

MINUTES  
REGULAR MEETING OF THE BOARD OF TRUSTEES  
VILLAGE OF MONTICELLO, N.Y.  
MONDAY, MAY 4, 2009

**MEETING TO ORDER**

Mayor Jenkins called the meeting to order at 6:02 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 (Left meeting at 8:45 p.m.)

Also Present: Jacob Billig, Village Attorney  
Douglas Solomon, Chief of Police  
Clarence Decker, Water Superintendent  
Phil Klemen, Sewer Superintendent

**EXECUTIVE SESSION**

At 6:05 p.m., a motion was made by Trustee Marinello, seconded by Trustee Schoonmaker, unanimously approved on a roll call vote to move into Executive Session to discuss contract negotiations.

**RECONVENING THE REGULAR VILLAGE BOARD MEETING**

At 7:28 p.m., a motion was made by Trustee Hutchins, seconded by Trustee Marinello, unanimously approved on a roll call vote to reconvene the Regular Village Board meeting.

**APPROVAL OF MINUTES OF MEETING OF THE REGULAR VILLAGE BOARD MEETING OF APRIL 20, 2009**

A motion was made by Trustee Marinello, seconded by Trustee Hutchins, unanimously approved on a roll call vote to adopt the minutes of the Special meeting Thursday, April 2, 2009 and the Reorganizational Meeting of April 6, 2009 as presented.

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**MAYOR/MANAGER'S REPORT**

**Annual Mayor's Litter Pluck**

Mayor Jenkins announced that 15 Job Corp youths participated in this year's annual litter pluck event. Certificates of Appreciation will be given to the participants at the next meeting.

**Restore NY Grant Application Update**

Trustee Rue reported that she submitted the application for Restore NY Grant to the State offices in New Windsor and Albany. She explained that the people that were given the applications were very friendly and noted that the binders were presentable and in the proper order. Trustee Rue announced that the State will be announcing the recipients of these grants on July 1<sup>st</sup>.

Trustee Marinello explained that in spite of the media coverage this project is very favorable.

Trustee Schoonmaker indicated that there have been threats and negative action and law suits against the Village Board if the Board did not stop the process of applying for this grant. The Village received a letter from a law firm known as Richmond & Levine, PC that states as follows:

Our firm is counsel to United Realtors Group, Inc., which you are aware is the owners of certain real property located on Broadway in the Village of Monticello. It is our understanding that on Thursday, April 23, 2009 the Village Board of Trustees made a decision against professional advice and logical reason to support a project presented by Thomas Ting for submission to New York State for submission to New York State for the Restore NY Communities Initiative Grant.

Due to the Village's approval of Thomas Ting's project, our client has reason to believe that fraud, corruption and/or wrongdoing may have occurred. As such, our client is conducting an investigation surrounding the Village's decision and hereby demands that the Village refrain from submitting the application on behalf of Thomas Ting to New York State until further notice from our office.

He continued that he made a decision to support a project which he thought is in the best interest of every resident in this Village, not just certain people who want to make money off of certain projects. The Board got together as a group and decided

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that this was the project we want because we feel it is going to bring more into the Village than just retail outlets and professional spaces. He felt the Village needed something where people will come and utilize this village and the Tommy Ting project clearly identifies this whole idea.

Trustee Rue noted that the two properties that were not chosen have been calling the State Offices in Albany and New Windsor to not accept the application; however they were told that they will accept the application that the Village submits. She noted that she, the Mayor and the Village Clerk worked all day Friday preparing the application and she hand delivered them because there was no time to send the overnight and ensure they would be received.

Trustee Marinello explained that every single one of the projects was good, but the Board felt that Mr. Ting's project was the better choice. He indicated that the Board review the material submitted by each applicant and the Board will not make any decision based on fraud or corruption whatsoever, the decision will be made on what is best for the Village of Monticello and he felt that this was exactly what was done.

### **Spring Clean-Up**

David Gillman, a Village resident questioned if the Village is going to take the suggestion given at the last meeting that the residents be allowed to put their trash to be thrown out on the curbside?

The Mayor responded explained that he would like to see this change but it cannot be implemented this year.

