

MINUTES
REGULAR MEETING OF THE BOARD OF TRUSTEES
VILLAGE OF MONTICELLO, N.Y.
MONDAY, OCTOBER 15, 2007

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
Victor, Marinello, Jr., Trustee
Brian VanDermark, Trustee

Scott Schoonmaker, Trustee

Also Present: Ray Nargizian, Village Manager
John Barbarite, Deputy Village Manager
E. Danielle Jose, Village Attorney
Tim Havas, Deputy Village Attorney
Clarence Decker, Water Superintendent
Bill Bertholf, Sewer Superintendent
Douglas Solomon, Chief of Police

APPROVAL OF MINUTES BOARD MEETINGS OF OCTOBER 1, 2007

A motion was made by Trustee VanDermark, seconded by Trustee Marinello, unanimously approved on a roll call vote to adopt the minutes of the meeting of October 1, 2007 as presented.

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OLD BUSINESS

Annual Halloween Parade

The Mayor announced that the Village will sponsor this year's Halloween Parade on Wednesday, October 31st at 5:30 p.m. on Lakewood Avenue and step off at 6 p.m.

4th Annual Halloween 3v3 Basketball Tournament

The Mayor announced that at about the same time, the 4th annual Halloween 3v3 Basketball Tournament will begin.

2nd Annual Skate Night

The Mayor announced that because the temporary lighting supplied by the Rental Center will be at that location, on Thursday, November 1st the 2nd Annual Skate Night will be held from 6 p.m. to 8:30 p.m.

MANAGER'S REPORT

Two search Warrants executed in the Village of Monticello resulted in 3 felony arrests.

Search warrant #1 was executed on Thursday 10/11/07 at Hillside garden apts. Officers recovered counterfeit U.S. currency and also a small quantity of marihuana. The execution of this search warrant was a result of a joint investigation with the Sullivan County Sheriff dept.

Search Warrant #2 was executed on Fri. 10/12/07 at the Monticello Garden Apts. Multiple counts of criminal sale of a controlled substance in the 3rd degree, possession of a controlled substance in the 3rd and 4th degree, misdemeanor endangering the welfare of a child and unlawful possession of marijuana. Officers recovered approximately 6 grams of crack cocaine and also marihuana from the residence. The execution of this search warrant was a result of a joint investigation with the mid-Hudson drug enforcement task force.

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Part of our successful crime fighting strategy is our cooperation policy with other law enforcement agency. I tip my hat to our police dept. in their diligent effort to making Monticello a safer and better place to live.

Our cooperative "impact patrol initiative" has resulted in 677 arrests.

100 of those arrests were Felony arrests.

Drug related arrests have added up to 229 arrests.

DWI related arrests have added up to 48

There have been 175 arrests involving either a suspended operators license or suspended registration.

121 arrests involving outstanding warrants.

19 firearms have been removed from the streets of Monticello.

Our Building and code enforcement dept. is working hard to see to it that all our building structures are safe. In the course of checking out health and safety issues they have closed approximately 30 buildings.

On Tuesday Oct. 2, I met with Ray Sheenan of the International Boxing Academy of Monticello to further our discussion of bring to the Village a boxing club. In part, their Vision Statement includes the following: To produce World and Olympic Champions in Olympic-style boxing who are spiritually and emotionally healthy and who have the educational and moral background to be successful and happy in their lives. This evening I hope a resolution can be passed, so that we may proceed with venture.

Tues Oct. 2, our board of Trustees had a joint meeting with the Town of Thompson board to annexation of two parcels of land from the Town into the Village of property located on route 17b. These parcels will be used for the purpose of building a Hotel. This will increase our tax base.

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Wed Oct 3, we met with the Red Cross. They will participate in our Halloween Parade. The mayor tonight will issue a proclamation tonight in support and honoring the Red Cross for the work they do helping others.

Wed Oct 3, the County called a press conference announcing the passed resolutions regarding the Counties willingness to take on the job of collecting Delinquent Real estate taxes. This momentous cooperative agreement will in effect act as the catalyst to cure the Villages Delinquent real property problem.

