

MINUTES
REGULAR MEETING OF THE BOARD OF TRUSTEES
VILLAGE OF MONTICELLO, N.Y.
MONDAY, APRIL 17, 2006

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
Tim Havas, Deputy Village Attorney
Brenda Galligan, Treasurer
Clarence Decker, Water Superintendent
Bill Bertholf, Sewer Superintendent
Douglas Solomon, Chief of Police
Sam Wohl, County Legislature
Sue Flora, Code Enforcement Officer

APPROVAL OF MINUTES OF BOARD MEETING OF APRIL 5, 2006

A motion was made by Trustee Marinello, seconded by Trustee Schoonmaker, unanimously approved on a roll call vote to adopt the minutes of April 5, 2006.

STATE OF THE VILLAGE ADDRESS - MAYOR BARNICLE

Mayor Barnicle gave the following State of the Village Address listing his accomplishments in the second year of his four year term and what challenges/opportunities lay ahead in the coming year.

Minutes - Regular Village Board Meeting
04/17/06

ACCOMPLISHMENTS:

Taxes...lowered by 2.7%

Monticello Joint Fire District: current taxes per thousand for fire protection...\$2.45 per vs. the new \$1.55. All town and village residents will be paying same costs.

Development:

In conjunction w/the Chamber of Commerce, created 1st ever brochure for the Village. SC Visitors Association/Chamber/SC Partnership distributes throughout the year.

\$ 36+MM for the year...9 projects

examples: Southern Tier Abstract Agency, Tri-State Fishery, Blooming Grove Staircase Co. Dunbar Towers, Lakewood Avenue Office Bldg, Mt. View Estates and a new Laundromat to name some.

DOT Projects: Pleasant St. '06...Broadway '07...mtg via Bonacic and Gunther

DEC Project: Sewer lines down B'way ' 06

Grants: Home Grants: 7 homes/3 apt's...\$169,000 in grants/\$90,000 in Landlord investments.

Home Grants/2004...rehabilitate another 24 owner-occupied housing units throughout the Village, will take the next 18-24 months, but must wait until we exhausted all of the 2002 Home Grant \$\$.

CDBG Grants/2002: 3 differed loans and 4 housing rehabs

CDBG Grants/2003: \$103,000 water lines on Park Ave.

New CDBG Grant: \$400,000

Main St: \$200,000

Garbage cans for Broadway

Blds Dept: 64% than last year

Streamlined process from 10 days to 3 days
New violation forms created by the Code Enforcement Officer is now the model of the County

Minutes - Regular Village Board Meeting
04/17/06

Laws/Practices: Overlay Zone...2 affordable housing projects...1 under construction/name...1 for funding @ state/name

Landfill Expansion...historic, protect our citizens and environment.

Landlord/Superintendent required with 5 or more units, required. Slow down the expansion of our single family homes.

Procedure: All expenditures over \$1,000.00 pre-approved by Board.

Communication: Joint Village/Town Meetings...from alternatives to the Landfill to the new joint fire district.

Welcome/Thank-you letters to landlords/new biz in town.

E-mail lists w/county/chamber/visitors association
"Reach the Manager" e-mail.

County "sit-downs" w/Manager & Legislators

Recycling Program to "Sleepy Hollow" w/State & County involved

Mayor's Corner...Group e-mails with Board/Manager/attorneys
Brochure for Monticello, first ever
distributed by merchants/visitors
assoc./chamber

Disaster Plan w/County...Deputy Mayor w/EMS training
represents interest of the Village. Commended by the press
for "Teaming with other Municipality".

Volunteers:

Sullivan Renaissance...Sportsman's Federation/DeHoyos
Park...Recovery Center/Ben Moshe Bldg/Baptist Church/Clean-
up of Jefferson St. by the Monticello Renaissance group.
Chamber of Commerce/Village...first place winner of
inaugural "Main Street" program for Sullivan County.

Minutes - Regular Village Board Meeting
04/17/06

Litter Pluck day in cooperation w/County...ARC/Recovery Center/Mormons/Federation of Homeless/Evergreen Housing Authority.

