

Minutes
Board of Trustees
Village of Monticello
July 6, 2010
7:00pm

Call Meeting to Order

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

Pledge to the Flag

Roll Call

Mayor Jenkins-Present Carmen Rue-Present T.C. Hutchins-Present
Victor Marinello-Present James Matthews-Present

Also Present: John Barbarite-Village Manager
 John LiGreci-Deputy Village Manager
 Dominic Cordisco-Village Attorney
 Heather Berg-Village Treasurer
 Glen Pontiere-Sullivan County Renaissance

Motion to Accept Agenda

A motion was made by Trustee Hutchins and second by Trustee Matthews, upon the call of the roll; all were in favor to accept the agenda.

Approval of Minutes from the June 15, 2010 & June 28, 2010 Special Board Meeting

A motion was made by Trustee Hutchins and second by Trustee Matthews. Upon the call of the roll, Trustee Rue stated that she had very little time to review the minutes because she did not get them until 2pm today, if I had the minutes by Thursday or even Friday, it would be good because during the weekend I review. I know Janine does good minutes and I am sure, but I just haven't had the time to review them. The Deputy Village Manager stated that I apologize to you and the Board for this, however, the only justification we could tell you is that were in the process and transition of moving all of the desk around and computers were moved around and basically, we were just caught in the shuffle from Thursday on of last week, so we apologize and it won't happen again. Trustee Hutchins

stated that he would like to suggest to the Mayor and the Board that we table the minutes until they are fully reviewed, I would like to rescind my motion. The minutes were tabled by the Mayor until the next meeting.

Mayor's Report

Manager's Report

Since the last Village Board meeting:

John LiGreci and I have met and have been negotiating the union contracts. We are hopeful that the unions will recognize the village's current financial condition and we will be able to achieve an agreement that is fair.

Three computer stations have been installed at the TSRC for use by the seniors. This was accomplished by rebuilding old village computers and by the donation of two computer monitors. The desks are surplus from the "old justice court."

The Village Clerk and I met with Linda Bull from the State Records Management Division. The purpose of the meeting was to address the Village's deficiencies in records management. We will be applying for grants to assist in this endeavor.

The account clerks have been moved to the main office and are settling in. Computers have been moved and are operational. Telephone system changes will be forthcoming. The move has been done with a minimum of disruption thanks to the cooperation of all involved.

The Building Inspector has been to training conducted by the Department of State at the New York State Fire Academy at Montour Falls. Several more classes need to be attended in order to be certified.

The sewer leak on Rockridge Drive has been repaired by the Village's Sewer Department and the homeowners have been billed for the cost of repair.

The swimming pool at DeHoyas Park on Dillon Road opened Saturday, July 3. The hours of operation are 10 a.m. to 6 p.m. weather permitting. Today over 50 children used the pool. The Highway Department will be installing a couple of picnic tables later this week.

The Mayor and I attended a meeting hosted by the County Planning Division on Wednesday, June 30. The meeting lasted approximately 5 hours. It was well attended by representatives of the County's Planning Division, Chamber of Commerce, and members of the Sullivan County Partnership. The purpose of the meeting was to discuss the best uses and how to market the Apollo Landfill sites. A marketing team from New York City chaired the meeting. The Mayor and I recommended that economic development activity look to utilizing the existing Apollo building as proposed by Resnick. Resnick's proposal

was to rehab the existing building for a grocery store combined with retail stores. As for the remainder of the landfill site it was recommended light manufacturing be permitted. It was stressed that jobs are needed and proposals for recreational use, being seasonal in nature, was less desirable than year-round jobs. It was also emphasized the Resnick proposal could be implemented rather quickly and would start creating jobs and a tax base in approximately a year, whereas the other proposals are speculative and three to five years down the road at best.

Next week the Village will be paving Washington Street, Lincoln Street, Roosevelt Place, and a section of Rockridge Drive from Pleasant Street to Fraser Avenue. This will be done with CHIPS monies, which this year has increased from \$97,000-\$112,802. This additional money may allow 1 additional street to be paved.

