

## Minutes

Meeting of the Board of Trustees

Village of Monticello

September 18<sup>th</sup>, 2012

7:00pm

### **Call Meeting to Order**

The meeting was called to order at 7:05pm by Mayor Jenkins.

### **Pledge to the Flag**

### **Roll Call**

Mayor Jenkins-Present

Carmen Rue-Present

T.C. Hutchins-Present

Larissa Bennett-Late

James Matthews-Present

Also Present:

John LiGreci-Village Manager

Dennis Lynch-Village Attorney

James Snowden-Code Enforcement

James Steinberg-Highway/Sanitation Dept

Robert Mir-Police Chief

### **Motion to Accept the Agenda**

A motion was made by Trustee Hutchins and second by Trustee Matthews to accept the agenda with and addition of the Manager's Report. Upon the call of the roll, all were in favor.

### **Manager's Report**

Fall Clean-Up Tentative Date: Weds-Fri, October 10<sup>th</sup>-12<sup>th</sup>, 2012

### **Approval of Minutes from the August 21<sup>st</sup>, 2012 & September 4<sup>th</sup>, 2012 Meetings**

A motion was made by Trustee Rue and second by Trustee Hutchins to approve the minutes from the previous meetings. Upon the call of the roll, all were in favor.

### **Public Hearing- Amending Chapter 12- Defense and Indemnification**

Village Attorney, Dennis Lynch, presented this amendment to the Board and the Public. Mr. Lynch stated that this amendment would provide a Defense Attorney for any criminal defense that relates to the performance of the official duties of a Village Employee working in their capacity at time that the incident occurs. This amendment will also allow that if that employee is found guilty of that crime, the employee will be responsible to reimburse the Village of the all cost for such defense.

The Public Hearing was opened at 7:12pm and the following people spoke:

Barbara Burton

Leo Glass  
Thomas Mack  
Trustee Hutchins  
Trustee Rue

A motion was made by Trustee Matthews and second by Trustee Bennett to close the Public Hearing at 7:24pm. Upon the call of the roll, all were in favor.

Following the close of the Public Hearing, Mayor Jenkins made reference to the practices and policies of the DA who was present at the meeting.

**Public Hearing-Amending Section 119.13 - Assessment of Expenses**

Village Attorney, Dennis Lynch, stated that this amendment would allow for any fees that are incurred by Code Enforcement through Court proceedings are levied to the taxes each year. It is becoming a re-occurring problem with property owners that have fines and court fee, not paying; so if these expenses are levied to their taxes each year with a 15% charge instead of a 50% reimbursement fee to the Village for administering, supervising and performing the work be assessed against the property, there is a better chance at the Village being paid for these expenses.

The Public Hearing was opened at 7:30pm and the following people spoke:

Barbara Burton  
Trustee Rue  
Trustee Hutchins  
James Snowden

A motion was made by Trustee Hutchins and second by Trustee Matthews to close the meeting at 7:35pm. Upon the call of the roll, all were in favor.

**Resolution of Adoption- Amending Section 119.13 - Assessment of Expenses**

A motion was made by Trustee Hutchins and second by Trustee Matthews to adopt the Assessment of Expenses Amendment Section 119.13. Upon the call of the roll, the vote went as follows:

Trustee Matthews-Yea  
Trustee Bennett-Yea  
Trustee Hutchins-Yea  
Trustee Rue-Nay  
Mayor Jenkins-Yea

**Approval of bill's to be paid in the amount of \$40,141.19 for 2012 & \$913,652.91 for 2013**

A motion was made by Trustee Hutchins and second by Trustee Bennett to approve the bills. Upon the call of the roll, the vote went as follows:

Trustee Matthews-Absent

Trustee Bennett-Yea

Trustee Hutchins-Yea

Trustee Rue-Abstain

Mayor Jenkins-Yea

**Meredith Taylor-Ash Tree Inventory Presentation**

Meredith Taylor from Catskill Regional Invasive Species Partnership (CRISP) gave a presentation in regards to the Ash Tree Inventory in the Village. The majority of the trees that line Village Streets are Ash Trees and there is an insect called the Emerald Ash Borer (EAB), a type of beetle that in its larval stage, tunnels into the tree's living tissue and disrupts the trees water and nutrient flow causing decay and death within a few years. The beetles are transported in firewood and young nursery trees. The beetle has currently been identified in Ulster County in the Saugerties area. There are treatments available to prevent and treat infected trees, and grants will also be available for funding in the next couple of months.