### **Broadway Project Issues**

Trustee Marinello explained that several businesses on Broadway have requested openings in the mediums to allow for turning from one side of the road to another.

Trustee Rue indicated that several Trustees had spoken to Tracy from DOT who said that because of safety reasons there will not be landscaping on the mediums only blacktopped.

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The State representative indicated that the medium was put in, to address safety issues to present U Turns, crossing lanes as there is an accident history. He explained that at each Broadway intersection turns will be allowed.

Trustee Schoonmaker requested that the State put up signs saying, "Sorry for the inconvenience, construction on Broadway". He also requested a weekly outline of what work is going to be performed, so the local emergency services can be alerted.

The DOT responded that they have encountered many unknowns so their schedule has been changing on a daily basis. He explained that because of numerous utility issues the medium might have to be narrowed.

Trustee Hutchins asked that the company doing the construction hire some local people for a two year project.

The DOT representatives responded that to work on this roadwork crews the person has to have certification.

**RESOLUTION TO SURPLUS TWO (2) METAL K-9 VEHICLE INSERTS**

**Resolved**, that the Board of Trustees of the Village of Monticello does hereby declare two (2) metal K-9 inserts of the Police Department as surplus and can be disposed of as scrap metal.

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 PURCHASE TO UPDATE & UPGRADE OF TELEPHONE SYSTEM AT WATER TREATMENT PLANT BY BEDIK COMMUNICATIONS IN THE AMOUNT OF \$2,150.00**

The Water Superintendent explained that the phone system is 25 years old and needs to be updated. He explained that he is recommending that the Board chose the second lowest quote because Bedik will be doing the work on it and has the water department's security system codes and since it is only several hundred dollars difference and if they have to come in and work on someone else's phone system he will charge that amount for

one service call.  
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**Resolved**, that the Board of Trustees of the Village of Monticello does hereby authorize to update & upgrade of a telephone system at the Water Treatment Plant by Bedik Communications in the amount of \$2,150.00.

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 1 FLOCCULATOR CHAIN STRAND US 882 DRIVE CHAIN 139 PITCHES FROM DRIVES & BEARINGS OF NY (SOLE SOURCE PROVIDER) IN THE AMOUNT OF \$1,500**

**Resolved**, that the Board of Trustees of the Village of Monticello does hereby authorize the purchase of 1 Flocculator Chain Strand US 882 Drive Chain 139 Pitches from Drives & Bearings of NY (Sole Source Provider in the amount of \$1,500.00.

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

**RESOLUTION APPROVING BUDGET TRANSFERS FOR FY 2008/09**

Trustee Hutchins noted that there is a typographical error in the budget transfer line #1640.421A should be Central Garage not Bldgs.: Repair/Maint.

**WHEREAS**, the Village of Monticello has adopted its annual budget for the 2008/09 fiscal year; and,

**WHEREAS**, the Village will incur expenditures that exceed the adopted line items amount authorized by the Village Board of Trustees, and;

**WHEREAS**, there are revenues that exceeded budgetary amounts and/or expenditures line items that may be reduced.

**NOW, THEREFORE BE IT RESOLVED**, that the following line items are increased/decreased as adopted, and the Village Treasurer is directed to make the following modifications to the annual budget: [see attached]

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

#### **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.

#### **Wheat & Company Matter**

Mr. Wheat explained that he was informed by a Village employee that his purchase order has not been processed.

The Mayor responded that the check has not been released because someone that received a grant had the work done by his company has a complaint, however the purchase order has been processed and therefore he was misinformed. The Mayor felt that Mr. Wheat could have discussed the problem during the day when the Mayor is available in the office.

Trustee Hutchins indicated that Mr. Wheat got bad information because the check is sitting on the table.

#### **EXECUTIVE SESSION**

At 8:15 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 contract negotiations and a personnel issue involving a particular person.

#### **ADJOURNMENT**

A motion was made by Trustee Marinello, seconded by Trustee Hutchins, unanimously approved on a roll call vote to adjourn the Regular Village Board meeting at 9:15 p.m.

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EDITH SCHOP, Village Clerk

