

Board of Trustees Meeting Minutes

Village of Monticello

Tuesday, January 15<sup>th</sup>, 2019

6:30 p.m.

**Call Meeting to Order**

The meeting was called to order at 6:33pm by Mayor Sommers

**Pledge to the Flag**

**Roll Call**

Mayor Sommers-Present

Trustee Nikolados-Present

Trustee Rue-Present

Trustee Massey-Present

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 Massey to accept the agenda with the following add-ons:

1. Resolution authorizing the Village to enter into a Property Tax Agreement with the Sullivan County Land Bank Corporation concerning outstanding taxes
2. Discussion-Neighborhood Facility Rental Fees

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

**Approval of minutes from the January 8<sup>th</sup>, 2019 meeting**

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

Trustee Massey stated that the resolution from the meeting on August 21<sup>st</sup>, 2018 has to be corrected concerning her vote for the CBA for the Police Dispatcher's Contract, her vote was no.

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

**Mayor/Manager Report**

Mayor Sommers stated that he had a meeting with Catholic Charities. They are moving, but are moving in the Village, they are looking at the piece of property that the House of Lions sat on. They have already been in touch with the dormitory authority, we set them up and they will be meeting with the Planning Board to discuss the next steps, I think it's a good thing to keep in the Village, their previous plans were to move out of the Village, but now they have decided not to, so that's a good thing.

I got a letter from Tom Kelly, apparently the Water Department did some work on his street and he just wanted to thank them for the great job they did on fixing the broken main on

Hammond Street.

A letter was also received from the Library regarding run-off that is coming from our lot into theirs, so we are trying to work with them especially with the ice, so that there are no incidents.

**Resolution authorizing budget transfers for fiscal year ending July 31<sup>st</sup>, 2019**

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

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

**Resolution amending the resolution passed on December 18<sup>th</sup>, 2018 authorizing the advertising of sealed bids for the removal of the structure at 103 Jefferson Street opening date to Thursday, February 21<sup>st</sup>, 2019 at 2:00pm**

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

Michael stated that we had passed this resolution already, but the dates were wrong and didn't work for Glenn, so we had to change them and this resolution is just changing the dates.

**Resolution authorizing the Village to enter into an Agreement with FUSCO Engineering and Land Surveying PC**

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

Trustee Rue expressed that she was looking at the agreement and I really don't know how we are going to get the money to pay for this without it being budgeted. We budgeted for another Code Enforcement Officer and now they are charging \$100.00 an hour plus \$125.00, now that it has come in public, now I have the right to talk about it. But to pay \$100.00 an hour to inspect one apartment alone, it's not going to be \$100.00, usually the Code Enforcement has to come back to see if they are complying with the finds, so my suggestion really is to look at this more because we did not budget for this. We budgeted for another Code Enforcement Officer, which we all agreed. I looked at the Town and their budget is all on the web and in the Town and they have like five (5) people and all of these extra secretaries to help, all we have is one (1) and honestly, we have more problems in the Village, the Town has more private properties, we have mostly all multi-residential. I think this needs to be looked at more because this is a lot of money. We can hire somebody for \$125.00 an hour, Ron isn't even making \$25.00 an hour, its public information, and he's only making \$47,000.00 a year, that's my opinion on this, I looked into the original budget and at the money.

Mayor Sommers commented that my opinion on all of this is that if we go with FUSCO and we do what we should do with adjusting the fees for fire inspections, multiple dwelling inspections, he should be able to cover himself. If we to approve this contract tonight, it doesn't mean that he is going to work tomorrow. He will only work at the direction of the Board and we wanted to bring them on Board to get the Fire Inspections done at the least.

Trustee Rue responded then I think we should table this and do a resolution or Public Hearing to raise the fees first, because it's \$100.00 per building, \$10.00 per apartment, plus \$100.00 an hour, plus if we need the Engineer, that's \$125.00. I think we should first do a Public Hearing to raise the fees of the apartments and the buildings, especially the buildings like Shaker Heights and all of them because it's a lot of apartments there.

Mayor Sommers replied it's up to the Board because just because you put the contract in place doesn't mean that you put him to work, we can hold off on putting him to work until we adjust the fees.

Trustee Rue then stated that before we signed a contract with a company and we didn't comply with them and we got sued for \$19,000.00 and they won, so we did the same thing in the past.

Mayor Sommers stated that he was confused and asked Trustee Rue to explain to him how they would be out of compliance by signing the contract and not putting the firm to work.

Trustee Rue responded that you have already committed to the contract by signing it. I think that we should look more into raising the fee's first and see how can work with the Code to add fees to the apartments.

