

MINUTES
REGULAR MEETING OF THE BOARD OF TRUSTEES
VILLAGE OF MONTICELLO, N.Y.
MONDAY, AUGUST 17, 2009

MEETING TO ORDER

Mayor Jenkins called the meeting to order at 7:05 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: Ray Nargizian, Village Manager
Jacob Billig, Village Attorney
Douglas Solomon, Chief of Police
Clarence Decker, Water Superintendent

APPROVAL OF MINUTES OF THE MEETING OF SPECIAL MEETING OF JULY 31, 2009, THE REGULAR MEETING OF AUGUST 3, 2009 AND THE SPECIAL MEETING OF AUGUST 11, 2009

A motion was made by Trustee Hutchins, seconded by Trustee Marinello, unanimously approved on a roll call vote to adopt the minutes of the Special meeting of July 31, 2009 the regular meeting of August 3, 2009 and the Special meeting of August 11, 2009 as presented.

MAYOR'S REPORT

Executive Session

Mayor Jenkins noted that an Executive Session had been called for 6 p.m., prior the this Board meeting to discuss the PBA Labor Contract, but coincidently three Board members, Trustee Rue, Trustee Marinello and Trustee Schoonmaker did not attend.

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The Village Clerk explained that the Mayor called the Executive Session last Friday afternoon and she emailed all the Trustees as well as the Village Manager, the Village Attorney and his secretary with the notice and also attached a copy of the agenda. She had also faxed the notice to all the media.

Trustee Marinello said he just bought a new computer and never got the message, although the Clerk at 6:20 p.m. knocked on his door to advise him of the meeting since she thought he might have forgotten.

Trustee Schoonmaker also said that his computer was not working and never got the message.

Trustee Rue acknowledged that she got the email, but only read the agenda that was attached and the Village Clerk failed to notify the Board members by phone or in written notice.

Trustee Marinello felt that the Board has more important matters to discuss, but at a Special meeting called several Fridays ago and neither the Mayor, Trustee Hutchins nor the Village Clerk attended.

Community Family Picnic Day

Mayor Jenkins invited all residents to a Family Picnic Day that he is hosting this Sunday, August 23rd from 1 p.m. to 6 p.m. at decoys Park.

MANAGER'S REPORT

Good evening, my name is Ray Nargizian, welcome to the August 17, 2009 meeting of the board of trustees. I'm pleased to announce talks are underway for what might be the most ambitious project the Village will undertake in years. I believe in order to improve the quality of life for all our citizens in Monticello, we need to instill hope. In order to have hope we should supplement education and recreation for our youth, seniors and all in between. This project will be bifurcated. Two separate independent structures will be built. The first structure will be the home of 4 museums, a Black Pride Museum, a Hispanic Pride Museum, a Holocaust Museum and an American

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Heritage Museum. On the right side of the Museum will be a state of the art Senior Center on the left side a state of the art Library. The second structure will consist of the Village Hall, Police Station, Court House, our Highway Department and a state of the art Youth Center. I will seek Village Board approval to go ahead and further investigate feasibility.

Talks for funding this project are underway. Meetings are being scheduled with Camoin Associates who are Grant writers, George Popp with the Department of Agriculture (Rural Development), Glenn Pontier of Sullivan Renaissance, Joseph F. Bruno, Commissioner of the office of emergency management of NYC. Glenn Gidaly of Barton & Loguidice and many other shakers and movers. Yes, this project is in its infancy, but the timing is good. I will periodically inform all of its progress if the Board chooses to go forward. This morning our attorney and I met with representatives from empire to discuss annexation. Friday members of the board, Barton & Loguidice met with Titus Falkenberg to discuss the Sewer Grant project. Due to emergency circumstances Robertson Ave Bridge has been closed. Plans are underway to repair the road. On Thursday August 27th at 5:00pm at the Village hall a seminar about opportunities, requirements and assistance available to homebuyers will be held. All Village residents are invited to attend. Pathstone will be hosting this event. Dykstra is working on doing a zoning survey which will help in our rezoning efforts.

Building Department Employment Position

Trustee Hutchins questioned why the vacant position in the Building Department was not filled from the Civil Service list for Grants Administrative Assistant which is a Civil Service position even though that position was listed in the 2009/10 budget?

