

# Minutes

## Regular Meeting of the Board of Trustees

Village of Monticello, New York

Tuesday, April 20, 2010

7:00pm

### **MEETING TO ORDER**

Mayor Jenkins called the meeting to order at 7pm

PLEDGE TO THE FLAG

### **ROLL CALL**

Upon the call of the roll, all members were present

Also present:           John Barbarite, Village Manager  
                              Doug Solomon, Police Chief  
                              Fred Suljic, Project Planner, Dykstra Associates, PC  
                              Dominic Cordisco, Village Attorney  
                              Glenn Pontiere, Sullivan County Renaissance Group  
                              Helen Buddrut, Sullivan County Renaissance Group

### **APPROVAL OF MINUTES FOR THE APRIL 5, 2010 MEETING**

Mayor Jenkins asked for a motion for the approval of the April 5, 2010 minutes. T. C. Hutchins made the motion and when the Mayor asked for a Second on the motion Carmen Rue responded by stating that there were no minutes in the binder. John LiGreci made them aware that the minutes were not ready and would have to be held until the next meeting. Per John LiGreci, preliminary minutes were not available at this time either. **The Mayor stated that the minutes would be tabled until the next meeting.**

### **APPROVAL OF BILLS TO BE PAID (ABSTRACT)**

Upon the Mayor asking for a motion, T.C. Hutchins made him aware; that there were no bills to be paid and that there was a typo on the agenda.

### **MAYOR'S REPORT**

The Mayor started out by making two appointments; Janine Gandy as the Village Clerk and Heather Berg as the Village Treasurer. The Mayor asked for a motion and was corrected by John Barabrite that a motion was not needed only a vote.

**The vote for the Clerk's appointment was as follows: Carmen Rue voted nay, based on practice and no communication, Victor Marinello, voted nay, T.C. Hutchins voted yea, James Matthews voted yea and Mayor Jenkins voted yea.**

Upon the roll call for the Mayor's second appointment for Treasurer the vote went as follows: **Carmen Rue voted nay, based on practice and no communication, Victor Marinello, voted nay, T.C. Hutchins votes yea, James Matthews voted yea and Mayor Jenkins voted yea.**

T.C. Hutchins suggested that since the appointment was official, that Janine Gandy come up and take her seat next to Mr. LiGreci as the Village Clerk. The Mayor welcomed Janine Gandy as the new Village Clerk.

### **MANAGER'S REPORT**

The Mayor asked John Barabrite to present his report. John's report read as follows:

#### **CODE ENFORCEMENT**

There has been a lack of oversight in the Code Enforcement Department; numerous issues have been identified and need to be resolved. I will explain in greater detail in executive session as they relate to personnel and litigation. The position of Code Enforcement dealing with grants has been eliminated, as it was not cost effective. One individual in Code Enforcement has been suspended pending § 75 Civil Service procedures. One employee has resigned. John LiGreci and I have met with the Director of Personnel at the County to exchange information. We are in the process of interviewing prospective Code Enforcement personnel.

#### **WATER AND SEWER SYSTEM IMPROVEMENTS**

There have been several meetings with Barton & Loguidice discussing the Water and Sewer projects. The Mayor and Trustee Hutchins have attended several of these meetings. We have expressed our concern to Barton & Loguidice as to meeting necessary health and safety issues mindful of the taxpayer's ability to bear the costs to upgrade the systems.

We met with a DEC Spill Engineer because oil was found while Barton & Loguidice's contractor was boring holes to measure the earth's capacity to support new foundations for the sewer plant upgrade. We will be required to do further borings and submit findings to the DEC before we can determine the impact on the Village.

#### **VILLAGE HALL REPAIRS AND RENOVATIONS**

Barton & Loguidice have been contacted regarding the Village Hall study. Today the Mayor and I met with the engineer who did the study. We requested additional information, which they will provide at no additional cost.

The lack of proper maintenance on the Village Hall over the years now requires a substantial investment. Many building systems no longer work or have reached the end of their useful life and need constant repair or replacement. The police department needs addition space and renovation of existing space. The present space fails to meet workplace standards. It is estimated the Village Hall may need as much as \$1.3 million to correct deficiencies and improvements to provide for future use. If maintenance and renovation is not done soon, the building will continue to deteriorate and become too expensive to operate and end up requiring replacement.

## **GRANTS**

On a daily basis we meet with members of the Dykstra Group. The Village will be receiving \$40,000 grant money for work that was completed but the Village never sent in the paperwork to be paid. This money was due us but could not be released until we filed the paperwork for it. It represents \$30,000 for the Skate Park and \$10,000 for DeHoyos park playground improvements. We will be looking for grants to make the TSRC handicap accessible and to repair and renovate the former Village Justice Court Building. We intend to be aggressive in seeking grants.

## **ZONING AND PLANNING**

Work is underway on overhauling the Zoning Map and Code. The Village Planner will be reviewing ZBA applications and assisting the Planning Board and Zoning Board of Appeals on applications.

## **CONTRACT NEEDED FOR COUNTY LANDFILL LECHATE TREATMENT**

Management to date has not addressed the Sewer Departments Sludge disposal with regards to the closing of the County Landfill. Before the closure of the Landfill we treated the landfill's lechate in exchange for dumping sewer plant sludge in the landfill. Now, we are paying to dispose of the sludge at a cost of \$65/ton. This is estimated to cost more than \$100,000 a year. The County has been billed for lechate treatment but has not paid the bills. We should have a contract with the County as to our treatment of the lechate. I will be making an appointment with the County Manager and will report back to the Board.

## **LABOR MANAGEMENT**

I have been informed the Police Dispatcher's contract expired on July 31, 2009 and the dispatchers have been working without a contract. I will meet with them shortly to see if we can come to an agreement.

On July 31<sup>st</sup>, four Labor contracts expire. The expiring contracts are: Department of Public Works (Highway and Sanitation), Water Department, Sewer Department, and White Collar Unions. The Union notified the Village in January but never received a reply. I have a meeting scheduled with the Union this Friday to start contract negotiations. In addition, we will be discussing changes that will be made to reduce costs and increase efficiency and provide better service to the public. I will update the Board as we progress. Under the present contract we are obligated, and correctly so, to discuss the changes with the union before we implement them.

The Village is undertaking the following projects which will need direct Manager input:

Redrawing of the Zoning Map to allow for better planning and development

Clean up the language in the Village Code so it is clearer and easier to interpret and enforce.

Water and Sewer plant and infrastructure improvements - \$25Million project

Grants department – Capture lost funding and seeking new funding and partnerships to improve Village services – Address old village justice building – sanitation garage – Village Hall infrastructure – Police Department remodel

Recreation Program (or lack of one)

We need to:

Re write the fee schedule to accurately reflect costs

Rebuild the Building Department and Code Enforcement

Establish and coordinate Code Enforcement with the Justice Court

Identify underutilized talents of the work force and combine operations and eliminate duplication

Negotiate 4 Union Contracts

There are several Labor Management issues needing to be address:

Stipends

Work Rules

Employee Handbook

Partnering and Coordination with Sullivan Renaissance – Chamber of Commerce and private developers to spur economic development Village wide but especially on Broadway

Meetings with potential developers sometimes involve several meetings and frequently hours of involvement – The Restore NY grant consumed approximately 100 hours of meetings and planning – result \$1.75 Million Sidewalk project on Forestburgh Road 10- 15 hours result 100% funding

