

Meeting Minutes

Board of Trustees

Village of Monticello

Tuesday, November 14th, 2017

5:30 p.m.

Call Meeting to Order

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

Pledge to the Flag

Roll Call

Mayor Solomon-Present

Trustee Weyer-Present

Trustee Rue-Present

Trustee Lymon-Present

Trustee Nikolados-Present

Also Present:

David Sager, Village Manager

Michael Davidoff, Special Council

Motion to accept the agenda

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

1. Resolution authorizing the Manager to sign the MOA with the Monticello PBA
2. Resolution authorizing the Manager to sign the CBA with the Village of Monticello DPW
3. Resolution authorizing the Correction of Errors for SBL#105.A-1-2 and correcting the tax bill as listed pursuant to Section 554 of the RPTL
4. Resolution authorizing the Correction of Errors for SBL#105.A-1-3 and correcting the tax bill as listed pursuant to Section 554 of the RPTL

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

Approval of Minutes from the October 17th & 25th, 2017 meetings

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

Mayor Report

There was no report

Presentation-Tammy Mangus-MCSD Superintendent-Capital Improvement Plan

Monticello Central School District Superintendent, Tammy Mangus, and school board member, Lori James, was present and discussed the schools Capital Improvement Plan and the finances involved with making that those improvements. She encourage everyone to vote on 12/19/17 for the phase one (1) project.

Presentation- Wanda Cruz from Cornell Cooperative Extension-Complete Streets

Wanda Cruz from Cornell Cooperative Extension was present and spoke in regards the Village's need to adopt a Complete Streets program. This program identifies the weak areas in traffic regulations so that there can be policies put in place for the safety, health, and well-being of the community. As per Ms. Cruz, the NYS DOT is in favor of this program and are willing to assist the local communities to make to make this happen. Changes such as more signage and street regulations are a big help and really change the minds of the driver's and make them more aware of pedestrians and biker's.

A motion was made by Trustee Nikolados with a second by Trustee Weyer adopting a "Complete Streets" program in the Village of Monticello at no cost to the Village. Upon the call of the roll, all present were in favor.

Manager Report-

Mr. Sager deferred his report to Marshall & Sterling and Barton & Loguidice

Marshall & Sterling- Steve Kalmus from Marshall & Sterling and Susan O'Rouke from NYMIR was present. Steve presented the Village with the additional information that was requested at the last meeting on November 14th in regards to the loss runs and additions to the Village Insurance Policy. Susan O'Rouke, VP from NYMIR presented the Village with a reimbursement check in the amount of \$5,863.82 for the initial deposit the Village made when signing on to NYMIR and also an additional check in the amount of \$800.00 for the refund of underwriter's fee's.

Barton & Loguidice- Don Fletcher was present and introduced Roy Richardson, the new representative that will be handling all of the Village projects.

Department Head Reports

Resolution authorizing the payment of bill's in the amount of \$338.38 for Fiscal Year ending July 31, 2017 and \$748,959.60 for the 2018 Fiscal Year

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

Resolution authorizing Budget Transfers for Fiscal Year Ending July 31, 2018

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

Trustee Rue stated that she knows that the Treasurer is not present but she questioned the transfer of \$2,500.00 for transportation for the Code Enforcement. What is it for?

Mr. Sager stated that he's not aware of it and doesn't know what it's for.

Trustee Rue stated that her vote is no, it's too much money being transferred with no explanation of why or what for.

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 directing the Village of Monticello Planning Board to set Parking Regulations for Religious Institutions situated within the Village of Monticello

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

Resolution authorizing WQIP Draw#3 for the Water Resource Recovery Facility Disinfection Improvements

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

Trustee Rue stated that she knows that Phil is not here, but can someone explain why the water is brown in the morning? She stated that she has to buy water because she does not drink the water, it's just disgusting, and it smells like sewer, it's terrible.

Mayor Solomon and Mr. Sager stated that this is a separate issue, this resolution is part of the Sewer, not for the Water.

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

Resolution authorizing payment to Engineer, Glenn Smith in the amount of \$1,145.75 from app#A.1440.414 for work done on the Ted Stroebele Center. Balance after payment is \$13,732.25

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-yea

Trustee Nikolados-yea

Resolution authorizing the Water Bond Payment due to the USDA in the amount of \$19,040.00 from app#F.9710.600=\$14,000.00 and F.9710.700=\$5,040.00. Current account balances are \$14,000.00 and \$9,765.00 respectively

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

Resolution authorizing payment to NYSHIP in the amount \$197,260.35 for the November 2017 invoice from the various funds as listed

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

Resolution authorizing payment to Moishe Zaiat for the overpayment of taxes in the amount of \$1,203.55 for SBL#118.-5-3.24 from app#A.632

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

Resolution authorizing the Mayor to sign and execute a Deed and all necessary documents to effectuate transfer of title of said parcel to Qualkap Development LLC for SBL#119.-6-16 aka 26 Edward Ave for no consideration

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

Resolution authorizing the Village Manager to sign an agreement with Energy Systems Group LLC

A motion was made by Trustee Lymon 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-nay

Trustee Lymon-yea

Trustee Nikolados-yea

Resolution authorizing payment to NY Marriott Marquis for the Justice Court Training in the amount of \$2,034.00 for two rooms from app#A.1110.406. Account balance after payment is \$91.00

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

Resolution authorizing the Village Manager to sign an agreement with Monticello Hospitality LLC

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

Trustee Nikolados asked the Village Attorney to explain this resolution to the Board.

