

MINUTES
REGULAR MEETING OF THE BOARD OF TRUSTEES
VILLAGE OF MONTICELLO, N.Y.
TUESDAY, OCTOBER 10, 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:

Absent:

James Barnicle, Mayor
Gordon Jenkins, Trustee
Scott Schoonmaker, Trustee

Victor, Marinello, Jr. Trustee
Brian VanDermark, Trustee

Also Present: Tim Havas, Deputy Village Attorney
Arlene Glass, Grant Administrator
Douglas Solomon, Chief of Police
Bill Bertholf, Sewer Superintendent

**APPROVAL OF MINUTES OF BOARD MEETING OF SEPTEMBER 12, 2006
AND SPECIAL MEETING OF SEPTEMBER 25, 2006**

A motion was made by Trustee Jenkins, seconded by Trustee Schoonmaker, unanimously approved on a roll call vote to adopt the minutes of September 12, 2006 and Special Meeting of September 25, 2006 as presented.

MANAGER'S REPORT

New Municipal Parking Signs

Mayor/Manager Barnicle displayed new Municipal Parking Signs that will coordinate with the overhead signs on Broadway. These new green signs will replace the old blue signs that are at the current parking locations. These new signs were donated by the Monticello Chamber of Commerce.

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Next year green and white signs will be used when traffic needs to be detoured as a result of the reconstruction of Broadway.

Halloween Parade

Mayor/Manager Barnicle announced that the Halloween Parade will take place on Tuesday, October 31st at 5:30 p.m. with line up on St. John Street, which will be followed by a 3 on 3 basketball tournament under the lights at the basketball court for Middle School youths.

Skate Board Park

Mayor/Manager Barnicle announced that the skateboard equipment was delivered today and it will take about two days to install.

New Sidewalks - Jefferson Street

Mayor/Manager Barnicle announced that with the help of Arleen Glass, Grants Administrator and Supervisor Cellini and Senator Bonacic the Village will be receiving \$100,000 for new sidewalks that will be constructed on Jefferson Street from Sturgis Road (at the blinker light) to Wasser Way.

DISCUSSION OF HOME PROGRAM SHARED MUNICIPAL SERVICES GRANT APPLICATION - BY ARLEEN GLASS, GRANTS ADMINISTRATOR

Grant Administrator Arlene Glass explained that the Home Program is offering a new grant called the Shared Municipal Incentive Program. This is a program that will assist two or more municipalities to incorporate expenses or initiatives so both municipalities can share in the cost and receive 90% of the funding under this program. She further explained that there are two categories that would be of interest to the Village, one being the shared municipal services which are up to \$200,000 per municipality and the other one is the shared highway

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services incentive award. She suggested that the Village apply for a gasoline pump that would monitor the amount of fuel going into any of the vehicles as part of the metering system under the shared highway services incentive award which is up to \$300,000 per municipality. Ms. Glass recommended that the Village and Town apply for the Route 42 water lines under the Shared Municipal Services Incentive Grant Program also which would be revenue for the Village and it would be cost savings for the residents that are using a private company.

Trustee Schoonmaker was concerned that the Town is investigating moving the Town Hall to Rock Hill, and therefore the garage might also move to Rock Hill so there is a possibility that Village trucks would have to fill up there not on Jefferson Street.

Trustee Jenkins suggested that a shared piece of equipment could be a wood chipper which both the Town and Village are in need of.

RESOLUTION OF THE VILLAGE OF MONTICELLO TO AUTHORIZE PARTICIPATION IN THE SHARED HIGHWAY SERVICES INCENTIVE PROGRAM

WHEREAS, the NYS Department of State is soliciting applications for the Shared Municipal Services Incentive Grant Program, and

WHEREAS, the Shared Municipal Services Incentive Grant Program provides funding to municipalities to cover costs associated with joint highway equipment purchases, and

WHEREAS, the Village of Monticello wishes to participate with the Town of Thompson in the installation of an automated fuel billing system for a shared fuel facility and the purchase of a chipper, and

WHEREAS, the Village of Monticello will provide its 10% share of the purchase price which will be available from the highway department budget.

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NOW, THEREFORE, BE IT RESOLVED, that the Village of Monticello authorizes the Town of Thompson to submit an application on its behalf for funding under this Program; and

BE IT FURTHER RESOLVED, that the Mayor of Monticello be authorized and empowered to execute in the name of the Village all the necessary applications, contracts, and agreements necessary for participation in this program.