Restore NY grant

There are 335 water/sewer/sanitation accounts closed

Waste must be eliminated taxes are too high

Preparation and time for successful litigation of Federal Lawsuit

Carmen Rue stated that the grants were from 2002 and nobody ever claimed them. Ms. Herman from the State Department and Jennifer found out that nobody never claimed the grants and those \$10,000.00 & \$30,000.00 were for the park and also skateboarding, and they were never claimed by the Village. Carmen thanked Jennifer for her hard work in this matter. T.C. Hutchins referred to John Barbarite in speaking about the grants due to Fred Suljic from Dykstra Association recently coming aboard, in regards to an update on where the Village is with our grants. T.C. spoke of his concerns about not being able to be on the list to get more grants. He felt that the board should be aware of what's happening and why the Village can't get grants and where the Village is with trying to get back on the list to get grants for the Community. Fred Suljic stated that right now in going

over the Villages grant situation as Carmen Rue had just indicated there was a \$10,000.00 and \$30,000.00 grant for two parks that were never submitted. Fred stated that he had been going through those in the last week and a half and those are ready to go out. He stated that in one case he thought it was about \$32,500.00 +/- that was spent on the \$30,000.00 so those two can easily be forwarded within the next two weeks. The Villages 2002, 2003 and 2005 grants has some issues with vouchers that they are going through for documentation purposes. He stated that he also talked to Renee Wing from the State in regards to the Village being on the suspension list, it's temporarily for right now, but as things clear up within the next two weeks, that can be fixed. He also stated that money was withdrawn in all of these cases and there being some missing vouchers that had to be found. He also mentioned some questionable vouchers with regard to the substantiation and the documentation of those, once these items are retrieved with the help of the Treasures and Jennifer's continued help, things can be rectified. He stated that Renee had indicated that once we get off we'd be eligible for the Community Development Block Grants. The problem is the Village never submitted a Community Action Plan, the Community Action Plan is normally a five (5) year program where you say what your needs are. It's like a needs assessment and also a projection of what projects you want to do such as housing rehabilitation, renovation on commercial retail façades, anything additionally with water & sewer on streets in the neighborhood, area renovations, upgrades, repairs and so, once that's done, we'd be eligible for a lot more funding. He gave an example of the CDBG (Community Development Block Grant Program) that was due Friday; being that no one in the Village was aware of, it's too late to hold two Public Hearings, have a game plan and know what you want to fix. He stated that due to the lack of follow-up, that's a potential loss of \$400,000.00 that could have been used any place. Due to the current loss, he suggested that we get ready for the next cycle of CDBG Funds. He stated that there will be some technical assistance money that can be filed for by the end of June to help prepare the Community Action Plan and then put some for additional funds, so that next year we'll be able to go for up to \$400,000.00 or even \$700,00.00 if we were to piggy-back with the County or with another municipality. Due to the loss of a \$400,000.00 potential and with it being a competitive grant and the Village being a non-entitlement CDBG municipality, which means that you have to compete against the county for small cities grants, he felt that the Village would have gotten a lot of support from the County and the Sullivan County Renaissance Group. Per Fred, there are a lot of things we can grow towards and work in tandem as in a partnership with all of these different groups. He stated that it just might take a little time to foster them and decide which projects we want to do so that we don't compete against ourselves, but there's a case and point of \$400,000.00 potentially available. Fred stated that we are also working on a grant with Sullivan Renaissance Group in an upcoming resolution and if we can get it in within the next few days it is worth \$5,000.00 which can be used to redo the front of the landscaping of the Village Hall, which is a great asset. Fred conclude by stating that there are a lot of things that are happening, there's a lot of Federal Grants that are out there and we have to hit them at the right time. It is essential that when the Village is notified by other governmental entities that someone responds whether you want to go for the grant or not. T.C. stated that's the reason why Dykstra Associates was hired and being paid to be on point and to get that Department together in order to train someone properly to handle these situations. T.C. also stated that a main concern of his was all of the monies that was missing and not accounted for. Fred made everyone aware of the concerns that T.C. was talking about by stating that there's one grant that's a little less than \$9,000.00 that just has to be verified from 2002. The other one was a lot less, somewhere around \$2,000 to \$3,000.00, and the vouchers have been found, but there just isn't enough documentation explaining what it was spent for. He continued to state that it was one item where a certain amount of money was spent and the Consultant who had complete the work failed to provide detailed information and the State is questioning it. He doesn't think that's going to be a severe problem, but again, a lot of this was lacking. He continued his comments with the discussion of Micro Enterprise Grants. In regards to the Micro Enterprise Grant that the Village had, there were questions that about \$30,000.00 was returned and \$97,000 or \$98,000.00 not utilized. Per Fred, luckily that money

wasn't drawn down, but in a sense it was given back, basically the Village didn't go for the additional \$97,000.00(+) to do all of the Micro Enterprise Grants on the main street. I think the gap between what has happened during the interim time of the last year or two, there basically wasn't really a lot of follow-up and there were a lot of other pressing issues. According to Fred, one thing Dykstra Associates brings to the table is the ability to get things together, and have a strategy because cause right now, the Village doesn't have one. There may have been one from 2002-2005, but right now that strategy should be simple to put together with the help of the Village Manager and the Village Board. T.C. commented on Fred's mention of lacking and the need to follow-up by directing his comments especially to our Village Manager, Clerk and Village Attorney that there is a need for an investigation in the Village. T. C. stated that if you're (Fred) able to come in and find \$9000.00 here that's not accounted for with no back-up, there's a need for an investigation in our Building Department and our Grants Department. He continued by stating that due to Rev. Matthews and him coming in on a new slate, he doesn't want anything to come down on them during their term in office. Per T.C. an investigation needs to happen where we reach out to the Comptroller or whomever oversees the Grant Department as to the transfer of the books before they go from one hand to another to make sure that everything is on the up & up. Fred stated that his Firm can certainly give some guidance on a better way to follow the procedures, how to set up the program with the way the bills are tabulated, the way they are accounted for, and the documentation being just what the state wants. T.C. went on to say, if the documentation isn't there in 2003 and there's a couple thousand in 2004, these are monies that were lost that Roz Sherif could have maybe applied for her home or Mr. & Mrs. Mack for their home or Bess, even Mr. & Mrs. Lustick back there. When we come up short with monies, we fail the people that put us up here to help them and assist them in the community. What I'm asking is Mr. Barbarite, sometime or another maybe once we get our whole team, let's start looking into some kind of investigation as to where we are financially in the Grants Department. Per T.C., I just want to rest assure that at least my direction is that, the Firm is coming in to assist the Village and to set up whatever needs to be done. I am glad that we got the Sullivan County Renaissance, but we are seeking to reach out to get our own grants. Maybe, down the road we need to reach out and get us a Grant Writer because a lot of the grants that comes into this County; is based on the numbers that Monticello provides. Fred confirmed that there's no question that the Village can get a priority because of the distress factors that you have in the Village that can prioritize options for you. T.C. followed-up by stating that he is not against the Sullivan County Renaissance or doing anything with them, he would like for the Village of Monticello to have our own grants so we can start doing what we need to do. The \$400,000.00 grant that we could have had to do anything with could've created jobs or could have assisted some of the business', that's where my focus and goal is as to what the Firm is doing for now. Dominic Cordisco, the Village Attorney stated that it was his understanding that it was a recommendation from someone at the State to wipe the slate clean if the records were in such a shape that you couldn't make sense of them. He also stated that he could not in good conscious make that recommendation to the Board without at least having some type of analysis done by Dykstra or by other as to what exactly is being wiped clean, because the importance of knowing what you're forgiving. Carmen felt the need to clarify that the \$95,000.00 dollars that is being spoken of for Main Street, was returned in 2008 when they came aboard. Per her understanding, it was never offered to any businesses. Fred reiterated that the money was not returned because it was never received. Carmen stated that nobody offered it and Fred stated again that the money was never drawn down. Carmen stated that none of the business owner's here knew about the money and Fred said that *whatever* happened in '97 & '98, but he was talking about last year. Carmen went on to say that she remembered in 20058 when Caroline was there and she was there just to ask some questions to Brenda and her question to Brenda was, why did the Village return all of this money and Brenda told her that it was too late to offer it. In response to Carmen, Fred said that he talked to Brenda this week and the money wasn't returned because it wasn't drawn down, which means that the \$97,000.00 was never utilized. It was never seen in reports in 2006, 2007 & 2008 and during 2009, at