Since last Thursday Wes Illing and I have exchanged a combination of 11 e-mails on the Restore New York Grant Project with regard to the design of the water lines for the sprinkler and domestic water system. I have spoken with Glenn Smith and Dominic Cordesco about the project. We are now waiting on Wes Illing to submit the engineering drawings and narrative of the project for review by our attorney, water department, and Glenn Smith. I received a call this morning from Tracy, FAHS secretary, alerting us to the fact that paving of the road in front of Mr. Ting's building will commence shortly.

The mayor and I met with Helen's Budrock, Glenn Pontier, Denise Frangipane, and Richard Sush at the Gerry foundation building. We discussed the Broadway lighting, and tonight the board is asked to authorize signing the Memorandum of Understanding for this grant. Upon signing the MOU the lights will be ordered. The Renaissance group has also offered to assist the Village by way of grants and technical assistance to address dead trees in the village and to assist with the village code enforcement efforts. We will be meeting again to discuss this further.

I would like to engage the Board in a discussion on IBAM's use of Village facilities. Initially, the Village agreed to let IBAM use the meeting room of the old firehouse. This was to be in exchange of IBAM offering programs connected with boxing for residents of the village. Since that time IBAM, without notification to or permission from the village, expanded operations by installing weight and exercise machines in a firehouse truck bay. They have also provided a room to be used as an office for the Recovery Center. I spoke to Ray Sheehan about providing a program for Village youth and he was not very receptive. I have noticed, and the police department has commented, IBAM operations are not well monitored. Last week individuals were in the building until 2:30 a.m. I have observed people using the weight machines without supervision on several occasions. On one occasion a woman was using a weight machine while two young children were running around the garage unsupervised. I have concerns that the insurance policy required of IBAM is deficient to protect the Village. At a minimum I would suggest the village

attorney review the license granted IBAM and see if the insurance requirements are met. I would also suggest a curfew of 9 p.m. and that all individuals entering and leaving the building be required to sign in and out. No one should be allowed to use the building unless a trainer from IBAM is present. The Mayor stated that if it's all right with the Board if we could direct the Manager to write a memo. I think that all Village Rec Area's should be closed at least at 8 or 9:00pm. I think that there should be some type of curfew, no one should be there at 2 o'clock in the morning, if John could and the Board would approve it write a memo stating that everything stops at 8 or 9 o'clock. The Village Manager also stated that he has several concerns, besides the late hours, there's no monitoring of who's in or out, anyone can walk in or not even walk-in, they can say I got hurt in the building and there's no record that they were even here. Trustee Marinello stated, didn't we previously speak about people being that building until 2 o'clock in the morning with the Board and didn't we come up with the decision that they are not allowed to be in there? The Village Manager stated that he needs the Board to give him authorization to send a letter so that they know it's coming from the Board. The Mayor stated, we need to get a roll call vote on this. Trustee Marinello stated that this is a serious insurance issue, a liability issue and if someone gets hurt, the Village is responsible. Honestly, I am very disgusted and I am in 100% support that they should not be allowed to use that room later than 8 or 9 o'clock, especially without supervision, especially without supervision. Trustee Hutchins stated that he is in agreement that there need to be supervision there, however, I think that a lot of the kids there that they are servicing in the community live in the Village. If we can keep them off of the streets and maybe give them until 11, I would ask of the Board that we be a little bit more lenient. If there's supervision, maybe until 11 o'clock, then that way the kids they can work out whatever energy they have. Trustee Marinello interjected, you hit the nail right on the head, supervision, if there's no supervision there and somebody gets hurt, we have a problem and when Ray first presented, I fully supported it with the Board, I was one of the one's that voted for it too, but there's certain things we need to look out for, we have to look out for the tax payers, we got to look out for liability, we got to look out for the Village and I think if you don't have supervision in that room, there should definitely be no one there, there's no doubt about it. Trustee Rue stated that around 9, 9:30 there's always an adult there, Jesse York is there, I saw people in and out. John Barbarite stated that there are adults there, but there's no chain of command or level of responsibility, even though there's 8 or 9 people there, 1 or 2 of them may be adults, 3 might be adults, but no one takes charge of the group per say. IBAM has some sort of a structure with trainers and all where people can work on those weights unsupervised, like some of the times I go there and there's only 1 person there lifting weights. If anything happens that person can lay there dead until the next morning. I think at all times when they are using the equipment and all there should be someone from IBAM supervising the use of the facility and then there's the question of how far do they expand because those machines aren't set up properly, they are not anchored to the floor, they are not proper distance between them and it's a ticking time