First Annual Village Holiday Food Drive, donated to the Soup Kitchen.

Private Biz/School: each pay for 1/2 of officers salary

In-house projects: Police Station/upgraded facilities...Courthouse & Youth Division/moved to "TSRC"...Firehouse/new plans for courts and police to inhabit.

Moved "old debris" from Village property without costs to residents

Rechlorination Station...Miller Hill problem for years
Backup Generator for Water Dept.

Youth: First annual fishing tournament @ DeHoyos/stocked pond

2nd Annual Halloween basketball tournament "under the lights", donated by Rental Center

Bike Safety Day

Opportunities for kids: Mets game/Knicks game, personal commitment.

Exotic Bird Encounter...May

Easter Egg Hunt at deHoyos Park.

People: "Biz of the qtr"...Employee Xmas Party...Bldg. Dept./Dept Head w/2 part-time employees...MPD/Youth officer to dispatcher "vision"...team building: Mets game. Employee Picnic on Memorial Day/sponsored by Board/Manager.

Minutes - Regular Village Board Meeting
04/17/06

Diversification/the face of the Village workforce is changing w/last 2 hires being black/latino
Upgraded EMS service w/Mobil Medic contract and re-location to the "TSRC".

Birthday Cards to all Village employees.

Next Year #3:

What challenges/opportunities lie ahead:

Most important budget to create, without Fire Dept.

Rehab firehouse to handle courts/police...is there an opportunity to sell the parcel of land where the court has existed...we will discuss!

Expand highway personnel

Graffiti laws to protect our quality of life

Village Recycling: w/Trustee VanDermark's vigilance, the Manager will employ each dept. to set aside \$500.00 each, meet w/Bill Cutler of the County to educate our workforce. We will set the tone for the future. In addition, Sleepy Hollow is underway w/recycling, which is our largest rental community.

Broaden tax base, collect delinquent taxes. Edith will begin foreclosure proceedings, with properties that are 3 or more years in arrears.

Create system to notify landlord when tenant is past due on Sewer/water/sanitation...protects owner, speeds up our payment. In addition, the penalties collected will now be distributed to each dept. vs. the Water Dept. receiving all the delinquent penalties.

Minutes - Regular Village Board Meeting
04/17/06

Another small step: "Clean up passes" are now distributed by the Village Clerk, vs. DPW, saving in overtime.

Picture of the Month w/Democrat and Chamber...post each month's picture the meeting room, the winner will be permanently displayed in Village.

Install skateboard park...secured 30M in funds...solicit donations from private sector for installation costs and fencing. Hope to have by close of school.

DOT Projects:

Pleasant Street: Impact on traffic for m/o's of July/August...meetings w/biz & residential owners on work schedule...minimize impact on biz, 4 10 hr days vs. 5 days. No construction on Friday's

Broadway: traffic plan...post promotion to recruit new biz...maintenance/traffic laws...snow removal...BID District

Disaster Relief Plan: Vic/Mobile Medic/Town

Continue to explore merging of services w/town and neighboring communities, such as departments and equipment purchases. We've had preliminary meeting with Town on the Building Depts. More time and ideas are needed, but will approach with open mind.

Urge the minority communities to study and take civil service tests to qualify for jobs within all governments. Create a "job info day", by hosting a basketball game between "Low Profile" and "Personal Touch" barbershops. Will post jobs/test dates, etc, so the community is aware of opportunities? Work w/civic groups to increase turnout.

Look around the Village with new buildings, rehabs on streets that have had eye sores for years...Cottage St./High St./Spring St. New homes on Fairgrounds Estates, Starr Ave. Laundromat, organic food stores, luncheonettes, Broadway and Aldi's Plaza. Frankie's Bar will be re-done to house 2 retail stores, which will now be next to the "BloominGrove Staircase Co. Both owners are happy with the other, as the strip is upgraded and now in the Empire Zone.