On Thursday Oct. 4, Glenn Smith our engineer, Mayor Jim Barnicle and I met with NYSEG. We discussed the removal of the trees on Broadway in preparation for the Broadway project which will hopefully begin this summer.

On Thursday Oct. 4, the Village met with Empire Resorts with our sewer, water, and building Dept. to discuss preliminary need, should the Indian Casino be approved.

On Fri. Oct. 5, Village officials attended the Grand opening, ribbon Cutting session for Every Day Apparel. We wish them success in their endeavor.

Since the Resolution passed regarding the County helping the Village recovers delinquent real estate Taxes I must commend Edith Schop for her expertise and ability to work hand in hand with Nancy Buck to expedite the necessary commingling of computer data. Thank you Edith.

George R Popp from the Unites States Department of Agriculture met with Village officials to discuss Grant Monies and low interest loans for our water and sewer dept. We will submit the necessary paper work immediately.

On Wed. the 10th, I met with Aileen Gunther to discuss the disproportionate amount of monies the Village received from the State regarding the Racino.

This week I spoke with Alan Kesten and Gary Putter regarding increasing taxi medallions. It is my opinion and recommendation that this board table for six months any decision regarding the increase of medallions. Much can

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happen in our Village in the next 6 month that can affect the amount of taxi's need to service our residents. We also need to study our code and figure out how we are going to distribute said medallions.

PUBLIC COMMENT

Roller Rink Removal

Becky Whipple thanked the Village for finally removing the roller rink on Dillon Road.

Village Conditions

Becky Whipple note that she recently returned from a trip to Egypt and visited a town that four years ago was considered the dirtiest town in the world, however within four years they made it the second cleanest town in the world. She felt that if they can do that, than the Village of Monticello should be able to do the same possibly in a shorter time.

Harry Brantz agreed that the Village is filthy and needs cleaning up with the cooperation of all the residents. He felt that people who litter should be arrested and made to clean up their mess. He felt the Village should organize a neighborhood watch to alert law enforcement of any violations. He was also concerned about the "hoodlums" being the only people out on Broadway. He questioned whether the two employees were ever hired to keep the Village clean?

PUBLIC HEARING REGARDING THE ADOPTION OF LOCAL LAW NO. OF 2007 OF THE VILLAGE OF MONTICELLO ENTITLED "A LOCAL LAW AMENDING THE VILLAGE OF MONTICELLO ZONING LAW AND ZONING MAP AMENDING CERTAIN PARCELS LOCATED ALONG BROADWAY, ST. JOHN STREET AND BEDFORD AVENUE

Mayor Barnicle opened the public hearing at 7:15 p.m.

Applicant's Attorney Walter Garigliano explained that this is an amended request for a rezoning of a number of parcels behind Broadway which are adjacent to the core business district, as well as some parcels on St. John Street. The

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applicants are Robert Green, Jackie Ricciani, Randolph Katz and Carmen Rodriques and two parcels on St. John Street and Bedford Avenue that were added at the request of the Village which have had a long list of enforcement actions. These parcels are presently zoned either RM or R-2 and the request would be to change the zoning of those parcels from the present zoning to a B1-0 classification and B-2. Each district allows one family houses, two family houses and professional offices which are uses that we feel are particularly relevant to these areas. He also noted that Dr. Katz's property is presently split in the RM zoning and the B-2 zone, and since this action is pending Dr. Katz has had an offer to buy the property and bring a business into the Village.

Barbara Burton was opposed to this rezoning request.

The Deputy Village Attorney reported that the Planning Board declined to make a recommendation for this zoning proposal as well as another one held on the same evening because they felt that before making any recommendation the Village should review the present zoning with a view towards a comprehensive plan to make the overall zoning fit this century and to make a recommendation would make the zoning piecemeal. He indicated that the Planning Board's basic viewpoint on any zoning change that is requested is first to do a comprehensive plan.

Dr. Marc Hudes agreed with the Planning Board's decision to review the present zoning.