The Village Manager responded that the Village did not look for a grant administrator; he has taken on that responsibility himself to straighten out, what he believes, were problems in the grant department. The grants administrator position is vacant and the title that was filled is Confidential Secretary to the Village Manager and her salary is \$34,000.

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Trustee Hutchins did not understand how the Village Manager is able to hire someone at \$34,000 when there was a grant administers assistant position and for the secretarial position the Village paid \$4,200. He felt the Board should understand that the Village Manager doesn't create positions, the Board creates each position and establishes the salary for that position as they see fit. He felt the Manager should have hired from the Civil Service list and because that was not followed he felt that the Village is in violation of the Civil Service Law by having someone working in that position and doing the grant administration job because she has assisted several residents that live on my street with their applications and with the contractors. He questioned whether any Village residents were interviewed and be placed in that position.

The Village Manager responded that he interviewed several young ladies for that position and picked the most competent young lady who has worked at the Partnership for 10 years. He also looked into her references, spoken to a dozen people including people at the Partnership who highly recommended her. He felt that this Village needs competent people to do competent work. He felt it is obvious to him that Trustee Hutchins does not have an understanding of how to manage a Village. He indicated that he needs a confidential secretary for many reasons, one of which is to tell him what is going wrong with certain departments. Right now she is looking into, and finding error after error that has been done in the Village's grant department. All the complaints are coming to him and he is one by one putting out fires.

Trustee Hutchins noted that at the Sewer Department there was a part time secretarial position and once again jobs are being filled without advertising for people to fill these positions. He felt that once again Village residents are not getting opportunities, hope to get jobs and if the Village wants to boost the community give them jobs. He noted that the Chief of Police is looking at hiring a Village resident to fill the open position that is becoming available with the recently awarded COPS grant. He suggested that all these positions be widely advertised before hiring an individual.

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The Village Manager explained that the job of the Village Manager is to manage the Village not to micromanage the Village. He felt that the department heads and those heads do the interviews after going through the proper course of looking at the Sullivan County Civil Service list.

Trustee Hutchins was concerned that there is a rumor going around the employees are going to be fired or demoted, specifically our Highway Superintendent and outside people might be hired. He heard that Stanley Calhoun will be fired or demoted and either Jim Carnell or a Steinberg is going to be hired in his place. He felt that employees are being threatened that they are going to be fired as of tomorrow and he does not like what he is hearing.

The Village Manager indicated that he thinks Trustee Hutchins is misinformed.

Trustee Marinello explained that at the last Village Board meeting Trustee Hutchins sat at this meeting and said in public, "we may have another employee take the position of highway department."

Mayor Jenkins indicated that the Board works for the public and it is the Board's responsibility and the Mayor's to make sure that everyone is being treated fairly in this community and therefore there is nothing to hide.

Trustee Marinello felt that the Village Manager is doing a great job and if those rumors are out there it is because Trustee Hutchins started them and he made the comment at a public Village Board meeting which he had no business doing and it is a Executive Session personnel matter and should not be spoken about in public session.

Trustee Hutchins responded that he has asked to go into Executive Session to discuss personnel matter for the last two meetings and for some reason the Board does not want to go into Executive Session to discuss personnel matters. He felt that as long as injustice is being done to the people that work for the Village and live in the Village, if need be it I will say it to let the public know what is going on.

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Trustee Rue explained she called the Sewer Superintendent herself after the Village Manager told her he left the decision on who to hire to him. The Sewer Department Superintendent told her that no one on the Civil Service list wanted to be hired for a part time job at \$12.00 per hour, so he interviewed other people and he found someone willing to take the job for part time. She also noted that she called Sheila Lashinsky at the Sullivan County Personnel Office and she asked about the grant administrator position and she told her that in early June that the person in that position at that time was illegal because she did not pass the Civil Service test and encouraged the Mayor to dissolve the position or do something. Ms. Lashinsky told her the position is no longer available and a new test will be given. The person hired in the building department is secretary for the building department, the grant department and his confidential secretary so she is doing the whole job.

The Village Manager noted that it is his secretary who he has instructed to oversee other departments so he will know what is wrong with those other departments so he as manager can correct those wrongs.

The Village Attorney advised the Board not to have any further discussions regarding personnel matters.

Mayor Jenkins took full responsibility of any discussion that took place at these meeting regarding personnel because when he was campaigning that there would be no secrets with the Mayor.