bomb. To my knowledge no one ever gave permission to expand or gave permission to allow the Recovery Center to use a room. The Village Attorney stated that we have to check and see that they have insurance coverage for that type of use. John Barbarite stated that the insurance policy is a little worrisome because it only covers IBAM when they are at training or are in boxing matches and the person who is insured has to be a card carrying member of the US Boxing Association. So if you go there, and you don't have that card, you could be trained by IBAM, but if you get hurt, there's no insurance for you at all because you are not a US Boxing Association member, there's a thousand dollar deductible. The Mayor stated that John, I think the Board would give you the go ahead, maybe Monday – Friday 9 o'clock and on the weekends, 11 o'clock. It's your job to manage and do what you feel is comfortable. Trustee Rue stated that 9 o'clock may be too early because I have seen kids that work at Wal-Mart until 9 o'clock and then come there with their uniforms when we get out of the meetings to practice there at night. The Mayor stated maybe 10 o'clock. Trustee Hutchins stated that the Board is expecting John to work with them, but we want supervision. The Village Attorney stated that he thinks it would be best at this point that if the Board would like to vote to authorize John to take care of that. Trustee Marinello made a motion to authorize the Village Manager's to allow the IBAM to be opened until 9 o'clock at night Monday – Friday and until 11 O'clock at night on Saturday & Sunday only under the condition that there is supervision present and they need to expand on their insurance clarification, and it was second by Trustee Hutchins, upon a roll call vote, all were in favor.

Approval of Bill's to be Paid

A motion was made by Trustee Hutchins. Trustee Rue stated that she cannot second it because she did not receive anything until 2 o'clock today and she did not have any time to review the bills. The only thing I see is the transfer money to one line, which I still think is wrong, so I can't vote to have the bills paid right now because I did not have the chance, I didn't get them until 2 o'clock in the afternoon, I did not have any time to look at them. The Mayor asked do you want to take a quick glance at them right now because the auditor's have already approved it, so we'll have to wait until two weeks to get paid right? Trustee Hutchins stated you could second it can't you Mayor? Carmen is just one vote. The Mayor stated that he would second it. The roll call vote went as follows:

Trustee Rue: Nay

Trustee Marinello: Nay

Trustee Hutchins: Yea

Trustee Matthews: Yea

Mayor Jenkins: Yea

Resolution for the Budget Transfers & Amendments: Fiscal Year Ending 7-31-2010

A motion was made by Trustee Hutchins with a question and second by Trustee Marinello. Trustee Hutchins asked, John, the sanitation for the roof leak repair was submitted to the

insurance company right? The Village Manager answered yes. Trustee Hutchins asked and the check was deposited in the General Fund right? The Village Manager answered yes. Trustee Rue stated Heather; there is an empty line here for the Water Fund, there's nothing there right? The Village Treasurer answered, no, there's nothing there, there's nothing to be transferred for the Water. We talked about this last time, it's just a template, I can take it off if it's confusing to you. Trustee Rue stated that she would prefer to see it not empty, just put whatever we are transferring. Upon the call of the roll, all were in favor.

The Mayor then asked the Deputy Manager if he had anything to report:

John LiGreci stated that basically, we finished all of the furniture transfer, everything is up, right now we are in the process of the coordination of the phones as well as the computer and we are going to have them do a lot more than what they were doing as far as service to the people. Right now if the phone rings, it will be one of 5 people answering versus 1 or 2 people, if there's anybody coming to the window that will acquire for a payment or a license or something, you'll have 5 people at the window, versus 2 which would obviously triple, or quadruple the service. The other thing with our ongoing situation with the tax program, we have a tax program situation in that you have two people, if the third person gets on it will blank out the other two people that are on, now with everybody being on one floor we can divvy it to four different people on four different line because they are close together with the tax program, so that if 4 people come to the window on how much they owe, you can get 4 out of 5 having their questions answered versus 2 at a time or having it blank out. So we will enhance the service to the people that are coming in to pay their taxes, because we all know people coming in to pay taxes aren't really happy anyway and to get them in and out would be more advantageous for them as well as ourselves. The other things with the service, we will not be so spread out where we have separate lines for each department, right now a person can call one number and get the services they need without calling two or three numbers. So, we would enhance the operation and the service and it would be about 4 to 500 dollars cheaper per month with the new package we have versus the old system. As far as the pool itself, the pool is open 7 days a week, the pool has been totally repainted, reconditioned, we cemented the separations in the concrete, so no one would hurt their feet walking from one end of the pool to the other. Everything is painted so it could be recognized from the different levels and different levels of elevation in the pool, we have a lifeguard chair which meet regulations, we are in conformance with the health department we have a double latch on the door now which was also a regulation which we didn't do with the health department, that's there also as well as fixing the fence to make it a deterrent to the kids who hop the fence. The Locker rooms are repainted, they're open, and the lifeguards have the responsibility of maintaining instead of the morning so that the pool doesn't open on time at the end of the day. We are also in the process of getting lifeguard clothes so they can be recognized in case of a submerging or time of need and also trained with whistles, signal blows form one end of the pool to the other if we have a large influx of

people, like 50 or 60 people which we had today. So, the pool is without a doubt operating, it's better than what it was and I feel the service down stairs to the people at this point would be better than it is. Finally, with the Landfill, prospect would be Apollo, in my opinion, the Village is taking a proper stand as far as the Resnick Project because it's pre-existing in rebuilding the Apollo Mall which would be a quicker turnover, he has his own financing to do with that it could be in operation in about a year, for some reason the County is on a mission to give it to a couple of other possibilities of prospects where they want to do some kind of recreational facility on top of the Landfill which is still venting for another 20 years, when you close a Landfill, it's mandatory that you need to vent the gases out for 20 to 30 years. I just can't see people doing a recreational project around hazardous gas, to me it doesn't make any sense, not to mention the funding and the financing which may take up to 5 or 10 years, where the Resnick project is a 1 year transition that can give a minimum with the first portion of it open, 50 or 60 jobs with benefits and retirement, so we need to stay on top of it. John and I are, we are going to another meeting Thursday to make sure the Resnick Project gets a fair & proper review and not have the other two projects that are politically motivated take the lead and we whined up losing revenue for 5 years versus 1. Trustee Rue stated, but the County is the one that decides, it was just stated today in the Democrat, that building is terrible. John LiGreci stated that ultimately, the County will, the building is fixable. John Barbarite stated that the Village has some leverage because; regardless of what the County does because it's still subject to Village Zoning. Trustee Marinello asked in regards to the pool, are there going to be patrol cars going by there, I understand the deterrent with the fence, but as you said, it's probably very easy for some child or someone to get in there and God forbid something happen, I'd like to see some police officers patrol there or ride by there a few times a day. The Deputy Manager answered that the Chief will up the increase of patrols around there and there's also the possibility of having a hotline, a police line that's a direct connection to the police department in case of an emergency, or some other municipal pools have an alarm system in the water so if someone actually hits that water it goes off to the PD, where the PD can retrieve it and find out what it is. Trustee Marinello stated that by that time someone could be dead. John LiGreci stated that they could be but I am not quite sure of any other options at this point. Trustee Marinello stated that more patrol would be great for now. Trustee Hutchins stated that there are a lot of kids that use that pool, maybe we can talk about a grant to maybe build a bigger pool.

Resolution for a Public Hearing for the 2010-2011 Budget at the next Board Meeting on Tuesday, July 20, 2010.

A motion was made by Trustee Marinello and second by Trustee Rue, upon the call of the roll, all were in favor.

Trustee Hutchins stated that the Board needs to set up one more Budget Workshop with the Treasurer, the date was set for Friday, June 9th at 8:00am. Trustee Matthews asked the

Treasurer, what type of increase are we looking at for the taxes? The Treasurer responded that right now about 3.01% about \$70.00 increase. John LiGreci stated out of all of the Villages, we are the lowest increases. Several Board members stated that they want to get the increases down lower than 3.01%.

Resolution Authorizing the Village Attorney to take steps to place the attached Annexed Property on the Village Tax Rolls and include the Price of the Survey of the Property.

