

Minutes

Board of Trustees

Village of Monticello

September 2<sup>nd</sup>, 2014

7:00pm

**Call Meeting to Order**

The meeting was called to order at 7:00pm 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-Interim Village Manager

**Motion to Accept the Agenda**

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

1. Resolution authorizing payment to Drew, Davidoff & Edwards Law Offices, LLP in the amount of \$1,750.00 for legal services for the month of July 2014 from app#A.1420.404, current account balance is \$46,850.00
2. Resolution authorizing the use of the Ted Stroebele Building by the Town of Thompson on September 9<sup>th</sup>, 2014 for the State & Local Primary Election, from 12pm to 9pm and on November 4<sup>th</sup>, 2014 for the General Election, from 6am to 9pm and waiving all fees

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

**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 Solomon to Table this matter until the necessary information is available for the Board to review. 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

**Public Hearing- 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 Bennett to open the Public Hearing at 7:09pm with a discussion. Upon the call of the role, the vote went as follows:

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

Trustee Rue commented that she has put this forward before. I think that it would be better to put someone in the position of an Economic Developer to help the Village Manager and bring business on Broadway instead of having two people as Manager's. Plus, it has never worked. John Barbarite and John LiGreci did not work well and before when Jim Barnacle was there, it did not work. We need someone with idea's to come in and help with the property owner's on Broadway; we do not need two people performing the same job duties, there isn't enough work for two people. We need someone to come and help and work with the property owner's specifically on ways to get businesses back on Broadway. That's my opinion. Sitting here in meetings before I was even elected, the Deputy Manager never worked, to have two people duplicating the same thing makes no sense.

Mayor Jenkins commented that I don't think you need the position either because we tried it, having a Deputy Manager and we just don't have enough work for two people, it's a small Village, we only have about 7,000 residents in this Village. I don't care who you get in here, it's going to be hard for anyone to get those buildings filled on Broadway, and people do not have the money. I have a building and I was offering one year of free rent and couldn't get anyone in there. If you can't get someone to come in for a year for free, I don't care if you get the President to come to this town, it's not going to happen. Look who's shopping on Broadway, I don't think many people in this audience or in this Village is shopping on Broadway; even if you have the stores on Broadway, they are going to Middletown and shopping down there. People are not coming to Broadway.

Trustee Rue stated that if we had someone to work and outreach and bring the County, Village and everyone together and really work with getting Broadway going, that's what we need. Anyway, there is no budget for a Deputy Manager, so there is no way to pay one.

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Trustee Solomon commented that I think that this is a little premature being for the fact that we have not even chosen a permanent Village Manager at this time and then to go and dissolve this position; I think we are putting the cart before the horse. It may be the right way to go, but I don't think at this time right now, I think it's something that we can continue to talk about but to make this move right now.

Trustee Rue stated that there is no money there, there is no money to hire anybody, and it is \$0 in the budget for that line.

Mayor Jenkins stated that position looks prime and ripe for someone to go into it, so I would dissolve the position. We all know what it's about; it looks like someone wants that position; we don't need to pay that position. I was here as the Village Manager and sat in that position for a number of months and I seen what the job entails, it's not much of a job to do and we are still at the same point. I would just get rid of it and dissolve it.

Trustee Weyer commented that there are a lot of issues that we need to focus on, such as the housing; the youth, Broadway, economic development and I don't think that one person can do it all. There is plenty of work that needs to be done and one person cannot do it. Economic development is a job within itself. There is plenty of work to be done in this Village.

Mayor Jenkins asked where the money would come from. There is no money to pay the position.

Trustee Weyer answered that there is grant administration; we have money that comes from grants. It takes money to make money.

Mayor Jenkins responded that the problem, we don't have the money.

Trustee Solomon responded that we don't have money at the moment, but we don't know what can happen.

Trustee Rue stated that during the time of the budget, we all sat here in those meetings and we all agreed that we were not going to put any money in that line. We all agreed on this. I said very clearly when we were all here working on the budget that we do not need to put any money in the Deputy Village Manager's line because it's \$0 and everybody agreed to leave it at \$0, so we all had the intentions never to hire. Look at Wurtsboro, they have little stores and you see life and lights down there. Even Liberty has life and lights.

Mayor Jenkins stated that dissolving this position is not a big deal. If later you want to open it back up, you can, but for right now, we do not have the money for it.