Mayor Barnicle explained that the Village is entertaining a proposal from General Code to recodify the Village's codes, etc. He did not know if the Board tables this application whether those who are not in compliance will be allowed to continue their business without a positive decision being made.

Ed McManus, a resident of Lincoln Place agreed with Dr. Hudes suggestion.

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Dennis Diuguid, a resident of Lake Street also agreed with Dr. Hudes and felt it would be in the best interest of the Village to wait for the recodification and rezoning of the area.

The Mayor asked for a show of hands as to what those in the audience feel regarding leaving the present as is.

The majority of the residents were in agreed that the Board take no action.

Trustee Jenkins felt the Village Board should take into consideration the Planning Board's recommendation, as well as the comments by the residents and felt the Village is showing favoritism by considering this request. He felt the County will recommend approval so sending to them for a review is useless and the Board should just vote it down as the public has implied.

The Deputy Village Attorney reminded the Village Board that there is more than one applicant.

Dennis Diuguid felt the Village Board should not make any changes at this time.

Roz Sharoff felt that although she wants progress amending the laws is self serving and many of the residents do not want more commercial properties.

Debbie Mack felt the Board should be consistent.

Liz Bradfield, a Lake Street resident agreed with the other residents. She did not want to see the corner lot on Bedford and St. John Street turned a blacktop parking lot.

Trustee VanDermark indicated that this was sent to the Planning Board to get their recommendation and personally he agreed with their advice, and suggested that the other Board members do the same.

The Mayor noted that basically the Planning Board did not make any recommendation to the Village Board other than that the Village Board reviews the zoning code in total.

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Dennis Diuguid felt that the Village Board should vote against the rezoning as the Planning Board recommended not to take any action and after a study has been made of the entire zoning areas of the Village with input from the residents of each section of the Village than a decision should be made.

Thomas Mack, a Lake Street resident suggested that the Board hire consultants to look at the matter. He felt a proposal of this type was already brought before the Board and rejected and now the same people are bringing up the issue again and these people are not supposed to be there in the first place. He felt that other property owners will try the same tactic by putting an illegal business in a premise and than ask the Board to change the zoning to make it legal. He felt the Board needs to put a stop to this type of conduct.

Debbie Mack felt that the Village Board should make the decision, not the County since this Board is the voice of the Village residents.

As there were no other comments, Mayor Barnicle closed the public hearing at 7:53 p.m.

Deputy Attorney Havas recommended that the matter be referred to the County Planning Department for a 239m Review and after the Village Board receives their recommendation then a final decision should be rendered by the Village Board. He felt that in his opinion, whatever the Board's predisposition is or viewpoint is, if the matter is, if you don't follow the procedure, whatever decision the Board makes for or against is invalid unless the proper procedures are taken and if not the decision could be challenged.

The Clerk was directed to bring the file to the County for a 239m Review.

The matter will be decided at the November 19th meeting when the 239m review has been received back from the County Planning Department.

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MONTICELLO BOARD OF TRUSTEES DECLARES ITSELF LEAD AGENCY

A motion was made by Trustee VanDermark, seconded by Trustee Marinello, unanimously approved on a roll call vote to declare the Village Board Lead Agency for the rezoning request.

ENVIRONMENTAL ASSESSMENT REVIEW - LONG FORM PART II

The Village Board reviewed the EAF Part II and it was agreed that there would be no environmental impact.

Chairman asked if anyone had any comments or issues regarding the Environmental Assessment Review. There were no comments at this time.

RESOLUTION DECLARING A NEGATIVE DECLARATION - REZONING REQUEST AMENDING CERTAIN PARCELS LOCATED ALONG BROADWAY, ST. JOHN STREET AND BEDFORD AVENUE

WHEREAS, upon review of the information recorded on the EAF, Parts 1 and 2 and other supporting information; and,

WHEREAS, considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

The project will not result in any large and important impacts and, therefore, this will not have a significant impact on the environment.

NOW, THEREFORE BE IT RESOLVED, the Monticello Planning Board does hereby declare a negative declaration for this action.

