

Meeting Minutes

Board of Trustees

Village of Monticello

May 23rd, 2017

5:30 p.m.

Call Meeting to Order

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

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

Chief Mir, Monticello PD

Melissa DeMarmels, Village Treasurer

TJ Brawley, Code Enforcement Officer

Ronald Singer, Code Enforcement Officer

Shawn McMichael, Highway & Sanitation Department

Martha Daza, Recreation

Motion to accept the agenda

A motion was made by Trustee Weyer with a second by Trustee Lymon to accept the agenda with the two (2) add-ons:

1. Resolution authorizing the Village Manager, David Sager, to sign the CBA with the Water/ Sewer Employees
2. Resolution authorizing the Personnel Policies for Non-Union Full-Time Employees

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

Approval of Minutes from the May 2nd, 2017 meeting

A motion was made by Trustee Lymon with a second by Trustee Rue to approve the minutes.

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

Mayors Report

There was no report

Manager's Report

Village Manager Sager stated that the 2017/2018 Tentative Budget was distributed yesterday to the Board on time as required by the State. He stated that he hopes that everyone will provide necessary and meaningful input to move this process along smoothly. We will need to set up meetings within the next month to get this process done.

We have reached tentative agreements with our Collective Bargaining Units except one, I believe that there are resolutions on the agenda tonight to move forward with two of them.

I have been starting to look forward to some of the CFA loans that are currently being offered by the State. I would like to put forward a resolution at some point, to have some monies, input from the Village, we are trying to get funding from the IDA to provide most of the funding for professional services and the CFA grant applications.

Shawn will talk more about the Spring Clean-up, we've been working hard trying to get up whatever additional debris from the sides of the roads. I know that the Building Department has been working hard with documenting and issuing notices of property violations.

Department Head Reports

Addition to Agenda:

2017/2018 Budget Work Shop & Budget Public Hearing Dates

A motion was made by Trustee Rue with a second by Trustee Weyer setting dates for the Village Budget Work-Shops and 2017/18 Budget Public Hearing for Tuesday, June 6th and Tuesday, June 20th at 4:30 and 5:30pm. Upon the call of the roll, all present were in favor.

Discussion-USDA Sewer Project Paving

Anthony Eagan from Barton & Loguidice spoke. He stated in the initial contract for the USDA Sew Plant we included paving of the access road down past the Sanitation Garage from Waverly to go to the Treatment Plant, up to the where the Operations Building is there and the parking lot. The Contractors are responsible for restoring the roads and things throughout the project, but basically, the roads and everything were already deteriorated. So, what is proposed is to use the funds in the USDA Contract for all of the labor and equipment to replace the asphalt and remove what's there and mill it out. We talked to Shawn about using some of the Highway Trucks for some of the millings that the Contractor would leaving for the Village to use to back up some of the shoulders or use as for back-fill or however Shawn wants to. I discussed with Shawn that the Village has extended the State Bid price for pavement for top course and binder, so the Village will purchase off the State Bid the pavement and provide it to the Contractors off the State Bid that's extended through the Highway Department. The combination of what's in the project and what we're requesting, the \$140,000.00, we'd be able to pave everything even what was suggested last week, in front of the Sanitation Garage where the pavement is pretty deteriorated as well along with some additional area's inside the plant. So, we're requesting \$140,000.00 in total, \$10,000.00, which you approved at the last meeting for the Water line and \$130,000.00 for pavement from the Sewer Fund balance into the Sewer Fund so that it can be used to purchase pavement.

Mayor Solomon asked the Treasurer to explain how this would impact the Fund Balance. The Village Treasurer explained that the Sewer Fund Balance is much higher than what it needs to be. It should be 20% of your subsequent year's expenses and it's essentially 40%. Utilizing these funds, will not put you in any danger of your Sewer Fund balance because you will still be in 25% over the necessary amount. If we do not use this, we will have to bond the money and pay interest, when we already have the funds available in the Sewer Fund. I see that there is no reason not to do this.

