

Minutes

The Board of Trustees Meeting

Village of Monticello

Tuesday, December 4th, 2018

6:30 p.m.

Call Meeting to Order

The meeting was called to order at 6:30pm by Mayor Sommers

Pledge to the Flag

Moment of Silence

Mayor Sommers held a Moment of Silence in honor of the passing of the 41st President, George H.W. Bush

Roll Call

Mayor Sommers-Present

Trustee Rue-Present

Trustee Nikolados-Present

Trustee Massey-Absent

Trustee Sabatino-Present

Also Present: Michael Davidoff, Village Special Council

Motion to accept the agenda

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

1. Resolution authorizing the payment of bills in the amount of \$969,226.20
2. Resolution authorizing the Village Clerk full access to ADP, Payroll Systems & Software as backup and for checks and balances as she was with Paychex at the recommendation of the NYS Comptroller

Trustee Massey commented that there should not be any add-ons and that all of the information should be submitted to the Board prior for proper review.

Village Special Council, Michael Davidoff, stated that items can be added to the agenda at any time, even during the meeting. There is no specific time that items have to be put on the agenda according to the law, they can be added at any time.

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

Approval of minutes from the November 13th, 2018 meeting

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

Trustee Massey commented that there is an error in the minutes regarding the appraisals, she stated that they should say High Street, not Cottage Street.

The correction was noted and the minutes were unanimously approved.

Mayor/Manager Report

Mayor Sommers stated that he met with ESD (Empire State Development) on the 27th of November regarding the Restore NY Project for Tommy Ting. He stated that they requested a full report from the Building Department laying out the current condition of the property, what can be done and what needs to be done, which I submitted to them on Friday. In that meeting on the 27th, they made me aware that their records show that Mr. Ting was paid for the project and that he never went forward with the work to get it completed. They are looking into the project to see where the ball was dropped, but as far as they are aware, they were waiting for Mr. Ting who never completed his portion.

Trustee Rue stated that is not true, Mr. Ting was never paid one penny for this project. All of the information and financial documentation that ESD was given was screwed up by former Management and the former Board on purpose because they did not want his project here, so they reported and gave all of the wrong information. I have spoken to Mr. Ting several times and have all of his information and it proves that he was never paid.

Mayor Sommers stated that the information that he was given from ESD was that Mr. Ting never completed his portion. No matter what, they are still willing to look into the project and see what can be done.

Resolution authorizing Budget Transfers for fiscal year ending July 2019

A motion was made by Trustee Nikolados with a second by Trustee Massey who asked the Village Clerk for an explanation.

The Village Clerk, Janine Gandy-McKinney, explained that these were put on the agenda because there is money being spent out of the wrong accounts by others. Lines that are set up for specific expenditures have been used and now that there is not enough money to pay the bills that are actually supposed to be coming out of those lines, so now monies have to be transferred from other lines to pay these bills.

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

Resolution authorizing the bidding of the Sludge Cake for the Sewer Department. Bid opening date to be set for Thursday, December 20th, 2018 at 2:00pm

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 General Code for the Annual E-Code Maintenance and Hosting in the amount of \$1,195.00 from app#A.1410.403. Current account balance is \$1,265.00 after budget transfers

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

Trustee Rue asked is this for the Codification.

Mrs. McKinney responded this is for the yearly hosting of the Village's E-Codes. This is not for the Codification, that's different, this is just the annual payment that we pay each year.

Mr. Davidoff also commented that we have actually been working on the Codification process, the Clerk, myself, Richard Baum, Glenn Smith and Ron from Code Enforcement. We have been diligently meeting for the last month or more weekly for at least two hours to get all of the rules and regulations correct in the Village so that we have a comprehensive user-friendly Code and the Clerk has been very instrumental in this process. We have a December 28th deadline and we are almost finished. Once we finish our analysis and it typed up and sent back to them by the Clerk, it will then come back to you all for review and adoption if there are no corrections. This has been a long time coming and is very necessary for the Village.

