

MINUTES
REGULAR MEETING OF THE BOARD OF TRUSTEES
VILLAGE OF MONTICELLO, N.Y.
MONDAY, AUGUST 22, 2005

MEETING TO ORDER

Mayor Barnicle called the meeting to order at 7:00 p.m.

PLEDGE TO THE FLAG

Roll Call

Upon call of the roll, the following were present:

James Barnicle, Mayor
Gordon Jenkins, Trustee
Victor, Marinello, Jr. Trustee
Scott Schoonmaker, Trustee
Brian VanDermark, Trustee

Also Present: Richard Sush, Village Manager
E. Danielle Jose, Village Attorney
Alan Reynolds, Highway Superintendent
Clarence Decker, Water Superintendent
Sam Wohl, County Legislator

**APPROVAL OF MINUTES OF REGULAR BOARD MEETING OF AUGUST 8,
2005**

A motion was made by Trustee Marinello, seconded by Trustee VanDermark, unanimously approved on a roll call vote to adopt the minutes of the Village Board regular meeting of August 8, 2005 as presented.

OLD BUSINESS

Senior Games

Mayor Barnicle announced that the Senior Games will be held on September 12th, 13th, 14th and 15th at the Ted Stroebele Recreation Center.

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Police Activities

Mayor Barnicle commended the police for their handling of three incidents that involved weapons that put the responding officers into riot gear and protective clothing.

Justice Court Activities

Mayor Barnicle indicated that he sat in during the justice court's session today, and impressed as to how much activity is going on in that court house to keep us all safe.

New Restaurants

Mayor Barnicle announced that there are two new restaurants, Alberto on Jefferson Street, and Greek Flame next to the Post Office that just opened in the Village.

Taylor Recycling Presentation

Mayor Barnicle reported that last Friday, he along with the Village Manager, Town Supervisor Tony Cellini visited Taylor Recycling for 2½ hours and had a presentation/conversation on the State of the Art "gasification" system which will ultimately send less than one percent of garbage to a landfill. The system which can be built on 4 t 5 acres can handle a minimum of 500 to 600 tons per day. The system is approved by Greenpower in the State of New York. The building is 400 x 400 with 3 silos of 35 ft. to 40 ft. tall. The permit process takes 2 years (the life of Cell 6). For local approval the Village would have to have a garbage contract, an energy contract and IDA assistance. The Federal Government will provide guaranteed loans and the Bank of America will be the lending institution. The cost will be \$50 million dollars per facility. The Mayor indicated that if Taylor is agreeable to both Boards than a recommendation will be sent to the County for an alternative to the landfill expansion. He noted that the facility is very clean with no smell. The company also provides free Spring/Fall Cleanups to residents and has donated a fire truck to the local fire company in the Town of Montgomery. They employ 50 to 60 people with benefits and retirement.

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RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTICELLO SETTING A TIME AND PLACE FOR A MEETING IN COOPERATION WITH THE TOWN BOARD OF THE TOWN OF THOMPSON REGARDING TAYLOR RECYCLING TO BE HELD ON MONDAY, SEPTEMBER 12, 2005 AT 7 P.M. AT THE THEODORE STROEBELE RECREATION CENTER

WHEREAS, the Town of Thompson ("Town") and the Village of Monticello ("Village") are currently considering implementing a recycling program to satisfy the waste disposal need of the residents of the Town of Thompson and the Village of Monticello; and

WHEREAS, Taylor Recycling desires to provide a demonstration of its recycling programs to the governing bodies and residents of both municipalities on Monday, September 12, 2005, at 7:00 p.m.; and

WHEREAS, the Board of Trustees of the Village of Monticello finds that it is in the best interest of the Village to consider the recycling programs of Taylor Recycling.

NOW THEREFORE BE IT RESOLVED, that a meeting be held by the Board of Trustees of the Village of Monticello in conjunction with members of the Town Board of the Town of Thompson with respect to Taylor Recycling recycling programs at 7:00 p.m. on Monday, September 12, 2005, at the Town of Thompson Town Hall at the Theodore Stroebele Recreation Center, Jefferson Street, Monticello, New York 12701.

