

MINUTES
REGULAR MEETING OF THE BOARD OF TRUSTEES
VILLAGE OF MONTICELLO, N.Y.
MONDAY, NOVEMBER 15, 2004

MEETING TO ORDER

Mayor Barnicle called the meeting to order at 6:00 p.m.

PLEDGE TO THE FLAG

Roll Call

Upon call of the roll, the following were present:

James Barnicle, Mayor
Ariel Escobar, Trustee
Victor, Marinello, Jr. Trustee
Scott Schoonmaker, Trustee
Brian VanDermark, Trustee

Also Present: Richard Sush, Village Manager
E. Danielle Jose, Village Attorney
Tim Havas, Deputy Village Attorney
Sam Wohl, S.C. Legislator
Douglas Solomon-Chief of Police
Alan Reynolds, Highway Superintendent
Sue Flora, Code Enforcement Officer
Bill Bertholf, Sewer Superintendent
Clarence Decker, Water Superintendent
Arleen Glass, Grants Superintendent
Hildy Rosenberg, Acting Planning Board
Chairman
Brian Soller, Planning Board member
Frank Bastone, ZBA member
Bonnie Hoffman, ZBA member

**DISCUSSION WITH PLANNING BOARD & ZBA REGARDING THE SENIOR
CITIZEN AFFORDABLE HOUSING OVERLY DISTRICT**

Mayor Barnicle explained that the Village is considering adopting a local to create a Senior Citizen Affordable Housing Overlay District that would float throughout the Village if a Senior Citizen Affordable Housing development was being planned for a site within the Village limits.

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Acting Planning Board Chairman Hildy Rosenberg questioned if this proposed zoning change would only be for one particular lot?

The Mayor responded that this is a floating overlay zone that could be used if a similar senior citizen housing development, with the same guidelines as the proposed Regency Manor, and applies for this status.

Acting Planning Board Chairman Hildy Rosenberg questioned whether the local law would be changed each time a senior citizen housing developer applied for this floating district?

The Acting Village Attorney responded that the guidelines would be set by this local law, but the local law could be amended if the Village Board saw fit.

ZBA member Bonnie Hoffman questioned whether the ZBA would have any input into the review process? She also noted that the Sullivan County Planning Department had done a 239m review and had recommended denial of approving this very same project. She also noted that when this matter came before the ZBA there was not enough information to make a credible decision, especially since the "wetlands" has not been flagged by the DEC to determine how much usable space was available for building use.

The Deputy Village Attorney responded that no variances will be necessary so the review will only be by the Planning Board even though this project had been before the Zoning Board several months ago.

Jonah Mandelbaum explained that this is an affordable senior citizen housing complex that has all one bedroom units and one two bedroom unit to be occupied by a caretaker. He explained that there are State guidelines that he must adhere to such as 100% handicap accessible, 2 elevators, etc. He noted that items such as playgrounds and outside recreational space.

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Harry Brantz felt that there should be tables and benches for the residents and a playground area when children come to visit their grandparents.

The Mayor explained that there is a short time frame to get all the approvals by the Village agencies, so the application can be submitted to the State by the developer on February 1, 2005 since the money is available this year, but not necessary in the future.

**MOMENT OF SILENCE - FORMER POLICE OFFICER MARVIN JACKSON
ALICE MCCORMACK COOKE**

Mayor Barnicle asked for a moment of silence for former police officer Marvin Jackson, and the widow of the Late Judge Lawrence Cooke, Alice McCormack Cooke.

OLD BUSINESS

Peacemaker Award-Detective Douglas Tunno

Mayor Barnicle announced the Detective Douglas Tunno was honored on November 4th at the Dispute Resolution Center's Annual Award Dinner with the Peacemaker Award.

Tractor Trailer Cab Law Update

The Mayor reported that the Village is reviewing laws from other municipalities throughout the State of New York regarding Tractor Trail Cab Residential Parking. He directed the Village Clerk to put this matter on the next Board's agenda and he will give a copy of these other laws to each Board member.

Ice Skating Rink

The Mayor announced that the insurance company has advised the Village that there will be no additional charge for having an ice skating rink at deHoyos Park, so ice skating will be held on the pond in the park, with more information to come on this activity. He asked for volunteers who could give ice skating lessons on Saturdays.

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**APPROVAL OF MINUTES OF REGULAR BOARD MEETING OF NOVEMBER
1, 2004**

A motion was made by Trustee Escobar, seconded by Trustee VanDermark, approved on a roll call vote as follows: Trustee Schoonmaker, aye; Trustee Escobar, aye; Trustee Marinello, abstain; Trustee VanDermark, aye; to adopt the minutes of the Village Board regular meeting of November 1, 2004 as presented.

MANAGER'S REPORT

Community Service Award

The Village Manager announced that Village Justice Josephine Finn received a Community Service Award from Bethany Lodge in South Fallsburgh.

