

Minutes

Village of Monticello, New York

Monday March 1, 2010

1-MEETING TO ORDER

Mayor Jenkins called the meeting to order at 7 PM

2-PLEDGE TO THE FLAG

3-ROLL CALL

The following were present

Gordon Jenkins, Mayor

Theodore Hutchins, Trustee

Victor, Marinello, Trustee

Carmen Rue, Trustee

Scott Schoonmaker, Absent

Also present: Ray Nargizian, Village Manager

Jim Carnell, Code Enforcement Officer Consultant

Sue Flora, Code Enforcement Officer

Doug Solomon, Police Chief

Clarence Decker, Water Plant Operator

James Steinberg, Highway & Sanitation Superintendent

4-Approval of Village Board Meetings Minutes-February 1, 2010

Motion by Carmen Rue, yes, to table the minutes

Second by Theodore Hutchins, yes

All in favor (carried) 1 absent

5-Mayor's report-I would like to have a moment of silence for the earthquake victims in Chile.

What is

Thank you. Please be seated. I would like to thank, the highway department and all the other agencies for the services provided during the snow emergency.

6-Manages Report-Good Evening, my name is Ray Nargizian.

Welcome to the March 1, 2010 meeting of the Monticello board of Trustees

Building Department-review from February 1, 2010 to date

Inspections, 29-Violations, 30-Violations Corrected, 7-Grant Inspections, 10-Zoning Review, 5-Permits issued, 3-Code/Violations Searches, 10-Amount collected from searches, \$800 Amount collected from Penalties \$195

On Thursday February 4, the Village Manager, Brud Decker. Our Water Supervisor and Glen Gidaly of Burton & Loguidice met with George Popp of the USDA to discuss our newly receive water grant and loan offer. We are waiting for final application approval. Glen Gidaly of Burton and Loguidice is here tonight to discuss the status of these grants.

On Thursday February 18, 2010. I met with sales representatives of Prudential Realty to discuss the economic condition of Monticello. Their biggest concerns were zoning, the DOT project and economic development.

On Thursday February 4, 2010 and February 18, 2010 the rezoning committee met. Progress is proceeding at a fast pace

On Thursday February 25, 2010 due to severe weather conditions the Village Whole was closed Thursday afternoon and all day Friday. Our highway department did a super job maintaining village streets during this emergency. I'd like to thank Steinberg and his crew for a job well done Last month I stood before this board and explained that I can only be as effective as the tools this board provides me with. Those tools consist of and Attorney, a Clerk and Treasurer. It is the Mayor's fiduciary responsibility to provide the Village with a competent person to fill these positions. At present we have a dozen plus legal matters that need immediate legal attention. We cannot pursue code violations, union negotiations, water contracts, police concerns and many other legal concerns, unless we have legal counsel. I ask this board to address this problem today. We are in critical state of emergency. We need an attorney now.

Theodore Hutchins (Trustee) I would like to mention the leecha to Ray. Our Village Manager about the negotiations with the County by the light of the Attorney not being here and that being an issue. I just would like to say, Thank you very much.

Jim Carnell (Code Enforcement Officer Consultant) there are a couple of issues I would like to discuss. The tax issue first:

The gentleman that you have his letter. He is under the impression that his taxes were drastically increased. In discussing the issue with the treasurer and the finding was that he hasn't paid his taxes from 2007 two current. Therefore, his taxes were not increased the penalties from not paying may have looked like an increase to him But they were penalties. The other item I would like to talk about is there are three properties that we would like to move forward with unsafe building procedures, and I have files to review the issues with the board.

Carmen Rue (Trustee), we are not going to vote on anything because the files are too thick to review now and our attorney is not present

Mayor Jenkins-we are not going to vote on anything now we are just looking at the information.

Jim Carnell-We could prepare for the next meeting because the attorney is not here that will be March 15, 2010 at 7 PM, a resolution that the board would have prior to the meeting

Carmen Rue (Trustee). Can you give us a letter to explain about each property?

Jim Carnell-I've make copies right out of the village code. As far as the procedure, which I have if the board would like to review it, it's right out of the code book.

Theodore Hutchins (Trustee) Jim, what exactly are we looking to do? Are we looking to take the building down?

Jim Carnell-well, I think there looking to secure them and if we cannot do that take them down. What we need to do is to do a resolution to declare the buildings, unsafe

Theodore Hutchins, (Trustee) if the building department is coming to us now telling us that the buildings are unsafe for the people in our community, could we make the resolution now to declare the buildings, unsafe

Carmen Rue, (Trustee). The problem that I have is we have no attorney. I will not agree to vote on anything without an attorney.

Mayor Jenkins-we have talked about the buildings for quite some time. It doesn't take a rocket scientist to know the buildings are dangerous, unsafe and they are falling apart.

Sue Flora-(Code enforcement Officer). The procedure is that first you bring it to the board and then the person has a chance to speak on their behalf and one of the people notified of the buildings were talking about is here tonight

Speaking, the gentleman that owns the Hillside Building. I will fix them I just bought the property, but I need time. They will be safe. When I am done. I have only owned them for 3 or 4 months. There are plans on file.

