

Board of Trustees Meeting Minutes

Village of Monticello

Wednesday, September 18<sup>th</sup>, 2019

6:00 p.m.

**Call Meeting to Order**

The meeting was to called to order at 6:00pm by Mayor Sommers

**Pledge to the Flag**

**Roll Call**

Mayor Sommers-Present  
Trustee Massey-Present

Trustee Nikolados-Present  
Trustee Sabatino-Absent

Trustee Rue-Present

Also Present: Michael Davidoff, Village Special Council  
Richard S. Baum, Deputy Village Special Council  
Glenn Smith, Village Engineer

**Motion to accept the agenda**

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

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

**Approval of minutes from the July 17<sup>th</sup>, August 7<sup>th</sup>, August 21<sup>st</sup> & September 4<sup>th</sup>, 2019 Village Board meetings**

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

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

**Mayor/Manager Report**

Mayor Sommers reported that Rich from the Building Department did an inspection on the Heritage Inn located at 408 Broadway and as a result of the inspection the tenants will need to move out do bug infestations, lack of smoke detectors, and so on. We are looking at avenues along with the County as to where to situate the people due to the conditions that were discovered. Nothing has been in stone as of yet, but we have to do something and something

quickly, especially with the colder weather approaching.

T'Shara D'Das resigned from her position on the Monticello Housing Authority, so I will be looking for candidates to fill her spot on the Board.

The Dream Tank sent an invitation to the Board to their Annual Dinner coming up next month, so please let Judge Finn know if you are planning to attend.

Lastly, I did a walk-thru at the Federation for the Homeless with Assemblywoman Aileen Gunther and it was good to see the people out and all of the services that the federation offers to the community. I was able to get a better understanding of how their program runs, they do a lot more than just serve food. So, it was a very pleasant and learning experience and I was grateful for the Assemblywoman's invitation.

**Resolution authorizing the payment of bills in the amount of \$2,914.17 for the fiscal year ending July 31, 2019 and \$476,609.86 for fiscal year ending July 31, 2020**

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

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

**Resolution authorizing the maintenance of the five (5) blowers in the Sewer Department from Excelsior Blower Systems (sole source provider) in the amount of \$1,873.20 from app#G.8130.408-Treatment/Disposal-Service Contracts, current account balance is \$12,000.00**

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-yea  
Trustee Sabatino-absent

**Resolution authorizing payment to Rushmore Escrow Department in the amount of \$1,739.62 from app#A.0250-Current Tax Receivable, for SBL# 119.-6-28, 141 Park Avenue, for the overpayment of taxes**

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-yea  
Trustee Sabatino-absent

**Resolution authorizing the two (2) year Shared Services Agreement with the NYS DOT for the Village of Monticello Highway Department**

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

Trustee Rue asked is his something new? The Village has never done this before and they have in the agreement that we are responsible if any equipment is damaged.

Michael Davidoff responded that this is something that is in regards to the shared services that is being pushed throughout. It's a good thing and as with anything else, if I borrow your car and there's damage done to it while it's in my possession, I am responsible for it. That's standard.

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

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

**Resolution authorizing payment to the Monticello Central School District for the Village owned properties as listed in the attached Schedule "A" in the amount of \$17,983.61 if paid by October 2, 2019 from app#A.1950.400-Taxes/Assessment & Adjustments**

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

Michael Davidoff stated that the resolution has changed, the first resolution presented there was about \$4,000.00 more, but Janine went through along with the help of Trustee Rue and they were able to identify the parcels that were either purchased at the auction and/or given to the land bank. Janine and I will sit this week and go through the rest of the parcels and see if there are any more that needs to come off. It is better that we pass the resolution as is and end up paying less than more.

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

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

**Resolution authorizing payment to E. Tetz & Sons Inc. in the amount of \$1,180.00 for 9 cubic yards of concrete to create a foundation for the communication tower at the West Broadway Water Tank Site, from app#A.3120.480-Police Drug Seizure, current balance is \$5,000.00**

A motion was made by Trustee Nikolados with a second by Trustee Rue. Upon the call of the

roll, the vote went as follows:

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

**Resolution authorizing payment to Admit Computer Services, Inc. in the amount of \$12,319.00 for the annual maintenance and interface fees for the Police Department's records management (IMPACT) from budget line item#A.3120-Police Computer Equipment, current balance is \$32,500.00**

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

Trustee Massey asked why didn't this go out to bid and why doesn't the resolution say sole-source provider if they are the only ones that do this?

Chief Mir responded that it's not a sole-source provider, but we brought the software from them and they do the maintenance. If we were to try to change to a new company, it would cost way more than what we have presented here and would be extremely time consuming.

