

Minutes

Board of Trustees

Village of Monticello

September 6th, 2016

5:30 p.m.

Call Meeting to Order

The meeting was called to order at 5:30 pm by Mayor Solomon.

Pledge to the Flag

Roll Call

Mayor Solomon-Present
Trustee Lymon-Present

Trustee Weyer-Present
Trustee Nikolados-Present

Trustee Rue-Present

Also Present:

David Sager, Village Manager
Michael Davidoff, Special Council
Richard S. Baum, Deputy Special Council

Motion to accept the agenda

A motion was made by Trustee Weyer with a second by Trustee Nikolados to accept the agenda with the following add-on:

1. Resolution in Support of the NYSDOT Bridge NY Grant Application

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

Approval of Minutes from the August 9th, 2016 meeting

A motion was made by Trustee Rue with a second by Trustee Weyer to approve the minutes. Upon the call of the roll, all were in favor.

Public Hearing-Local Law #3 of 2016- Amending, revising and replacing Chapter 280, Zoning, Sections 280-1 through 280-58, Including re-zoning specific Residential and Commercial Districts within the Village of Monticello, Amending the Schedule of Use, Area & Bulk Regulations, and Amending the Village of Monticello Zoning Map

A motion was made by Trustee Weyer with a second by Trustee Nikolados to open the Public Hearing at 5:31 pm. Upon the call of the roll, all were in favor.

The changes were presented by the Village Deputy Special Council, Richard S. Baum along with one of the Zoning Committee members, Helen Buddrock, from Sullivan Renaissance. The discussion entailed re-establishing the neighborhood and one-family zones, making the zones consistent throughout the Code and allowing for the correction and expansion of problem or

condensed zones. There was also a discussion on the area & bulk regulations and the amendment of the zoning map for the Village.

The floor was opened to the Public and the following people spoke:

Jacob Billig

Gordon Jenkins

A motion was made by Trustee Weyer with a second by Trustee Nikolados to leave the Public Hearing open until Tuesday, October 18th, 2016 at 5:30 pm to give the Board time to address issues that were brought up in the Public Hearing regarding the change of the zones in various area's such as Holmes Street, Osborne Street and Summit Avenue. Upon the call of the roll, all were in favor.

Resolution of Adoption of Local Law #3 of 2016 and authorizing the Mayor to sign the SEQR Form

Tabled

Mayors Report

There was no report from the Mayor

Manager's Report

Mrs. Sager reported that we are getting close to the end of the WWTP Project. He is looking to schedule a meeting with Barton & Loguidice for an update and to schedule a grand re-opening and reception of the WWTP for Late October. We are still trying to iron things out with George Popp, but we're shooting for late October, but it is coming along very nicely.

There is an application before you for a culvert replacement from the NYSDOT for the Bridge NY Application on Waverly Avenue, hopefully that can move forward.

I believe Dunkin Donuts Is going to try to schedule some type of soft opening this week, so do not be surprised if they'll be making donuts by the end of this week.

I just want to point out to everyone the progress that is going on Jefferson Street as a whole. I think company Sun Up is doing a great job from what I can see, so far, they're moving along pretty quickly, even with the additional drainage issues.

I received an email from Mr. Pantel regarding the East Broadway traffic light, he said weather permitting, they should be installing the footings post this week and get the rest of the light up this week. Within the next coming weeks, hopefully that light will be up and functioning, along with the blinking light at the intersection of Raceway Road and Jefferson street, which was paid in full by the contractor and owner of Dunkin' Donuts.

Representative from the VFW Post 9588-Financial Support

Al Etkin was present from the VFW Post 9588 and requested that the Board re-instate their yearly financial contribution that they previously donated to the Local VFW Post in past years of \$300.00.

A motion was made by Mayor Solomon with a second by Trustee Nikolados re-instating the donation and increasing it to \$500.00 a year. Upon the call of the roll, all were in favor.

Resolution authorizing the payment of bills in the amount of \$916,604.04

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

- Mayor Solomon-yea
- Deputy Mayor Weyer-yea
- Trustee Rue-abstain
- Trustee Lymon-yes
- Trustee Nikolados-yea

Resolution authorizing Budget Transfers for fiscal year ending July 2016

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

- Mayor Solomon-yea
- Deputy Mayor Weyer-yea
- Trustee Rue-abstain
- Trustee Lymon-yes
- Trustee Nikolados-yea

Resolution authorizing Budget Transfers for fiscal year ending July 2017

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

- Mayor Solomon-yea
- Deputy Mayor Weyer-yea
- Trustee Rue-abstain
- Trustee Lymon-yes
- Trustee Nikolados-yea

Resolution authorizing the Justice Court to apply for the 2016-2017 JCAP Grant

A motion was made by Trustee Nikolados with a second by Trustee Rue. Upon the call of the roll, all were in favor.

Resolution authorizing payment to SealCoat USA in the amount of \$5,451.00 from app#A.5110.227 for the Traffic Paint Line Striping for the Highway Department. Current account balance is \$6,200.00

A motion was made by Trustee Rue with a second by Trustee Nikolados. Upon the call of the roll, all were in favor.