Trustee Rue stated that she just has a problem that we are always using Fund Balance and we have not even looked at the new budget. The Village receive \$21.5 million dollars in grants and I'm just surprised that we now have to go into Fund balance to do something like this.

Anthony Eagan responded that through the project, they were able to find several cost saving measures. There were a few things that we spent a little more money on, but on most we were able to find ways to save money. With the money that we saved, we were able to get another major piece of equipment installed that was not even scheduled as part of project. I think the Village took full advantage of the \$21.5 million dollars for the plant. If we did not get that major piece of equipment which Phil and his men are very happy with, we would have been able to do this paving within this budget, but we did that trade-off knowing that the paving was a little less critical than this piece of equipment that we have. The piece of equipment costs a lot more than what we are asking for paving, the piece of equipment costs over \$330,000.00.

Discussion- Land Bank Parcels

Mr. Sager stated that he would ask that the Board keep an open mind and that the parcels should be referred to as Village owned parcels because none of the parcels have to be considered for the Land Bank and can be considered for other Village uses. The tax auction does not necessary serve us well to stabilize our community.

Mayor Solomon asked what specific parcels we are considering.

Mr. Sager responded that he had made his recommendations last time. He stated that he feels that the Board is much more informed on the Land Bank and its purpose. Anyone that has a question about it, I'm happy to talk to you afterwards. The Land Bank, we're one of 19 in the State of New York, it's meant to help with economic development and stabilize blighted communities. This was something that was meant to be positive for the Village of Monticello. It was formed with the Village of Monticello and the Village of Liberty specifically in mind, Monticello was mostly thought of in the process. There are strict rules and guidelines. The way that I was chosen was to be on the Land Bank committee was that I am here on a day to day basis, versus the Trustees who are not. So, it's easy for me to attend meetings, there are ethics and bylaws that I have to abide by, I cannot have financial interest in any of the properties whatsoever, this is really mean to be a good thing for the Village of Monticello in the concept that it would be turned into something other than that is sad to me.

Mr. Davidoff stated that he thinks there is some confusion here, the parcels we discussed to withdraw from the tax sale is not necessarily to be used for any specific purpose as this. The

Village has in the past and has the right to remove Village owned parcels from the auction for any use they feel necessary. It does not mean that removing these properties will automatically put them in the Land Bank, that's not true. This is the right of the Village and it has been exercised in past. If the Village then determines that they are not going to utilize the property or have not use for it, it can be put back into the following year's auction. The Village has the right to make those decisions by resolution of a majority vote.

Trustee Lymon stated that there is confusion because we are having a discussion about the Land bank and now you're talking about removing properties from the auction, those are two different and separate discussions. So, if we are talking about the auction, we should not be putting the Land Bank under the same discussion because they are two separate topics and I believe that's where the issue comes in. As the Village Trustees, we should have input on the properties being removed from the auction, if that's our choice. The Land Bank is something different and I get that.

Trustee Rue commented that she has a problem because we are giving away a year of that revenue that the Village can use. When properties go to auction, they have to pay the back taxes and the current year taxes, so we are going to lose a full year of revenue. Here is a discussion of the Land Bank, it's not what you are talking about Michael. Yes, the Village has removed parcels in the past from the auction, but that's not what this discussion is about and it doesn't mean that they will go specifically into the Land Bank and really, they don't even have any directors and have not even really been officially set up. The County has not even opened them up to us or nothing.

Mr. Davidoff responded, please understand that we are talking about two separate matters. We are talking about properties being pulled from the auction sale and as you say, the properties coming out of the sale and they are sold and they don't pay any of the taxes, but the problem has been that so many of these properties are sold at the tax auction and then the taxes still go unpaid and they become absentee landlords and nothing happens and then you have to wait two years before you can put it back in, put that into consideration also.

Trustee Rue commented that 440 Broadway was put into the auction and the County took that property and then the owners brought that back and now the Village will have revenue again.

Mr. Sager responded through the repurchase program, but 504 Broadway, which has been such a sticking point for you, the owners chose not to buy that back from the Village during the repurchase program, so they didn't feel that the \$96,000.00 owed on the property were worth it and that's a fact.