Minutes - Regular Village Board Meeting
04/17/06

Our seniors and vets will have affordable housing projects complete, with the Regency Manor already under construction.

Do we have challenges, absolutely, but we have a vision and plan. Broadway and uncollected taxes are 2 biggest, with Broadway taking a major leap to recovery next year w/the DOT Project. We will have more info ahead in the next several months as we finalize the details. Uncollected taxes and fees for services will take a front seat, as our Clerk/Attorney and Treasurer team up to create a plan to go forward.

As we keep on eye on our taxes, we need to increase our man/womanpower within our building dept. and Highway. Trucks and equipment needs upgrading, and preventative maintenance to our buildings and grounds must be addressed.

In addition, your safety is our #1 priority, as we target our streets and quality of life. Again, I ask the Chief to keep "foot patrol" consistent on Broadway, as it is the #1 priority of the biz owner and residents alike. Like it or not, we have the stigma that Broadway is not safe. The rehab and new laws that we put into place will change that image.

Can we do it alone, no, we need everyone to chip in...p/u litter, report suspicious/illegal behavior, be courteous, and obey the laws. Say hello on the street, attend a meeting, visit DeHoyos Park, come to the fishing derby, and be proud of your community. Are we Saratoga, Nyack or even Jeffersonville, the answer is a resounding no...we are what we are, a diverse community, with an urban environment in a rural setting, that has economic and employment woes. But we are people with a great past and a bright future, and we the Board will work on your behalf, as we move into next year.

To the Board, 2 years ago I asked that we be well read, are prepared for meetings, keep an open mind and "think outside the box". Once again I ask the same, look to the future and make decisions on what's good for the whole Village vs. what's good for a few. We have a responsibility beyond a neighborhood, a street or even a few residents.

Minutes - Regular Village Board Meeting
04/17/06

Let's work together to improve Monticello...leave politics at the door, it has no place inside this meeting room.

I'm just as excited as I was 2 years, look what we've accomplished from day one, when we were on the brink of bankruptcy and a Village that was isolated from other government bodies, and a lack of internal communications that effected morale. Some choices were hard, some easy, but all were done with the best interest of the Village. As we move forward, the philosophy will not change; the #1 goal is to improve the Village of Monticello!

MAYOR'S APPOINTMENT FOR TERM OF TWO YEAR WITH VILLAGE BOARD APPROVAL

Village Clerk

Mayor Barnicle appointed **EDITH SCHOP** as **VILLAGE CLERK** for a term of two years. Appointment unanimously approved on a roll call vote.

Village Treasurer

Mayor Barnicle appointed **BRENDA GALLIGAN** as **VILLAGE TREASURER** for a term of two years. Appointment unanimously approved on a roll call vote.

MAYOR'S APPOINTMENT FOR TERM OF ONE YEAR WITH VILLAGE BOARD APPROVAL

Village Attorney

Mayor Barnicle appointed **E. DANIELLE JOSE** as **VILLAGE ATTORNEY** for a term of one year. Appointment unanimously approved on a roll call vote.

Deputy Village Attorney

Mayor Barnicle appointed **TIM HAVAS** as **DEPUTY VILLAGE ATTORNEY** for a term of one year. Appointment unanimously approved on a roll call vote.

Minutes - Regular Village Board Meeting
04/17/06

**MAYOR'S REAPPOINTMENT WITH BOARD APPROVAL FOR A FIVE (5)
YEAR TERM TO THE PLANNING BOARD**

Mayor Barnicle reappointed **Gary Schmidt** to the **PLANNING BOARD** for a term of five (5) years to expire April 2011. Appointment unanimously approved on a roll call vote.

MAYOR'S APPOINTMENTS - One year term

Mayor Barnicle appointed **Trustee Marinello** as Deputy Mayor.

Mayor Barnicle appointed **Trustee Jenkins** and **Trustee VanDermark** as Board Auditors.