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

RESOLUTION OF THE VILLAGE OF MONTICELLO TO AUTHORIZE PARTICIPATION IN THE SHARED MUNICIPAL SERVICES INCENTIVE PROGRAM

WHEREAS, the NYS Department of State is soliciting applications for the Shared Municipal Services Incentive Grant Program, and

WHEREAS, the Shared Municipal Services Incentive Grant Program provides funding to municipalities to cover costs associated with shared services, capital improvements and other necessary improvements, and

WHEREAS, the Village of Monticello wishes to participate along with the Town of Thompson for shared water services, and

WHEREAS, the Village of Monticello will provide a 10% share of the cost which will be available from the water department budget.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Monticello authorizes the Town of Thompson to submit an application on its behalf for funding under this Program, and

BE IT FURTHER RESOLVED, that the Mayor of Monticello be authorized and empowered to execute in the name of the Village all the necessary applications, contracts, and agreements necessary for participation in this program.

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RESOLUTION AUTHORIZING APPROVING PAYMENT #5 TO J. NOSENCHUK CO. IN THE AMOUNT OF \$3,683.60 FOR CONSTRUCTION OF NEW RECHLORINATION STATION ON EAST DILLON ROAD

WHEREAS, there has been a problem with unclear water on what is known as "Miller's Hill"; and,

WHEREAS, the Village Engineer and the Water Superintendent recommended constructing a new rechlorination station on East Dillon Road to alleviate the problem; and,

WHEREAS, the building foundation and floor slab is in place, the water main vault is completed in East Dillon Road and the water service connection and drain pipe installation has been completed; and,

WHEREAS, the Village Engineer and Clarence Decker, Water Treatment Plant Superintendent has recommended that the fifth and final payment in the amount of \$3,683.60 be paid to J. Nosenchuk Co. the remaining amount of 5% retainage fee.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Monticello does hereby approve payment No. 5 in the amount of \$3,683.60 to J. Nosenchuk Co. for the work completed for the construction of a new rechlorination station on East Dillon Road.

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

RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO SIGN AN AGREEMENT WITH ORVILLE TRACY TO ISSUE A LICENSE FOR THE VILLAGE TO PROVIDE WATER SERVICE TO THE PREMISES AT 88 PLEASANT STREET EXTENSION

WHEREAS, the Village Board has authorized the Village Attorney to negotiate with outside users of Village Water service; and,

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WHEREAS, the premises at 88 Pleasant Street Extension have requested receiving water service from the Village of Monticello; and,

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Monticello does hereby authorize the Village Manager to sign said agreement with Orville Tracy receive water service as an outside user at 88 Pleasant Street Extension.

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

ORDERING BILLS PAID

A motion was made by Mayor Barnicle, seconded by Trustee Schoonmaker, unanimously approved on a roll call vote that the bills audited by the Auditing Committee of the Board of Trustees and appearing on the Abstracts of the bills herewith submitted are ordered paid.

OLD BUSINESS

Public Comment Remarks

Betty Friedland felt that she had been treated poorly by the Mayor during public comment at the last meeting and defended the public's right to speak up.

Watch Dog Group

Betty Friedland thanked the Watch Dog Group for all their efforts.

Brush Pickup

Betty Friedland questioned the Village's policy on picking up limbs and brush on resident's properties since it appears to be subjective enforcement. Some people's brush is picked up by the Highway Department while other residents are give citations by the Code Enforcement Officer.

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Fialkoff's Dumpsters

Betty Friedland noted that at the last Board meeting she brought the number of dumpsters at Fialkoff's that looks like a dump and Mr. Reynolds said that because the landfill is closed on Saturdays that caused some of the problems. She felt that if Fialkoff's had more dumpsters, more code enforcement, along with recycling there would not be such a serious problem.

Mayor Barnicle responded that the Village will be trying to address this problem during the winter months and have a solution come next spring.

Eye Sore Reports

Betty Friedland noted that she handed in 44 eyesore reports to the Code Enforcement Officer that she gathered within 15 minutes in her neighborhood and on Broadway. She felt that if a taxpayer can find that many eyesores within 15 minutes, what does it say for this entire community. She was concerned that some of the violations she noticed were on Village right of ways such as on High Street and on Atwell Lane where grass is not being trimmed. Ms. Friedland also noted the Justice Court building is also an eyesore.

Mayor Barnicle responded that because of the increased load of the violations, the Court has gone from one court date per month to three for these code violations and they are being processed as quickly as possible. The Mayor explained that regarding the Village's work they are limited because of the lack of manpower. The Mayor explained that once the Fire District has assumed the bonding responsibilities the Justice Court building will cannot be handled because at this time the Village has no bonding power to borrow money. The plan is to demolish the front of that building, increase the parking lot and move the court into the old fire house with an expanded police department.