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

Regency Affordable Senior Housing Approval

Mayor Barnicle announced that the New York State Housing Trust Fund Corporation approved the Village's affordable Senior Citizen Housing application. The Village will have a \$7.6 million dollar Affordable Housing complex on Sturgis Road. The Mayor thanked Senator Bonacic for his help in getting this application approved.

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Broadway Flower Boxes

Mayor Barnicle noted that the prisoners from Sullivan Correctional has planted flowers on Broadway, and asked for anyone who is willing to help water them.

Mayor's Editorial Statement

Mayor Barnicle read the following editorial that he sent to the newspapers:

The Village of Monticello has been blessed by the "Sullivan Renaissance" program for the beautification of Sullivan County. The 2005 grant recipients (37) included 4 from Monticello, who all came away as "winners" in the recent, awards ceremony hosted by Alan and Sandra Gerry at Bethel Woods.

In it inaugural year, the "Seasonal Community Awards", the Town & Country Resort, located on Forestburgh Road won for their plantings in and around the grounds of the property.

In Category A, "The Monticello Sullivan First" volunteer group won 2nd prize for their projects at Exit 104 from Route 17 and the Jefferson Street Corridor.

In addition, "The Recovery Center" project, who also took 2nd place was on Broadway at the Benmosche Center. The plantings, benches and architectural drawings in the parking lot was completed by the staff and residents of the Center.

Also, in Category A, "The Federation of Sportsmen's Clubs of Sullivan County" won first place for their planting project at DeHoyos Park. In addition they won the "Environmental Award" for the stocking of the pond and hosting a fishing contest for children.

We the Village of Monticello should be very grateful for all the volunteers who've beautified our community, past and present, most of who do not live in our Village.

Take the time, ride by and see all the work that has improved our community. Let's be part of our resurgence, volunteer, pick up litter, say hello to your neighbor and shop our stores.

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I'd like to thank all the people who took the time and effort to make our Village a better place. Even if you hadn't won an award, your projects were beautiful.

RECOGNITION OF DAYTOP VOLUNTEERS

Mayor Barnicle gave each of the Daytop Volunteers a Certificate of Appreciation for all their hard work during the hot summer months in beautifying Monticello.

MANAGER'S REPORT

Police Department Commendation

The Village Manager also expressed his gratitude to the Monticello Police Department for handling the serious situations they encountered in the past few weeks.

Renaissance Projects

The Village Manager noted that every project that was entered from Monticello won some prize.

RESOLUTION BY THE BOARD OF TRUSTEES DECLARING LEAD AGENCY WITH RESPECT TO ADOPTION OF PROPOSED LOCAL LAW NO. 7 OF 2005 AMENDING SECTION 252-47 OF THE VILLAGE CODE BY CLOSING A PORTION OF BELMONT DRIVE

Matter tabled to the next meeting.

PART II OF THE ENVIRONMENTAL ASSESSMENT FORM - LOCAL LAW NO. 7 OF 2005 AMENDING SECTION 252-47 OF THE VILLAGE CODE BY CLOSING A PORTION OF BELMONT DRIVE

Matter tabled to the next meeting.

RESOLUTION DECLARING A NEGATIVE DECLARATION IN REGARD TO LOCAL LAW NO. 7 OF 2005 AMENDING SECTION 252-47 OF THE VILLAGE CODE BY CLOSING A PORTION OF BELMONT DRIVE

Matter tabled to the next meeting.

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RESOLUTION AUTHORIZING ADOPTION BY THE VILLAGE BOARD OF THE VILLAGE OF MONTICELLO OF LOCAL LAW NO. 7 OF 2005 AMENDING SECTION 252-47 OF THE VILLAGE CODE BY CLOSING A PORTION OF BELMONT DRIVE

Matter tabled to the next meeting.