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

Resolution authorizing the Correction of Errors as requested by the County of Sullivan for tax parcels 112.-3-2.1, 116.-2-12, & 120.-3-12

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

Mr. Davidoff stated that this resolution is to correct an error made by the County, not the Village.

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

Resolution authorizing a donation to the Bailey Richman VFW Post in the amount of \$500.00

A motion was made by Trustee Rue with a second by Trustee Nikolados to withdraw this resolution due to it being worded incorrectly. Upon the call of the roll, all were in favor.

Correct Resolution:

Resolution authorizing payment to the VFW Post not to exceed \$500.00 for expenses as outlined in the letter dated November 25th, 2018

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 Roy "Porky" Worden for Various service calls in the amount of \$1, 377.00 from app#A.1620.421 & app#A.1620.426. Current account balance is \$5,867.19 and \$0.00 respectively after transaction

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

Resolution authorizing payment to McDowall Electric Inc for repairs to the transfer switches in the Highway Department in the amount of \$3,560.00 from app#A.1620.421. Current account balance is \$5,867.19 after transaction

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 Case tire Service in the amount of \$2,040.40 from app#CL.8160.423 for Sanitation Truck #10. Account balance after transaction is \$43,669.81

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 Transaxle in the amount of \$3,087.95 from & app#CL.8160.421 for parts for Highway Department. Account balance after transaction is \$5,867.19 respectively

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 Dutchess Overhead Doors Inc. in the amount of \$2,157.50 for a service call for the Highway Department from app#A.1620.421. Account balance after transaction is \$13,339.13

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

Trustee Massey questioned, why are we just paying this now, this is from March.

The Village Treasurer, Gary Lasher, stated that this resolution is wrong, these doors are not for the Highway Department, and these doors are for the Ted Stroebele Center. This payment was never made and it is before I got here, they kept calling and we finally located the information, but it is wrong. It's not for the Highway Department.

The Village Clerk responded that this was in stack of purchase orders that was given to Stacey that were all over procurement and the fund that it is listed out of is the Highway Department on front of the purchase order, which I did not write up, so it came to me wrong.

Trustee Rue stated that she is confused, we have a contract with Mobil Medic and they are supposed to be responsible for the maintenance of the part of the building that they rent. Now we are paying for their doors, this is wrong. They get free heat and everything else, they should be paying for these doors, not us.

Mr. Davidoff stated that he agrees with Trustee Rue, we need to look at this and see what the terms of their contract is. Why should the Village be paying for this if it's their responsibility? I think that we need to withdraw this resolution until we can clarify the terms of their contract.

A motion was made by Trustee Rue with a second by Trustee Nikolados to withdraw this resolution.

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

Resolution authorizing payment to OCL Analytical Services in the amount of \$1,095.00 from app#G.8130.233 for testing at the Sewer Department. Account balance after transaction is \$9,248.92

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 Glenn Smith in the amount of \$1,266.00 from app#A.1440.414 for various Engineering Reviews. Account balance after transaction is \$14,859.25

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

Trustee Massey stated that every meeting there is a resolution paying Glenn Smith. We are paying this man millions and millions of dollars and for what? He is killing this Village and no one is saying anything about it.

Michael Davidoff stated that the Board needs to recognize that Mr. Smith is one of the best in his business. He has inherent knowledge of this Village which is necessary. He is an extreme asset in regards to the Code and the Village as a whole and his price is what was agreed upon when he came on at the request of the prior Board, and I feel that he is well worth every penny.

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

Mayor Sommers-yea

Trustee Nikolados-yea

Trustee Rue-yea

Trustee Massey-nay

Trustee Sabatino-yea

Resolution authorizing payment to USA Blue Book for supplies in the amount of \$1,058.71 from app#F.8320.459. Account balance after transaction is \$42,818.39

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

Mayor Sommers asked, what is USA Blue Book?

Mr. Lasher responded, it's a chemical supply company for the Water Department.

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

Resolution authorizing payment to BAS Systems in the amount of \$9,150.00 for the Integrated Property Software from app#A.3620.403. Current account balance is \$0

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

Trustee Rue asked didn't we already pay this, why is it back on the agenda?