Mayor Jenkins opened the floor to the Public and the following people spoke:

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Trustee Rue  
Trustee Solomon  
Trustee Weyer  
Steven L. Kaufman  
Ms. Armstead  
David Gillman  
Rochelle Massey  
James Snowden

A motion was made by Trustee Rue with a second by Trustee Bennett to close the Public Hearing at 7:24pm. 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 August 19<sup>th</sup>, 2014 meeting**

A motion was made by Trustee Rue with a second by Trustee Solomon 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 expressed his thanks to Trustee Rue for her rebuttal in the Sullivan County Democrat against Ray Nargizian's article and false claims. Everything that you said about the ex-Manager was said by me a few months prior when I sat up here. Carmen and Larissa saw what was going on and it show's it in the Record, everything that he did and I'm glad that you guys fired him because I don't think he should have been here from the beginning. All he is and was doing padding his Political favors and aligning his pockets and all kinds of nonsense and I don't think that he should have never been here. I think it was games from the beginning with Mr. Nargizian and now he's out and trying to do all kinds of vindictive and devilish things again. I am quite sure that he is not gone and I and others will continue to hear about and have to be the brunt of Mr. Nargizian, so again, thank you Carmen and Larissa for seeing it for what it was and moving forward. I know that we all make bad decisions, but as long as you correct them, that is what matters and I am with you 100%. Thank you.

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### **Interim Village Manager's Report**

Mr. Fedun stated that he is pleased to announce that the debris on Pleasant Street and Fairground Road has been completely removed. I would like to thank our DPW worker's for backfilling and installing the milling to our parking area. At the Fairground site, they seeded and mulched the area and all work is complete.

The Village received a draft of what the Boys & Girls Club will be offering at the Ted Stroebele Center on Friday nights and Saturday mornings. They are in the process of sending the Village their insurance certificates and you guys have a copy of what they are proposing, it's just a draft, look it over and we can take it from there.

As far as the computers go, I talked to the Computer Doctors and his feelings is that the server we have needs to have an updated back-up system, the price tag should be between \$800 to \$1,000.00. He recommends that we start a replacement program, replacing the computers one at a time and working within our budget if the Board is inclined to do so. I will also contact the County to get their offer, because I have not done that yet.

The paving and milling of the Village Streets will start September 9<sup>th</sup> and be finished with 2 days.

Just a reminder on Saturday, September 13, 2014 at 2:00pm, the Village will be hosting the Annual Firemen's Parade. All are welcomed and please come out to support your local firemen.

### **Resolution adopting Local Law #5 of 2014, "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 Bennett to approve the minutes. 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

### **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# 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 Solomon with a question.

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Trustee Solomon asked, Walter do you recommend holding off until we can contact the County or what should we be doing with this?

Mr. Fedun responded that the back-up system is important. We currently have an inadequate one and it is not doing what it is supposed to be. It does not do a complete back-up.

Trustee Solomon commented that this is just to transfer the money anyway.

Trustee Rue commented that we know that two computers are not going to cost \$2,000.00. We have to go with the State Bids, which are Dell Computers, if the County wants to go into the bids too, they can do it too, but it's no problem to go with this and allow us to go and get the bids for the computers; if the County wants to go with the other bidders then why not.

Trustee Solomon asked why don't we get the bids and then transfer the money.

Trustee rue commented that we just cannot buy from the County. The law says that we have to do things proper.

Trustee Solomon then asked why we are just transferring a blanket of \$5,000.00.

Trustee Rue responded that because we always have to make sure that we have enough to cover the installation cost. We know that we are not going to use all of the money, but if it's there, we have enough to cover all of the expenses. We need to replace the worst one's first and the most important one's first. We are not going to buy them now, we have to have the money in place, than we can go look at the bids.

Mr. Davidoff stated that's not what the resolution states and I think Doug is saying that why are we transferring the money now without knowing what the bid amount are?

Trustee Rue commented that we need to have the money there and if we don't use it all, it can be used for other computers, but if not, it can always be transferred back. You will probably used about \$3,000.00 or a little more than that.

Trustee Solomon asked how we came up with \$5,000.00, opposed to \$4,000.00 or \$7,000.00.

Mayor Jenkins commented that we need to make sure that there is enough money to cover all of the expenses. If it is not all used, then it can be used for more computers or transferred back.

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Trustee Weyer stated I thought that we talked in the budget meetings about coming up with a plan to go forward with. Everyone needs a new computer, so we are going to do \$5,000.00 now, and then do piece-milling for the rest of the year?

Trustee Rue commented that we know that we will not use all of the money, some of these computers in the Village are more than 7 to 10 years old; they are very old. Maybe you Jill don't have any knowledge of how all of this works, but I am surprised at you Doug. You sat here all that time as the Police Chief and you know how all of this works, you put in a request to transfer money first, then you make the purchases. If there is a balance, either you transfer it back or buy more computers.

Trustee Solomon stated that there is no back-up.

Trustee Rue responded that you will not have back-up because it's a bid. You don't know how much the computers will be until you go out for the bid. It's just a part of the process. You cannot get a quote until you go out for the bid.