APPOINTMENT TO HUMAN RIGHTS COMMISSION

Mayor Barnicle appointed **Velma Gonzalez** to the Human Rights Commission for a two year term to **expire April 2007** with the Board's approval on a roll call vote as follows: Trustee Schoonmaker, aye; Trustee Gordon, aye; Trustee Marinello, aye; Trustee VanDermark, aye; Mayor Barnicle aye.

Mayor Barnicle appointed **Vincent Gilmore** to the Human Rights Commission for a two year term to **expire April 2007** with the Board's approval on a roll call vote as follows: Trustee Schoonmaker, aye; Trustee Gordon, aye; Trustee Marinello, aye; Trustee VanDermark, aye; Mayor Barnicle aye.

Mayor Barnicle appointed **Doris Jones** to the Human Rights Commission for a two year term to **expire April 2007** with the Board's approval on a roll call vote as follows: Trustee Schoonmaker, aye; Trustee Gordon, nay; Trustee Marinello, aye; Trustee VanDermark, aye; Mayor Barnicle aye.

RESOLUTION CHANGING THE FIRST MEETING IN SEPTEMBER FROM MONDAY, SEPTEMBER 5th TO TUESDAY, SEPTEMBER 6th DUE TO THE LABOR DAY HOLIDAY

WHEREAS, the Board of Trustees of the Village of Monticello hold their regular meetings on the first and third Mondays of each month; and,

WHEREAS, the first Monday in September a national day in celebration of Labor Day; and,

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Monticello does hereby change the first Board meeting in September from Monday, September 5th to Tuesday, September 6th 2005.

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

RESOLUTION BY THE BOARD OF TRUSTEES REMOVING ONE HUNDRED SEVENTEEN AND 42/00 DOLLARS RELEVIED ON THE PROPERTY AT 31 NORTH STREET, VILLAGE OF MONTICELLO TAX MAP # SBL 111-5-5 AND TWO HUNDRED AND TWENTY-NINE AND 14/100 DOLLARS ON THE PROPERTY AT 30 NORTH STREET TAX MAP # 111-4-27

WHEREAS, P N Fire & Burglar was erroneously overcharged for water, sewer and sanitation charges by the Village of Monticello on 2 properties that they own; and

WHEREAS, the property owner had notified the Village of Monticello of these erroneous charges but they were never removed from this account; and

WHEREAS, the Board of Trustees of the Village of Monticello finds that these charges in the amount of (One Hundred Seventeen and .42) DOLLARS was inappropriately charged to 31 North Street, SBL 111-5-5 and 30 North Street SBL 111-4-27 in the amount of Two Hundred Twenty-nine and .14 Dollars under the circumstances.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Board of Trustees of the Village of Monticello THAT the Board of Trustees of the Village of Monticello does hereby forgive ONE HUNDRED SEVENTEEN AND 42/100 (\$117.42) DOLLARS in charges and penalties releived on the property at 31 North Street, VILLAGE OF MONTICELLO TAX MAP #SBL 111-5-5 and TWO HUNDRED AND TWENTY-NINE AND 14/100 DOLLARS (\$229.14) in charges and penalties releived on the property at 30 North Street, VILLAGE OF MONTICELLO TAX MAP #SBL 111-4-27 and this resolution shall be effective immediately upon signature of the Village Clerk. The Village Clerk is directed to send a corrected bill to the property owner.

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

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RESOLUTION BY THE BOARD OF TRUSTEES REMOVING A LIEN IN THE AMOUNT OF FOUR HUNDRED TWENTY-FOUR AND 76/100 DOLLARS FROM SBL 112-3-10 AND RELEVING TO 72 PARK AVENUE, SBL TAX MAP 115-3-14

WHEREAS, there was an erroneous lien in the amount of \$424.76 on property located at 10 Smith Street, SBL 112-3-14 for property maintenance by the Village of Monticello Building Department; and

WHEREAS, the property maintenance lien should have been correctly charged to 72 Park Avenue, SBL 115-3-14 in the amount of \$424.76; and

WHEREAS, the Board of Trustees of the Village of Monticello finds that these charges in the amount of (Four Hundred Twenty-Four and 76/100) Dollars was inappropriately charged to the wrong property owner for property maintenance services.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Board of Trustees of the Village of Monticello THAT the Board of Trustees of the Village of Monticello does hereby relevy FOUR HUNDRED TWENTY-FOUR AND 76/100 (\$424.76) DOLLARS FROM 10 Smith Street SBL 112-3-10 to 72 Park Avenue, SBL 115-3-14 and this resolution shall be effective immediately upon signature of the Village Clerk. The Village Clerk is directed to send a corrected bill to the property owner.

