

Minutes

Board of Trustees

Village of Monticello

August 19th, 2014

7:00pm

Call Meeting to Order

The meeting was called to order at 7:01pm by Mayor Jenkins.

Pledge to the Flag

Roll Call

Mayor Jenkins-Present

Carmen Rue-Present

Jill Weyer-Present

Larissa Bennett-Present

Douglas Solomon-Present

Also Present: Michael Davidoff-Village Attorney

Walter Fedun-Deputy Village Manager

Executive Session

A motion was made by Trustee Rue with a second by Trustee Bennett to go into Executive Session at 7:03pm to discuss the following:

Personnel

Litigation

Upon the call of the roll, the vote went as follows:

Mayor Jenkins-abstain

Trustee Bennett-yea

Trustee Rue-yea

Trustee Solomon-yea

Trustee Weyer-yea

A motion was made by Trustee Weyer with a second by Trustee Rue to come out of Executive Session at 7:35pm. Upon the call of the roll, the vote went as follows:

Mayor Jenkins-abstain

Trustee Bennett-yea

Trustee Rue-yea

Trustee Solomon-yea

Trustee Weyer-yea

Resolution retaining the services of Walter Fedun as the Interim Village Manager at a salary of \$60,000.00

A motion was made by Trustee Rue with a second by Trustee Bennett. Upon the call of the roll, the vote went as follows:

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Mayor Jenkins-abstain
Trustee Bennett-yea
Trustee Rue-yea
Trustee Solomon-yea
Trustee Weyer-yea

Resolution authorizing the Interim Village Manager, Walter Fedun, to sign the Police Memorandum of Understanding (MOU)

A motion was made by Trustee Rue with a second by Trustee Weyer. Upon the call of the roll, the vote went as follows:

Mayor Jenkins-abstain
Trustee Bennett-yea
Trustee Rue-yea
Trustee Solomon-yea
Trustee Weyer-yea

Resolution authorizing the suspension of James Snowden with pay in accordance with Civil Service Law section 75 effective immediately

A motion was made by Trustee Solomon with a second by Trustee Rue. Upon the call of the roll, the vote went as follows:

Mayor Jenkins-nay
Trustee Bennett-abstain
Trustee Rue-yea
Trustee Solomon-yea
Trustee Weyer-yea

Motion to Accept the Agenda

A motion was made by Trustee Rue with a second by Trustee Bennett to accept the agenda with the following add-ons:

1. Approval of minutes from July 1st- August 12th, 2014
2. Resolution authorizing the settlement of the lawsuit-Country Bank v. Village of Monticello, et al

Upon the call of the roll, the vote went as follows:

Mayor Jenkins-abstain
Trustee Bennett-yea
Trustee Rue-yea
Trustee Solomon-yea
Trustee Weyer-yea

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Continuation of Public Hearing- Local Law #3 of 2014-The Amendment of Chapter A290 of the Village Code entitled, "Fee Schedule"

A motion was made by Trustee Rue with a second by Trustee Weyer to re-open the Public Hearing at 7:40pm. Upon the call of the roll, the vote went as follows:

Mayor Jenkins-abstain
Trustee Bennett-yea
Trustee Rue-yea
Trustee Solomon-yea
Trustee Weyer-yea

Trustee Rue commented that the Public Hearing should be tabled because they were waiting to find out information in regards to the Recreational Department and the Fees being charged.

A motion was made by Trustee Rue with a second by Trustee Bennett to Table the Public Hearing until the next meeting. Upon the call of the roll, the vote went as follows:

Mayor Jenkins-abstain
Trustee Bennett-yea
Trustee Rue-yea
Trustee Solomon-yea
Trustee Weyer-yea

Approval of Minutes from the July 1st - August 12th, 2014 meetings

A motion was made by Trustee Rue with a second by Trustee Bennett to approve the minutes. Upon the call of the roll, the vote went as follows:

Mayor Jenkins-abstain
Trustee Bennett-yea
Trustee Rue-yea
Trustee Solomon-yea
Trustee Weyer-yea

Mayor's Comments

Mayor Jenkins stated that he does not have any comments at this time.