Mayor Sommers stated that it is obviously up to the Board to make the decision, the Board has addressed this issue with me regarding the Code Enforcement and has asked me to follow-up and I am doing my best to get the Code Enforcement Department straightened out and to clean up the Village and without their help, I cannot clean up the Village, without spending money, we cannot get the help. If the Board so chooses to pass this tonight, this would be just the first step in trying to clean up the Village, I hate to say it, but we are going to have to find the money at some point or raise the fees at some point, so the next step would be to raise the fees so that we could cover the cost. It may be a little out of order to do it in that manner, but the Board has directed me to try to get the Village cleaned up and this is all I can do. Our Building Inspector has not followed through and doesn't seem to be capable at following through, so I don't know what else you want me to do. I've tried talking to him and nothing helps. I'm wearing two hats, now I'm addressing the Board as the Manager, not the Mayor, I've done what you asked me to do, I think this would be the right thing to do, so at least get this started. This way the Public understands that we are serious in getting the Village correct. Raising the fees and nothing being done is no help, hiring someone that can enforce those fees after they are raise is the right step in my opinion. It's up to the Board and whatever they choose to do, I have done all that I can. I want it on the record that I have done the best I can to try and get the Code Enforcement Department straightened out here.

Trustee Rue replied, we can still hire another Code Enforcement Officer, which is in the budget to do, but it is not in the budget to hire a group at \$100.00 to \$125.00 an hour.

Mr. Lasher, the Village Treasurer, commented that we can do a budget transfer from Personnel to there.

Trustee Rue commented that her question is to the Board not to the Treasurer.

Mr. Lasher responded that we can move the money from the Personnel line to the Contractual Line

Trustee Rue stated that we cannot keep moving money all the time without Board approval or for this that they were not originally budgeted for is wrong.

Mayor Sommers stated that if you're spending \$47,000.00 a year for an Inspector, you're probably looking around \$75,000 to \$90,000.00 depending on benefits and vacation time.

Trustee Rue interjected that you can hire two part-times and have three people moving around the Village and getting things done, I think part0time is \$12 or \$13.00 an hour. We had them here before.

Mr. Lasher responded that you are not going to get a certified Code Enforcement Officer for \$13.00 an hour.

Trustee Nikolados asked so we can sign this contract and never use them is what you are saying?

Mayor Sommers responded exactly, and never use them.

Trustee Nikolados stated well I believe that we should schedule a Public Hearing to change the fees

Mr. Davidoff, the Village Attorney, stated that you do not need a Public Hearing to change the fee's that can be done by resolution.

Trustee Rue commented that these fees are part of the Rental Law and that's why you need a Public Hearing.

Mayor Sommers stated that we have not done a Fire Inspection in two years, it's been more than that, but the person that we have here currently has not done a Fire Inspection, who's made no effort to do a Fore Inspection in two years. We have not done a Fire Inspection in two years. It's ridiculous, God forbid we have a fire and someone gets hurt, we have a major problem.

Mr. Lasher stated that there hasn't been a State report filed in five (5) years.

Trustee Rue commented that the Town has a specific person that does the Fire Inspections only

Mr. Lasher stated that there has been a Building Inspection filed with the State in five (5) years or the Village. The Town is starting to get on the ball with it, they just dedicated a person to it last year.

Mayor Sommers also stated that besides our multiple dwelling inspections that haven't been done and yes I'm asking that we change the fees on that, and he is under the understanding

that it is of the utmost importance that he gets these fore Inspections done first and that has not happened, so again, I leave it to the Board.

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

Mayor Sommers-yea

Trustee Nikolados-yea

Trustee Rue-abstain

Trustee Massey-yea

Trustee Sabatino-yea

Mayor Sommers commented thank you and we will not utilize this contract until I discuss it with the Board and tell you where we are moving forward with it.

**Resolution authorizing the Village to enter into a Property Tax Agreement with the Sullivan County Land Bank Corporation concerning outstanding taxes**

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

Mr. Davidoff stated that he sent around a resolution and a memo just to clarify, these are the properties that have already been transferred to the Land Bank and they had outstanding Village taxes on them. I spoke with the County and we worked out a resolution where there was also supposed to be \$25,000.00 which was part of one of the properties that also went to the Land Bank. The Land Bank has agreed to waive that \$25,000.00 and the taxes come to like \$26,000 and change and we are going to just waive the interest, we are not waving any of the taxes and with the \$25,000 they are also going to give us an additional \$1,500.00 and change to make the taxes whole, so this will be a win-win for all.