the end somewhere between October, November, December there was an acknowledgement by the Village that we were not going to use that, so it was never drawn down, it was not returned. Carmen replied that she is sure that the Treasurer has the paperwork because she saw then fill it out to return the money. She also stated that her point is that she was sitting there when Renee Winn was here. Per Carmen, Renee said that we shouldn't forget it because we don't even know what people took loans, there's no certainty of them paying them back, & there's no records from 2004 & 2005, but she's not sure what else can be done. Fred stated that Renee sent an email two or three weeks ago in regards to verification of certain PO's and vouchers. One voucher was for a \$2,500.00 American Express purchase by one of the staff. We just need to verify and want to make sure that it didn't go some place outside the County and go to Florida. It probably was a legitimate use of the funds, but we just have to verify that in fact it was. Carmen stated that the Town administrated the Grant Department until 2008. The Town came by the Village in 2006 or 2007. She remembers it being transferred to the Town during the administration of John Barnicle. Victor made everyone aware that from 2004 to 2006 we had the Village and the Town combine that department together. In which they received tremendous amounts of monies that we did get because of it, not to mention the fact that the consolidation of both departments saved the taxpayers thousands of dollars and we still were able to accumulate several grants and loans for the Village of Monticello, we have to keep that in mind too. Per Victor, we consolidated with the Town of Thompson, saved the taxpayers thousands of dollars and we also got several monies as far as grants and other resources for the Village. I think it's important that everybody realizes that. The Town of Thompson when Mrs. Glass was there; she worked very well with our Grants Department here also and did a very good job for the Village, the taxpayers, and the Village residents really benefited from it, so I think it's important that people realize that. Carmen continued by stating that \$140,000.00 was still not used in the Home Grants and all jobs have to be completed by September 30. This was the second time it was renewed; now they are saying that if we don't use them, the money will go back. Fred stated that he doesn't think there will be a problem. He has been talking with Jennifer, she already has a waiting list and she has about five or six more to do. Carmen questioned the need of an Inspector, per Fred, he knows of five or six Inspectors and he also stated that he could provide those duties, due to his part in Housing Rehabs in other Communities if the Manager or Jennifer need's his assistance. Fred stated that Jennifer has one that's dragging, but to complete the five or six between now & September 30<sup>th</sup> is not a problem. I have talked to the person in charge of the Home Improvement Program and that lady said that should not be a problem, just move it along and as I said to Jennifer, if there's one that's a stalemate and there's an issue about getting into one person's home to finish it, then we just may have to move on to the others, but she does have sufficient one's that we can move on. Carmen commented that Mr. Detulo had just audited the Grants Department and they had not received the report yet. Fred stated that he had saw the report and it was fine, it's just that they kind of felt that it should be a little bit quicker, which I felt was a fairly good report. There wasn't anything that was very negative and the one comment on the Home Program is to utilize the Catch Program with regard to window replacements, storm doors and things of that nature, but that wasn't a terribly negative comment. He felt that we should try to see if some of the funds can be maximized through that program. Jennifer's aware of that. T.C. stated that there is so much talk of this Jennifer, but these are things that the Board should be aware of. He went on to say that if there was an audit, the Board should be receive a copy and that he wasn't even sure if the Board got a copy of the last audit from the Treasury Department. Carmen stated that she didn't know either, but questions were asked. Fred informed T.C. that it wasn't really a formal audit and T.C. responded that whatever kind of study was done should have been brought to the Boards attention on the result. We just had an audit that we just paid for 2008, and they are working on 2009 now. That booklet, the results from the audit are sitting right in the office in there. I have a copy of it because I was aware that they did receive a copy of it, but that's stuff that needs to be presented to the Board and if not explained to the Board so that we can know what's going on. We just can't rely on and I'm not going to rely on no Jennifer, that stuff needs to be brought to the

Boards attention. So, as to any audits that's happening on the Board and I'm just one Board Member, I would like a copy of the results and if there is an audit happening, I would like to be aware of it. Mayor Jenkins commented that he was glad that Fred was on board with us, that's why he was hired, because of this grant issue and the money that we're losing and the reason of revamping this whole Village. I'm not going to go on with this, but I've sat here as a Mayor to try to get some input on the grants in this Village and absolutely got nowhere with it, but now there's no more excuses. We have you on board now, and lately I have seen so much grant information it's coming out of my eyeballs, but thank God it can come out of my eyeballs, because now we can do business here, now there's nothing to hide. We have a good Board here and we're going to do some business here. I met with you, I'm at the Village Hall, this Board is at the Village Hall, its open, and there are no excuses. Thank you for coming on board, I'm sorry that we lost \$400,00.00; I think that's a disgrace, I think that's bad business that was happening here. I'm not going to go on with it, it's over, just like Mrs. Hammond said when I met with her, she said let bygones, be bygones. I told her not on my tour, she said it wasn't your tour Gordon, so as long as I came out clean at the end and it wasn't my doing and which this gentlemen here is worried about the wrong-doings from the past, we're starting a new slate, but the excuses are over. Today, as we're in now to do business and accountability, you will see in this Village. Thanks a lot Fred.

The Mayor then introduced the new Treasurer, Ms. Heather Berg, and welcomed her aboard and asked the Village Manager was he done with his report? John replied yes and the mayor moved on. Carmen interjected by asking if the Treasurer's position was full-time or part-time? The Mayor responded that the position was part-time.

**PUBLIC HEARING ON THE PROPOSAL TO AMEND THE LOCAL LAW TO CREATE THE POSITION OF THE DEPUTY VILLAGE MANAGER**

The Mayor opened the floor to the public at 7:35pm for the Public Hearing on the Creation of the Deputy Village Manager's position. Roz Sherif asked what was the need for a Deputy Village Manager? The Mayor asked John Barbarite to comment on that and John stated that without being negative, I want to say for the last year very few things were accomplished in this Village to move it forward. This year the Village is undertaking a complete rezoning of the Village and also taking the zoning ordinance apart and cleaning it up so there are no contradictions in it so that the codes can be enforced. This is probably a two to three month project that's going to require a lot of direct involvement. We have the Water & Sewer Plant infrastructure improvements, this is a \$25,000,000.00 project that's going to require a lot of coordination between the Engineers, Barton Loguidice, the DEC, and it's going to be very involved. I know from when I was in the Town of Thompson, we did the Emerald Green Sewer Plant and the Kiamesha Sewer Plant and I was spending an easy five to ten hours every week on those projects. The Grants Department as we were just talking is basically got to be rebuilt from the ground up, setting up inspections, setting up the approval process, dealing with the Contractors. I found that in 2007 as the Deputy Village Manager, I would spend maybe three to four hours on each grant with direct involvement, besides the other people that was involved. We have for all practical purposes, we have no Recreation Program in the Village that reaches out to the entire community, it's very limited basically to a Gymnastics Program, we have to build a Recreation Program, we need to re-write our fee schedule to accurately reflect the cost that we charge for various services. In some cases we're charging too much which is harming economic development and in some cases we're charging too little and we're taking the hit and it's not profitable for the Village. We have to rebuild the Building Department and the Code Enforcement Department from the ground up, I can't talk of all the issues in the Building Department because some of them involve litigation and personnel, but there was no Building Department for the last year. We have to establish and coordinate our Code Enforcement with the Justice Court, we write tickets, they don't get followed up, there's no enforcement, there's