Trustee Weyer stated that even if these properties remain in the auction, we are going to get a nominal amount at the auction for the back taxes and most of that will be written off and then the current year. With removing these parcels, we have a better chance as I stated last time, of getting viable people who will take care of these properties and pay taxes yearly or the Village could maybe use them. It's a continuous cycle that the Village faces year after year and we gain nothing.

Mr. Sager stated that they are not asking that every parcel that has been foreclosed upon be removed. It's not like there are not going to be parcels in the auction, but there were some strategic area's we looked at, like neighborhood's in transition, 504 Broadway is a totally special circumstance but it's a viable building that the Village might municipal uses or further development uses.

Trustee Weyer commented, then there is 85 High Street that is was in the auction last year and did not sell, so how many years ae we going to let it sit in the auction. Is someone going to go but it in the auction and put the required amount of money in it; that we don' know. But, why keep letting it sit year after year, when no one who is buying it is doing anything with it?

Mr. Brawley, the Code Enforcement Officer stated that he also spoke with the Village Manager about this. Someone will be more enticed to come into the Village and buy a vacant lot than to buy that house and have it cost them more than \$15,000.00 to tear the house down and then build a new house on top of it. So, you guys have the choice of holding on to that and then sell it, you'll get more money for an empty lot than to sell it to a potential buyer for the taxes that you have not been receiving on it. It's the same thing with 44 High Street; that building should come down and should've been down years ago. There's no parking for it, no use for it, it's been a drug house for years and people sleeping in and out of it until I came and had it boarded up. The Village needs to take control of this in cooperation with the Police Department to take down all of the illegal multi-families in the illegal zones. Those need to be taken down also and legal one family homes should be put up.

Trustee Rue stated that again the discussion topic is the Land Bank and those properties.

Mr. Sager stated that again, just because these properties are removed from the auction does not mean that they have to go to the Land Bank, removing these properties gives the Village the right to do whatever they want with the properties, the Land Bank is just an option.

Trustee Lymon stated well since we are removing properties from the auction, I have a property that I received a call about and want it removed. I don't know the person and have no ties with them, but they saw me and inquired about a property and said that they are willing to purchase it for more than what the taxes are. Can the property be removed like that?

Mr. Davidoff stated that the Village Board does not have the right to remove properties out of auction for private sale, because we are not the one's selling the properties, anyone interested in buying the properties will have to do so through the auction process. The County has set up laws and procedures that have to be followed and we cannot interfere with those procedures by doing an individual sale. So, what Trustee Aleta wants to so is completely illegal and separate from what the Village Board has the right to do. It's not in our hands to do that and that's not a reason for it to come out of the auction. A reason for it to come out of the auction is for what we discussed prior. What Aleta is saying that is someone expressed an interest is that a reason for it to come out, no, if they have interest in the property, they need to inquire with the County and go to the auction.

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A motion was made by Trustee Nikolados with a second by Trustee Weyer to remove the following Village Owned parcels from the County Tax Auction:

SBL# 106.-4-3	85 High St
SBL# 115.-3-20	53 Park Ave
SBL# 115.-3-19	55 Park Ave
SBL# 114.-7-2	9 Maple Lane
SBL# 115.-5-3.31	Park Ave-Vacant Lot
SBL# 111.-3-18.1	504 Broadway

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

Discussion-Waverly Gardens Street Names

Joel Kohn was present on behalf of Waverly Gardens. He stated that he spoke with the County and own and has received approvals for the names that were selected for streets of the Waverly Garden complex. Stated that the County has asked him to come to the Village Board and get a resolution solidifying the support of the following street names, Oak leaf Court, Silver Maple Lane, Sugar Maple Lane, & Cherry Blossom Lane.

