHARGES, FEES AND TAXES HAVE BEEN PAID IN FULL

Mayor Jenkins opened the public hearing at 8:38 p.m.

The Village Clerk explained that this local law is deleting the section that prevents a building permit being issued when there are delinquent taxes due.

Mayor Jenkins closed the public hearing at 8:40 p.m.

RESOLUITON ADOPTING LOCAL LAW NO. 1 OF 2009

WHEREAS, the Board of Trustees of the Village of Monticello does hereby declare itself Lead Agency on this Unlisted Action under SEQRA; and,

WHERAS, the Board of Trustees of the Village of Monticello has declared a Negative Declaration under Part 617 of the New York State Environmental Quality Law; and,

WHEREAS, proposed Local Law No. 1 of 2009 has no significant environment affects.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Monticello does hereby adopt Local Law No. 1 of 2009.

A motion was made by Trustee Marinello, seconded by Trustee Schoonmaker, unanimously approved on a roll call vote to adopt Local Law No. 1 of 2009.

RESOLUTION AUTHORIZING MAYOR TO SIGN A MONDIFIED INTERMUNICIPAL AGREEMENT WITH THE COUNTY OF SULLIVAN TO ACT AS THE VILLAGE'S AGENT TO COMMENCE AND COMPLETE TAX FORECLOSURE PROCEEDINGS ON BEHALF OF THE VILLAGE PURSUANT TO ARTICLE 11

Resolved, that the Board of Trustees of the Village of Monticello does hereby authorize Mayor to sign a Modified Intermunicipal Agreement with the County of Sullivan to act as the Village's agent to commence and complete Tax Foreclosure proceedings on behalf of the Village pursuant to Article 11

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

RESOLUTION AUTHORIZING THE PURCHASE OF REPLACEMENT OF AN ELECTRIC GENERATOR FOR SEWER DEPARTMENT AT THE THOMPSONVILLE PUMP STATION IN THE AMOUNT OF \$6,950 FROM CW WOOD MACHINERY (SOLE SOURCE) COST BEING FULLY REIMBURSED BY INSURANCE COMPANY DUE TO MACHINERY BEING RUINED DUE TO FLOODING AT THE PUMP STATION

Resolved, that the Board of Trustees of the Village of Monticello does hereby authorize the purchase of the replacement

Minutes - Reorganizational Meeting
4/6/09

of an electric generator for Sewer Department at the
Thompsonville Pump

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

**RESOLUTION AUTHORIZING THE COST OF INSTALLATION OF ELECTRIC
GENERATOR FOR SEWER PLANT AT THE THOMPSONVILLE PUMP STATION IN
THE AMOUNT OF \$2,765 FROM CW WOOD MACHINERY (SOLE SOURCE) COST
BEING FULLY REIMBURSED BY INSURANCE COMPANY DUE TO MACHINERY
BEING RUINED DUE TO FLOODING AT THE PUMP STATION**

Resolved, that the Board of Trustees of the Village of
Monticello does hereby authorize the cost of installation of
electric generator for the Sewer Plant at the Thompsonville Pump
Station.

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

**RESOLUTION AUTHORIZING THE PURCHASE OF 1-55 GALLON DRUM LIFT
STATION DEGREASER FOR THE SEWER PLANT IN THE AMOUNT OF \$1,305
FROM LAWSON PRODUCTS (SOLE SOURCE)**

Resolved, that the Board of Trustees of the Village of
Monticello does hereby authorize the purchase of 1-55 Gallon
Drum Lift Station Degreaser for the Sewer Plant in the amount of
\$1,305 from Lawson Products (Sole Source)

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

**RESOLUTION AUTHORIZING THE ISSUANCE OF \$46,000 BONDS OF THE
VILLAGE OF MONTICELLO, SULLIVAN COUNTY, NEW YORK TO PAY THE COST
OF VARIOUS CAPITAL PURPOSES, IN AND FOR SAID VILLAGE**

The matter was tabled to the next meeting.