Jim Carnell-we have no plans on file from this gentleman.

Theodore Hutchins, Trustee. The person in the building department just told us that you have no plans on file.

Sue Flora (Code Enforcement Officer), the building we are talking about is 27 Hillside. There was a fire in the building and he has just purchased the property and he was in my office to speak to us about the situation. Unfortunately, he came in Thursday when the snow storm was going on and we didn't get chance to speak to him in detail.

Theodore Hutchins, Trustee. I would like to make a motion that we declare these buildings, unsafe to the public and for the building department to continue and work along with our attorney to do whatever needs to be done to either make the corrections or have a public hearing about the buildings

Mayor Jenkins-I agree we need to go through the process and that the owner could work with Mr. Carnell to fix the building up in time and I will be okay

Theodore Hutchins, Trustee. We have the building department code enforcement officer coming to us and telling us that the buildings are on safe, therefore I would like to make a Motion to declare the buildings, unsafe

Mayor Jenkins. I will second that motion

Victor Marinello, Trustee. I agree that the buildings are unsafe. Let me ask this, how can we make a decision on it. If we don't have an attorney or any type of legal counseling available to us. In case we do this we find out a few days down the road, that the man may have a legitimate liability against the village because of this action

Jim Carnell-code enforcement officer, what we need to do is declare them unsafe. I'm asking is that you pass a resolution to have a public hearing on the building at the next meeting.

Mayor Jenkins, Jim, what we will do is go with a roll call vote to declare the buildings, unsafe

Carmen Rue, no

Victor Marinello, no

Theodore Hutchins, yes

Mayor Jenkins, yes

Vote is a tie (not carried)

Glen Gidaly-there are a couple of things that I would like to report on tonight. First thing is the sidewalks on route 42. Just to summarize the village was able to get a grant from the federal stimulus to replace sidewalks from Broadway down to the school complex on Forestburgh road. On the east side of the roads this funding is also 100% funding the project is currently in design. At this time. We are required to have a public information meeting and I am working that out now with the Village Manager. We're looking at the 15th at the village board meeting to have this we also need to have a public notice advertise in the newspaper. I also like to have permission from the village board to put this notice of advertisement in the newspaper, which will also be paid for by the grant

Carmen Rue, Trustee so he would like to have a motion now to give you permission because it's not on the agenda

Motion by Victor Marinello, yes
Second by Theodore Hutchins, yes
Carmen Rue, yes
All in favor (Carried) 1 absent

Glen Gidaly-the last part I want to mention is we are projecting right now that the design will be done in late April or early May. And this will go out to bid. We will also secure a contract in June and this project will be done in July, August or September time frame

Theodore Hutchins, Trustee. Can you let the public know where exactly the sidewalk is going to start and where it will end?

Glen Gidaly-it will start at the school complex on the east side of the road to the north and all the way to Broadway to the corner. We have a couple of other things that the clerk was nice enough to put on the agenda. A required SEQRA resolution that has to do with the USDA sewer project and resolutions about the water project.

Tim Wales-resolution number 12 is a resolution regarding the wastewater project, and just to summarize its regarding the state environmental quality review action first thing we did send out notices to all affected agencies, and they are listed notifying them of the project and describing the project and asking if they have any objections or input. They get 30 days to respond. This resolution declares lead agency to the Village of Monticello for the (SEQRA) review. Then we've review, the seeker long form and determine what the impact would be to

the Village of Monticello. I will read to the public the Village of Monticello Village board resolution, number 12

#12- Resolution-Village of Monticello Village board

Whereas, the Monticello Wastewater Systems upgrade project (The Project) includes upgrades to the wastewater treatment plant, repairs to portions of the collection systems and improvements to select pump stations, and

Whereas, the project is an (action) as defined by the State Environmental Quality Review Act, and

Whereas, Part 1 of the environmental assessment form (LEAF) has been completed and circulated to all involved agencies for establishing the Village Board as (Lead Agency) in accordance with 6NYCRR Part 617.6 for the purpose of conducting a SEQRA/SERP review of the project, and

Whereas, the board hereby assumes the role of (Lead Agency) for purposes of project environmental review

Now, Therefore, Be It Resolved, and Determined, that this board has circulated said long environmental assessment form to the following (Involved Agencies) under cover of the attached (Notice of Intent to Establish Lead Agencies) letter of purpose of establishing lead agency status under SEQRA/SERP:

- 1-Delaware River Basin Commission
- 2-New York State Department of Environmental Conservation
- 3-New York State Historic Preservation Office
- 4-New York State Department of Transportation
- 5-New York State Department of Agriculture and Markets
- 6-New York State Environmental Facilities Corporation
- 7-USDA Rural Development
- 8-United States Army Corp. of Engineers
- 9-United States Fish and Wildlife
- 10 Village of Monticello Planning Board
- 11 Town of Thompson
- 12-Sullivan County Department of Public Works
- 13 Sullivan County Division of Planning and Environmental Management

14-ST. Regis Mohawk Tribe

15-Environmental Notice Bulletin C/O Business Environmental Publishing, Inc.