adjournments, there's appeals. We have as an example, for three years now we have been dealing with a swimming pool that has problems and we have had constant involvement with the courts and it's been appealed to the County courts, it has now been appealed to the Appellate Division and requires a lot of time. We have to identify the under-utilized talents of the workforce and combine operations and eliminate duplication. We have clearly identified that we have some jobs that we are paying eight hours a day for and they are clearly about four hours worth of work and we have to put the right people in the right places efficiently. I can say this because we already told the employees that we are bringing the entire white collar course up into the Village Hall. Under the present circumstances if you call the Village Hall with a sewer problem, we have to transfer you to the Sewer Department, the Water Department. If any of these employees are not at work, there's no one in that department so by putting everyone in a pool, we will have cross-training and it will be more efficient and we believe quite frankly, eliminate some payroll, I have to be frank about it. We have four Union Contracts up for negotiation this year that should have started in January; they are starting basically this week. Each of those contracts are going to require substantial involvement in first drafting our proposal with their counter proposals and then sitting down at countless meetings to iron those out. Roz stated that her next logical question is and this goes to any of the appointee's tonight, the qualifications for the person filling that job, are they qualified for it. I am only asking because I don't know. John replied, I could answer that question for you in a moment. We have several issues that we have to address besides the contract negotiations; we have stipends that are paid in violation of the contract that we have to try to find an equitable solution both for the Village and the employees who have been getting those stipends. We have no real work rules for our employee, so we have to establish an employee handbook, this is going to require drafting, negotiations with the union, we want to partner more closely with the Chamber of Commerce and the Renaissance and private developers to bring economic development to the Village, not only Village wide but especially on Broadway. Meeting with potential developers sometimes involve several meetings and frequently, long hours of involvement. To give an example, the Restore NY Grant that we were successful in obtaining in which we got 1.75 million dollars, we spent about a hundred hours with that project, with various state officials, with the developer, with the Planning Board. If we're going to try to do something major with Economic Development, we have to be able to devote the time to the project. The Sidewalk Project on Broadway, we were one of the first to get Federal Stimulus Money, that Project is 100% funded, that requires substantial work. If we're going to be meeting with people for grants and we're going to be meeting with Contractors and Engineers, there's a big involvement. To give you an idea, right now in the Village of Monticello we have 385 water accounts closed. This is probably a potential loss of almost \$200,000.00 and not one of them is closed because of the Building Department. They are closed because of the deteriorating economic situation in the Village, but when a home is foreclosed or put for sale or businesses are vacant on Broadway and they shut that water meter, we know longer get the water bill, sewer bill or the sanitation bill. Those three departments take a significant cut; we need to get a deep involvement with economic development to turn that tide. We have a Federal Lawsuit that will be going to discovery and there's going to be a substantial involvement in defending that lawsuit, I am confident that we will defend it and win, but there's going to be a lot of involvement and that has to be dealt with. To give you an idea of a typical day in the Manager's office, I handle probably between 15 to 25 phone calls a day, they last anywhere from 5 to 10 minutes, if we just say 5 minutes, that 2 hours a day on phone calls, I deal with about 10 or 15 emails, another 2 hours, that leaves 4 hours to go to a lot of these other issues. The supervision of the department heads, the supervision of driving in the streets and looking for things that is wrong and going to the department heads. If we were a private business, this Village would be bankrupt and we have to turn that around and the only way we're going to turn that around is to have intense direct Supervision and one person can't do it. It's as simple as that. Mr. LiGreci brings certain talents, he has Master's in Economics, and he can crunch the numbers that we need to crunch in coordination with the Treasurer, he's going to be directly involved with the white-collar re-alignment. We are going to put

time cards in, we have identified right now with the changes we want to make it's going to pay for that salary as they're implemented and we expect the other savings will be sufficient that it not only will cover that, but it will give money for other improvements we need to make in this Village. I think not to do it will be penny-wise and dollar-foolish. James Matthews questioned the fact that in 2008, the Deputy Village Manger position was eliminated and I want to know what's the difference at that time and this time and you did it? John responded yes, that he recommended that at that time because in 2007 we pretty much had the Building Department functioning and functioning well and we were moving on to into looking into the Sanitation Department. I came back in 2008 after a short period of time of not being there and that Department was still functioning fairly well and we were looking into others, but we weren't undertaking the Sewer Plant, we weren't undertaking the Water Plant, conditions have further deteriorated in the Village, we didn't have the four labor contracts to deal with at that time, had the labor contracts been started in January and the Police Dispatchers done last year when it had expired, all of that wouldn't be thrown on the table at this time. There was also not a will or a direction by the Board to undertake the zoning and planning changes that the Board now wants to take; there wasn't the direction to redo the Grants Department that the Village now wants to take. I think I see from the Board a desire to really ratchet it up and move forward and move from where we are today to a much better Village tomorrow and that's going to require more efforts than we have. Victor stated that Mr. Barbarite gave all of the reasons why we need a Deputy Manager now, and the question is down the road with all of these changes? John replied that the position would be created, but just like it was abolished when it was no longer needed, I would not hesitate to recommend abolishing it if it's no longer needed in the future. But, you can't say to a person be the Deputy Manager for two months. It's going to be created a permanent position, but any position in this Village that is not needed, will be abolished. Barbara Burton stated that Mr. Fred claims there's no strategy you are looking at her now. Whereas T.C. wants an investigation it has been done already and whereas the Mayor says the right thing, wrongdoing in the past, and our Attorney said regarding being wiped clean. There was a meeting this morning at the Celebrae Select Committee at the County and the following was said, it's on record so have fun tonight do what you have to do, but listen carefully Mr. Attorney:

During the time, Ira Cohen was County Attorney; the Concord bankruptcy was in progress that bankruptcy was and is a major impact needing reconciliation in order to go forward. I was at every single meeting for the bankruptcy, therefore I have great input in it as any public servant wants to, and it was open to everybody, that's it, keep it in mind. If you're doing your due diligence, you would stop it. Nothing can go forward now, because the nine legislatures are like this and she displayed a locked fist.

Brian Soller, asked John to speak more to the proposed savings versus the cost of the Deputy position. Do you have any idea as to what type of savings you anticipate? John answered; the previous Manager's salary and benefits totaled approximately \$93,000.00. The two positions, the Manager and Deputy Village Manager will be approximately \$27,000.00 more than that one. So, we're talking about bringing in a Deputy Manager at about a new cost to the Village of \$27,000.00, but that will be offset slightly because the benefit package to both the new Deputy and myself is less than what was previously offered to the other Manager. We have less vacation days, less personal days, less sick days in our packages and we did that to try to keep the numbers reasonable. I took approximately a \$25,000.00 cut in pay from what the previous Manager was getting because it's to set a tone in this Village that we can't keep escalating cost and keep just passing it on to the taxpayers. We have to draw a line on salaries, benefits across the whole board. We'll be entering negotiations in that this Village can't afford to keep throwing money out there. Brian commented to John in regards to his contract being 30hours a week and inquired whether this position would be part-time or full-time? John responded that this would be a fulltime position and went on to give an idea of his 30 hours last week. I worked about 52 and this week I already have about 19 in. I only