Sullivan Showcase Awards

The Village Manager announced that the Neighborhood Facility has been named a finalist in the Sullivan Showcase Awards which is presented each year by the Sullivan County Board of Realtors.

Holiday Party

The Village Manager announced that the Village is planning its employee holiday party in conjunction with the Town for the 17th of December.

**RESOLUTION BY THE VILLAGE OF MONTICELLO BOARD OF TRUSTEES
WHEREBY THE BOARD EXPRESSES ITS INTENT TO BECOME LEAD
AGENCY FOR SEQUA PURPOSES REGARDING LOCAL LAW NO. 16 OF
2004 WHICH WOULD AMEND THE ZONING CODE TO PERMIT THE
IMPLEMENTATION OF A SENIOR CITIZEN AFFORDABLE HOUSING
FLOATING ZONING DISTRICT**

WHEREAS, the Village of Monticello Board of Trustees has determined that there is a compelling governmental interest in establishing affordable senior citizen housing developments in the Village of Monticello; and,

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WHEREAS, the Village of Monticello Board of Trustees is contemplating the adoption of Local Law No. 16 of 2004 which would amend the Zoning Code to permit the implementation of a senior citizen affordable housing floating zoning district; and,

WHEREAS, a tentative determination that the adoption of this zoning amendment should be classified as a Type I action pursuant to SEQUA and a Long Form EAF having been submitted, it is hereby

RESOLVED, that the Village of Monticello Board of Trustees declares its intent to become Lead Agency regarding proposed Local Law No. 16 of 2004 which would amend the Zoning Code to permit the implementation of a Floating Senior Citizen Affordable Housing District; and it is further

RESOLVED, that the following potential interested or involved agencies shall be notified of the Village of Monticello's Board of Trustees' intent to become Lead Agency with respect to the foregoing.

1. Town of Thompson Town Board
2. Sullivan County Department of Planning & Economic Dev.
3. Village of Monticello Planning Board

This resolution shall take effect immediately.

A motion was made by Trustee Marinello, seconded by Trustee VanDermark, approved on a roll call vote as follows: Trustee Schoonmaker, nay; Trustee Escobar, aye; Trustee Marinello, aye; Trustee VanDermark, aye; Mayor Barnicle, aye; to adopt the above resolution.

RESOLUTION AUTHORIZING THE VILLAGE CLERK TO ADVERTISE FOR BIDS FOR A RIDING LAWN MOWER, STREET SWEEPER AND A BOX & TAILGATE FOR A GARBAGE TRUCK

WHEREAS, the Sanitation Department and the Highway Department are in need of several pieces of equipment; and,

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WHEREAS, specifically, the Highway Department needs to purchase a riding lawn mower and replace a street sweeper; and,

WHEREAS, the Sanitation Department has requested a box & tailgate to place on the back of a truck cab and chassis; and,

WHEREAS, the Board of Trustees of the Village of Monticello finds that it is in the best interest of the residents of the Village of Monticello to advertise for bids for the aforementioned property.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Monticello does hereby authorize the Village Clerk to advertise for bids for a riding lawn mower, street sweeper and a box & tailgate for the back of a garbage truck.

A motion was made by Trustee VanDermark, seconded by Trustee Marinello, unanimously approved on a roll call vote to adopt the above resolution.

RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO SIGN AN AGREEMENT WITH PARTNERS IN SAFETY, INC. FOR DOT RANDOM TESTING PROGRAM

WHEREAS, U.S. Department of Transportation requires all CDL truck drivers to be randomly tested for drug and alcohol; and,

WHEREAS, it is necessary for the Village to retain a professional company to provide for such random testing for drug and alcohol use and Partner's In Safety, Inc. meet the compliance requirements of the U.S. Department of Transportation to perform these tests; and,

WHEREAS, Partner's In Safety have had an agreement with the Village of Monticello to perform these random tests and desire to renew this agreement.

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NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Monticello does hereby authorize the Village Manager to sign an agreement in a form acceptable by the Village Attorney with Partner's In Safety, Inc. for Drug and Alcohol Testing Agreement for 2005.

A motion was made by Trustee Marinello, seconded by Trustee Escobar, unanimously approved on a roll call vote to adopt the above resolution.

**RESOLUTION ADOPTING GUIDELINES AND PROCEDURES FOR
ADMINISTRATION OF THE COMMUNITY IMPROVEMENT PROGRAM USING
HOME FUNDING**

Presentation - Jim Thatcher, Avalon Associates, explained that the Village has been awarded grants through the HOME Program for housing improvements for the last three years in the amount of \$400,000 annually for repair and rehabilitation of existing homes occupied by lower income residents. The resolution before the Board this evening is to set up the guidelines and procedures that will help the Village operate this program for the next few years. The newest grant is available to property owners throughout the Village, although prior grants were for specific, limited targeted areas.