A motion was made by Trustee Hutchins with a discussion and second by Trustee Marinello. Trustee Hutchins asked the Village Manager, how is this the responsibility of the Village? The Village Manager stated that normally, most municipalities when a piece of property is annexed into their municipality, they usually insist upon the person asking to be annexed in to pay the cost of the survey. This wasn't done and in fact, there was no attempt to put this property on the tax roll. So this year they are not paying any Village taxes because of that oversight back then, that was in August of last year. So, the general municipal law requires that a survey be made and that map be filed with the County, if we are going to get this property on the tax rolls we are going to have to hire a surveyor and we are going to have to foot that expense. Trustee Marinello asked how much will it cost us? The Village Manager responded that you're looking at about a thousand dollars for a survey. Trustee Rue stated that she thought we had already did that. John Barbarite stated that you annexed it in, but the Village Attorney at the time did not have the property surveyed and he didn't file the papers with the County, so now we have to do it. Meanwhile, we lost this years taxes, they will not get a tax bill this year. Trustee Rue stated that it was already done with the Assessor and everything in the Town. Mr. Barbarite answered no, they are still being carried under the towns tax rolls, the town has the bill, we are not getting any village taxes from them this year. Trustee Hutchins stated, we are not getting any taxes this year and we have to pay for their property to get surveyed? Trustee Marinello stated that it's going to cost the taxpayer's a thousand dollars and there's no taxes until next year. Trustee Hutchins asked who was the Attorney when that happened? The Village Manager replied J. Billig. Trustee Hutchins asked did we check with Jacob, maybe he has it in a file, maybe John? Trustee Rue asked did you check in all the files, because he went to the meeting. The Village Manager stated that it did not go to the County, I'm sure he has the annexation papers, I went to the Town and got their resolutions that their Board did, I got the copy of the petition, I got our resolutions and I sent it down to our Attorney who researched the law. Trustee Marinello asked is there any way of over-seeing or supervising the Village Attorney when it comes to things like this. John Barbarite stated that part of the problem is, after you're in a position for many years, you can supervise people but I'm going to guess, not to throw it on to whomever was the Village Manager at the time, probably had no clue what the procedure was and figured the Attorney was handling this. Trustee Marinello stated that we can't change what happened then, but I was just wondering if we can start a new plan here, I don't know how it would work, but for

somebody to supervise the Village Attorney, someone to stay on the Village Attorney's back to make sure that things get done. The Village Manager stated that you would need a continuity of office. I know it sounds ridiculous, but something like this should go avoided, now the taxpayer's are getting hit with another thousand dollars and you can't even put the property on the tax roll until next year. Trustee Hutchins stated that you got a guy, you got two guys, John & John. That's on the last person's watch; we're on a new watch now. Upon the call of the roll, all were in favor.

Resolution Authorizing the use of the CHIPS monies awarded from New York State DOT in the amount of \$112,802.14 to reclaim, mill and resurface Village Streets using Callanan Industries, Reclamation and Sullivan County Paving.

A motion was made by Trustee Marinello with a question and second by Trustee Rue. Trustee Marinello asked, didn't we used to use Suit-Kote? The Village Manager responded that it went out for bid this year and these were the best prices. Upon the call of the roll, all were in favor.

Resolution Authorizing the Village Manager to sign an Agreement between the Gerry Foundation and the Village of Monticello for the Street Lighting Project.

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

The Mayor stated that he would like to thank the Renaissance for their help in this project and the Renaissance is assisting the Village in a lot of things here.

Resolution Authorizing the Village Treasurer and the Village Clerk to sign a Third Party Custodian Agreements between the Village of Monticello, TD Bank, N.A, and the Bank of New York Mellon.