Resolved, It to Mayor, together with board of the Village, and the Villages Engineers are hereby authorized to take all action, serve all notices, and complete all documents in order to give full force and effect to this determination

The question of the adoption of the foregoing resolution was duly put to a vote and up on a roll call, the vote was as follows

Motion by Carmen Rue, yes

Second by Victor Marinello, yes

Theodore Hutchins, yes

Scott Schoonmaker, Absent

All in favor, Scott Schoonmaker, Absent

I hereby certify that this resolution was adopted on March 1, 2010 and is recorded in the village of Monticello minutes book of the Mayor and village board

Village Clerk John Li Greci

Village of Monticello

Mayor Jenkins. We will go to resolution 13

#13-Resolution Village of Monticello Village Board

Tim Wales-this resolution is for the water project, and I have the same resolution. We have completed the preliminary application to USDA for funding on the water projects. They have issued a pre-eligibility determination. Approximately \$11,200,000 and they have invited the village to make a full application for the project funding and includes the SEQRA. The village attorney is not here. We drafted a resolution for your consideration that says basically you would approve our proposal to go ahead with this full application because time is of the essence to get this stimulus money. Basically what its saying is that you approve our proposal contingency on your attorney Review

Theodore Hutchins, Trustee-Just for clarification for the public, and I don't want anybody to get this twisted or wrong, because we received the money for the Broadway project. People were misled thinking that this is a village project and it really was a state project and all of your complaints should have been addressed to the state. This project were talking about now, this water project is a balance and \$11 million project. It's not a grant. The only grants money that

we are going to be getting from this project is about \$665,000 in grant money and the rest. The other \$10,000,000+ dollars is coming from a loan at a 2.375 % interest rate over 38 years. It will cost each taxpayer approximately \$112 per year. Or about 9 dollars per month. And that's based upon the actual final construction costs. The figures may be subject to change. The village also qualifies for a hardship case, which could equal 0% interest money to be paid back after the project is constructed

Theodore Hutchins, Trustee-with this project. Is this the Cadillac plan, because instead of going with the Cadillac plan. Maybe we can go with something less that would be less of a burden to the taxpayers

Glen Gidaly-we have been in touch with Mr. Decker, about what is the status of the water system. Now there are areas where there are dead ends in the system, so therefore people have low pressure or discolored water. There are over 190 fire hydrants that you can't get parts for, and some which are in operable. I don't think we are trying to do things that are not necessary. Some of the pipes water department are fixing are over 80 years old and needs to be replaced. We are being told by your water department and the USDA that this is reasonable to do. When we do the bids, you will have the option to do all of this or not accept the bids.

Carmen Rue, Trustee-when I met with you my understanding is that it was going to be \$28 per quarter.

Glen Gidaly-no, 9 dollars a month, Getting back to T. C. Hutchins point about the grant and the loan issue. What the USDA does is they analyze the water system. The water system is separate. Then the sewer system and the sewer system had a lot more debt on it already, money that was owed, the water system doesn't. So their point of view is the issue for them is not so much is it a grant or loan issue was what's affordable. And what's not and from their point of view, spending 9 dollars per month to have your water system dramatically improve is a reasonable number. But as Tim said earlier, were not stopping there. We told you, we started working on this project. We made a commitment to the Village Board and the Village Manager that we were trying to get the best financing possible. This is the first offer that we had and the village is eligible for hardship financing through the environmental facilities Corporation and their financing is as low as 0%.

Theodore Hutchins, Trustee-it's ironic that we are going to vote on this equation you are considered professionals and in line of not having an attorney and giving the attorney the option to review after we approve. What I don't understand is that we just had a resolution before this and we tabled because we didn't have an attorney. Then why is this okay.

Whereas, Barton & Loguidice, PC (B&L) has submitted and pulmonary funding application to the United States Department of Agriculture (USDA), Rural Development Agency (RDA) for funding of the (Order Systems Improvements Project) and

Whereas, the USDA sent a pre-eligibility determination letter to the Village indicating eligibility for a financing package to implement the water project improvements consisting of a \$665,000 grant, and a 10,383 loan@2.375% over 38 years, and

Whereas, The USDA has invited the Village to submit a full funding application for project funding, and

Whereas, Barton & Loguidice has submitted to the Village Board for Authorization a Task Order to complete the Full Funding Application and State Environmental Quality Review Act Process (SEQRA) for the Water Department Project, and

Whereas, Time is of the essence to apply for project funding, and

Whereas, The Village Attorney cannot be present at the March 1, 2010 Village Board Meeting

Now, Therefore, Be It Resolved, and Determined, That this Board Approves the Task Order for B&L to complete the full funding Application and SEQRA Process for the Water Project Contingent Upon Attorney Approval of the Task Order.