Mr. Davidoff stated that the Chief is correct. The money and time that it would take would cost way more than what this company is currently charging.

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-absent

**Resolution rescinding the declaration of Surplus of Police Car 21, a 2011 Chevy Impala, VIN#2G1WD5EMXB1183558 from the attached Schedule "A" of the surplus items from the Highway Department list approved by the Village Board on August 7, 2019**

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-yea  
Trustee Sabatino-absent

**Resolution declaring the following vehicles as Surplus as per the Village of Monticello Mechanics as beyond repair, 2000 Chevy Impala-VIN#2G1WF52E9Y9289484, 2010 Chevy Impala-VIN#2G1WD5EN0A1196771, and the 2012 Chevy Impala-VIN#2G1WD5E36C1319273**

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-yea  
Trustee Sabatino-absent

**Resolution rescinding the resolution passed on September 4, 2019 regarding the Police Departments 2018 Chevy Tahoe in the amount of \$4,000.00**

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

Mr. Davidoff stated that before the resolution is voted on, he just wants to make the Board aware that this resolution is rescinding the one passed at the last meeting, the Village insurance should not be paying this and I have reached out to our insured to find out if they have subrogated the claim. I am waiting to hear from them. We should only be responsible for our \$1,000.00 deductible.

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

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

**Resolution setting a Public Hearing date for Wednesday, October 16<sup>th</sup>, 2019 at 6:00pm in compliance with section 119-7 of Unsafe Buildings, Chapter 119 of the Village of Monticello's Local Laws**

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

The Village Attorney, Mr. Davidoff made the Board aware that this is coming from the Building Department, this property had a fire a few years ago and has had numerous warning from the building department to remedy the issue and has yet to do it. So, in accordance with the law, we have to follow these procedures, any and all cost incurred by the Village will be levied onto the upcoming tax bill.

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

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

**Resolution authorizing payment to May 8 Consulting in the amount of \$10,015.00 from the \$71,000.00 LISC grant**

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-yea  
Trustee Sabatino-absent

**Resolution authorizing payment to Drew, Davidoff & Edwards Law Offices, LLP in the amount of \$2,275.00 from app#1420.402-Professional Legal Services in regard to the appeal by a former Village employee to the Sullivan County Personnel Office**

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

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

**Resolution requesting FRB (Financial Restructuring Board for Local Governments) to conduct a comprehensive review and authorizes he annexed application for review to be completed and sent and requests the Mayor to submit a letter of support of said request**

A motion was made by Trustee Rue with a second by Trustee Massey to Table this resolution. Upon the call of the roll, the vote went as follows:

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

**Resolution authorizing payment to Ray S. Pantel for the emergency traffic light repairs on Liberty Street in the Village of Monticello in the amount of \$3,692.50 from app#A.1620.202-Traffic Light/Signs, current account balance after expense is \$307.50**

A motion was made by Trustee Rue with a second by Trustee Massey to Table this resolution until an itemized bill can be received. Upon the call of the roll, the vote went as follows:

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

**Resolution referring a Review of the Village Code Section 105-4(B)(4) and Chapter 142 Fences to the Village of Monticello Planning Board doe a report and recommendation to resolve inconsistency**

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

Mr. Davidoff stated that there is a discrepancy regarding the needing or not needing a permit for fencing. This resolution is for the Planning Board to look at the discrepancy and give their written opinion and then it will come back to the Village Board to either approve through a Public Hearing or deny.

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

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

**Resolution authorizing payment to Suit-Kote for the Paver/Roller Rental in the amount of \$6,900.00 from app# A.5110.229-Street Maintenance-CHIPS, current account balance after expense is \$163,100.00**

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-yea  
Trustee Sabatino-absent

**Resolution authorizing payment to Arkel Motors (sole source provider) in the amount of \$5,992.30 from app#A.1640.421- Central Garage Repairs and Maintenance, for repairs to Highway Truck#13. Original resolution was passed on August 7, 2019 for \$336.56 less, this resolution is for the full invoice amount. Current account balance after expense is \$18,597.01**

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

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

**Executive Session**

A motion was made by Trustee Nikolados with a second by Trustee Rue to into Executive Session at 6:51pm to discuss the following:

Personnel & Litigation

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

Mayor Sommers-yea

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Trustee Nikolados-yea  
Trustee Rue-yea  
Trustee Massey-yea  
Trustee Sabatino-absent

A motion was made by Trustee Rue with a second by Trustee Nikolados to come out of Executive Session at 7:31pm. Upon the call of the roll, all present were in favor.

**Adjournment**

A motion was made by Trustee Massey with a second by Trustee Nikolados to close the meeting at 7:32pm. Upon the call of the roll, all were in favor.

Submitted by:



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Janine Gandy-McKinney, Village Clerk