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

CORRESPONDENCE

A letter from NY State Senator John J. Bonacic to the NYSDOT regarding the Broadway Project time schedule to begin construction.

EXECUTIVE SESSION

At 7:35 p.m., a motion was made by Trustee VanDermark, seconded by Trustee Schoonmaker, unanimously approved on a roll call vote to move into Executive Session to discuss a personnel matter.

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At 7:40 p.m., a motion was made by Trustee Marinello, seconded by Trustee VanDermark, unanimously approved on a roll call vote to move out of Executive Session.

RECONVENING THE REGULAR VILLAGE BOARD MEETING

Mayor Barnicle reconvened the Regular Village Board meeting.

PUBLIC COMMENT

Landfill Comments

Former Trustee David Rosenberg commended the Board for investigating Taylor Recycling, but also cautioned the Board not to confuse any recycling or any effort to cut down the waste stream into the landfill with the issue of the expansion of the landfill. He felt that the Board must move forward with trying to stop the expansion of the landfill at any cost there will be a lot of conditions and if something happens to that company or the plans do not materialize, the parade of garbage will continue to come into the Village. He felt the County must get out of the solid waste business.

Marie Ng urged the Board to vote on the local law prohibiting expansion of the landfill tonight.

The Mayor explained that both Village Attorneys are advising the Board that they should have another public hearing in order to pass the law, and also have the County Planning Department do a 239m Review for their recommendation of whether the law should be adopted.

Esther Wilhelm, a resident of Mountain Lodge did not feel the landfill problems would be solved by Taylor Recycling. She explained that the Mayor had told her that he wanted to hear from residents that want the dump, but she doubted that there was anyone in favor of it.

Another resident of Rose Valley Road indicated that residents are overpaying to use the landfill. He felt to export the trash would probably reduce the cost and possibly lower the cost.

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Police Commendation

Betty Friedland, who is the Manager of 451 W. Broadway, one of the locations where there was police activity commended the Chief Solomon, Detective Thomas O'Connor, Lt. Wm. Van Hage, Police Officers DeValle and Monroe and the Sheriff Department for their professionalism in handling a very serious matter.

Road Paving Repair

Betty Friedland questioned when Atwell Lane in front of house would be repaired?

The Village Manager responded by her house would be done on August 29th.

Repair of Steps in Front of Key Bank

Betty Friedland questioned requested that the 3rd step of steps in front of Key Bank on Broadway be repaired since someone is going to fall and get badly hurt.

Village Conditions

Larry Wechsler was concerned with the rundown conditions throughout the Village especially since the Village no longer picks up branches and other debris. He had driven around the side streets and property owners are leaving this material on the curb of their property.

Unregistered Vehicles

Larry Wechsler explained that there is a Code Enforcement Officer that is supposed to issue violations for unregistered vehicles on people's property. He indicated that driving around Monticello you can find many unregistered vehicles. He noted that he called the Code Enforcement Officer last year about many unregistered vehicles on a property at Milton Avenue and Maple Lane, and

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those vehicles are still there making the property look like a junkyard. He did not feel there was any code enforcement in the Village, and beautification should not only be on Broadway. He felt that taxes go up and services go down.

Carmen Rue noted that Crystal Street, Pleasantview Avenue all have many unregistered vehicles on them. She felt that Broadway and all the side streets are dirty except in front of the Mayor's store. She felt the Village Board should take a walk on Pleasant Street and she will see all the garbage scattered on property. Ms. Rue also felt that residents should not only come to complain about the landfill, but be concerned with the conditions throughout the Village.