Resolved, that the Mayor, together with Board of the Village, and the Village Engineer are hereby authorized to take all action, serve all notices, and complete all documents in order to give full force and effect to this determination

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call; the vote was as follows,

Theodore Hutchins-The Mayor before we take a roll call vote and motion on taking their \$10 million in loan. I would ask that Barton& Loguidice study appear and answer public comment from the people

Barbara Burton-John would like you know, if the minutes were excellent. Thank you. I just have a couple of points to make. Number one I am against pushing anyone to do anything number 2.

I want to remind you that not only there is no licensed legal person in attendance at the board and also in absence of all relevant factor to consider before moving forward with anything. Including my friend from hillside Avenue number 3-there are 2 words on page 2 of the agenda. Keep in mind, only assume and intent. At this time the word professional relevance to what I had just said absence to all relevant factors. The word professional is in question knowing the big picture is better as for federal and state where people depending on federal and state and given us all kinds of information without the absence of being identified, and I want them to know again and I know they always have a lot of money and if they continue to do what they are doing they will owe more money. I want to make it clear that the activity is fraudulent. Thank you and night

Brian Solar-can you review the numbers again that we are going to see on the water and sewer bills. Specifically, I don't know if that number is set or parliamentary

Glen Gidaly-It's not set these are plenary numbers as I said before. There is a list that you have from us. The information is listed on top. The information you're asking for

Brian Solar-is this list is what Theodore Hutchins is describing as the Cadillac plan?

Glen Gidaly-no. He asked me if that was the Cadillac plan

Ms. Anderson-you said the course was nine dollars a month. That is a lot of money for someone that lives on a fixed income. You did indicate that the village is eligible for hardship funding and 0% interest

Glen Gidaly-yes, you are correct, we have explored it end we were already told that the village is eligible and were going through the process to get their, there are a lot of hoops to jump through. The funding will lessen the nine dollars per month. However it will cost something

Mr. Rieber-everybody's saying \$9 per month, but in essence. It's \$18 a month with the water and sewer. Keep in mind on your water and sewer bill that increase will be 20 to 25% of what you bill is already

Victor Marinello, Trustee-just to add to that this \$18 a month. Like Mrs. Anderson said. That's a lot of money for people that live on a fixed income. In this community. Is there any possibility that the cost could be higher than the \$18 per month?

Glen Gidaly-yes that's possible, and that's a good point assuming all goes well. You're looking at the sewer project as a head of the water project, that means you're looking at a project that will be on construction in 2011 and finished in 2012 and the new rates will go into effect at the end of 2012 in the water is one year behind that. So you're talking about something that's not going to happen tomorrow. You need to keep in mind that people want to come into Monticello to open a business or residential homes and want to be able to have clean water and flush the toilets

Victor Marinello, Trustee-you're absolutely right. But if people cannot afford to pay for flushing them what's the sense of doing it in the first place. I know we need this I know it's important but people need to be able to pay for it

Glen Gidaly-I would like to comment on the ladies point back, that's the reason why we're committed to the village not stop at USDA and to continue to go for the best deal and bang for the buck.

Carmen Rue, Trustee-the problem is the water and sewer department. If we don't fix this situation. It will get worse not better and cost the taxpayer twice as much in what it is already

Village Manager-where talking about the cost of this project. We really haven't emphasized the savings of this project and the savings will be reflected in the water and sewer bill. For example, a few months ago we were notified by the County they will longer take our sludge. We have to truck our sludge out of Monticello to another area that cost tens of thousands of dollars. If we go through this project and do this project. We will not have a sludge problem for 10 years and then if that, it will be a one-shot deal to truck for sludge away every 10 years and that saving is enormous. Plus the fact that we are going green with this project and we will literally save hundreds of thousands of dollars over the years. Will also save a lot of money on repairs or the pipes breaking and they don't have a clock. They could break 2 o'clock in the morning or 6 o'clock in the morning and when they break. Our workers are called, sometimes time in half or double time

Mr. Kaufman-just 3 points, 1 is if you look at the possibility of federal stimulus money for this project. Secondly, as I understand the Broadway project included water and sewer so that does not need to be done for the businesses on Broadway.

Village Manager-Mr. Kaufman, the project on Broadway in, order for them to put a road down. They have to make sure that the pipes underneath are not going to be breaking. So they

replaced the piping from Broadway to all the stores, and that saved storeowners thousands of dollars.

Mr. Kaufman-my last question is project contingent upon attorney approval. The attorney is not here he can't approve it officially until the next board meeting anyway, what would you lose by tabling this project resolution to vote on the resolution until the next board meeting

Village Manager-Mr. Kaufman. I believe our attorney is coming back on Wednesday so we get this to him Wednesday and he approves it. It gives our engineers, a two-week head start

Glen Gidaly-one other issue is that it is sort of the worst time and the best time to do this. People working multiple jobs and taxes are going up, and I understand that. But on the flip side, the interest rate already went down between the time we applied for the sewer, which is at 2.6% and this is now 2.3% and 2.3 is just a preliminary offer their making you in another two months if we get the lowest rate available at the time. When the project was through, so it's possible that it could go down again for the water. Also the contractors now are very hungry for work, and more competitive

Carmen Rue, Trustee- we met the other day I asked you if you were going to use local companies to buy materials for the sewer and water project. We would like to give the business the opportunity to make some money. And also workers when needed.