Mayor Barnicle announced that the 2nd meeting in December, (December 20th) will be held at the Neighborhood Facility Building, and there will be a short agenda followed by a detailed review of the program. Notices will be sent out for the people in the Village that are eligible to participate in this program.

WHEREAS, a grant has been received from the NYS Housing Trustee Fund Corporation (HTFC) using federal funds from the United State Department of Housing and Urban Development (HUD) under the HOME Investment Partnerships Program for implementation of a local Community Improvement Program that will provide financial assistance to support rehabilitation of 1-4 family owner-occupied properties in the Village of Monticello; and,

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WHEREAS, the Village has agreed to administer that program in compliance with rules and regulations established by HUD and published in the Code of Federal Regulations at 24 CFR Part 570; now therefore,

BE IT RESOLVED, the attached Guidelines and Procedures are hereby adopted and shall become effective immediately for rehabilitation activities conducted in 1-4 family owner-occupied properties with HOME funding in the Village of Monticello.

A motion was made by Trustee VanDermark, seconded by Trustee Marinello, unanimously approved on a roll call vote to adopt the above resolution.

PUBLIC COMMENT

Boarded Up Homes

Harry Brantz felt that the boarded up homes throughout the Village should be renovated.

Cedar Park Apartment Inspections

Harry Brantz felt the Building Inspector should do the inspection of the Cedar Park unit that had a problem, and the repairs should be done correctly and the Village Manager should investigate the matter.

Grant Funds

Carmen Rue was concerned that a house on Rock Ridge Avenue that was used as a model for the HOME Grant application, that she herself served as an interpreter for those people, has not been given any information as to how to apply for the funds to begin the renovations after the Village was awarded the money.

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Condition of the Village

Carmen Rue complained that the Village is filthy, especially Fulton Street, Prince Street and Fisk Avenue. She noted that 8 Fisk Avenue, 22 Fisk Avenue have junk on the property, as well as 10 Fisk Avenue that has two unregistered vehicles hidden behind the house, but visible from Thornton Avenue. She felt that the Code Enforcement Officer should explained to these people that these properties have to be cleaned up by the property owner, not the Village.

Richardson Court Complex

Rochelle Massey explained that during a planning board hearing for expansion of this complex the owner was told to remove all the unregistered vehicles on this property. Since that meeting in September the unregistered vehicles on that lot have multiplied and the owner also moved them from the front of the property to the rear of the property. She questioned what is being done about these unregistered vehicles and all the others that are parked throughout the Village.

EXECUTIVE SESSION

At 7:26 p.m., a motion was made by Trustee VanDermark, seconded by Trustee Escobar, unanimously approved on a roll call vote to move into Executive Session to discuss personnel matters on several people and possible litigation.

RECONVENING THE REGULAR VILLAGE BOARD MEETING

At 7:45 p.m., a motion was made by Trustee Escobar, seconded by Trustee Marinello, unanimously approved on a roll call vote to move back into open session.

Mayor Barnicle reconvened the Regular Village Board meeting.

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A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO SIGN A CONTRACT ALLOWING A DEDICATED OFFICER OF THE MONTICELLO POLICE DEPARTMENT TO PARTICIPATE IN THE MID-HUDSON TASK FORCE

WHEREAS, the Board of Trustees of the Village of Monticello has been notified that the assistance of the Monticello Police Department has been requested to curtail narcotics activity in the Mid-Hudson region, including the Village of Monticello; and

WHEREAS, the Village of Monticello has previously enjoyed enhanced safety for its residents, due, in part, to activities of the Mid-Hudson Task Force including successful narcotics trafficking investigations and prosecutions; and

WHEREAS, although the officer is dedicated to the task force, he or she is also available to work in the Village on Village matters, and up to thirty (30) hours of overtime compensation is available through the Mid-Hudson Task Force; and

WHEREAS, the Board of Trustees of the Village of Monticello finds that it is in the best interest of the Village of Monticello to authorize the Village Manager to sign a Contract allowing a dedicated officer of the Monticello Village Police Department to participate in the Mid-Hudson Task Force.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Board of Trustees of the Village of Monticello

1. That the Manager of the Village of Monticello shall be and hereby is authorized to sign a Contract on behalf of the Village of Monticello allowing a dedicated officer of the Monticello Village Police Department to participate in the Mid-Hudson Task Force; and
2. That this resolution shall be effective immediately upon signature of the Village Clerk.

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A motion was made by Trustee Schoonmaker, seconded by Trustee Escobar, unanimously approved on a roll call vote to adopt the above resolution.

ADJOURNMENT

At 7:50 p.m., a motion was made by Trustee Schoonmaker, seconded by Trustee Escobar, unanimously approved on a roll call vote to adjourn the Regular Village Board meeting.

EDITH SCHOP, Village Clerk