Minutes - Reorganizational Meeting
4/6/09

RESOLUTION AUTHORIZING THE VILLAGE OF MONTICELLO POLICE DEPARTMENT TO FILE A GRANT APPLICATION WITH THE COPS (COMMUNITY ORIENTED POLICING SERVICES) TO HIRE TWO (2) ADDITIONAL POLICE OFFICERS

Lt. Bisland explained that this grant would reimburse the Village all costs for two police officers (including benefits) for up to two years with the Village being required to pick up the following year after that and at that time those officers can be terminated, however there are provisions if the Village can prove they cannot afford the final year they would not be forced to go into a bankruptcy situation to maintain these officers. He explained that in past practice when these types of grants run out the Village picked up those officers and through attrition as officers left the number of officers dwindled back down to its current status.

The Village Manager explained that this is a no lose situation for the Village and it gives us more resources available with no cost.

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

RESOLUTION AUTHORIZING THE VILLAGE CLERK TO ADVERTISE FOR POLICE STATION SURVEILLANCE CAMERA SYSTEM FROM STATE GRANT FUNDS

Trustee Marinello questioned whether the Village can look into installing surveillance cameras throughout the Village for the safety of the residence of the community?

Resolved, that the Board of Trustees of the Village of Monticello does hereby the Village Clerk to advertise for a Police Station Surveillance Camera System from State Grant Funds.

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

Minutes - Reorganizational Meeting
4/6/09

RESOLUTION AUTHORIZING THE PURCHASE OF A NEW RECYCLING TRUCK FOR THE SANITATION DEPARTMENT IN THE AMOUNT OF \$85,000.00 ON STATE BID FROM HACKER'S PACKERS, INC.

Resolved, that the Board of Trustees of the Village of Monticello does hereby authorize the purchase of a new recycling truck for the Sanitation Department in the amount of \$85,000 on State Bid from Hacker's Packers, Inc.

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

RESOLUTION AUTHORIZING THE PURCHASE OF A NEW REFUSE TRUCK FOR THE SANITATION DEPARTMENT IN THE AMOUNT OF \$113,000.00 ON STATE BID FROM ARKEL MOTORS, INC.

Resolved, that the Board of Trustees of the Village of Monticello does hereby authorize the purchase of a new recycling truck for the Sanitation Department in the amount of \$85,000 on State Bid from Hacker's Packers, Inc.

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

RESOLUTION SCHEDULING A PUBLIC HEARING TO REVIEW AND DISCUSS LOCAL LAW NO. 2 OF 2009 AMENDING CHAPTER 119 UNTITLED BUILDINGS, UNSAFE

The Village Attorney suggested that the Board needs to discuss what they are trying to accomplish with respect to unsafe buildings. They should have this discussion with the Village Manager and the Code Enforcement and then look at the present law and determine what needs to be changed. He felt that until the Board has that strategy session they should not change the law.

The Village Manager noted that although the cost of the building demolition can be relieved onto the property owners' taxes, there is a cost and if the Board is not willing to put the money out the discussion should end now.

Minutes - Reorganizational Meeting
4/6/09

RESOLUTION AUTHORIZING THE VILLAGE MANAGER ALONG WITH THE VILLAGE ENGINEER AND THE CODE ENFORCEMENT OFFICER TO SELECT SEVERAL PROPERTIES WHICH MAY BE THE SUBJECT OF UNSAFE BUILDINGS

Resolved, that the Board of Trustees of the Village of Monticello authorizes the Village Manager along with Village Engineer and the Code Enforcement Officer to select several properties which may be the subject of unsafe buildings and present those findings to the Village Board.

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

RESOLUTION AUTHORIZING THE VILLAGE MANAGER AND VILLAGE ATTORNEY TO ENTER INTO NEGOTIATIONS TO SELL THE HEINS PROPERTY

The matter was tabled for discussion in Executive Session.

DISCUSSION ON A FEDERAL JUSTICE ASSISTANCE GRANT AVAILABLE TO THE MONTICELLO POLICE DEPARTMENT

Lt. Bisland explained that the Federal Grant goes to the County and the County is receiving \$65,000 this year of which the Monticello Police Department gets \$37,500. He explained that the Police Department needs that money to purchase "live scan" which takes the fingerprints through a scanner instead of the old ink & paper method. This fingerprinting method will be mandatory as of January 1, 2010.

DISCUSSION OF COMMERCIAL SANITATION FEES

Trustee Hutchins suggested that no fees be changed at this time since the budget process is about to begin for the new fiscal year that begins August 1, 2009. He felt that the Board should evaluate both residential and commercial fees.

The Village Manager explained that there are too much difference between a three pickup and a five pickup. He felt that this one is particularly inequitable.