Tim Wales -the workers that bid in the village will have an advantage because they are local. Because of that the prices to do the work should be very competitive and hopefully give them an advantage. We also have to keep in mind, because we are a municipality. We have to provide prevailing wage set by the federal government

Rev. Matthews-I heard you say that this will save the village the point is will it save the people who are paying the taxes that have homes right now. They can't pay the taxes they have already and some are even losing their homes

Mr. Decker, Water Plant Operator-you're going to have a hard time getting a better deal to do this work at 2.3% interest. You would be lucky if you went to the bank, and was able to get 6%. I realize it's a lot of money for someone that's on a fixed income to pay. The fact is that you may never have the opportunity to do this again. If you approve this project, you need to be prepared to go all the way. So we can put this problem behind us

Theodore Hutchins, Trustee-the application is going to cost us the amount of \$14,000 to B&L I need to understand something, the \$30,000 we paid to Barton&Loguidice upfront was covered for what work.

Glen Gidaly-there were two projects going on, the water project. We had an initial cast order that was \$8,000 or \$9,000 thousand to do the initial work and This commitment from the USDA

Tim Wales -this is same exact thing we want to the wastewater project. The wastewater project we started preliminary engineering report and then we gave another proposal to do the whole application, which we did and environmental reports then the USDA approved. The report, and then the next step was move ahead with design. When the project is a little further behind, but it's the same process and the fee for the qualifications is the same

Village Manager-if I may add something to that, two years ago. We had, what is called an angel who donated \$50,000 for this project. We were told it would end up probably costing us 25,000 for the water and 25,000 for the sewer that money we have already collected. So it's really not costing the village residents anything. This money was donated by the track.

Theodore Hutchins, Trustee-if you can show me in the budget where that money is. I would appreciate it

Carmen Rue, Trustee-it was 2007 I think

Theodore Hutchins, Trustee-I understand, what we have to do since you addressed it to me and not the public. If you could show me where the little angel gave us that money and where it's in the budget. The last time I checked the money that you're talking about was already tapped into. However if it's in there and the village manager can show me that the taxpayers are not using their own money. If it's there, I need to see in the budget.

Carmen Rue, Trustee, if it was put in the general fund it will transfer like we transfer. Just now for paying other things.

Theodore Hutchins, Trustee-if that's the case, and then you should be tracking to show that monies were donated to the village and where it went.

Village Manager-I don't think there's any problem, to show in the budget where the \$50,000 was donated by the track.

Theodore Hutchins, Trustee-I'm not saying it wasn't donated. If we're going to tell the taxpayers that there is \$50,000 that will pay for this project. We should be able to show the taxpayers, where it is.

Glen Gidaly-would like to answer a question that Trustee Rue asked earlier. There is no cap or deadline, where they would say It's over. It's sort of like where in the seventh inning of a nine inning game. There are lots of municipalities some that we are working with, who are trying to get the same money that you are trying to get. The village right now has more commitments for stimulus money than anyone else in the Hudson Valley

Mayor Jenkins-I think we should make a resolution to move forward on this project

Carmen Rue, Trustee. You already read the resolution, and we don't have the attorney to review it.

Mayor Jenkins-I know, but we did not take a vote yet

Motion by, Theodore Hutchins, yes

Second by, Victor Marinello, yes

Carmen Rue, yes

Scott Schoonmaker, absent

All in favor (carried) 1 absent

Mayor Jenkins -Public comment agenda items only

Carmen Rue, Trustee-before the public comment. I would like to thank the highway department, and everyone who worked in the streets. When we had the snow storm.

8-Resolution-Highway Department

Approving early bids to go out by March 19, 2010 and open in the clerk's office on April 16, 2

PM 2010-Bid Items:

Bituminous concrete

LP Propane

Unleaded gasoline, greases and anti-freeze

Run of bank gravel

Poly drainage type

Run of bank ice control sand Crushed stone

Motion by Carmen Rue, yes

Second by Theodore Hutchins, yes

Victor Marinello, yes

Scott Schoonmaker, absent

All in favor (carried) one absent

9-Resolution-Water Department

Authorizing the water Departments to purchase ALGAECIDE TREATMENT for Kiamesha Lake in spring 2010

Motion by Theodore Hutchins, yes

Second by Victor Marinello, yes

Carmen Rue, yes

Scott Schoonmaker, absent

All in favor (carried) 1 absent

10-Water Department

Authorizing the Village Manager to sign an agreement with Raymond project DEV. LLC for the village to provide water service to the premise at 158 Pleasant St. Extension at the current outside user's rate

Motion by Carmen Rue, yes

Second by Victor, Marinello, yes

Theodore Hutchins, yes

Scott Schoonmaker, absent

All in favor (carried) 1 absent

11-Resolution Village of Monticello Personnel & Time Policy

Authorizing the Village of Monticello, Agencies to use the newly formed Personnel and Time Policy 2010 Procedure. This personnel and time policy will allow the Police Departments and other Agencies to use this document as a guideline for grants and other funding that requires this policy