Mr. Lasher stated that this also is wrong and should not be on the agenda. As per Mr. Lasher, he does not know how this got on there, it was addressed wrong and was supposed to be

mailed back out.

Mr. Davidoff stated that he is also unsure of what is going on and where all of these resolutions came from.

Trustee Rue stated that I am sure that the Village Clerk didn't put them on herself, they had to come from somewhere. Items are given to her to put on the agenda.

Mrs. McKinney, the Village Clerk responded, I don't know how Mr. Lasher is sitting up here acting oblivious to everything, just as the other purchase order was in the stack from Stacey, so was this one. He is the one writing up these purchase orders that are wrong. As Trustee Rue stated and is correct, the information is given to me. It is not my job to make sure that the back-up and purchase order is correct, it's supposed to come to me that way, all I do is put it on the agenda. This is ridiculous, now all of a sudden nobody knows anything. I'm just pulling stuff out of the air putting it on the agenda.

Mr. Davidoff stated that this does not need to be voted, it was already done.

Resolution authorizing payment to Computer Doctors in the amount of \$2,520.00 for various service calls from app#A.3620.403, A.1325.402 & A.1410.403. Account balances are \$0, \$1,170.96 & \$1,065.00 respectively

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

Trustee Rue asked who authorized an employee to call Bill (Computer Doctors). No employee is supposed to be calling Computer Doctor's. The only person that is supposed to be calling them is the Manager. An employee is not the Manager of the Village. Look at all of these expenses, this is crazy, what is going on here? Gary, I thought you said that there was not going to be any expenses for the new payroll system, and now we got this invoice from Bill, so that was not true.

Mr. Lasher responded Sandy called because I told her to and there is no expenses for the new payroll system, the only reason why this bill is on the agenda is because there are multiple invoices, the only cost for the new payroll system is about \$600.00, which would not even need a resolution. There are other invoices attached.

Trustee Rue responded, I spoke to Bill and he said that Sandy called him, she or no employee should be calling him, they do not have that authority, I don't care who gives it to them. Gary, you are not the Village Manager or the deputy, you have no authority either, you are only supposed to be helping the Manager/Mayor regarding meetings and nothing else, what is going on here? You are not the Village Manager or deputy. Only the Village Manager, can do these things, which is an "acting Manager" because of the Village Code and he has a limited authority. Plus, he also has to consult with the Board about everything, he doesn't even have the authority, because he is only "acting." I am not voting for this, this is totally absurd. I'm abstaining.

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

Mayor Sommers-yea
Trustee Nikolados-yea
Trustee Rue-abstain
Trustee Massey-abstain
Trustee Sabatino-abstain

Michael Davidoff commented that he feels that the Board need to take another look at this. It is important that the Village be able to contact Computer Doctor's and that is something that we do not want to mess up by not paying his bill. Going forward we know who is responsible to contact them, but what we have right now in front of us needs to be taken care. The Village is putting themselves in a very dangerous place by not voting to pay this bill. Mayor and Board I admonish you all to revote this.

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

Mayor Sommers-yea
Trustee Nikolados-yea
Trustee Rue-abstain
Trustee Massey-yes
Trustee Sabatino-abstain

Resolution authorizing the WQIP Draw #13 for the Water Resource Recovery Disinfection Improvements Project not to exceed \$97,540.77

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

Trustee Rue asked if this was part of the grant.

Mr. Lasher responded yes.

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

Resolution authorizing Amendment #1 with Barton & Loguidice DPC for design services of Post-Aeration Equipment at the Village Water Pollution Control Facility

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 an agreement with Barton & Loguidice DPC for an Updated Spill Prevention Report at the Water and Wastewater Facilities

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

Roy Richardson from Barton & Loguidice was present and stated that this was one of the requirements for the grants and the first report was already completed.