ask for 30 hours for the simple reason that as things get straightened out, I would like to be at 30 hours, but that 30 hours is just time here in the Village Hall. It doesn't count Zoning Board, Planning Board or any meetings that take place outside of the normal 9-5. Brian stated that he was just asking because I didn't know if you were going to be alternating hours. The mayor asked if anyone else had comments and Thomas Mack asked that if the Federal Government or the State would evaluate Monticello today, what status or rating would we get? John responded that the answer to that question is, things are so bad in Monticello that on any grant application or any application we make based upon need, we are right on the top of the chart as one of the neediest poorest communities in the state. Per capita income is roughly in the \$22 to \$24,000.00 range; our taxes are high, based upon what we have to offer, Monticello zoning and planning has been neglected for 25 or more years, that's why it looks like it does, it didn't happen overnight, it gradually crept up and then all of a sudden you stand there and you say something's wrong. So, we have a lot of work to do. Thomas went on to say that and with this amount of work that needs to be done, in the time that is needed, this is the main reason why you are saying that the Village of Monticello at this time needs that Deputy Manager. Per John, there's no way, one person can negotiate 4 contracts, over-see a Water & Sewer Plant Project that's \$25 million dollars, look at the issues in the Village Hall, the Code Enforcement, the Justice Court and answer 2 to 3 hours worth of telephone calls and email conversations and if you've ever saw the reports, you get at least an inch of paperwork to read each and every day and you're not going to do all of this in a 40 hour week. No one person can, not with what we want to accomplish to move forward. Thomas then stated that as a taxpayer, he would welcome a Deputy Manager, before this Village is gone, we should do all we can do to save this Village, people let's give it a shot, let's give it a go. Victor questioned was this budgeted for the Deputy Village Manager in the first place? John answered that there was not a budget line item, however, the positions that we eliminated in the Building Department more than cover the amount of money for the end of the year. Victor respectfully disagreed with that and went on to say that we do not need a Deputy Village Manager. John I know your job is strenuous, with all due respect, that's your job. You have a responsibility to answer the phone calls, your responsibility to deal with the emails. That is your responsibility. For a hundred years, the Village of Monticello has survived without a Deputy Village Manager and there have been many issues and many problems that this Village needed. Honestly, think about it \$127,000.00 is what it's going to cost all together for both Management positions. \$127,000.00 for just two management positions, do the math, that's almost a 4 percent tax increase and that's before you even get started on the budget. Even if it's \$110,000.00 John, it's \$110,000.00 of taxpayers money, you do not need a Deputy Village Manager. It's a waste of the taxpayer money and as a taxpayer who always pays his taxes on time; I don't like it and quite honestly, the taxpayers need to look at this and think about this, we do not need a Deputy Village Manager at this time. Honestly, with all due respect John, if can't do the job, don't take the job, that's the God's honest truth. John wanted to respond to Victor's comment, but was asked by the Mayor to correct Victor on the numbers because he felt that they were mixed up. John responded that before he corrected him, he wanted to remind the Trustee that in 2007, he voted to create a Deputy Village Manager position for Mr. Nargizian when there weren't union contracts to be negotiated, when there wasn't a sewer plant to be re-done, when there wasn't a Village Hall study and none of these other issues. But, the \$120,000.00 does not represent a 4 percent tax increase because you voted to pay a previous Village Manager a compensation package of \$94,000.00, were talking \$27,000.00. Victor and Carmen responded while was talking that that is completely false and John continued on to say that we eliminated a full-time position in the Building Department and a part-time position which is approximately \$90+ thousand dollars which is \$70 thousand over what we're talking about here. So we're coming out actually budget wise, by the elimination in Building Department and the creation of this by about \$70 thousand to the good. Victor stated that is completely false and the \$72 thousand dollar a year salary altogether for the Village Manager, plus benefits. Let's keep in mind here that before that, a previous Village Manger who was John Barbarite was getting more than that \$75 thousand plus benefits. Now you know, I'm

not going to sit here and fight back and forth; I'm just trying to give you the people the facts. The facts are that we can't afford a Deputy Village Manager and we should not vote for it. Michael Banks stated that he's been in Sullivan County all of his life and Monticello only a short time, but it seems like we have more problems now than we had a long time ago too, so if day by day more hours are covered to solve the problems in the Village to make it better, for what the commerce is, it's tremendous in gap. Look at Broadway, it's empty, it's like a ghost town, but then you go to Liberty or Jeff, they have more revenue going on their main street than we have in Monticello. Then let alone the construction and the sewage and all the other problems that are here. I think you guys need a team in order to fix these problems, because tomorrow is only going to be worse. Jared Kaufman stated that in this economy when my father and I sit down and we go to make business decisions we look at the cost and what we want to hire the new person for. We look at it and say how is this going to benefit us, is this going to help us make money, are we going to lose money, is the Deputy Manager going to help the Village of Monticello bring in more revenue, and pay for his salary, is that going to happen, because you are talking about big business and accountability. The Mayor responded, why would we put him in there if he were not going to do the right thing for the Village. T.C. stated that the answer is yes, sure, yes. John stated that he thinks we are comparing apples to oranges, government and private business, or we would like to assume that we would like to see government operate like a private business, it can't. Government doesn't sell a product, government provides a service which generally, more of the services are needed in the worst of times, then in the best and it must provide those services whether customer's come in the door or not. We have to run a water plant, a sewer plant, we have to plow the streets whether or not we have a 100 homes in this village or 5,000 homes in this Village, those services, we must provide. We don't generate revenue by selling a product. Jared interrupted stating right, but it's also about saving the Village money. John continued by saying that we have to charge for the service that we provide, what management has to do is provide those services at the best cost and to do that we need to look at the various operations, make them efficient and make the people who perform them accountable. We've identified already in the last couple of weeks, where we are going to save approximately a \$120 thousand dollars in salaries by re-aligning our work force. Now, if you don't have the time to study your work force, you can't make the changes necessary. To study your work force means you have to monitor what's being done, you have to see if it's cost effective, you have to see how many people are assigned to a task, these are jobs that you need management for. You just can't send your employee's out and give them a check. Jared stated that I would think that we would want to sit down and look at it as almost a private business because the Village looks to me like it's almost broke. So, I would sit there and say okay, I have 4 hours a day that I spend on the phone, that I spend on email, for minimum wage I can hire somebody to come in, answer my phone, answer my emails, so now the 4 hours that I'm spent out doing this and you know what, if I'm out 4 hours, 7 or 8 hours a day and I find that it's not working and I still need, then I would think that we would want to restructure and say you know what, it's really not working let's look at it. Why spend the extra money now? I just want to make sure that we do good business and we're taking the right steps first. The Mayor corrected Jared by stating that the Village doesn't hire at minimum wage. A private guy like you, we have unions, we don't hire at minimum wage where you pick someone off the street and say you can have a job. But who's next, we can move on. Brian stated that his concern as a taxpayer is this, Mr. Barbarite pointed out that with the restructuring right now of the Building Department, there's some cuts that you're looking to make, but there's positions that going to have to be had, I imagine the Building Department is going to be rebuilt, we are not going to survive without a Building Department so I would imagine there salaries are going to come back in, per John, at a much lower cost, Brian continued with we don't know what this special counsel is going to cost the taxpayers yet as compared to what our hired Village Attorney has cost us for the last however many years we've had a Village Attorney, so these are the fuzzy math questions that as a taxpayer I have a problem with creating another position. I understand what you're saying you trying something, but unfortunately it doesn't come to us if the position doesn't work out. We can't