A motion was made by Trustee Rue with a discussion and second by Trustee Marinello. The Treasurer stated that she had a correction, the Mayor and the Clerk are actually supposed to sign this agreement for the car. The Deputy Manager stated that, we already did the resolution for the car; this is for something different. Trustee Marinello asked the Deputy Village Manager to explain this resolution for clarity purposes. John LiGreci stated that this is just allowing us to use TD Bank Mellon and we use them already basically. They bought another bank out if I'm correct, they became in alliance with another bank so now, instead of being just TD Bank, it's TD Bank Mellon, and this is just to add another name to their corporation that they bought. Trustee Marinello asked aren't they involved already? John LiGreci answered that we use them already as TD Bank, not TD Bank Mellon, so the name is different. Trustee Rue stated that according to the resolution, it gives permission to treasurer and the clerk to be added to the account, no? The Deputy Village Manager responded as a signer, it's the same bank; it just has a different name.

Upon the call of the roll, all were in favor.

Topics for Discussion-

-Employee Retirement Incentive Program

The Village Manager stated that this is a program that the State is making available where employee's who are eligible to retire and do so, they will be credited with an extra month of service time for each year up to a maximum of three years to give them a hire retirement pay. We have to agree to that, there are some stipulations that the new work force that replaces ones who retire have to come in at a 50% savings municipality and we have to set a window of when this must take place. I'll be provided more details, we have approximately seven Village Employee's who are eligible, and possibly five may take the early retirement if it's offered. It's a catch 22, in the long term, it benefits the Village because you would be reducing salaries for the number of people that retire by hiring people at a lower pay scale, the bad part is, most of these employees in fact almost all of them are eligible to be paid out for their sick time and we are looking at anywhere from \$25 to \$30,000.00 per employee sick pay benefit. So one of the things I will be talking to the employees should the Board go along with this and before you make it a big promise or guarantee and implemented program, there may be a way, some of the employees may be willing to take a payment schedule, so we don't have to pay everyone at once, it's going to be up to them because right now, union contract says if they retire, you pay them. You also pay for their health insurance for them and their spouse for life, this is in their contract. Trustee Marinello asked is there any way that negotiations can be made to stop this kind of thing? John Barbarite stated that we are negotiating that right now, would you give it up? Trustee Marinello stated that honestly we are just giving the taxpayers money away and it just goes to where do we stop? Mr. Barbarite stated that on the health insurance alone, it costs the Village between \$250 & \$400,000.00 every time an employee retires when they are getting the health insurance benefits for life. The Deputy Manager stated that John and I are in negotiations with the unions, the biggest thing that we can do that would help the Village immensely is go with the new tier, because it's very difficult when you give somebody something and then take it back, but if you could let them keep or reasonably keep what they have without going through a loss status quo and then go with a new tier, where it would be a lot less and let them work their way up, there' is light at the end of the tunnel, without that, there is none, so this is what we are in the process of trying to accomplish at this point. Trustee Hutchins stated that he just hopes that we take this stance with all of our unions because in the past the Village has a history that if a union comes to the Board, it's like they strong-arm the Board and they get what they want, otherwise what are they going to do, quit or something? We should do that for the same, we should have stood up for the Police Contract, which were given everything they wanted on the police contract. The same way we are making a stance with the Union with the Highway, Sewer & Sanitation contracts, we should take a strong stance with all of them because quite frankly, the taxpayers are not getting what we are paying out.

-Working Supervisor for the Sanitation & Highway Department's Salary

The Deputy Manager stated that this was addressed already, when we went through the cuts the last time and I think John and I agreed to take a cut I believe that the Sanitation & Highway Superintendent agreed not to take an increase also, I think this was addressed already. Trustee Hutchins asked, is he considered a Working Supervisor? The Deputy Manager responded yes, so I believe you addressed this already. The Mayor asked was this put on the Budget. The Village Manager responded no, it's not happening, we already agreed, no raises for any Department Heads, this was addressed already. The Mayor stated that no Department Head is taking any raises; the Board didn't take any raises, because we are all trying to work to cut this budget.

Attorney-Client Session

A motion was made by Trustee Marinello and second by Trustee Hutchins to go into an Attorney-Client Session at 8:45pm. Upon the call of the roll, all were in favor.

A motion was made by Trustee Marinello and second by Trustee Rue to come out of Attorney-Client Session at 9:30pm. Upon the call of the roll, all were in favor.

Adjournment

A motion was made by Trustee Rue and second by Trustee Marinello that the meeting be adjourned at 9:30pm. Upon the call of the roll, all were in favor.

Submitted by:



Janine Gandy, Village Clerk