**RESOLUTION AUTHORIZING THE VILLAGE CLERK TO ADVERTISE FOR
PROPOSALS FROM TITLE ABSTRACT FIRMS FOR TITLE SEARCHING OF
PROPERTIES DESIGNATED FOR FORECLOSURE OF UNPAID TAXES**

WHEREAS, the Village of Monticello has properties with unpaid taxes overdue for more than three (3) years; and,

WHEREAS, for each year the Treasurer has issued tax sale certificates which have been held by the Village; and,

WHEREAS, property owners have been sent a letter regarding the Village's intention to collect the monies due or the property owner risks foreclosure; and,

WHEREAS, the next step in the procedure is to foreclose on properties with unpaid taxes and to foreclose, it is first required to do a title search on each property to determine persons who must be given notice of the foreclosure.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Monticello does hereby authorize the Village Clerk to advertise for proposals from Title Abstract Companies for title searching of properties designated for foreclosure of unpaid property taxes.

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

Minutes - Regular Village Board Meeting
04/17/06

Announcement of Tax Payments by Internet

Treasurer Brenda Galligan and Village Clerk Edith Schop announced that beginning with the Village's new fiscal year, August 1, 2006 payments for property taxes will be accepted via the internet. More information will be given to the press and public prior to August 1st.

RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTICELLO AUTHORIZING THE COLLECTION OF TAXES VIA INTERNET

WHEREAS, new federal banking regulations make payments via debit card, credit card and electronic checks possible; and

WHEREAS, the Board of Trustees has found that Internet payments are a convenient alternative to current tax collection methods which remain available; and

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTICELLO

1. That, effective August 1, 2006, the Village Tax Collector is authorized to accept tax payments via the Internet, in addition to current tax collection methods which will remain available.
2. This resolution shall be effective immediately.

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

PUBLIC COMMENT

Seasonal Visitors

Harry Brantz suggested that local residents treat seasonal visitors with courtesy and politeness.

Park Avenue Road Conditions

Sam Wohl was concerned with the poor road conditions of Park Avenue as a result of the waterline work done since last fall. Mr. Wohl questioned when the road would be

Minutes - Regular Village Board Meeting
04/17/06

repaved, noting that Monticello Street has become hazardous with large potholes since motorists are using that street as a detour.

Water Superintendent Clarence Decker responded that the road will be repaved shortly since the blacktop plants have just opened with the warmer weather.

Complements To Code Enforcement Officer Sue Flora

Ceil Plotkin complemented Code Enforcement Officer Sue Flora for all her untiring help with problems she has been having on Fraser Avenue where she resides.

EXECUTIVE SESSION

At 8:16 p.m. a motion was made by Trustee Marinello, seconded by Trustee VanDermark, unanimously approved on a roll call vote to move into Executive Session to discuss the purchase of property, contract negotiations and a personnel matter regarding a particular person and possible litigation.

RECONVENING THE REGULAR VILLAGE BOARD MEETING

At 9:25 p.m., Mayor Barnicle reconvened the Village Board meeting.

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
Tim Havas, Deputy Village Attorney

Minutes - Regular Village Board Meeting
04/17/06

**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 NO. 3 OF
2006 TO DISSOLVE THE VILLAGE OF MONTICELLO HUMAN RIGHTS
COMMISSION**

WHEREAS, the County of Sullivan ("County") established a county-wide Human Rights Commission on April 21, 2005, to address issues of discrimination, bias, understanding and acceptance with representatives from each legislative district in the County; and

WHEREAS, the County has appropriated \$50,000.00 to hire a part-time executive director to oversee the Commission; and

WHEREAS, the Board of Trustees of the Village of Monticello, in an effort to avoid duplication of services, is considering rescinding Local Law No. 8 of 1993 entitled Human Rights Commission; 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 3 of 2006 Rescinding Local Law NO. 8 of 1993 entitled "Human Rights Commission", 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 May 1, 2006, at Monticello Village Hall, 2 Pleasant 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.