Deputy Village Manager's Report

Mr. Fedun stated that he is pleased to announce that the DEC has approved the removal of the debris on Pleasant Street and also Fairground Rd. As you can see, the work has begun and the pile on Pleasant Street has been completely removed and cleared. The contractor will begin the work on Fairground Rd to continue the removal process. The Village would like to commend Jeff Siegel for a very successful Bagel Festival this past Sunday, it was great for the Village. On Friday, August 8th, the Village Officials met with the County Manager to discuss shared services, grants and overall clean-up of the Village. It was a very

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positive meeting; all parties are looking to go forward. Finally, the Village received a letter from the Landfield Avenue Synagogue expressing thanks to James Hussey and Anthony Johnson for their help and thoughtfulness. They went above and beyond the expectations, so thank you James and Anthony.

James Steinberg-Highway Superintendent-Road Paving around North Street Parking Lot & Handicap Parking Space Request

Jim Steinberg, the Highway Superintendent, stated that he is seeking approval from the Board to do the paving of the roads around the municipal parking lots. He stated that he gave the Board a list of lots and roads around the Village a few years back that totaled to \$135,000.00. If one road is done per year, they will not all be due at the same time and you would save money. All of the monies have been already budgeted for in each fiscal year. The Board responded that they have no problem with it.

In regards to the handicapped parking space, this is for the business of Anyone Can Fitness. Once the Library bought the building on the corner of Prince Street and Broadway, they fenced up the lot and cut off all of the parking. This majority of the business that is served at this location is elderly and handicapped and they have nowhere to park and a lot of them cannot travel far, so the business owner came to me and I told her that it would have to go before the Board and have a Public Hearing.

A motion was made by Trustee Solomon with a second by Trustee Rue to set a Public Hearing date for Tuesday, September 16, 2014 at 7:00pm to allow additional parking spaces on Prince Street. Upon the call of the roll, the vote went as follows:

Mayor Jenkins-abstain
Trustee Bennett-yea
Trustee Rue-yea
Trustee Solomon-yea
Trustee Weyer-yea

A motion was made by Trustee Solomon with a second by Trustee Bennett to pave the roads around the North Street parking lot. Upon the call of the roll, the vote went as follows:

Mayor Jenkins-abstain
Trustee Bennett-yea
Trustee Rue-yea
Trustee Solomon-yea
Trustee Weyer-yea

Anthony Eagan B & L-Chemical Bulk Storage Update Discussion

Anthony Eagan stated that at the end of May the Board authorized B & L to negotiate with the NYSDEC and the Village entered into an Order of Consent and I am pleased to let the Board know that last Monday we applied to DEC in response to all of the issues on the

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Order of Consent which included studies done that we have done and gone over in detail with Phil and he know what needs to be taken care of. Time frames have been set up to allow the Village time to get the proper things done to keep things on track and moving forward, so at this time we have responded along with input from Phil on behalf of the Village and at this time, you are in compliance.

Resolution authorizing the approval of bill's in the amount of \$114,847.19 for fiscal year ending July 2014

A motion was made by Trustee Bennett with a second by Trustee Rue to pay the bills. Upon the call of the roll, the vote went as follows:

- Mayor Jenkins-abstain
- Trustee Bennett-yea
- Trustee Rue-yea
- Trustee Solomon-yea
- Trustee Weyer-yea

Resolution authorizing the approval of bill's in the amount of \$235,036.75 for fiscal year ending July 2015

A motion was made by Trustee Rue with a second by Trustee Weyer to pay the bills. Upon the call of the roll, the vote went as follows:

- Mayor Jenkins-abstain
- Trustee Bennett-yea
- Trustee Rue-yea
- Trustee Solomon-yea
- Trustee Weyer-yea

Resolution authorizing the Village Manager to execute an Agreement with Boys and Girls Clubs of the Town of Walkill, Inc. to offer Recreational programs in and for the Village of Monticello

A motion was made by Trustee Rue with a second by Trustee Bennett. Upon the call of the roll, the vote went as follows:

- Mayor Jenkins-abstain
- Trustee Bennett-yea
- Trustee Rue-yea
- Trustee Solomon-yea
- Trustee Weyer-yea

Resolution awarding the Wastewater Treatment Plant Bid Contracts 2A, 2B, 2C & 2D to the lowest bidders subject to financing from EFC

A motion was made by Trustee Rue with a second by Trustee Solomon. Upon the call of the roll, the vote went as follows:

- Mayor Jenkins-abstain

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Trustee Bennett-yea
Trustee Rue-yea
Trustee Solomon-yea
Trustee Weyer-yea