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

Resolution authorizing the payment of bills in the amount of \$479,547.22

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 Budget Transfers for Fiscal Year ending July 2017

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 the Village of Monticello Water Department to go into Contract with Solitude Lake Management (sole source provider) for the Phytoplankton ID and Algaecide Treatments in the amount of \$2,410.00 from app#F.8320.459. Current account balance is \$5,511.44

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 payment to NYSHIP for the Village Employee's Health Insurance in the amount of \$207,648.91 from the various funds as listed

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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 hanging baskets for the Light Poles along Broadway from Eckert's Greenhouse Inc. (sole source provider) in the amount of \$5,550.00 from the Sullivan Renaissance Beautification Grant

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

Resolution setting a Public Hearing date of June 6th, 2017 at 5:30pm for proposed Local Law #1 of 2017 entitled, " A Local Law authorizing a property tax levy in excess of the limit in General Municipal Law Section 3-c"

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

Trustee Rue stated that we just got the budget on yesterday and have not had a chance to review it yet and are not even aware if we will need this, so I am not sure why this is on the agenda.

Mr. Davidoff stated that it's just their as a safety net and precaution. As we know, this involves petitioning the State and that will take time, so the earlier we have this in place, the better and if we don't need it, we can always rescind it.

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

Resolution authorizing the Village Manager, David Sager, to sign the CBA's with the DPW & the Water & Sewer Employees

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

Michael Davidoff stated that David worked very hard on the Water and Sewer CBA, it was one of the harder contracts and he was able to come up with a reasonable agreement to make everyone satisfied.

Resolution awarding the Bids for the Water Storage Improvement Project Contract No. 2 to Ray S. Pantel, Inc.

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 a Request Progress Payment for the Reimbursement of Funds in the amount of \$300,000.00 payable to Thomas Ting International to the Restore New York Round 3 Grant

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

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Trustee Weyer stated that she's still unclear on this resolution and feels that more information is needed before it is voted on. Mr. Ting's attorney's need to respond and give input on exactly what they are looking for and expecting. We don't know how we are requesting, is it, the full amount, half, everything is very vague.

Mr. Sager stated that he hasn't heard anything from Restore NY or anyone other than what we received from Mr. Ting and that the State should be the one's telling us to reimburse him and not Mr. Ting. He will reach out to them and let the Board know.

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

Resolution authorizing the purchase of Asphalt from the NYS Bid for the paving of the Sewer Plant not to exceed \$130,000.00

A motion was made by Trustee Lymon 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-yea

Trustee Nikolados-yea

Resolution authorizing the USDA Form E for the WWTP Improvements Project in the amount of \$69,150.38

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 the Emergency Repair by R&R Pump & Control Services, LLC to the Sewer Plant Pump Station not to exceed \$14,800.00 from app#G.8120.233. Current account balance is \$38,457.00

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

Resolution authorizing payment to B&L for I&I Study Invoices in the amount of \$2,500.00 from app#G.1440.414. Account balance after invoices is \$27,500

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

Resolution authorizing payment to B & L for the USDA Water Project invoices in the amount of \$25,745.92 from app#H.1440.402

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

Add-Ons:

Personnel Policy

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

Trustee Rue stated that the policy needs to be amended to state that those receiving the insurance buy-out will get them in 2 payments of \$2,250.00, not a full \$4,500.00 in a lump sum. Trustee Rue also stated that she feels that this should take affect August 1st, why would we implement something like this with two months left in the fiscal year? It should start in August like everything else does.

Mr. Sager stated that this has been before the Board several times and it doesn't make sense to wait, employees have time that they are in jeopardy of losing if this is not passed before August.

Trustee Weyer stated that this has been before us since November, what need is there to wait any longer, we've all had a chance to review it, there's no need to hold it up any longer.

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

Executive Session

A motion was made by Trustee Lymon with a second by Trustee Nikolados to go into Executive Session at 6:40pm to discuss the following:

Personnel

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

A motion was made by Trustee Lymon with a second by Trustee Weyer to come out of Executive Session at 6:45pm. Upon the call of the roll, all were in favor.

Adjournment

A motion was made by Trustee Weyer with a second by Trustee Lymon to close the meeting at 6:45pm. Upon the call of the roll, all were in favor.

Submitted by:



Janine Gandy-McKinney, Village Clerk