Minutes - Regular Village Board Meeting
04/17/06

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF
MONTICELLO AUTHORIZING THE VILLAGE SEWER PLANT TO ACCEPT
SEWAGE FROM BETHEL WOODS VIA A COMMERCIAL HAULER AT A
CHARGE OF TWO CENTS PER GALLON WITH A MAXIMUM OF 30,000
GALLONS PER DAY**

WHEREAS, the Sewer Department Superintendent has received a request to accept sewage from Bethel Woods via a commercial hauler; and

WHEREAS, the Village presently charges two cents per gallon for the acceptance of sewage from outside sources; and

WHEREAS, Sewer Department Superintendent has assured the Board of Trustees of the Village of Monticello that the sewer plant has ample capacity to accept the sewage if it is limited to 30,000 gallons per day; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTICELLO

1. That, the Village Sewer Department is hereby authorized to accept sewage if it is limited to 30,000 gallons per day at the rate of two cents per gallon.
2. This resolution shall be effective immediately.

A motion was made by Trustee Schoonmaker, 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 AUTHORIZING KAUFMAN BUNGALOW COLONY TO JOIN THE
HARRIS SEWER DISTRICT CONDITIONED UPON KAUFFMAN BUNGALOW
COLONY NOT EXCEEDING 50,000 GALLOONS PER DAY**

WHEREAS, the Sewer Department Superintendent has received a request from the Town of Thompson ("Town") to allow Kaufman Bungalow Colony ("Kaufman") to join the Harris Sewer District ("District"); and

Minutes - Regular Village Board Meeting
04/17/06

WHEREAS, in the event Kaufman is allowed to join the District, Kaufman's sewage will be metered by the Town and the Village of Monticello ("Village") will be compensated by the Town; and

WHEREAS, the Sewer Department Superintendent has assured the Board of Trustees of the Village that the sewer plant has ample capacity to allow Kaufman to join the Harris sewer District if they are not permitted to exceed 50,000 gallons per day; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTICELLO

1. That, the Village Sewer Department hereby authorizes Kaufman Bungalow Colony to join the Harris sewer District if they are not permitted to exceed 50,000 gallons per day.
2. This resolution shall be effective immediately.

RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTICELLO AUTHORIZING THE VILLAGE MANAGER TO SIGN AN OUTSIDE USER AGREEMENT FOR THE PROVISION OF SEWER SERVICES WITH YELLOW PARK APARTMENTS

WHEREAS, Woodlake Park, LLC, ("Woodlake") the owner of Yellow Park Apartments ("Yellow Park"), having its principal office and place of business at 1376 Coney Island Ave., Brooklyn, New York 11230, has requested to receive sewer services from the Village of Monticello ("Village") for Yellow Park Apartments at 189 Waverly Avenue in the Town of Thompson, more particularly described as Town of Thompson Tax Map SBL 29.-2-13; and

WHEREAS, the New York State Department of Environmental Conservation has encouraged the Sewer Department Superintendent and the Board of Trustees to approve the request, as it is projected to positively impact the environment; and

Minutes - Regular Village Board Meeting
04/17/06

WHEREAS, Yellow Park is outside of the limits of the Village and is not contiguous to the Village; and

WHEREAS, the proposed agreement shall require Woodlake to pay "outside user" rates for the services and shall require that in the event the property becomes contiguous with the Village, the property owner will annex to the Village; and

WHEREAS, the proposed agreement, once executed, shall become null and void upon the transfer of said property or any portion thereof, and any subsequent purchaser shall be required to enter into a new agreement with the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTICELLO

1. That, the Village Manager is hereby authorized to execute an outside user agreement with Woodlake Park, LLC, with respect to the provision of sewer services at 189 Waverly Avenue in the Town of Thompson, more particularly described as Town of Thompson Tax Map SBL 29.-2-13.
2. This resolution shall be effective immediately.

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

ADJOURNMENT

At 9:40 p.m., a motion was made by Trustee Jenkins, seconded by Trustee Marinello, unanimously approved on a roll call vote to adjourn the Regular Village Board meeting.

EDITH SCHOP, Village Clerk