Trustee Marinello agreed with Trustee Hutchins that both the residential and commercial sanitation fees should be evaluated.

DISCUSSION OF BROADWAY RECONSTRUCTION PROJECT

Three business owners representing the Kenny Funeral Homes, Garlick Funeral Homes and the Rieber Building explained that the Broadway Project will be affecting the businesses on the lower end of Broadway. Gary Lasher questioned whether a median in the center of Broadway is needed and if so can it be improved to help the businesses that it will adversely affect. He noted that neither funeral home will be able to come out of their respective driveways and turn left since there are no "cutouts". He felt that the solution is that the Village Board make a recommendation to the NYSDOT to create "cutouts" for the businesses on Broadway that have driveways to make the businesses more accessible. He noted that no one wants to slow the project down, but since this is one of last items to be completed so there is time to make this change.

The Mayor asked that the Village Manager review the current Broadway plans and make recommendations to the Village Board.

ORDERING BILL PAID

A motion was made by Trustee Schoonmaker, seconded by Trustee Rue, unanimously approved on a roll call vote that the bills audited by the Auditing Committee of the Board of Trustees and appearing on the Abstracts of the bills herewith submitted are ordered paid.

Contract with Mobilemedic

Trustee Schoonmaker felt it is in the best interest of the residence of the Village to approve the contract with Mobilemedic.

The Village Attorney recommended that the contract be discussed in Executive Session as there are provisions in that contract that have never been audited and have been ignored for years.

A motion was made by Trustee Schoonmaker, seconded by Trustee Rue to approve the contract with Mobilemedic. Trustee Schoonmaker withdrew his motion.

Minutes - Reorganizational Meeting
4/6/09

EXECUTIVE SESSION

At 9:40 p.m., a motion was made by Trustee Schoonmaker, seconded by Trustee Hutchins, unanimously approved on a roll call vote to move into Executive Session to discuss contract negotiations, discussion particular personnel and police contract negotiations.

RECONVENING THE REGULAR VILLAGE BOARD MEETING

At 11:15 p.m., a motion was made by Trustee Schoonmaker, seconded by Trustee Marinello, unanimously approved on a roll call vote to reconvene the Reorganizational meeting.

Deputy Mayor Schoonmaker called the meeting to order.

Roll Call

Upon call of the roll, the following were

Present:

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

Absent:

Gordon Jenkins, Mayor

Also Present: Zachary Kelson, Village Manager
Jacob Billig, Village Attorney

Contract with Mobilemedic

The Village Attorney explained that the Village is now going to do an audit over the next month which will reserve the Board rights to do whatever they feel should be done.

Trustee Hutchins questioned how the Village Board could renew the contract or even the discuss this lease agreement as it is very plain that Mobilemedic is in default since the Village hasn't received paid \$18,000. Trustee Hutchins reminded the Board that the Mayor was promised that no action would be taken after Executive Session as he had to leave early to go to work.

Minutes - Reorganizational Meeting
4/6/09

Scheduling A Special Meeting to Interview Candidates for the Village Manager's Position

A motion was made by Trustee Rue, seconded by Trustee Marinello, on a roll call vote as follows: Trustee Schoonmaker, nay; Trustee Hutchins, nay; Trustee Marinello, aye; Trustee Rue, aye; to schedule a Special Meeting on Monday, April 13, 2009 at 6 p.m. at Village Hall for the purposes of interviewing candidates and any other business that may come before the Board. Motion failed. 2 ayes - 2 nays.

PUBLIC COMMENT

Litts Cemetery

Village Historian Tom Rue reported that with the help of the Town of Thompson Highway Department the Litts Cemetery has been cleaned up.

Village Historian Concerns

Rochelle Massey questioned how Tom Rue can be the historian and also have a website that is negative about the Village of Monticello?

Mobilemedic Concerns

Rochelle Massey noted that Trustee Rue was so against Mobilemedic before she became a trustee complaining that he wasn't paying his fair share for the use of the Ted Stroebele Recreation Building and now all of sudden she is for everything thing she was against. She felt she is not for the taxpayers.

ADJOURNMENT

At 11:35 p.m., a motion was made by Trustee Hutchins, seconded by Trustee Marinello, unanimously approved on a roll call vote to adjourn the Reorganizations meeting.

EDITH SCHOP, Village Clerk