Belmont Drive

Stanley Levinson questioned why the Belmont Drive matter was tabled? He was concerned that Belmont Drive is not being paved to Village road specifications and will create a safety hazard. He did not feel the Village should allow the roadway to be left in that condition and if not Belmont Drive should be closed.

Mobilemedic

Dick Kelly questioned whether Mobilemedic is being billed for use of the bays at the Ted Stroebele Recreation Center?

Posting Speed Limits

Frederick Schomberg, a resident of Lawrence Avenue felt that speed limit signs should be posted as to many vehicles are speeding through the side streets in residential areas where there are no sidewalks. He was concerned that traffic tickets are not being issued to these drivers.

Consumer Complaints Against Contractors

Frederick Schomberg indicated that there is no redress for Village residents for grievances regarding consumer complaints against contractors. He explained that he had a

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sewer line problem and no one from the Village inspected the completed work while the job was being done and as a result he is living with unsafe sanitary conditions in his home.

Illegal Multi Dwellings in R-2 (Single Family) Zones

Connie Keller was concerned that a house on Atwell Lane is being used as a multiple dwelling and so far Code Enforcement has not put a stop to it, and now another house has been bought for the same reason. She left that if the current laws are not going to be enforced, than there is no reason to have any laws.

Ursula Tieger agreed with Ms. Keller noting that there are at least two families living in the house next to hers even though it is a single family zone.

Ceil Plotkin, a resident of Fraser Avenue complained that she also lives in an R-2 zone and there are seven single men living in the house next store to hers.

The Mayor reminded everyone to call the Village Hall and communicate their complaint to the Code Enforcement Officer or the Village Manager and not wait to airing it at a Village Board meeting.

Ceil Plotkin and Connie Keller both responded that they had both given their complaint to the Code Enforcement Officer and the Village Manager and nothing has been done.

Storm Drainage

Janet Barbarite was concerned that the storm drains on Cottage Street are clogged because they haven't been cleaned out in a long time.

Bank Street

Janet Barbarite reported that on Bank Street, on the Key Bank side, between the curb and the sidewalk there is an area that is terribly eroded and has been for several years. She felt the Village should have corrected this situation without a resident pointing out the problem.

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Landfill/Code Enforcement Comments

Trustee Jenkins explained that he needs more facts before he makes a statement or a decision especially since he has researched the financial impact if the landfill is closed. He noted that the Board is not ignoring the residents and has visited Mountain Lodge Estates several times.

Trustee Jenkins felt that the Village needs more aggressive code enforcement which is evident by the same people complaining about the same problems.

EXECUTIVE SESSION

At 8:37 p.m., a motion was made by Trustee VanDermark, seconded by Trustee Marinello, unanimously approved on a roll call vote to move into Executive Session to discuss a personnel matter, Sale of Village owned property and possible litigation.

At 9:34 p.m., a motion was made by Trustee Marinello, seconded by Trustee VanDermark, unanimously approved on a roll call vote to move out of Executive Session.

RECONVENING THE REGULAR VILLAGE BOARD MEETING

At 9:35 p.m., Mayor Barnicle reconvened the Regular Village Board meeting.

PART II OF THE ENVIRONMENTAL ASSESSMENT FORM - JOINT FIRE DISTRICT FORMATION

The Village Board reviewed Part II of the Environmental Assessment Form and found no environmental impacts.

RESOLUTION DECLARING A NEGATIVE DECLARATION WITH REGARD TO THE CREATION OF A PROPOSED JOINT FIRE DISTRICT WITH THE TOWN OF THOMPSON

Trustee Schoonmaker recused himself on this matter.

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WHEREAS, the Board of Trustees duly considered the short form EAF presented to it in connection with the creation of a proposed Joint Fire District with the Town of Thompson, now, therefore it is

RESOLVED, that the said short EAF with both parts 1 and 2 filled out be attached to this resolution for inclusion in the Village's Records, and it is further

RESOLVED, that the proposed creation of a joint fire district could not create any adverse effects as described in Part 2 Section C of the EAF because the proposal entails no new construction or activity and is simply a change in the method of paying for the fire protection which is already being provided and it is further

RESOLVED, that the Village of Monticello issues a negative declaration in connection with the SEQRA review of this project, and it is further

RESOLVED, that the Mayor is authorized and directed to endorse the said negative declaration of Part 3 of the short-EAF attached hereto.