Trustee Hutchins noted that if the rumors aren't true Mr. Calhoun does not have to worry about losing his job.

Trustee Rue noted that no names were mentioned; however some of the things that Trustee Hutchins said are not true.

Trustee Marinello explained that neither himself, Trustee Schoonmaker, nor Trustee Rue said anything about personnel in a public meeting, only Trustee Hutchins.

Trustee Rue explained that she told the Manager's secretary to assist anyone that was getting a grant because there is only thirty days left or the money has to be returned to the State. She asked the Manager to call the State to extend the grant time to use the funds on the people who qualify.

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PUBLIC COMMENT

Water Turn On/Off Charges

Florence Messinger was disturbed that the Village Board increased the charges for residents to have their water meter removed and restored from \$50.00 to \$75.00 which is a 50% increase in those fees.

The Water Superintendent noted that these increases went into effect August 2008.

The Board said that they would look into her concerns at a later date.

Mayor's Appointment of a Housing Authority Commission

Mattie Andersen, Executive Director of the Monticello Housing Authority asked that the Mayor continue to have the authority to appoint and/or reappoint members to their Board that has been the practice for at least 30 years.

Trustee Schoonmaker questioned if that authority is being challenged? He noted that for as long as he had been sitting on the Board the Mayor has always made the appointment without Board approval.

Mattie Andersen responded that she has heard that his authority is being challenged.

Mayor Jenkins noted that there are some objections from Trustee Rue.

Trustee Rue indicated that she asked the Village Clerk to research whether when Cookie McKinney was appointed to the Housing Authority Board was it with Board approval.

The Village Clerk responded that she did the research and gave a copy of the minutes to the Mayor which indicated that he made the appointment and did not need or have Board approval. The Village Clerk explained that Trustee Rue called her early this morning advising her that she had contacted higher State authorities who verified to Trustee Rue that it was the Mayor's appointment with Board approval. The Clerk advised Trustee Rue

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that as long as she has been Clerk it has been a Mayor's appointment only and referred her to the Village Attorney for a legal opinion.

A member of the audience explained that this is a Federal Governmental Agency who has the authority and directs who can make the appointments and should not be an issue.

Cookie McKinney was concerned that Trustee Rue mentioned her name and her term is up when Trustee Rue's term is up also.

Tax Medallions

Christopher Jacques distributed a notice prepared by Rametta & Rametta, LLC a law firm located in Goshen, New York served on the Village Attorney, the Clerk and the entire Village Board which is placing the Village on notice, officially making a demand of the Board, the Village Attorney and the Village Manager following up his appearance at the last Board meeting. This letter is to serve as his command to have Carmen Rue removed from the Board in its determination of the pending issue whether to permit additional taxicab medallions in the Village and/or whether to remove any such limitations thereof. The basis of the request is that Ms. Rue, on the record, said the Village should not consider allowing an individual from Orange County to provide services to the Village of Monticello. The reality is that Ms. Rue would not be on the Board if that is the mentality that this Village, this State, this Country lived by. Many people in this room would not be in this room tonight if we all went by Ms. Rue's ruling. He felt that this Board is here to look after the citizens not for Ms. Rue or anyone in this Village to make the rules by which the citizens have to live by.

Trustee Hutchins thanked Mr. Jacques for donating to buses free of charge to the CPR Group to take two busloads of children for over 120 Village residents to go to Great Adventure. He encouraged other business owners to donate whatever they can to different organizations.

Roz Sharoff felt that Trustee Rue has every right to give her opinion.

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Tom Rue commended the Mayor for assuming personal liability for allowing public discussion of particular persons in open sessions.

Thomas Mack indicated that he elected the Board members to be fair and carry out the laws and rules. He indicated that he did not elect the Board to come in with the "good old boys" network. He asked the Board to do the right thing and interview the candidates that took the time to take the test and pass it.

MAYOR'S APPOINTMENT - REAPPOINTMENT OF TSHARA D'DAS TO THE MONTICELLO HOUSING AUTHORITY FOR A FIVE YEAR TERM TO EXPIRE 2014

Mayor Jenkins reappointed Tshara D'Das, Commissioner to the Monticello Housing Authority for a five (5) year term to expire August 1, 2014.