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

Resolution approving Change Order 3 (C2) for Contract 2 Water Meter Equipment Installation-CDBG in the amount of \$57,746.72 and crediting the Funds back to the Project

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 the following Street Names situated within the Village of Monticello as the official names for the Sleepy Hollow Project: Queensboro Dr, Manhattan Dr, Brooklyn Dr, & Williamsburg Dr

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

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

Mayor Sommers-yea
Trustee Nikolados-yea
Trustee Rue-yea
Trustee Massey-nay
Trustee Sabatino-yea

Add-Ons:

Resolution authorizing the payment of bills in the amount of \$969,226.20

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

Trustee Rue asked the Village Treasurer, Mr. Lasher, if he can get the bill pay to the Clerk on Friday so that the Board can have time to properly review them. Getting them before the meeting is not fair to the Board, before we used to always have the weekend to review them and have time to come in and call the Department Heads to ask questions if necessary.

Mr. Lasher responded that these are all of the vouchers that you all have signed. I cannot do the bill pay until all of the vouchers are signed, it's not on me.

The Village Manager, Mr. Sommers stated that in the defense of Mr. Lasher, he can only pay what's been signed. If we don't come in to sign the vouchers, he can't pay them.

Trustee Rue responded, that's not what I'm talking about, the actual bill pay report can still be prepared, that's different and we ALWAYS got it on Friday, so I don't know what the problem is now. It should not be an add-on on the day of the meeting, it is put in front of us and then we have to pass it; we do not have time to review anything, that's wrong. I will vote to pass it this time, but if we do not have it in front of us by Friday for the next meeting, I will not vote for it. This is wrong. We do not get any reports to know what is in the accounts, the balances, nothing and we used to get all of those things before and now we get nothing. Even the Department Heads are complaining, this is bizarre and wrong. The Village was never like this before. I will vote for it this time, but not again.

Mr. Lasher responded, no it's not, what you all are signing is what is on the bill pay.

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

Resolution authorizing the Village Clerk full access to ADP, Payroll Systems & Software as backup and for checks and balances as she was with Paychex at the recommendation of the NYS Comptroller

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

Trustee Massey commented, I wonder who put this on the agenda.

The Village Clerk responded, Trustee Rue, look at your back-up, she sent an email.

Mr. Lasher commented that he would advise the Board not to vote this. There are some trust and confidentiality issue's that have been discovered regarding her in payroll and I do not feel comfortable having her going in and changing things and doing whatever she wants in the system. I spoke with Andrew Arias and he said that it is a recommendation of having a third person, but not necessary.

The Village Clerk responded, I have never gone in and changed anyone's information, what are you talking about? I only g into Paychex when I have to, which is what I have always done. What are you talking about or trying to accuse me of?

Trustee Rue commented, wait what ae you talking about, this is a decision of the Board. You have nothing to do with this. This is a recommendation from the NYS Comptroller and the Village has already been cited for not having a third person and it has always been the Clerk. Gordon, you were here and we got in trouble when you were here as the Mayor. There has never been any issue's with the Clerk doing anything in payroll before, so what are you talking about. What are these accusations?

Mr. Lasher responded, Trustee Rue, I cannot discuss it now, but we have discovered some things that was illegally done by her in the Payroll and I am strongly, very strongly against this.

Michael Davidoff commented that he feels that we should go with the recommendation of the Treasurer and Mr. Arias, if Mr. Lasher feels that strongly about it, then why is it necessary?

Trustee Rue commented that this was a recommendation from the NYS Comptroller's office and that's why it was done and had always been done. Mr. Lasher has no authority over the Board. It is a decision of the Board and the Board will decide.

Trustee Nikolados asked is there a way to track and see who does what in the system?

Mr. Lasher responded yes, but,

Trustee Nikolados responded, then fine I have no problem with it.

Mayor Sommers also stated that he has no problem with it.

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

Executive Session

A motion was made by Trustee Sabatino with a second by Trustee Rue to into Executive Session at 8:15pm to discuss the following:

Personnel

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

A motion was made by Trustee Nikolados with a second by Trustee Sabatino to come out of Executive Session at 8:53. Upon the call of the roll, all were in favor.

Adjournment

A motion was made by Trustee Rue with a second by Trustee Sabatino to close the meeting at 8:53pm. Upon the call of the roll, all were in favor.

Submitted by:



Janine Gandy-McKinney, Village Clerk