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

RESOLUTION OF APPROVAL OF CREATION OF MONTICELLO JOINT FIRE DISTRICT

Trustee Schoonmaker recused himself on this matter.

Resolution approving the creation and establishment of a joint fire district encompassing portions of the Town of Thompson and the Village of Monticello.

WHEREAS, the Board of Trustees of the Village of Monticello, following a joint public hearing with the Town Board of the Town of Thompson on July 19, 2005 regarding the establishment of joint fire district encompassing portions of the Town of Thompson and the Village of Monticello, hereby adopts the following resolutions:

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RESOLVED, that the Board of Trustees of the Village of Monticello determines that the notice of public hearing on the formation of proposed Monticello Joint Fire District has been properly published and posted, and it is further

RESOLVED, that such public hearing was duly held, jointly with the other involved municipalities, and it is further

RESOLVED, that the Village has complied with the provisions of the State Environmental Quality Review Act, and has duly issued its Negative Declaration, and it is further

RESOLVED, that all property and owners in the proposed district are benefited, and it is further

RESOLVED, that all benefited property and owners are located within the proposed district, and it is further

RESOLVED, that the formation of proposed Monticello Joint Fire District is in the public interest, and it is further

RESOLVED, that the creation of Monticello Joint Fire District is approved, subject to permissive referendum as provided in Town Law, and it is further

RESOLVED, that the boundaries of the said Monticello Joint Fire District shall be as set forth in the attached Schedule A, and it is further

RESOLVED, that the said District shall be governed by a Board of Commissioners to be five (5) in number, and it is further

RESOLVED, that the said commissioners shall be elected in the manner described in Town Law Section 189-e and Town Law Article 11, and it is further

RESOLVED, that the Clerk of the Municipality is authorized and directed to publish and post a notice of adoption of this resolution subject to permissive referendum and it is further

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RESOLVED, that effective with the appointment of the first Board of Fire Commissioners of the Monticello Joint Fire District that the Village of Monticello shall transfer to the Monticello Joint Fire District all current fire apparatus, equipment and related supplies, plus all debts together with any liabilities herewith to the Monticello Joint Fire District for the sum of \$1.00, and it is further

RESOLVED, that effective with the appointment of the first board of fire commissioners of the Monticello Joint Fire District that the Village of Monticello shall transfer and assign to the Monticello Joint Fire District all its rights, interest and entitlements to the new fire station building located at 23 Richardson Avenue in the Village of Monticello including all its interest in a certain license agreement between the Village of Monticello and the Monticello Fire Department, Inc. which agreement the Monticello Joint Fire District shall, as a condition of its formation hereunder, accept in full and indemnify and hold the Village of Monticello harmless for any claims made after the appointment of such commissioners and the first meeting of the Board of Fire Commissioners of the Monticello Joint Fire District, and it is further

RESOLVED, that effective with the appointment of the first Board of fire commissioners of the Monticello Joint Fire District that the Village of Monticello shall transfer and assign to the Monticello Joint Fire District all its rights, interests and obligations under certain financing for the construction of the new fire station located at 23 Richardson Avenue, in the Village of Monticello, which financing the Monticello Joint Fire District shall, as a condition of its formation hereunder, accept in full and indemnify and hold the Village of Monticello harmless for any payment or obligation due thereunder after the appointment of such commissioners and the first meeting of the Board of Fire Commissioners of the Monticello Joint Fire District, and it further

RESOLVED, that upon expiration of the referendum period, if no petition for permissive referendum is filed, the Municipal Clerk is authorized and directed to file a copy of this resolution with the Sullivan County Clerk and the Office of the State Comptroller Department of Audit and

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Control and an affidavit showing that no petition requesting a referendum has been filed and the time to so file has expired, all in compliance with applicable law.