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

**Discussion-Neighborhood Facility Rental Fees**

Mayor Sommers stated that it was brought to the attention of the board at the last meeting the fees for the Neighborhood Facility that they were being charged \$65.00 for 4 hours of use, not including set up and clean up time. It is my recommendation and its more in line with what the fire department charges is \$125.00 for a 6 hour rental, which gives an hour in the beginning to set up and an hour at the end to break down and clean and 4 hours for whatever party or function they are having along with the \$100.00 deposit for inside users and I would recommend that we go up to \$150.00 for anyone outside of the Village and that we charge \$100.00 deposit on top of that so that when you walk in the door, you have to have \$225.00 on deposit if you're a Village resident and \$250.00 if you're a non-Village resident, then the \$100.00 deposit is given back to the user as long as the room is found back in the shape that it was given. So, that's what I'm proposing for the Board to discuss, I know that this doesn't have to be the final answer, but we do need to come up with something today.

Trustee Rue responded \$125.00 for 6 hours for Village residents, is a lot of money in my opinion.

Trustee Nikolados stated that well we have to have someone there the whole time, so we have to recoup that cost at plus benefits.

Trustee Rue stated that she thinks that's a lot of money in her opinion.

Mayor Sommers responded that he looked at the Fire Department and the Town of Thompson and tried to come in the middle.

Trustee Rue replied, yeah but look at their buildings compared to ours, their buildings are nicer and more up to date. What do we charge now?

The Village Clerk, Janine Gandy-McKinney responded it's \$65.00 for 4 hours and a \$50.00 deposit that gets returned as long as they clean up after their event is completed, so they pay \$115.00.

Mayor Sommers stated so now if we go with the change, it would be \$100.00 for 6 hours including the time to set-up and clean-up.

Trustee Rue stated that I see that there is also a church that meets there. I don't think we need an employee present if there's a church there, they usually take care of things themselves.

Trustee Nikolados stated that I think that it should just be a \$100.00 for the 6 hours and keep it at the \$50.00 deposit, I think that's reasonable for Village residents.

Mayor Sommers stated that these fees that he is discussing are for one-time events. I am also looking and need the Board to come up with a fee for re-occurring events or groups that continuously use the Center. I am not asking to finalize this tonight, but this is just a starting point so that you all can call some of the other places and see what their fees are and we can go from there. So if we go with the \$100.00 for Village residents with the \$50.00 deposit, are we going with the \$125.00 for non-Village and \$75.00 for deposit? These are decisions that the Board has to make because there are other scenario's such as hourly rates and other instances that the building is being used that we need to consider rates for such as a person who wants to rent the Building for a week, daily for an hour, are we charging him \$10.00 a day, but then giving a discount because of the number of consecutive days of usage. These are all things that the Board has to look at and decide what they want to do.

Trustee Nikolados commented that this can all be moot once the YMCA takes over because they will control that, so do we need to do all of this?

Trustee Rue stated that maybe we should just wait and see what the YMCA does.

Mayor Sommers stated that they are not supposed to be taking over until the spring time and I would hope that we would get rentals and people utilizing the Building up until that time, so we still need to have something established.

Trustee Rue stated that we need to start looking at the Summer and getting things ready for the pool and Summer programs and speak with the YMCA and see what they are actually taking over, are they taking over the pool too? Last year we had trouble hiring lifeguards because it was too late. So we need to start looking at these things now.

Trustee Nikolados interjected well we are not going to have any this year either with the Water Park opening up at the Casino, so it's going to be another problem this year also.

Mayor Sommers replied, well this is just a template for us to start with, if everyone can take time to look over the Fee Schedule and decide what they would like to charge for an hourly rate, so that we can have something together for the next meeting and have a resolution ready, again yes, they YMCA is going to probably take the building over, but we still have to manage it in the mean-time. The discussion last time was that there was a 4 hour rental at \$65.00, without any additional time and I said that I would look into it, which I did and that's why this was brought up tonight, it would be the \$100.00 fee and \$50.00 deposit for Village residents. Maybe by next meeting we can finalize this and the rental inspection fees on the fee schedule.

**Resolution setting a Public Hearing date of Tuesday, February 5<sup>th</sup>, 2019 at 6:30pm to amend the Rental Law to increase the Inspection Fees**

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 Sabatino with a second by Trustee Rue to into Executive Session at 7:14pm to discuss the following:

Personnel & Union Contracts

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

A motion was made by Trustee Sabatino with a second by Mayor Sommers to come out of Executive Session at 7:56pm. Upon the call of the roll, all present were in favor.

A motion was made by Trustee Rue with a second by Trustee Nikolados authorizing the Mayor to sign the MOA's for the Union Contracts. 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 7:58pm. Upon the call of the roll, all were in favor.

Submitted by:



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Janine Gandy-McKinney, Village Clerk