MAYOR'S APPOINTMENT - VILLAGE AUDITOR

Mayor Jenkins appointed Scott Schoonmaker as the Village Auditor.

RESOLUTION AUTHORIZING THE VILLAGE ATTORNEY TO PERFORM LEGAL SERVICES NECESSARY TO THE ORGANIZATION, FINANCING AND RECONSTRUCTION OF THE WASTEWATER TREATMENT PLANT IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$15,000

Resolved, that the Board of Trustees of the Village of Monticello does hereby authorize the Village Attorney to perform legal services necessary to the organization, financing and reconstruction of the Wastewater Treatment Plant Improvements in an amount not to exceed \$15,000.

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

RESOLUTION CORRECTING THE 2009/10 VILLAGE TAX ROLL - SLEEPY HOLLOW DEVELOPMENT SECTION 126, BLOCK 1, LOT 3.1 IN THE AMOUNT OF \$35,405.49

Resolved, that the Board of Trustees of the Village of Monticello does hereby correct the 2009/10 Village Tax Roll -

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Sleepy Hollow Development, Section 126, Block 1, Lot 3.1 in the amount of \$35,405.49.

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

RESOLUTION CORRECTING THE 2009/10 TAX ROLL - SBL 106-4-32

Resolved, that the Board of Trustees of the Village of Monticello does hereby correct the 2009/10 tax roll for SBL 106-4-32 in the amount of \$601.74 to \$160.74 in the property maintenance line due to a clerical error.

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 A PASSENGER SIDE DRIVE HUB IN THE AMOUNT OF \$5,930.39 FOR THE HIGHWAY DEPARTMENT

Resolved, that the Board of Trustees of the Village of Monticello does hereby authorize the purchase of a Passenger Side Drive Hub in the amount of \$5,930.39 for the Highway Department.

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

RESOLUTION AUTHORIZING THE PURCHASE OF TWO (2) CHEVY 3500 SERIES AT A COST OF \$37,455.40 EACH BY THE HIGHWAY DEPARTMENT

Trustee Schoonmaker noted that these two vehicles have been budgeted, however he asked that the matter be table until the final cost to the repair of Richardson Avenue be obtained instead of going into the contingency.

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

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RESOLUTION AUTHORIZING THE PURCHASE OF A BOBCAT AT STATE BID PRICE NOT TO EXCEED \$30,000.00 BY THE HIGHWAY DEPARTMENT

A motion was made by Trustee Schoonmaker, seconded by Trustee Marinello, unanimously approved on a roll call vote to table the motion until more information is obtained from the Highway Department.

RESOLUTION AUTHORIZING THE PURCHASE OF A RECYCLING TRUCK AT A COST OF \$101,998.15 BY THE SANITATION DEPARTMENT

Resolved, that the Board of Trustees of the Village of Monticello does hereby authorize the purchase of a recycling truck at a cost of \$101,998.15 by the Sanitation Department.

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 A 2010 FORD RANGER TO REPLACE A 1997 RANGER AT STATE BID BY THE WATER DEPARTMENT

Resolved, that the Board of Trustees of the Village of Monticello does hereby authorize the purchase of a 2010 Ford Ranger to replace a 1997 Ranger at State Bid price by the Water Department.

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

RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) AQUATAP HOT TAPPING KIT BY THE WATER DEPARTMENT AT A COST OF \$1,995.00

Resolved, that the Board of Trustees of the Village of Monticello does hereby authorize the purchase of one (1) Aquatap Hot tapping Kit by the Water Department at a cost of \$1,995.00.

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

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RESOLUTION AUTHORIZING THE PURCHASE OF A 215M STEAM BOILER IN THE AMOUNT OF \$2,658.98 FOR THE WATER DEPARTMENT

Discussion - Trustee Hutchins requested that the Manager look into a quote for the boiler in the Village Hall.

The Manager indicated that his job is "Village Manager" not "Village Micro Manager" and what he does he overlooks all his departments and when a department has a problem he delegates that responsibility to department head. The Department Head that would be responsible for the boiler in the main room is the Highway Department, and therefore he has no problem going to his Highway Department and telling them substantiate what needs to be done and do it.

Trustee Rue felt that it was more important to replace or repair the air conditioning units that cool both the Village Hall and Police Department as the employees are working in 100 degree temperatures.