say we don't like the position, you have to get rid of the position, so once it's done, it's done. We don't get the choice to sit here and voice our opinion and say it's not working out we're spending more money than less. So that's my concern as to what's going on. Carmen stated that there was just the mention of 385 houses, and when you walk down every street in the Village today, half of the Village is almost in auction. It's signs, people leaving their houses, owner's who own apartments, leaving their apartments, the economics is very bad, you can see from the top of the State that the government has even stopped increasing the salaries of State employee right now. We are in tough economic times right now and in a time when the Village and the whole County was really working and we had humongous hotels and everything we only had one Manager. Right now, Broadway is going to be in construction until the end of 2011, so what can we do there? Nobody wants to come and put a business there because of the construction, nobody's going to open a business because people will not go there on Broadway. I even avoid going on Broadway and I don't blame the people right now for not opening businesses because this construction is a big, big project and we have to wait until it's finish or for people to come and create businesses or fix up business when it's finished. But, I think right now to spend extra money for a Deputy Manager is just not right for the taxpayers. Bess Kaplan stated that she thinks some of the Board members forgot Mr. Kelson whom you hired for \$5,000.00 a month to be the Village Manager who did nothing, who did not step into this office, stayed in his own office and ran this Village, you also hired Ray Nargizian who doesn't have any experience as a Village Manager and did not do the job properly because I think it was found out that he had already made a notice that he was going to leave office in January, but you convinced him to stay on and sit around and take a vacation. So, don't think that this Board is just spending a lot of money, you already did that and I remember it. Carmen just wanted to let people know that when we hired Zach Kelson it was for a few months, it was not \$5,000.00 a month, it was for \$59,000.00 a year and yes if you divide it, it was for four thousand something, but also he did contract negotiations and all that with the Police Department, a lot of contracts was done, also Ray Nargizian did not do any contract negotiations with the dispatcher because he was not provided a lawyer since he took the office here, a lawyer was not available to him. You need a lawyer for a lot of things in this Village. Mayor Jenkins suggested that we move on with this issue and took one more public comment from Larry McCroy, who stressed that the Government is not giving this Village any more extra money because nothing is being done and nothing from nothing, leaves nothing and the status of the construction workers on Broadway on a daily basis (15 men looking into one hole) and his experience of being a construction worker. John interjected and corrected Larry in that the workers on Broadway are not from the Village of Monticello. The jobs are bid out to private contractors through a State contract and the workers are from the New York State Department of Transportation. Larry commented on the issues going on in the Monticello School District and also that if the job is not being done, those responsible should be fired. He stated that there is no reason that Broadway should look the way it does, when I start hearing kids wanting to commit suicide, the parents ought to be ashamed. After Larry's comment, the Mayor requested that a motion be made to close the public hearing at 8:10pm. **The motion was made by Trustee Matthews and second by Trustee Hutchins. Upon the call of the role, all were in favor.**

#### **RESOLUTION ADOPTING LOCAL LAW TO CREATE THE POSITION OF DEPUTY VILLAGE MANAGER**

**Resolved**, that the Board of the Trustees of the Village of Monticello does hereby authorize the creation of the Position of Deputy Village Manger.

A motion was made by T.C. and second by the Mayor. **Upon the call of the role, the vote went as follows: Carmen voted nay, Victor voted nay, T.C. voted yea, James voted yea and the Mayor voted yea.**

**RESOLUTION APPOINTING JOHN LIGRECI AS DEPUTY VILLAGE MANAGER AND AUTHORIZING THE VILLAGE AMANGER TO EXECUTE A CONTRACT FOR SAME**

The Mayor asked for motion, the motion was made by T.C. and second by the Mayor with a discussion. James stated that he needed a little more time before he made a decision. The Village Attorney, Dominic made him aware that there was going to be an Executive Session in regards to Personnel issues and if he has personnel related questions they can be discussed at that time. James stated that he did not want to vote on this resolution right now. Dominic made James aware that the motion right now should be to table this until later. James asked that he be given at least until the next meeting. James stated that he wanted to abstain from voting right now. T.C. stated that for discussion purposes that he thinks that we have to say to ourselves as a Board are we going to go forward or are we going to stay as a stalemate and not move on. I think that we've heard the qualifications of Mr. LiGreci, we've heard the concerns that the Village is looking at and there's a need for us to fill that position. Mr. LiGreci is now currently serving as that position and was serving the position as the Village Clerk and are we now saying that we have a Clerk and we're not going to hire Mr. LiGreci as the Deputy Village Manager? We have the village Manager saying there is a need for a Deputy Village Manager, now maybe if it's a personnel thing, if it means that we table this until later on after the Executive session until Rev. Matthews and the Board needs to get clarification, I'll ask that if we are going to table it, we table it until later on in our meeting like the Attorney had suggested. Victor stated that he feels the Village is going to move forward with or without a Deputy Village Manager. We do not need one and we need to look out for the taxpayers and I swear this is not the right thing to do. We do not need a Deputy Village Manager, the right thing to do, by all do respect to Mr. Hutchins, yes I do agree that the Village needs to move forward, but at what cost? We do not need a Deputy Village Manager to move this Village forward. We have a Manager, he has a job to do and that's his responsibility and that's what we need to do. The mayor commented that as a Mayor, we definitely need a Deputy Village Manager. I am in this Village Hall just as much as I am with John and the Manager here. There are people on this Board that come for a paycheck, and that's the only time you'll see them and that's the God's honest truth. There is no accountability as far as people coming and doing the job in this Village. There is no Mayor that has spent more time in this Village Hall in the last twenty years than this Mayor right here and I know they haven't. I see what this Village needs, I am part of reconstructing this Village with a Deputy Manager, I'm not a part-timer, I'm a full-timer here. That's why we are doing this, we need some control here and to hire to guys at the same, Ray Nargizian was getting \$80 thousand in benefits, the cost savings will be there, if you let government and if you trust in me as a Mayor and these gentlemen. What we are doing Rev. Matthews is we are restructuring this Village and I would appreciate Board support so that we can do our job here, otherwise, just like this gentlemen said, we are going backwards. We have to move forward, there is no way we are going to get this job done without the proper men that we've aligned here. If you look at the Village history, no one has done what we did in this Village. We've hired a whole new, we're reconstructing this whole Village, that, no Mayor or anyone has ever done in this Village. Prior management here has been twenty years, we hired these gentlemen, there are people from outside looking in coming on our team to do business in this Village and get the job done. There's no friendship here, there's no favorites, it's about getting the job done and that's why I'm in this seat. I want to see some results in my two years here and it's not going to happen the way it's happening now. But, you will see some results, I had promised that taxes wouldn't go up, and taxes won't go up. Do you think I would sit here and put two men in to raise our taxes, no, let us run our government and the Board should be supportive of it because we need to get going here in this Village because as you just said, this is a sleeping Village and you have a sleeping staff and no one's doing anything, so give them the chance. Carmen stated her surprise of the Mayor's comments now with \$127,000.00 in the Management Department. She stated that when you was acting as a Manager, you acted for three month's and you said that you

could do it all yourself, you said you could do it and you did a lot in that time and you said that you didn't need a Deputy Manager. So now from one moment to another, we need to spend this type of money when everything is closing in the Village, we don't need that. The mayor stated that he was not going to go back and forth. Carmen stated that it was just a comment to an open discussion. The Village Attorney stated that the open discussion should be focused on is who is going to be Deputy Manager, at this point the Board has already voted to create the position, so in regards to the need of it, that issue has been addressed. Now if the Board has specific clarifications that they want, like the Board Members want specific clarifications in regards to the appointment of Mr. LiGreci, then that would be appropriately discussed during an Executive Session, we can table this so that we can come back to it after the Executive Session if you choose and see what happens from there. James asked if I t had to be done at this particular time? The Mayor responded by stating that he thinks it should because we have to move on. This Village is in dire need to get down to business and get this Village running. We have to get business done here; everyone keeps waiting and waiting. Let's make the decision and let's get moving. James stressed that he is not questioning the need. John Barbarite stated that he wanted to address James' question and that it would be more appropriate to address in an Executive Session because we're going to be talking about personal qualifications, reasons why people are selected and not selected, what's brought to the table by individuals and that's not appropriate to do in a public form. Per Dominic, that's the basis for an Executive Session is personnel discussion. John stated that he would like to make a case of why we should move forward tonight, but I cannot do that in Public, it wouldn't be appropriate. Dominic stated that at this point there's a motion in the second, but there could be another motion and another second to table this discussion until after the Executive Session. T. C. stated that he would like that motion to table this until after Executive Session. The motion was second by the Mayor. **Upon the call of the role, the vote went as follows: Carmen voted nay, Victor voted nay, T.C. voted yea, James voted yea and the Mayor voted yea.**