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Betty Friedland was concerned about the hazard on the second floor of the old Napoli Building (on the corner of Broadway and Landfield Avenue) where a window is hanging precariously and could fall on an unsuspecting pedestrian.

Trustee Jenkins explained that the Village is going to get very aggressive on these violations and he would like to have the fines increased.

Acting Village Manager's Salary

Betty Friedland questioned if Mayor Barnicle as Acting Village Manager is being paid an additional salary and, if so, when did the Board approve this salary increase.

Mayor Barnicle responded that he is being paid an extra salary as Acting Village Manager and he did not receive any additional money until the increase was approved. The matter was decided in Executive Session.

Betty Friedland did not believe this could be approved in Executive Session.

Mayor Barnicle indicated that the Village Attorney will research the matter and find out whether the Village did it incorrectly.

Trustee Jenkins and Trustee Schoonmaker both indicated that he never voted on this pay increase of \$2,000 per monthly, although it was discussed.

Deputy Attorney Havas felt this matter should be discussed in Executive Session.

Interview Process For New Village Manager

Betty Friedland questioned whether the interview process has begun for the new Village Manager?

Mayor Barnicle responded that the resumes are in the hands of the Community Review members who are screening the resumes and they will make a recommendation to the Village

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Board as to who they feel are the best candidates.
Betty Friedland questioned who is serving on this screening committee?

Mayor Barnicle responded that the members are David Rosenberg, Elaine Williams, Ed Motl and Howard Perlman.

Mayor Barnicle explained that each Board member was asked to submit the name of a person to serve on this committee.

Trustee Schoonmaker demanded that David Rosenberg be removed from this committee.

Trustee Jenkins felt that the Board never approved who would sit on the Community Review Committee, nor did he submit a name because he feels that the Village Board members should have all the responsibility of selecting a new Village Manager.

Deputy Attorney Havas felt this is a personnel matter that should be discussed in Executive Session.

Group Home Legality

Betty Friedland indicated that at the Village Board meeting on August 21st the Mayor responded to a property owner's concerns about a number of people living in a single family home as a "group home", and therefore, exempt from the regulated zoning codes. She explained that she has done some research on this matter and felt that this law only pertains to New York State sanctioned group homes under strict guidelines, not by unrelated people forming a "living bond". She asked that Mayor consult with the Village Attorney to find out the legal status as to why this can be classified as a group home.

Dirty Water Problems

Betty Friedland brought in a water filter from her home that was orange colored and indicated that the new installed rechlorination station has not remedied the discolored water coming into homes on the "Miller Hill" section of the Village.

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Code Enforcement Issues

Marie Ng asked that members of the community be deputized to help the Village issue code violations to lighten the load of that department.

The Deputy Village Attorney responded that the legality of this request must be fully researched as there might be liability concerns.

Marie Ng was concerned that the old Rhulen building is not being demolished quickly as it is a eyesore especially with the bad weather coming.

Marie Ng questioned whether the Turick properties are in the Village or Town?

The Mayor responded that the Village and Town will be coordinating the code enforcement calls.

Village Concerns

Trustee Schoonmaker was concerned that the Village did not coordinate the curbing with the NYSDOT in front of the police station forcing the police cars to park on the roadway or away from the police station in the municipal lot. Trustee Schoonmaker cautioned the Board not to let this type of oversight happen on the Broadway project.

Sidewalk Repairs

Richard Kelly, a Village resident felt that the old sidewalks should be repaired before new sidewalks on Jefferson Street are installed.

The Mayor explained that the Grant is only for new sidewalks in the Village not to repair the ones already in existence.

EXECUTIVE SESSION

At 7:50 p.m., a motion was made by Trustee Jenkins, seconded by Trustee Schoonmaker, on a roll call vote as follows: Trustee Schoonmaker, nay; Trustee Jenkins, aye;

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Mayor Barnicle, aye; to move into Executive Session to discuss possible litigation and a personnel matter involving a particular person. Motion failed due to a lack of a majority vote. 1 nay - 2 ayes.

*Trustee Schoonmaker indicated in voted against the Executive Session because two members of the Board were absent and he felt the matters being discussed should be before the entire Village Board.

Mayor Barnicle explained that there are some sensitive issues that need the Board's consideration this evening.

ADJOURNMENT

At 7:53 p.m., a motion was made by Trustee Jenkins, seconded by Trustee Schoonmaker, unanimously approved on a roll call vote to adjourn the Regular Village Board meeting.

EDITH SCHOP, Village Clerk