Resolved, that the Board of Trustees of the Village of Monticello does hereby authorize the purchase of a 215M Steam Boiler in the amount of \$2,659.98 for the Water Department.

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

RESOLUTION TO DIRECT THE VILLAGE MANAGER TO LOOK INTO THE PURCHASE OF A HEATING/COOLING SYSTEM FOR THE VILLAGE HALL

Resolved, that the Board of Trustees of the Village of Monticello does hereby direct the Village Manager to look into a Heating/Cooling System for the Village Hall.

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

RESOLUTION CHANGING THE FIRST BOARD MEETING IN SEPTEMBER FROM MONDAY, SEPTEMBER 7th TO MONDAY, SEPTEMBER 14, 2009 AT 7 P.M. DUE TO THE LABOR DAY HOLIDAY AND THE SECOND BOARD MEETING IN SEPTEMBER FROM MONDAY, SEPTEMBER 21st to TUESDAY, SEPTEMBER 29, 2009 AT 7 P.M.

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Resolved, that the Board of Trustees of the Village of Monticello does hereby change the first meeting in September from Monday, September 7th to Monday, September 14, 2009, due to the Labor Day Holiday and the second Board meeting in September from Monday, September 21st to Tuesday, September 29, 2009 at 7 p.m.

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

**RESOLUTION ANNEXING PROPERTY INTO THE VILLAGE OF MONTICELLO
FORMERLY KNOWN AS TOWN OF THOMPSON SBL 20-2-9 AND PROPERTY TO BE
ZONED R-2**

Discussion - Trustee Hutchins questioned whether the Village's Code Enforcement Officer and the Village Engineer had inspected the premises prior to this annexation being finalized by the Village Board because many of the owner's properties that already in the Village have been cited for numerous building violations.

Trustee Rue explained that she got the Town of Thompson's building file for this property which indicates that all the violations that were issued by the Town's building department have been fixed before the petition for annexation was filed.

Trustee Schoonmaker questioned whether the Village has the right to inspect a property that is that not a Village property?

The Village Attorney responded that the Village could have the right with the owner's permission to inspect the premises to see if it complies with Code. He indicated that the Board could suggest it as a condition that the code be complied with.

The Attorney for the owner, Gabriel Bertonazzi explained that they appeared the Town of Thompson Town Board and one of councilman noted that this property is "bed and breakfast" like. He felt that only issue before the Village Board is the approval of the annexation.

Mayor Jenkins recommended that the Board ask that an inspection of the building be done prior to the annexation being completed.

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Resolved, that the Board of Trustees of the Village of Monticello does hereby adopt Local Law No. 4 of 2009 annexing property into the Village of Monticello formerly known as Town of Thompson, SBL 20-2-9 and property to be zoned R-2.

A motion was made by Trustee Schoonmaker, seconded by Trustee Marinello, approved on a roll call vote as follows: Trustee Schoonmaker, aye; Trustee Hutchins, nay; Trustee Marinello, aye; Trustee Rue, aye to adopt the above resolution.

RESOLUTION AUTHORIZING THE MAYOR TO SIGN A COPS GRANT AWARD DOCUMENT IN THE AMOUNT \$253,313.00 TO FUND ONE POLICE OFFICERS POSITION FOR THREE YEARS

Discussion - Chief Solomon explained that this grant will fully fund one police officer position for three years including salary and benefits. He noted that the Village of Monticello is only one of twelve departments statewide to be award this grant. Under the terms of the grant the Village is required to retain the position for a full three year cycle and after the three years are up, unless the Village is in financial strain. He noted that there are six individuals on the Village list and he is in the process of interviewing at this time and is confident he will fill this position with a Village resident.

Resolved, that the Board of Trustees of the Village of Monticello does hereby authorize the Mayor to sign a COPS Grant award document in the amount of \$253,313.00 to fund one (1) Police Officers position for three (3) years.

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

PUBLIC COMMENT

Mayor Jenkins pointed out the editorial in the Sullivan County Democrat and agreed with the editors that the Village should not be in the taxi business

Trustee Schoonmaker explained that he does not care who buys the medallions, but he wants to make the medallions worthwhile to protect the integrity of the Village. He felt the Village should set a "fair market" value amount.

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Substandard Working Conditions - Village Hall

Roz Sharoff noted that she was in Village Hall this afternoon and the employees are working in substandard conditions with no air conditioning and the temperature extremely high and felt it was absolutely disgraceful.