Resolution rescinding the original USDA loan resolution passed April 3, 2012 for \$7,984,000.00 and authorizing the Mayor to execute a Revised USDA loan resolution

A motion was made by Trustee Rue with a second by Trustee Bennett. Upon the call of the roll, the vote went as follows:

Mayor Jenkins-abstain
Trustee Bennett-yea
Trustee Rue-yea
Trustee Solomon-yea
Trustee Weyer-yea

Resolution authorizing the Mayor to execute a Revised Grant Agreement with USDA in the amount of \$11,947,000.00

A motion was made by Trustee Rue with a second by Trustee Bennett. Upon the call of the roll, the vote went as follows:

Mayor Jenkins-abstain
Trustee Bennett-yea
Trustee Rue-yea
Trustee Solomon-yea
Trustee Weyer-yea

Resolution authorizing the carry-over of accrued vacation, personal & sick time under special circumstances pertaining to James Snowden

A motion was made by Trustee Solomon with a second by Trustee Weyer. Upon the call of the roll, the vote went as follows:

Mayor Jenkins-abstain
Trustee Bennett-yea
Trustee Rue-abstain
Trustee Solomon-yea
Trustee Weyer-yea

Resolution authorizing the Village Manager to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf

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of the Village of Monticello with the NYS DOT for the Jefferson Street Gateway Project (TEP)

A motion was made by Trustee Rue with a second by Trustee Weyer. Upon the call of the roll, the vote went as follows:

Mayor Jenkins-abstain
Trustee Bennett-yea
Trustee Rue-yea
Trustee Solomon-yea
Trustee Weyer-yea

Resolution authorizing the Village Clerk to refund the amount of \$2,395.91 for an overpayment of taxes to Deepesh Patel, SBL#109.A-2-11./0208

A motion was made by Trustee Rue with a question and a second by Trustee Weyer.

Trustee Rue asked why is so much money being refunded?

The Village Clerk responded that this tax payer sent in double the amount that their taxes were and under the law, we cannot keep overpayments, the system will only take the amount that's owed and we cannot keep the rest. It has to be returned to the tax payer.

Trustee Weyer stated that was her same question.

Upon the call of the roll, the vote went as follows:

Mayor Jenkins-abstain
Trustee Bennett-yea
Trustee Rue-yea
Trustee Solomon-yea
Trustee Weyer-yea

Resolution authorizing the Village Clerk to refund the amount of \$2,178.91 for an overpayment of taxes to Minerva Osorio, SBL#110.-3-6

A motion was made by Trustee Rue with a second by Trustee Weyer. Upon the call of the roll, the vote went as follows:

Mayor Jenkins-abstain
Trustee Bennett-yea
Trustee Rue-yea
Trustee Solomon-yea
Trustee Weyer-yea

Resolution authorizing the transfer of \$5,000.00 from Miscellaneous Revenues-app#A.2770 to Treasurer Equipment app#A.1325.200 and Clerk Equipment app#

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A.1410.200 to go out to State Bid for two new computers and back-up systems from State Bid

A motion was made by Trustee Rue with a second by Trustee Weyer.

Trustee Weyer stated that she is not sure why this resolution is on the agenda, but Management was working with the County to consolidate services and she doesn't see the need to purchase two computers at \$5,000.00.

Trustee Rue commented that she wanted it on the agenda because she spoke with Bill from Computer Doctors and he said that the Village needs updated computers and that has nothing to do with the County. The computers themselves need to be updated. The County does not have anything to do with the Villages computers.

Mr. Fedun, the Interim Village Manager, stated that he has been working with the County gathering all of the information together from the Village to get it to the County to see how and if they can help the Village.

Mayor Jenkins stated that maybe we need to wait and see if the County comes in cheaper.

A motion was made by Trustee Rue with a second by Trustee Solomon to Table this issue.