Resolution authorizing payment to Casings Inc. in the amount of \$1,408.00 from app#CL.8161.400 for the road side clean-up of tires in the Village for the Highway Department. Current account balance is \$3,936.94 as of 7/31/2016

A motion was made by Trustee Nikolados with a second by Trustee Weyer. Upon the call of the roll, all were in favor.

Resolution amending the resolution passed on August 9th, 2016 regarding the purchase of Catch Basins from the Sullivan County bid and increasing the amount to \$7,363.00 from app#A.5110.228. Current account balance is \$5,275.00

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

Trustee Rue asked, why if we only budgeted \$5,275.00 in the last meeting, why did it go up in price of almost \$2,000.00?

Jim Steinberg, the Highway Superintendent responded, remember this is part of the Jefferson Street project that we agreed to have Sun Up do the extra and plus another basin.

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

Resolution authorizing the purchase of a 60' of 36" Hancor HI-Q-12 pipe with 2 36' Bands in the amount of \$1,793.40 off the Orange County Bid 2016 from app#A.5110.228. Current account balance is \$5,275.00

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

Trustee Lymon asked, what is I for?

Mr. Steinberg responded that we had an emergency repair on Lakewood Avenue and the Town of Thompson had the pipe on hand, so we got it from them and now we are replacing their pipe. The repair was done today.

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

Resolution authorizing the Clerk to refund Gabriel and Anna Zaiat in the amount of \$1,249.52 for the overpayment of taxes on SBL#112.-4-10 aka 36 Starr Avenue from app#A.632

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

Trustee Weyer asked why we are refunding him when his check was only for \$759.00.

The Village Clerk responded that he had multiple prewritten checks and asked us to take them and just refund the difference of what he was owed.

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

Resolution establishing the Village of Monticello Board as Lead Agency and Determining that the action to construct the West Broadway Water Storage Tank Project is an Unlisted Action and will not have a significant adverse impact on the environment

Tabled

Resolution authorizing the Defense of Claim regarding the Traffic Signal at the Intersection of Jefferson Street and Route 17B in the Village of Monticello

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

Trustee Rue stated that this never came before the Board for a proposal or litigation or anything.

The Village Special Council, Michael Davidoff, responded it's before you now. Nothing has been done, I spent all summer negotiating since June; when they started the construction work on Dunkin' Donuts, the subcontractor knocked down the traffic light, so I spent all summer arguing with the insurance company, trying to get them to pay the claim. Originally, we got a proposal from Pantel of \$11,000.00, Jim spent the rest of the summer trying to get another proposal, Jim brought people to the site and we couldn't get another proposal. So, we spoke with the owner of Dunkin' Donuts and they were kind enough and said we'll pay the difference. Then 10 minutes before leaving my office to come here, I got a call from the subcontractor's insurance company saying that they'll pay \$10,500.00. So now we are fully compensated with Dunkin' Donuts paying the difference.

Trustee Rue asked, there are no other electric company's other than Pantel that can do the job, just like down on East Broadway, Pantel is the only one?

Mr. Steinberg responded that he tried to get four (4) other contractor's and all of them refused to come to the Village of Monticello.

Trustee Rue commented, so the insurance and Dunkin' Donuts is paying this?

Mr. Davidoff responded, yes.

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

Resolution authorizing the Chief of Police to sign a subscription agreement with Lexipol and authorize payment of the annual subscription and implementation services fee for a total amount of \$11,058.00 from app#A.3120.445. Current account balance is \$15,000.00

A motion was made by Trustee Weyer with a second by Trustee Rue. Upon the call of the roll, all were in favor.

Resolution authorizing payment to Drew, Davidoff & Edwards Law Offices, LLP in the amount of \$2,808.50 for the Village defense in the Allan Thompson litigation from app#A.1420.404. Current account balance after expense is \$27,749.02 as of 7/31/2016

A motion was made by Trustee Lymon with a second by Trustee Nikolados. Upon the call of the roll, all were in favor.

Resolution authorizing payment to McDowal Electric Inc. in the amount of \$2,219.63 for the installation of the new aerators in DeHoyos Park from app#A.7020.200. Current account balance after 2016 budget transfers is \$2,331.98

A motion was made by Trustee Lymon with a second by Trustee Weyer. Upon the call of the roll, all were in favor.

Resolution authorizing payment to Sullivan County in the amount of \$1,250.00 for the Village's 50% portion of the Phase I ESA for parcels #121.-2-1 & 121.-2-2 in the Town of Thompson from app#A.1440.414. Current account balance after 2016 budget transfers is \$1,250.01

A motion was made by Trustee Nikolados with a second by Trustee Weyer. Upon the call of the roll, all were in favor.

Resolution authorizing payment to Atlantic Testing Laboratories in the amount of \$2,569.00 for the WWTP Improvement Project app#A.3620.402. Current account balance is \$25,903.44

A motion was made by Trustee Weyer with a second by Trustee Rue. Upon the call of the roll, all were in favor.