Taxi Medallions

Roz Sharoff felt that the editorial in the newspaper was not public opinion only the editor's opinion.

Mayor Jenkins explained after speaking with many of the residents he has gotten the sense that people want and need more taxi companies servicing the Village.

Chris Jacques explained that in reference to Trustee Schoonmaker's comment, if the Village was to adopt the policy as Trustee Schoonmaker is saying to give value to the medallions the municipal law is not for protection of the person who owns a taxi business. The law is to protect and serve the community to see that they are getting safe, reliable, cost effective transportation not to guarantee that a taxi medallion should be worth \$30,000. The value of a business should be based on the owner's ability to perform as a business person and provide a service to this community.

Trustee Schoonmaker strongly urged the Board because of a pending law suit by Mr. Jacques not to discuss this matter any further.

Chris Jacques explained the a "Letter of Demand" is a demand notice to the Village Officials that it is their legal opinion that they have a Trustee on the Board that has shown proven fact time after time after time to overstep the boundaries and proper authority of a Trustee. For that reason he and his attorney have made a demand, in this case, which is not a notice of claim, it is a demand notice to request. If the Board fails to follow through with that demand and if the Trustee fails to see that she has wronged this time and fails to excuse herself from any action regarding tax medallions then it will fall under General Municipal Law 36 and then it will go to a State Supreme Court of which your Trustee could be removed.

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EXECUTIVE SESSION

At 8:45 p.m., a motion was made by Trustee Hutchins, seconded by Trustee Schoonmaker, unanimously approved on a roll call vote to move into Executive Session to discuss the PBA Contract.

RECONVENING THE REGULAR VILLAGE BOARD MEETING

At 9:10 p.m., a motion was made by Trustee Schoonmaker, seconded by Trustee Marinello, unanimously approved on a roll call vote to reconvene the Regular Village Board meeting.

**RESOLUTION RATIFYING THE LABOR CONTRACT WITH THE MONTICELLO PBA
- MONTICELLO POLICE DEPARTMENT**

Resolved, that the Board of Trustees of the Village of Monticello does hereby ratify the labor contract with the Monticello PBA - Monticello Police Department and authorizes the Village Manager to sign the Memorandum of Understanding with the Monticello PBA.

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

**RESOLUTION FOR THE BOARD OF TRUSTEES TO SIGN A CONTRACT WITH THE
VILLAGE MANAGER**

Discussion - Trustee Hutchins was concerned that the Board was just in Executive Session to discuss the PBA contract and Trustee Rue never mentioned the Manager's contract, but now is insisting that the Board vote to sign a contract with the Village Manager. He felt that the Board should have a special meeting just to discuss the proposed contract. He questioned the length of the contract and will it bind the next Board.

The Village Attorney responded that it is a three (3) year contract that does not go passed Mayor Jenkins' term of office to April, 2012.

Trustee Hutchins indicated that he had not seen the contract and asked for an opportunity to review it.

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Mayor Jenkins indicated that this is what happening, Trustee Rue waits until the public leaves and all of a sudden she springs it on the Board to insist there is a vote. He felt this is where the fights begin and it doesn't look right to tell the public at the next Board meeting that a contract was approved after they went home.

The Village Attorney explained that this is a similar contract that previous Manager's have had.

Trustee Rue felt that the contract has less power than the resolution.

Trustee Hutchins felt it is a crime that the Board binds the Village of Monticello if Ray Nargizian does something wrong we still have to pay him \$37,000 for his wrongdoing. He felt the resolution should be amended. He felt if these contracts are not on the agenda than it is Trustee Rue being sneaky and hiding matters from the public who might have stayed to the end of the meeting had they known this matter was going to be voted on.

Trustee Schoonmaker indicated that this was already passed when Trustee Rue presented the resolution for the Board to adopt.

The Village Attorney noted that he can be fired for cause. He suggested that the Board discuss this matter in Executive Session. He felt that there is a process which is not to discuss a contract at the end of the meeting when everyone is tired, but by having all five Board members in the room and discuss the terms as they did with former Village Manager John Barbarite.

Trustee Schoonmaker felt that the Board is not hiding anything and the public should have no input into this matter.

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

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ADJOURNMENT

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

EDITH SCHOP, Village Clerk