Motion by Theodore Hutchins, yes

Second by Carmen Rue, yes

Victor Marinello, yes

Scott Schoonmaker, absent

All in favor (carried) 1 absent

14-Resolution. Police Department (Shooting Range)

Whereas, the Village of Monticello. Police Department needs to repair the Shooting Range Building

Whereas, James Steinberg, Highway Superintendent. Will supply the labor to do the work by the Village Employees

Whereas, the Building materials Cost:

1-Steel Roofing	477.00		
2-Steel Ceiling	231.00		
3-Steel Door and Locks	550.00	7-2x4	48.009
4-Steel Roof Cap	90.00	8-Window Trim	22.00
5-Screws	47.00	9-2 Sets of Steps	40.00
6-Firing Strips	60.00	10-J Channels	204.00
Total	1769.00		

Resolved-the Village of Monticello Board of Trustees authorize the Highway Superintendent and. Or, Chief of Police to purchase the materials needed not to exceed \$2,000.00 dollars. From the Police Department drug fund.

Motion by Victor, Marinello, yes

Second by, Carmen Rue, yes

Theodore Hutchins, yes

Scott Schoonmaker, absent

All in favor (carried) 1 absent

15-Resolution-police Chief's Association (Tuition)

Whereas, Officer Harry Mota must attend the Police Chiefs Association of Orange County Police Academy recruit school

Resolved-The Board of Trustees authorize the Please Chief to send Officer Harry Mota to the Orange County Please Academy recruit school not to exceed \$2000 dollars

Motion by Carmen Rue, yes

Second by Victor Marinello, yes

Theodore Hutchins, yes

Scott Schoonmaker, absent

All in favor (carried) 1 absent

16-Resolution-Appointment Traffic Attorney

Whereas, The Village of Monticello needs a Attorney to prosecute traffic tickets issued by the State Police

Whereas, Attorney Robert Cohen has expressed interest in representing the Village of Monticello. In such matters

Resolved-The Village of Monticello Board of Trustee's appoints Attorney Robert Cohen to represent the Village of Monticello in such matters. Not to exceed \$125 per hour

Motion by Victor, Marinello, with a question

Second by Carmen Rue, for discussion

Victor, Marinello, Trustee-I just would like to point out that this gentleman offered to do this service because the County no longer does it, correct

Village Manager-I received a letter from the DAs office. Just prior to the new year stating that the DA will no longer prosecute state police tickets to discuss this with our Judge, the honorable judge Finn has told me that any State police tickets that go before her if there isn't someone to defend the ticket it will be dismissed for failure to prosecute. This means that revenue that would come into the village will not be coming into the village unless we have an attorney

Victor, Marinello, Trustee-if I understand correctly this attorney is the best price and qualified to do the job that we need

Village Manager-I believe so he is a New York State Attorney. Unfortunately he's handicapped in terms of being wheel chair bound

Victor Marinello, Trustee-I would just like to point out that the going rate for Attorneys are between \$200-\$300 per hour for something like this

Village Manager-Correct and he will do it for \$125 per hour

Carmen Rue, Trustee-where is the money going to come from

Village Manager-I believe there is a potential that the money will come from the court system

Mayor Jenkins-what happens if you hire an Attorney at \$125 per hour for a ticket and he comes to the judge and there are two tickets. If it takes 4 hours to do the 2 tickets. You are spending more money than you are making for the tickets

Village Manager-in that case you would be 100% correct, but the truth of the matter is a ticket should not take more than one half of an hour

Mayor Jenkins-That all depends. I think we should table this because I just heard about this and I would like to further discuss this before we make a decision at \$125 an hour.

Theodore Hutchins, Trustee-I have a concern about this. This name sounds very familiar and who says that he's going to give us the best rate. How do we know? Is this someone's friend?

Or some kind of payback that somebody would bring before us without even addressing it to the board ahead of time

Village Manager-Robert Cohen is Ira Cohen's brother

Theodore Hutchins, Trustee-I wouldn't care, whose brother he is. We don't just bring a name up to the board asking us to vote on any issue, because this happens to be a friend of yours. He may be the right one for the job, but the right procedure is to get a letter at the beginning of the year and you should have told us that there was a need to appoint a traffic Attorney and Robert Cohen was one of the people interested in the job. The proper and right way to do this is to send it out to bid for everyone to have an equal chance for the job. Ray I would assume that you asked John to put this on the agenda for today. You can't just put in a name and tell everyone that you want to give them a job. That's not the right procedure

Carmen Rue, Trustee-there is a motion and a second on the floor

Victor Marinello, Trustee-I will rescind my motion

Resolution on hold

Carmen Rue, Trustee. I just wanted to say before we end the meeting. We don't have bills to be paid on the agenda

Mayor Jenkins-can I have a motion to pay the bills

Motion by Carmen Rue, yes

Second by Victor Marinello, yes

Theodore Hutchins, yes

Scott Schoonmaker, absent

All in favor (carried) 1 absent

Carmen Rue, Trustee-would like to let everyone know that the cook school is going to be closed and I talked to the president of the board and would like to ask the board to have the manager send a letter in support of leaving the school open.