#### **PUBLIC HEARING ON THR PROPOSAL TO AMEND THE LOCAL LAW REGARDING RESIDENCY REQUIREMENTS**

Upon the Mayor opening the Public Hearing, the Village Attorney made everyone aware that this is a simple amendment that would open up the residency requirements to anyone residing within the County of Sullivan. Per Victor, with all due respect, it's not a simple amendment. Carmen asked for an explanation of who was being discussed because nothing was mentioned there. Dominic stated that if there are any Village Officer's and Employee's. Carmen asked who are the Village Officer's; Employee's are not required to live in the Village. They can live anywhere. John stated that it would be anyone except the member's of the Village Board. Per Carmen, according to the Village Code we only have the Deputy Clerk and the Deputy Treasurer that live after the Town of Thompson, the Attorney is a state law and the Manger can live in the Town of Thompson, so we can make the resolution like it was before. Dominic stated that this would expand it to within the County itself; this would increase the ability of other candidates to apply for positions within the Village. Brian Soller stated that I don't mean to single out you Mr. Mayor but you sat up there on several occasions and talked about employing local people, bringing in locals into our Village to work and to me, local people are people who live in the Village of Monticello and maybe the Town of Thompson. I have a problem with those statements being made and now opening up our residency requirements to outside of that jurisdiction. John Barabrite stated that part of the reason for this is that when we frequently go to the County for lists of people who are qualified, who pass Civil Service test they are not in the Village and we cannot reach different people and some of the skills necessary for some of the jobs require that we reach out a little bit further. As the Board did when they expanded it into the Town of Thompson for the previous Manager. It's been done before and we've done it before for the Deputy Treasurer, we've done it for the previous Village Manager, it widens the pool that we can select from. Brian stated that you're widening out of the Town of Thompson? John answered

yes to include the County. Victor commented to Mr. Barbarite that expanding is fine but why does it have to go further than the Town of Thompson? John answered that because it gives a broader base to select from to go that much further into the County. Some municipalities have even gone into adjoining Counties and expanded it, some has even gone as to say the entire State, and we're trying to limit it to the County. Carmen stated that you are giving fewer opportunities to the Town of Thompson kids and the kids who graduated with College degrees. The whole county has to apply and you limit it to the Town of Thompson and now we limited the Deputy Treasurer and the Deputy Clerk and now we're going to limit it to the County, it's less opportunities for kids who live in the Village and even the Town. John stated that not really because when you have the selection process if you have a candidate from the Village, you certainly can give that candidate the preference, you can pick whomever you want to hire. But, when you don't have a candidate from the Village then you have no one to select from, so by having it expand to the County, but certainly you would want to pick someone who is qualified and lives in the Village first. It doesn't preclude or diminish the Village people. T.C. asked, John do you mean something like how we do with the Police Department, where we have two lists, we have a Village list and an outside of the Village list, is that right Chief? Chief Solomon answered yes. The Mayor called for a motion to close the Public hearing at 8:30pm. T.C. made the motion and it was second by the Mayor. **Upon the call of the role, the vote went as follows: All were in favor.**

#### **RESOLUTION ADOPTING THE LOCAL LAW AMENDING THE RESIDENCY REQUIREMENTS**

**Resolved**, that the Board of the Trustees of the Village of Monticello does hereby authorize the Adoption of the Local Law Amending the Residency Requirements.

A motion was made by T.C. and second by the Mayor. **Upon the call of the role, the vote went as follows: Carmen voted nay just to the Town of Thompson, Victor voted nay, the Town of Thompson is sufficient , T. C. voted yea, James voted yea and the Mayor voted yea.**

#### **RESOLUTION INTRODUCING AND SETTING A PUBLIC HEARING ON THE ETHICS CODE LOCAL LAW**

A motion was made by T.C. and second by the Mayor. Upon the call of the role Carmen stated that there is a resolution inside, but it states May 3<sup>rd</sup>, she thinks it is a typo because the next meeting is Tuesday, May 4<sup>th</sup>. Carmen stated that she has a problem voting for any of these resolutions because there are no copies. She stated that she asked the Attorney to provide them to her, so she would say no because she doesn't have it, so on the basis of practice and process. T.C. asked if there was a copy of the resolution? The Village Attorney stated that it's a draft that I am currently reviewing and finalizing. Victor asked how could we vote on something if we don't have the information? Per Dominic, you're not voting on the actual Ethics Code. Victor asked how could you even get involved at all if we don't even have the information in front of us? You want to talk about being responsible here folks, let's look at this, how can you make a motion or even think about talking about this if you don't have the information, I have not seen it, the Attorney has been asked to provide it, we do not have it yet, none of us on this Board should even think about this until we have the information in hand. T.C. stated that it's out of the blue, but he agrees with Victor. It's something that I asked for John before we bring you in, I ask that we be provided at least give us what the lawyer is working on. Dominic stated that there was a working draft that I believe from 2008 that I had been reviewing and adding additional information to so that the Board can have it. One of your options is to certainly table this matter and you can take it up at the next meeting. My anticipated timeframe to provide you with a copy is within the next several days. T.C. asked John that if once he gets the copy if he could give it to everyone so that we could make a date for this Public hearing to accept this Code of Ethics or if anybody has any suggestions, that would give



everybody enough time to look at it and we may make suggestions and it may get voted down, but at least everybody had an opportunity to look at it and make their suggestions.

Victor made a motion to Table the Resolution, it was second by the Mayor. **Upon the call of the role, the vote went as follows: All were in favor.**

**RESOLUTION AUTHORIZING FORMER VILLAGE ENGINEER GLENN SMITH TO COMPLETE WORK ON TWO PROJECTS (SIDEWALK GRANT, STURGIS ROAD AND WALKING ON BROADWAY)**

**Resolved**, that the Board of the Trustees of the Village of Monticello does hereby authorize Former Village Engineer, Glenn Smith to complete work on two projects (Sidewalk Grant, Sturgis Road and Walking on Broadway).

A motion was made by Carmen, second by Victor unanimously approved on a roll call vote to adopt the above resolution.

**RESOLUTION AUTHORIZING BUDGET TRANSFERS**

**Resolved**, that the Board of the Trustees of the Village of Monticello does hereby authorize Budget Transfers.

A motion was made by Carmen, second by T.C. unanimously approved on a roll call vote to adopt the above resolution.

**RESOLUTION AUTHORIZING VILLAGE MANAGER TO COORDINATE EFFORTS WITH SULLIVAN RENAISSANCE REGARDING LIGHTING ON BROADWAY**

Carmen made a motion with a question, second by Victor. Carmen stated that she just want to know, because she saw in the Resolution that the Village has to put in \$20,000.00. In May 2009, Caroline received this letter for a \$100,000.00 grant and I have been asking Jennifer and she did not find anything in the computer, so before we approve the \$20,000.00 that we look into this letter. John Barbarite suggested to the Mayor that he recognize Mr. Pontiere from the Renaissance and Ms. Buddrut who both of them have been very generous with this project and they can explain this better than I can. Mr. Pontiere introduced himself and stated that Broadway is going to make a straighter road, but there are a lot of curves. The DOT is committed with completing Broadway, but not the lights, their reason for that, some having to do with the Village, some having to do with the DOT. But they are going to put in the conduits in the bases for the lights and the bolt pattern is going to be connected with lights. So it's probably a smart thing to put the lights up soon rather than leaving these places where you could put lights up later. So, we've sat down and talked with the Mayor and talked individually with the different Board Members, I'm sorry Rev. Matthews that we did not get the opportunity to sit and talk with you, but we will and we'd like to make a contribution using these funds that come from the Federal Government to put the lights on Broadway. They are talking about approximately 64 lights, that's going to cost \$75 or \$80,000.00 and we would buy the lights and there would be some expense indirectly and that's where the Village would share. I don't know what that expense is, but I assume, this is all in the conceptual stage but there are many details that need to be worked out. While we know the general location of the lights, the amount of light, the actual lights, what they'll look like, how they'll work, how they'll interface with the cobras, the lights you already have, so there's a lot to be worked out and so we see this as a way to move forward with a commitment. We'd like to make a commitment to the Village, we don't know if the Village will accept it but I am also mindful of what T.C. said before in that we're here because we were asked and we want to do what the Village wants. I was thrilled to hear you say that you want to eventually get to a Grant Department, because that's one of the things we look for everywhere we