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

APPOINTMENT OF THREE OF THE FIVE COMMISSIONERS TO THE NEWLY CREATED JOINT FIRE DISTRICT

Trustee Schoonmaker recused himself on this matter.

A motion was made by Trustee Marinello, seconded by Trustee VanDermark, unanimously approved on a roll call vote to appoint **Joseph Kenny, Dean Gilmour** and **George Kinch** as the Village choices to be three of the five inaugural Board of Commissioners for the newly formed Joint Fire District.

RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTICELLO TO SELL PROPERTY NO LONGER NEEDED FOR PUBLIC PURPOSE AND CONSIDERED SURPLUS PROPERTY TO MOUNTAIN HILL COTTAGES, INC. OR ITS SUCCESSOR OR DESIGNEE

WHEREAS, the Village of Monticello owns property consisting of a vacant railroad bed which divides properties designated as Town of Thompson 49.-1-8.1 and 49.-1-8.3 and located due west of Cold Spring Road; and

WHEREAS, this property owned by the Village of Monticello is a landlocked parcel which is no longer needed by the Village for public purposes and is considered surplus property; and

WHEREAS, Mountain Hill Cottages, Inc. has offered to purchase this property owned by the Village of Monticello for the sum of FIVE HUNDRED (\$500.00) DOLLARS for the purpose of reunifying lots 8.1, 8.2 and 8.3 of Section 49, Block 1 of the Town of Thompson Tax Map; and

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WHEREAS, it is in the best interest of the residents of the Village of Monticello to sell this surplus property owned by the Village of Monticello to Mountain Hill Cottages, Inc. or its successor or designee for the sum of FIVE HUNDRED (\$500.00) DOLLARS; and

NOW, THEREFORE, it is hereby RESOLVED, that the property consisting of a vacant railroad bed which divides properties designated as Town of Thompson 49.-1-8.1 and 49.-1-8.3 is hereby declared to be surplus and no longer needed for public purposes; and it is further

RESOLVED, that the Mayor of the Village of Monticello is hereby authorized to execute a Quit Claim Deed conveying the right title and interest of the Village of Monticello in the aforementioned property to Mountain Hill Cottages, Inc. or its successor or designee for the sum of FIVE HUNDRED (\$500.00) DOLLARS; and it is further

RESOLVED, that the Mayor of the Village of Monticello is hereby authorized to execute any other necessary documents to convey the subject property to Mountain Hill Cottages, Inc. or its successor or designee; and it is further

RESOLVED, that the documents executed by the Mayor of the Village of Monticello will be in a form approved by the Village Attorney.

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

RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTICELLO SETTING A TIME AND PLACE FOR A PUBLIC HEARING WITH RESPECT TO ADOPTION OF PROPOSED LOCAL LAW 7 OF 2005 ENTITLED "WASTE MANAGEMENT FACILITIES LAW OF THE VILLAGE OF MONTICELLO"

WHEREAS, the Board of Trustees of the Village of Monticello desires to restrict the expansion and operation of solid waste management facilities within the limits of the Village of Monticello; and

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WHEREAS, the Board of Trustees of the Village of Monticello has determined that it is in the best interest of the Village of Monticello to restrict the expansion and operation of solid waste management facilities within the limits of the Village of Monticello; and

WHEREAS, the Board of Trustees of the Village of Monticello wishes to set a time and place for a public hearing with respect to proposed Local Law 7 of 2005 entitled "Waste Management Facilities Law of the Village of Monticello, so that the public may be heard;

NOW, THEREFORE BE IT RESOLVED, that a public hearing be held by the Board of Trustees of the Village of Monticello with respect to the aforesaid proposed Local Law at 7:00 p.m. on September 19, 2005, at the Ted Stroebele Recreation Center, 2 Jefferson Street, Monticello, New York 12701; and it is further

RESOLVED, that the Village Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

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

ADJOURNMENT

At 9:43 p.m., a motion was made by Trustee Marinello, seconded by Trustee Schoonmaker, unanimously approved on a roll call vote to adjourn the Regular Village Board meeting.

EDITH SCHOP, Village Clerk