Theodore Hutchins, Trustee-Comen I think you hit it right on ahead, the village board has no business telling the school board what they should do if you have concerns about the school. You should go to the board meeting and complaint to the people that make the decisions

Helen Burdock, Renaissance-the Monticello business Association meeting will be March 10, 2010 Wednesday at 5:15 PM, at Cohen's bakery. My understanding is that the police chief will be there to talk about how to keep your businesses safe and Tim from the partnership will be

there to talk about economic development and grants. The next meeting after that we are trying to space them a month apart. The next one will be March 24 at 5:15PM at Cohen's bakery

Brian Solar-back to the school issue if I may, in regards to what you said TC, I appreciate as a taxpayer and a parent of two elementary school kids. As a board and this is coming from me as a parent who sends kids to the school as a board you represent which is why my letter was sent to every single one of you requesting your support as a board showing that the village of Monticello board supports our schools and our community. And I understand what you're saying and I appreciated what you said. The town of Thompson is passing a resolution tomorrow night. With the use of the resolution you just show up. Either way is okay.

Theodore Hutchins, Trustee-Mr. Solar you really should not make this into a political agenda, and it is a political agenda when you send me e-mail and on the bottom of the e-mail that you want to make a motion and you will be happy to draw up a resolution for us. You do not have the authority to make up a resolution. You need to be a board of Trustee to do that or the Mayor. So please don't make this into a political agenda. Thank you.

Brian Solar-regardless whether I am successful or not in the election I will guarantee you. I will continue to fight for the school to remain open.

Dick Crumbling, Town of Bethel Councilman-and I agree with you Mr. Hutchins. Mr. Solar is making a political statement out of this with his comment in the paper and I am going to make a comment in the paper about Mr. solar and others in the paper. We must not get our soap box out and make a political issue about the school. It will not help the kids. The problem is there are leaders and then there are want to be leaders.

Thomas Mac-I am not here to get into political issues, because I don't know a lot about the school issue, but someone has to make some sense, but I am kind of upset, I see the owner from hillside, and see is concern about this property and I here. From our inspector that he is working with him to correct the problem. I also noticed that there was a list of many other homes that are in code violations and the other people were not here. We must give our inspectors the due credit when they are doing their jobs. I would like to give the chief credit, the chief stood up here and told us that he hired another officer and he took it from a list. He interviewed he gave others an opportunity. It's better than what our village manager did; our village manager did not give anybody an opportunity, remember this is the United States of America. And if you are going to run this village, not just one group of people live in this village. There are all nationalities here, and everyone should be given the opportunity. This is what's

going to make the village of Monticello successful. And again I say to you, the change is here and now changes are especially when a lot of people have been fattening their pockets and getting fat. Now it's time to say let's do things the right way.

Shawn Reiber-would just like to piggyback on with Tommy had said, and I agree with him 100% I think it is a good idea to bid out for an attorney or put it out for a vote. Similar to what you said, TC about an attorney. On one issue, and without an attorney on another issue is a two-way street. I think the public is also entitled to a similar proposals going out to the community. When there was an engineering firm that wanted to get a \$30,000 contract to rezone the village with no other proposals and it was also a clerk's position. That was open and no other people interviewed or advertised for and I think it just goes both ways. And I think every single position should be treated the same way.

Carmen Rue, Trustee-today. I find out this \$920 to put a lock on the door and we have the Police Department Next to us we have a lower bid from PN alarm for \$650 to \$735, but he said I would do it for \$650. Nobody approved this purchase, the clerk decided to do it and call his people no call local person to do it. And we spends \$300 more this bill is no approved and this bill, because. Because this bill pay this is new is that he is a PN oh PM along a PN right letter. I just know today and order is not here, who ordered to put the lock. We have a police department next to us why we need a lock

Shawn Reiber-my statement wasn't addressed to John the clerk or against John the clerk.

Theodore Hutchins, Trustee-Mr.LiGreci, would you please give us clarification on that statement and what happened.

John LiGreci, village Clerk. Yes, I will be happy to, and I feel kind of upset that certain people want to make this political. But it's not. Carmen, you need to give me an opportunity to finish my statement, thank you. Evidently you didn't read the literature correctly; we had three bids one bid. That was taken on 1-15 2010, and incidentally. We had three quotes, because it was under \$1000 we had another bid that was taken 1-20 2010, and the third one was taken on the 1-27 2010. P N alarm quote had to do with us , supplying all the labor for \$795. We had the job completed with the person doing the services and also a wireless remote with the keypad and everything included for \$920.50. For me and my opinion to have the highway department take time out with pre-storms and everything to wire and do all the work required. Rather than have for another \$100 at the whole job completed by professionals. I felt it was cheaper in the long run to have Dill, safe and locks, Inc. to the job and it had nothing to do with politics and had nothing to do with P.N alarm. It has to do with free quotes. One quote was \$1344 another

quote was 920 dollars including lock and a remote and the other one was \$795. Then all of a sudden. After that, on 2- 11-2010 P. N. alarm came in with another quote for \$820 with the labor included to do all the work required, including the wiring and material. While we gave the bid out on 2-4-2010, and his bids was after the fact and I think it's remarkable, if you couldn't do it for \$795. The first time with the labor and we had to supply the labor. How can you do it the second time after the fact for \$820 with all material and labor included? Something's not right with this and I hope it's not political.