go is to be able to work with a Grant Department, so we would love and when you guys actually build that and there are people who we can sit down and talk to, that's a great idea. But in the mean time, we would like to go forward. I brought Helen Buddrut with me, she's our Community Planner and Helen knows more of the technical details than I do, I'm just the pretty face. Carmen stated that she just wanted to clarify that she's not against the lights but the question was that we applied for a \$100,000.00 in Stimulus money. Helen asked from where? Per Carmen, she stated that she has a copy of the letter, Allen Sorenson applied for us for this and he told me that we got the \$100,000.00. Jennifer did not find anything in the computer. Helen stated that she didn't think it was an actual approval letter and that she did talk to Allen Sorenson when we were researching the issues with the lights and he told us that he was looking into TEP Grants. Transportation Enhancement Program with the DOT that available for street-scapping and other improvements along State highways. That funding round has come and gone. Basically it's Federal money that gets given to the state and then the state gives it out in a competitive funding round and the Federal government re-authorizes that funding every three years and the last funding round the last year of that three year authorization and that's now come and gone. So, right now it's kind of in limbo in that the State is waiting for Congress to re-authorize the Transportation Bill to make that money available in another competitive funding round. So, I don't if the Village initially got a confirmation but that's something we can look into. That's one of the reasons why we're here tonight and again as Glenn said, it was conceptual, but there's a little bit of a timeframe in that we've been communicating with the Engineer involved in the DOT project and he's told us that around mid-May, in about a month's time is when they are going to be doing the sections of the sidewalk involving putting in the first series of these bases, so he needs some guidance from the Village as to the actual whole pattern of what these lights might be. So, that's the only reason why it's time sensitive and I think what we're looking for is some conceptual agreement to kind of move forward and work with the Village Manager on working out some of those details so we can get that information to the Village Engineer if lights are still something that you're interested in. Carmen stated that we are interested. John stated that he thinks the question that has the Board concerned or at least Carmen is the \$20,000.00 and I believe that we can offer in-house services, quite possibly I believe our Highway Department can install those lights and there would not be a \$20,000.00 cost. Carmen stated that we might be able to get the money back, we don't know because nobody communicated. John stated that this is a sure thing, that's a maybe we don't know, so by voting yes here, we have a sure thing. Helen stating that the \$20,000.00 figure can from the DOT, we had put out some bids and asked for an estimate from electrical contractors about what it would cost to hook these lights up to the grid and that's where that came from so it could be less, it could be more, we don't know, we have to work it out. The Mayor stated that it's an effort that we can at least come together and do something; I mean it's not in stone yet; we're still looking at it. I think it would be the right thing is to say lets go forward and move ahead with it, it's not in stone. Otherwise we'll table it, we'll put it back next year and we keep waiting and losing everything as we talk because we keep waiting. No one waits on Government money and if it's hot and ready, you have to grab it and use it, otherwise you lose it. We lost \$400,000.00, what are we going to lose \$80,000 on the lighting, we could just say, let's move forward. I'd like to move forward on it. Glenn stated that his Secretary is really encouraged to move forward because she shares the same views in regards to Broadway. It took many years as John said to get like this and it's not going to come back overnight. When the DOT project is done, it will look better and with lights even better and then we just need to work on filling some of those stores. We are anxious to work with you, collaborate with you, willing to follow your lead and Sandra was very pleased that this could be a collaborative experience. Mayor Jenkins thanked Sullivan Renaissance for coming on board to help us out and stated that we appreciate it. Helen asked for a copy of the letter that Carmen was talking about and stated that she'd be happy to follow-up and look into it.

**Resolved**, that the Board of the Trustees of the Village of Monticello does hereby authorize Village Manager to Collaborate with Sullivan Renaissance Regarding Lighting in Broadway.

A motion was made by Carmen, second by Victor unanimously approved on a roll call vote to adopt the above resolution.

**RESOLUTION AUTHORIZING THE ATTORNEY FOR THE VILLAGE TO INITIATE A LEGAL ACTION TO RECOVER UNPAID RENT FROM MOBILMEDIC**

T.C. stated that prior to the role being called, that the Village Attorney was going to look at the Contract and look at how we need to go about recovering these unpaid rents from Mobil Medic. Dominic stated that he already took a look at the 2005 Contract , it was a 4 year lease, it provided for \$18,000.00 a year in rent for the space that they were taking from the Village and it also had a rider that was attached to the lease that said they could provide in kind services in lieu of actually the rent. However they had, it was specific services that they were specified to be able to provide such as vaccinations, coming up with an Emergency Disaster Plan for the Village and then there was a process however, it wasn't just a question of those services being provided, it's that they had to demonstrate how much they actually spent on those services and the Village had to accept those services and then if they did so, then that amount would then be deducted from the rent. My understanding in discussions with the Village Manager is that no rent was paid and no services were provided, at least no services that was accepted by the Village, so you have a 4 year lease at \$18,000.00 a year, that's \$72,000.00 which I believe is due in owing to the Village. In terms of moving forward, if the Village authorizes us to initiate this, would be to write a letter of demand to Mobil Medic asking that they pay the outstanding rent within a short time period and if they do not, then we would be clear to move forward to litigation, but, we wouldn't jump to litigation first.

**Resolved**, that the Board of the Trustees of the Village of Monticello does hereby authorize the Attorney for the Village of Monticello to Initiate Legal Action to Recover Unpaid Rent From Mobil Medic.

A motion was made by T. C. and second by Mayor Jenkins. **Upon the call of the role, the vote went as follows: Carmen voted absolutely not, Victor voted nay, T.C. voted yea, James voted yea and the Mayor voted yea.**

**RESOLUTION RESCINDING ANY AND ALL CONTRACTS BETWEEN THE VILLAGE AND THE FORMER VILLAGE ATTORNEY, ROBERT GAIMAN**

T.C. asked how many Contracts are we talking about John that's out there? John stated that we are talking about one contract being the New Sewer Plant upgrade. The Village Attorney stated that they have only come across one contract in the file between the Village and Mr. Gaiman to provide legal services in connection with grants and the approval process for the Sewer Plant upgrades. I've spoken to Mr. Gaiman, he expressed to me an interest that he would like a clean break and he is not opposed to this resolution. Although, the Board did not appoint him as Village Attorney, there is still this outstanding Contract that's hanging out there and this is just a question of cleaning that up. Carmen asked that it's legal just to appoint, the other lawyer had an obligation to transfer everything, there does not have to be a resolution to rescind, it has to be a resolution to direct the pass lawyer to transfer you the things. Per Dominic, to be clear, I received a certain amount of files from Mr. Gaiman and I have been reviewing those, but there's an actual outstanding contract and it does not automatically terminate by it's own terms, even though Mr. Gaiman is no longer the Village Attorney, so all we're doing is cleaning that up. T.C. asked the Village Attorney that in his

legal advice to the Board, you're saying this will get the job done, this resolution that we have in front of us. Dominic stated that this is correct, he has no interest in pursuing this, continuing to serve in that capacity given that he's no longer Village Attorney as expressed by him to me and so you have an outstanding contract that's unclear at this point.

**Resolved**, that the Board of the Trustees of the Village of Monticello does hereby authorize the Rescinding Any and All Contacts between the Village and the Former Village Attorney, Robert Gaiman.

A motion was made by T. C. and second by the Mayor. **Upon the call of the role, the vote went as follows: Carmen stated that she did not agree with the resolution of rescinding, Victor abstained; T.C. voted yea, James voted yea and the Mayor voted yea.**

**MEETING ADJORNED**

Mayor Jenkins stated that the meeting was adjourned at \_\_\_\_?

Submitted by:

\_\_\_\_\_  
Janine Gandy, Village Clerk