Mr. Davidoff stated that when this company, "Monticello Inn" brought this property, they asked for a water bill and received a bill stating that only \$548.00 and change was due, when they apparently had a bill due if \$5,179.00 due. So the question is whether they asked properly or whether we provided properly. There is now a dispute and they are threatening to sue us, so instead of that we drew up a resolution waiving \$2,500.00 and some of the penalties and fees. They will not get that waiver unless they provide a check with the current balance due on the bill in good faith. This has been going on for a while and we figured the litigation expenses is more than what's owed on the water bills.

Trustee Lymon stated that she has a problem with this because we have other people asking for the same thing and we tell them no. But then when companies come in, everyone ready to give them what they want, but when its regular residents and tax payers like me and I just brought this house for \$5,000.00, it's a problem and everyone's like no, you have got to pay it. It clearly stated in the auction paperwork, it reads x, y & z, so I am bound by that and I feel that they should be too.

Mr. Davidoff stated that he understands exactly what Trustee Lymon is saying, but this was a private sale.

Trustee Lymon stated that she doesn't care if it was a public or private sale, the same rules apply and we are talking about today.

Trustee Nikolados stated that he doesn't think that it was ever reported, so it's not the bill, it's just the penalties, the \$2,500.00 is the penalties.

Mr. Davidoff interjected that he respects everyone's opinion, but we have to look at each issue as a case by case situation and the facts has to be looked at specific to that particular situation. What you are saying is that the other one's had been purchased at a Public Auction, this one however is different because it was a private sale and these facts are totally different from other's.

Mayor Solomon stated that his thing is that this water bill stuff keeps coming up, people are not getting their bills, they are buying properties and no one is giving them the proper information and so on. I think that we need to get to the root of this problem, so that these types of issues can stop coming across this Board. I understand that every situation is different, but these issues should be very few and far between and they are not, it's constantly and we need to get to the bottom of these water bills and penalties and resolve them once and for all. I think we should table this.

Trustee Rue stated that she researched this company and they are a corporation out of Dutchess County, but there is limited information on them and they are saying that they are an LLC, so I think that we need more information on them, so I agree we need to table this. Other people are suing too for the same problem of the water bills.

A motion was made by Trustee Rue with a second by Mayor Solomon to Table this resolution until more information is obtained and discussions with the Manager. Upon the call of the roll, the vote went as follows:

Mayor Solomon-yea

Deputy Mayor Weyer-yea

Trustee Rue-yea

Trustee Lymon-nay, my vote will be no, no matter what or when you all vote on this.

Trustee Nikolados-nay

Resolution setting one (1) meeting date for the month of December 2017 on Tuesday, December 5th, at 5:30pm

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

all present were in favor.

Resolution setting a Public Hearing date for the Restore NY Grant Application and authorizing the Village Clerk to do the necessary publication paperwork

A motion was made by Trustee Weyer with a second by Trustee Rue setting the Public Hearing date for Tuesday, December 5th, 2017 at 5:30pm. Upon the call of the roll, all present were in favor.

Resolution authorizing the IMA for the Annual Tax Foreclosure Proceedings between the Village of Monticello and the County of Sullivan

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

Resolution authorizing payment to OCL Analytical Services in the amount of \$1,615.00 from app#G.8130.421 for the Leachate Treatment for the Sewer Department. Current account balance after payment is \$5,851.69

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

Resolution authorizing payment to Immel & Sons Welding in the amount of \$1,410.00 from app#F.8340.421 for the repair of the Old Hospital Water Tank for the Water Department. Current account balance is \$14,495.56

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

Resolution authorizing payment to CEJJ (sole source provider) for the repair to Sanitation Truck#12 in the amount of \$4,400.22 from app#CL.8160.423 for the Sanitation Department. Current account balance is \$46,543.70

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

Resolution authorizing payment to Luzon Environmental in the amount of \$1,410.78 for the Annual Tank Testing for the Highway Department from app#A.1620.205. Current account balance is \$1,500.00

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

Resolution authorizing the purchase of the BAS System Program in the amount of \$18,300.00 from the Lisch Grant Funds

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-nay

Trustee Lymon-yea

Trustee Nikolados-yea

Resolution authorizing the Manager to sign the MOA with the Monticello PBA

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

Resolution authorizing the Manager to sign the CBA with the Village of Monticello DPW

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

Resolution authorizing the Correction of Errors for SBL#105.A-1-2 and correcting the tax bill as listed pursuant to Section 554 of the RPTL

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

Trustee Rue questioned are we reducing the tax bill? This property is 3.75 acres and it was paid in the amount of \$456.00 and now we are reducing it to \$105.00.

Mr. Sager responded that this is County owned property and part of the jail property. We are not giving anything, it is already tax exempt and should not have even been on the tax roll. The County are the new owners of the property and would be tax exempt just like we would be if we brought property from someone.

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

Resolution authorizing the Correction of Errors for SBL#105.A-1-3 and correcting the tax bill as listed pursuant to Section 554 of the RPTL

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

Trustee Rue asked is this the same as before?

Mr. Sager responded, it's the same situation.

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

Executive Session

There was no Executive Session

Adjournment

A motion was made by Trustee Rue with a second by Trustee Lymon to close the meeting at 6:33pm. Upon the call of the roll, all were in favor.

Submitted by:



Janine Gandy-McKinney, Village Clerk