Carmen Rue, Trustee-my point is everything has to be approved, who approve this?

Village Clerk-you Carmen, and everyone else knew about the lock. You were here and was happy when they were installing it

Village Clerk-Stacey. My deputy had asked the highway superintendent Jim Steinberg. He had mentioned that the funds were to come out of 1620.206-A, which is Building Grounds and Hall improvements. When you have the clerk collecting thousands and thousands of dollars, and sometimes in cash, and you have a door that anyone can just push open and walk in on you rob you or kill you or hurt you when you're collecting money and everyone knows you're the tax collector. To me it's counterproductive to have someone walk through that room. And let me mention again. It was not one person, including Ms. Rue. That was against the lock. I did it because of the safety factor.

Theodore Hutchins, Trustee-Mr. Steinberg. You been getting a lot of stars were you aware and advised the clerk. There was money available in that item number

Jim Steinberg, Highway Superintendent-yes. I also advise them that I cannot approve that money and had to be approved by the village manager. Because it's not part of my budget is part of the \$15,000 for building village Hall improvements

Theodore Hutchins, Trustee-John is there an amount of money that you're able to use out of your funds.

Village Clerk- The amount of money was under \$1000, therefore it did not have to go for board approval to be honest TC, and this addressed the board, because I have a lot of respect for all of you. I thought I was doing something extremely good and beneficial for the village. I didn't think I was doing anything counterproductive, sneaky or underhanded. If anyone has that impression , then I apologize, and I stand to be corrected. But that wasn't the case. The fact is that I

thought I was doing something extremely productive for the village and I also mentioned this to the manager that this was important and we went and did it and everyone knew this including Carmen Rue. For whatever reasons why things are different today. I don't know? The only thing I can tell you is, right now, if anyone is in this room wants to know if the village of Monticello is safer to collect money Right now. It absolutely is.

Gordon Jenkins, Mayor-Ray we you aware that John was put in the lock on the door

Village Manager-I had a discussion with Mr. LiGreci. I had mentioned to him. I wanted to be part of the process, and I want to see the bids and disgusted with the employees in the building who go back and forth through the door.

Theodore Hutchins, Trustee-Mr. Mayor. You are the direct supervisor over the village clerk. When you have time. Please discuss this further with him and the procedure to make it formal

Mayor Jenkins-I do agree with you John because there this thousands of dollars in that office. People through the window can look and see that and walked through the door at any time. It is a safety issue, and John I want to thank you for taking care of it. I have always thought about it but never took the action to correct the problem.

Unidentified person-I will also like to address the issue because something is very wrong here. If you need a lock go for it get a lock. However, this was the village manages decision as our executive officer. He is a man that should have approved it for any repairs, whether it's 10 dollar lock or less. The secretary or the girl clerk is like the recording secretary is not an executive position. Ray is the executive position, the clerk is a recording secretary and he doesn't have the authority to approve expenditure for \$10. The village clerk who has broad responsibilities, in this town, and absolutely however. One of those responsibilities is not to approve an expense of any nature. He crossed the line of his job responsibilities. The village manager should have made that discussion.

Village Clerk-I would like to answer that wrong statement

Mayor Jenkins-John, don't bother answering that because what's happening here John, and I'll say it. You're going to have people like you and this is not a personal thing and some people make it personal because we know. And we've been on this board that personal attacks must stop

Dave Wilton-I would just like to bring up a point Broadway is not negotiable. You cannot drive up and down that road. The condition of the roads has to hurt the businesses that are left on Broadway

Carmen Rue, Trustee-you have e-mail. I can e-mail you all the telephone numbers for New York State to complain about the road

Jim Steinberg, Highway Superintendent-regarding Broadway. They were supposed to start until last week's snowstorm March 12, 2007, and I don't know if that date is correct

Victor Marinello, Trustee-is there another problem. The plants that make the black top are closed now and it's hard to get black top.

Jim Steinberg, Highway Superintendent-the black top plants will not open until the middle of April. What they will probably do is patch it with crusher run or item 4

Theodore Hutchins, Trustee-Mr. LiGreci if you could probably get a contact number for New York State DPW. Please do so; the number is for car damage. The contact name is Mr. Sanders or Tracey Stamp, and they will assist you please call the village clerk for the telephone numbers

Mayor Jenkins-meeting adjourned

Respectfully Submitted
John LiGreci
Village Clerk