Mr. Davidoff stated that the resolution says to purchase, if you want to go to get a bid, then do that, but it does not say that in the resolution, the resolution says to purchase, so let's not misunderstand what is happening here, if that's not what the intent is, then change it, amend the resolution. The resolution should say to transfer money to obtain a State bid for the purchase of two new computers.

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 Interim Village Manager to hire Elliott Young as a Laborer in the Highway & Sanitation Department-salary commensurate to the CBA**

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

Mayor Jenkins asked is this a hiring and how many resumes did you get?

Mr. Fedun stated that the Highway Superintendent did all of the interviews and I don't hire and fire so it has to go to the Board. It would be different if it was up to me, but it's not so it goes to the Board.

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Mayor Jenkins commented that he had some people that came in and filled out applications and were interviewed.

Mr. Fedun responded that a lot of this happened before I came.

Mayor Jenkins stated that I would at least interview some people. I know it's all different now, but we should at least go through the process. At least put it out there, because I had gentlemen that came in and I directed them to you. Did he at least get an interview?

Mr. Fedun responded that I gave his resume to Jim. I don't know if he got an interview.

Mayor Jenkins continued that I do not want to get myself caught out there and now it looks like we are lying, because he's going to come back here and say I spoke to you and you (pointing at himself and Mr. Fedun) and you two told me that I would at least get an interview. I am saying to give him the job, but all I am saying is to at least interview him and we at least said that we would interview him and I told you to do that, at least that.

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 posting of the second vacant Laborers position for the Highway & Sanitation Department**

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

Mayor Jenkins stated that again the Village said that we didn't have money and we can't meet payroll, but yet we're hiring all of these new employees. Maybe this gentlemen here can be a witness because you see all of the turmoil that I am facing and the politics, but did you see in the paper where it said that the Village was flat broke and couldn't make payroll, had big money issues and all kinds of other issues and we're hiring two extra people.

Trustee Rue commented that these are in the budget.

Mayor Jenkins responded okay, but look at that, this is two that is in the budget, but what about all of the others? Ray hired at least five (5) and that's why he's gone, but a lot of them are still working and they are not budgeted. Oh, but that's okay because he's a friend. Okay moving on.

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Trustee Rue stated that this resolution is just to authorize the posting. It's not to hire anyone. It has to be posted first for two (2) weeks.

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 setting a Workshop for the Board of Trustee's to review the Resumes of the Candidates that applied for the Village Manager's Position**

A motion was made by Trustee Rue with a second by Trustee Bennett setting the Workshop date for Thursday, September 4, 2014 at 5:30pm.

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 an RFP for SBL#111.-4-3-Vacant Lot on Cottage Street in the Village of Monticello, due date no later than Monday, September 29<sup>th</sup>, 2014 at 3:00pm to the attention of the Village Clerk**

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

Trustee Rue asked that if this is going into the paper just for this lot only.

The Village Clerk, Ms. Gandy, responded yes, it's only for this lot and it's just the RFP, the request for proposals.

Trustee Weyer asked didn't we already get in quotes for this property?

Ms. Gandy responded yes, but it has to go back out for an RFP because we got a new appraisal and it was decreased from the original, so we have to send it back out and get in new proposals.

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

Mayor Jenkins-abstain  
Trustee Bennett-yea

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

**Resolution authorizing the corrections to the 2014/2015 Budget as presented by the Village Treasurer in a memo on August 6<sup>th</sup>, 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

**Resolution authorizing the Village Treasurer or designee to prepare and submit a Disbursement Request to NYSEFC in order to obtain funds to pay project expenditures as shown on the Form E**

A motion was made by Trustee Weyer 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 payment to Drew, Davidoff & Edwards Law Offices, LLP in the amount of \$1,750.00 for legal services for the month of July 2014 from app#A.1420.404. Current account balance is \$46,850.00**

A motion was made by Trustee Weyer with a second by Trustee Rue. 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 use of the Ted Stroebele Building by the Town of Thompson on September 9<sup>th</sup>, 2014 for the State & Local Primary Election, from 12pm to 9pm and on November 4<sup>th</sup>, 2014 for the General Election, from 6am to 9pm and waiving all fees**

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

### **Executive Session**

A motion was made by Trustee Solomon with a second by Trustee Weyer to go into Executive Session at 8:13pm to discuss the following:

#### *Personnel*

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 Bennett to come out of Executive Session at 8:56pm. 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 Interim Village Manager to hire James Hussey as the Recreation Attendant in the Village of Monticello with a annual salary of \$28,500.00**

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

For the sake of clarity and understanding on the Village Record, the Village Clerk clarified that according to Village Law §4-402 the Clerk's responsibilities and duties. The entire Board agreed that this is the Law and that this is what we must follow and comply with.

### **Adjournment**

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A motion was made by Trustee Weyer with a second by Trustee Solomon to close the meeting at 9:07pm. 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:



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Janine Gandy, Village Clerk