Resolution authorizing payment to Marvin Newberg Attorney at Law for professional services in the matter of the Village of Monticello vs Snowden in the amount of \$3,350.00 from app#A.1420.404. Current account balance is \$24,399.02 as of 7/31/2016

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

Mayor Solomon-yea

Deputy Mayor Weyer-yea

Trustee Rue-abstain

Trustee Lymon-nay

Trustee Nikolados-yea

Resolution authorizing payment to Michelle L. Conero, Court Reporter/Transcriptionist for professional services rendered in the matter of Village of Monticello vs Snowden in the amount of \$1,719.75 from app#A.1420.404. Current account balance is \$22,679.27 as of 7/31/2016

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

Mayor Solomon-yea

Deputy Mayor Weyer-yea

Trustee Rue-abstain

Trustee Lymon-nay

Trustee Nikolados-yea

Resolution authorizing payment to Fellenzer Engineering LLP for Construction period Services in the amount of \$1,250.00 from app#A.1620.202. Current account balance is \$251,084.34 as of 7/31/2016

A motion was made by Trustee Lymon with a second by Trustee Nikolados. Upon the call of the roll, all were in favor.

Resolution authorizing payment to The Rental Center of Monticello for the rental of a Zero Turn Mower beginning on April 25, 2016 and to continue until the end of the mowing season at a rate of \$999.95 per month from app#A.1620.421. Current account balance after 2016 budget transfers is \$3,533.73

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

Trustee Weyer asked, when is the end of the mowing season?

Mr. Steinberg responded, that's hard to tell with the weather, hopefully October.

Trustee Rue commented that we are spending this money and the insurance company hasn't even been notified. We are spending money that we don't even have to spend.

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

Mayor Solomon-yea

Deputy Mayor Weyer-yea

Trustee Rue-nay

Trustee Lymon-yea

Trustee Nikolados-yea

Resolution authorizing payment to Rick Newman Signs for the Village "Welcome" signs in the amount of \$9,395.00 with a 50% deposit required to order from app#A.1620.204 to be funded by a portion of the \$25,000.00 Sullivan Renaissance Grant Award monies

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

Trustee Rue commented that before, the Board was involved in choosing the colors for things like this, we were involved in the choice of the parking lot signs and they came from Renaissance. Even if it's a grant, we are the elected officials and should have say so in these decisions. It should be an equal decision, not only two people and should be elected officials. I see that the color selected was blue, but I've lived in Monticello or the last 47 years and the colors have always been green, but it's already been decided. Even if it's a grant at least give the Board the courtesy and a chance before a final decision is made. That's all I'm asking because we, the elected officials, have to answer to the people.

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

Mayor Solomon-yea

Deputy Mayor Weyer-yea

Trustee Rue-abstain
Trustee Lymon-yea
Trustee Nikolados-yea

Resolution authorizing payment to NYSHIP for the Village Employee's Health Insurance in the amount of \$173,379.43 for the September 2016 Invoice

A motion was made by Trustee Nikolados with a second by Trustee Rue. Upon the call of the roll, all were in favor.

Resolution authorizing payment to NYCOM for the Village's membership dues for the 2016-2017 in the amount of \$3,244.00 from app#A.1920.400. Current account balance is \$3,500.00

A motion was made by Trustee Nikolados with a second by Trustee Rue. Upon the call of the roll, all were in favor.

Resolution authorizing payment to M & T Bank for the lease payment for the Dodge Ram Truck in the amount of \$12,363.71 from app#A.9785.00 and app#A.9785.700. Current account balances are \$34,420.00 and \$4,160.00

A motion was made by Trustee Lymon with a second by Trustee Rue. Upon the call of the roll, all were in favor.

Resolution in Support of the NYSDOT Bridge NY Grant Application

A motion was made by Trustee Weyer with a second by Trustee Lymon. Upon the call of the roll, all were in favor.

Resolution authorizing payment to the NYS DOH for the Dillon Park Pool Fines in the amount of \$450.00 and authorizing a stipulation

A motion was made by Trustee Weyer with a second by Trustee Nikolados. Upon the call of the roll, all were in favor.

Resolution authorizing a refund in the amount of \$115.00 to DeShawn York for a Back to School Community Event held on Saturday, September 3rd, 2016 at Dillon Park

A motion was made by Trustee Rue with a second by Trustee Nikolados. Upon the call of the roll, all were in favor.

Executive Session

A motion was made by Trustee Weyer with a second by Trustee Lymon to go into Executive Session at 6:30pm to discuss the following:

Personnel

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

9/6/16-VOM Board Meeting Minutes

A motion was made by Trustee Nikolados with a second by Trustee Lymon to come out of Executive Session at 7:03pm. Upon the call of the roll, all were in favor.

Adjournment

A motion was made by Trustee Nikolados with a second by Trustee Rue to close the meeting at 7:04pm. Upon the call of the roll, all were in favor.

Submitted by:

A handwritten signature in black ink, appearing to read "Janine Gandy-McKinney". The signature is written in a cursive style with a large initial "J".

Janine Gandy-McKinney, Village Clerk