**Resolution authorizing the surplus of equipment including a 1999 Chevy 1 Ton Dump, a 1990 GMC 8500 Cab/Chassi w/ 12' Hydraulic Salt Spreader, a 2002 Sterling Garbage Packer, a 2004 Chevy Impala( old #24) 2-2yds Salter Spreaders to Roy Teitsworth Internet Auction on October 9<sup>th</sup> thru October 16<sup>th</sup>, 2012 to the highest bidder**

A motion was made by Trustee Rue and second by Trustee Hutchins to put the items to auction with the Village holding the option to reject the bid and be responsible for the advertising cost. Upon the call of the roll, all were in favor.

**Resolution authorizing payment to BNY Mellon in the amount of \$8,100.00 for the Interest on the 1985 Sewer Bond from app#G.9710.00-account balance-\$33,340.00**

A motion was made by Trustee Rue and second by Trustee Bennett to Table this item until a more information is available. Upon the call of the roll, all were in favor.

**Resolution authorizing an emergency purchase in the amount of \$9,600.00 from R & R Pump & Control services for the Sewer Department for the East Broadway Pump Station from app#G.8130.233-account balance-\$14,600.00**

A motion was made by Trustee Hutchins and second by Trustee Rue. Upon the call of the roll, all present were in favor.

**Resolution setting a Public Hearing to Amend the Village Code Section 220-24 Entitled, "Owner required to remove from sidewalks"**

A motion was made by Trustee Rue and second by Trustee Matthews to set a Public Hearing date for Tuesday, October 2<sup>nd</sup>, 2012 at 7:00pm. Upon the call of the roll, all present were in favor.

**Resolution authorizing the spending of CHIPS monies in the amount of \$116,108.84 for milling reclaiming and paving the following Village streets-Milton Ave, Fraser Ave, Floral Dr, Garden Dr, and Crystal St. from app#5110.229-account balance-\$114,000.00 plus funds left from previous year**

A motion was made by Trustee Rue and second by Trustee Hutchins. Upon the call of the roll, all present were in favor.

**Apollo Mall Annexation**

A motion was made by Trustee Hutchins and second by Trustee Rue to re-affirm the Apollo Mall Project Annexation and send out for 239 GML Review. Upon the call of the roll, all present were in favor.

**Legal Update-**

**Executive Session**

A motion was made by Trustee Hutchins and second by Trustee Matthews to go into an Executive Session at 8:22pm and invite Tommy Ting and the Code Enforcement Officer in. Upon the call of the roll, all present were in favor.

A motion was made by Trustee Bennett and second by Trustee Hutchins to come out of an Executive Session at 9:35pm. Upon the call of the roll, all were in favor.

**Tommy Ting Project**

A motion was made by Trustee Hutchins and second by Trustee Rue authorizing the Mayor to execute the Tommy Ting Agreement with the Village and this agreement will supersede all other agreements. Upon the call of the roll, all were in favor.

**Special Meeting**

A motion was made by Trustee Rue and second by Trustee Bennett to set a Special Meeting for Thursday, September 20<sup>th</sup>, 2012 at 12:30pm with the Judge Finn to discuss Personnel. Upon the call of the roll, all present were in favor.

**Adjournment**

A motion was made by Trustee Rue and second by Trustee Hutchins to close the meeting at 9:41pm. Upon the call of the roll, all present were in favor.

Submitted by:

A handwritten signature in cursive script that reads "Janine Gandy".

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Janine Gandy, Village Clerk