Upon the call of the roll, the vote went as follows:

Mayor Jenkins-abstain
Trustee Bennett-yea
Trustee Rue-yea
Trustee Solomon-yea
Trustee Weyer-yea

Resolution authorizing the Village Treasurer to set up a separate bank account at TD North Bank as per the request of USDA for the Wastewater & Water Project

A motion was made by Trustee Solomon with a second by Trustee Weyer. Upon the call of the roll, the vote went as follows:

Mayor Jenkins-abstain
Trustee Bennett-yea
Trustee Rue-yea
Trustee Solomon-yea
Trustee Weyer-yea

Resolution authorizing payment to Village Engineer, Glenn Smith, for his work done on the Justice Court Project in the amount of \$2,573.96 from app#A.5110-Street Maintenance

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A motion was made by Trustee Rue with a second by Trustee Weyer. Upon the call of the roll, the vote went as follows:

Mayor Jenkins-abstain
Trustee Bennett-yea
Trustee Rue-yea
Trustee Solomon-yea
Trustee Weyer-yea

Resolution retaining the law firm of Drew, Davidoff & Edwards Law Offices, LLP as attorneys for the Village of Monticello to commence litigation against Sam Kearney, d/b/a Sam's Property Management for all cost incurred by the Village of Monticello for the clean-up and remediation for the Justice Court Building

A motion was made by Trustee Rue with a second by Trustee Solomon. Upon the call of the roll, the vote went as follows:

Mayor Jenkins-abstain
Trustee Bennett-yea
Trustee Rue-yea
Trustee Solomon-yea
Trustee Weyer-yea

Resolution authorizing the Village Manager to sign a 3-year lease commitment with Real Lease Inc. for the lease of a 2014 Dodge Durango equipped for the Police Department

A motion was made by Trustee Rue with a second by Trustee Weyer. Upon the call of the roll, the vote went as follows:

Mayor Jenkins-abstain
Trustee Bennett-yea
Trustee Rue-yea
Trustee Solomon-yea
Trustee Weyer-yea

Resolution requesting authorization to apply for the 2014-2015 Justice Court Assistance Program Grant (JCAP); application deadline is October 15th, 2014

A motion was made by Trustee Rue with a second by Trustee Solomon. Upon the call of the roll, the vote went as follows:

Mayor Jenkins-abstain
Trustee Bennett-yea
Trustee Rue-yea
Trustee Solomon-yea
Trustee Weyer-yea

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Resolution setting a Public Hearing for the Proposal of Local Law # 5 of 2014, entitled, “Dissolving the position of Deputy Village Manager” to repeal Local Law #1 of 2010, Chapter 45-16 entitled, “Deputy Village Manager”

A motion was made by Trustee Rue with a second by Trustee Solomon with a discussion.

Trustee Solomon commented that he does not see the need to do this right now and he feels that the Board may be moving too soon.

Trustee Rue commented that she feels that the position needs to be eliminated from the Village Code because there is no money for it in the budget and there is no need to have two Managers. The position was created in 2010 when the two John's were here and it caused too much conflict and it was no need for it then and we don't need it now. Besides, there is no money in the budget for it.

Upon the call of the roll, the vote went as follows:

Mayor Jenkins-yea

Trustee Bennett-yea

Trustee Rue-yea

Trustee Solomon-nay

Trustee Weyer-nay

Mayor's Comments

Mayor Jenkins stated that he had told the Board that he was not going to say anything, but with all that has happened in tonight's meeting and everything else that is going on, he cannot continue to sit and be quiet. Mayor Jenkins stated that he is the Mayor of this Village and the Chair of this meeting and he is so upset and so disgusted with how we are treated and the stuff that goes on with us. I have never heard of anything or seen anything like this in my whole life of 30 to 40 years and now a DA comes in here and what these people are doing to us, and nobody says anything. I have never seen this and I have been going to meeting for 40 years, I have been involved with this community for 40 years. How can a man come in and he is helping this community and all of a sudden you get arrested 5 times. I've never seen this, I'm trying to finish my term and just get out of this Village and I'll never come back again as long as I live because I have never been treated with so much disrespect, and so much racism, and so much hatred and so bs in my life and now you're coming after the Code Enforcement to suspend him and fire him and why? I wouldn't be surprised if someone in this Village was tarred and feathered and ran out of this Town, that's how I feel about it and I bet you none would say a darn word except, bye. It's a shame, it's sickening. We are going to close this meeting because I said that I wouldn't comment. This is sickening.

Adjournment

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A motion was made by Trustee Bennett with a second by Trustee Solomon to close the meeting at 8:45pm. Upon the call of the roll, the vote went as follows:

Mayor Jenkins-abstain

Trustee Bennett-yea

Trustee Rue-yea

Trustee Solomon-yea

Trustee Weyer-yea

Submitted by:



Janine Gandy, Village Clerk