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

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RESOLUTION APPROVING ANNEXATION PETITION FOR PROPERTY AT 1 HAY STREET AND ADOPTING LOCAL LAW NO. 16 OF 2007 TO ANNEX PROPERTY TO THE VILLAGE OF MONTICELLO ON STATE ROUTE 17B, AND FORMERLY KNOWN AS TOWN OF THOMPSON TAX PARCEL SECTION 18, BLOCK 1, LOT 19 AND SECTION 18, BLOCK 1, LOT 21 PROPERTY TO BE REFERRED TO THE ZONING OFFICER FOR PROPER ZONING

WHEREAS, the Board of Trustees have held a joint public hearing with the Town of Thompson Town Board to review and discuss the annexation of property into the Village of Monticello formerly known as SBL 18-1-19 and 18-1-21; and

WHEREAS, the Village of Monticello Board of Trustees previously approved the annexation petition; and

WHEREAS, simultaneously with the Village's approval of said petition, the Town of Thompson Town Board had approved the annexation petition; and

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to article 8 State Environmental Quality Review Act (SEQRA) it has been determined by the Board of Trustees of said Village that adoption of said proposed Local Law would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQRA, and

WHEREAS, the Board of Trustees of the Village of Monticello, after due deliberation, finds it in the best interest of said Village to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Monticello hereby adopts said Local Law No. 16 of 2006, entitled a Local Law Annexing Property into the Village of Monticello and Formerly Known as Town of Thompson Tax Parcel Section 18, Block 1, Lot 19 and 21 and Property to Be Referred to the Zoning Officer for Proper Zoning; and be it further

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RESOLVED, that the Village Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Village of Monticello, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

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 POLICE TO ENFORCE A CURFEW ON FRIDAY OCTOBER 26 2007 AT 9:00 P.M. TO 6 A.M. EACH NIGHT THROUGH THURSDAY, NOVEMBER 1, 2007

WHEREAS, the Village of Monticello feels that it is in the best interest for the health, safety and welfare of the Village residents to declare a curfew as of 9:00 p.m. for all youth 18 years and younger not in the company of a parent, and;

WHEREAS, the Chief of Police has recommended that the curfew be extended through the weekend to avoid any potential problems.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Monticello does hereby authorize the Monticello Police Department to enforce a curfew from Friday, October 26, 2007 beginning at 9:00 p.m. to 6 a.m. each evening through Thursday, November 1, 2007.

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 LINDA L. MORGAN-KENNY, INTERDISCIPLINARY YOGA INSTRUCTOR AT THE TED STROEBELE RECREATION CENTER

WHEREAS, the Park & Recreation Department will be offering a Yoga course at the Ted Stroebele Recreation Center; and,

WHEREAS, Linda L. Morgan-Kenny has agreed to organize and teach Yoga Classes; and,

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WHEREAS, Linda L. Morgan-Kenny has submitted certification of her qualifications for instructing this course with a Certificate from Nosara Yoga Institute in interdisciplinary Yoga Teacher Training.

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 with Linda L. Morgan-Kenny, as a Yoga Instructor at the Ted Stroebele Recreation Center in a form to be approved by the Village Attorney.

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 CHERI BURNS TO HOLD A SCRAP BOOKING CLASS

WHEREAS, the Park & Recreation Department will be offering a Scrap booking class at the Ted Stroebele Recreation Center; and,

WHEREAS, Cheri Burns has agreed to organize and teach a scrap booking class; and,

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 with Cheri Burns, as a Scrap Booking instructor at the Ted Stroebele Recreation Center in a form to be approved by the Village Attorney.

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

RESOLUTION BY THE BOARD OF TRUSTEES PERMITTING RENEWAL OF A BUILDING PERMIT AT THE REDUCED BUILDING PERMIT FEE RATE REGARDING PROPERTY LOCATED WEST BROADWAY, VILLAGE OF MONTICELLO TAX MAP SBL 109A-1-1.1 AND 109A-1-2 - (DUNBAR TOWERS)

Discussion - Deputy Manager Barbarite explained that the Village Code permits a renewal of a building permit at one-half the normal fee if the application to renew is made

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30 days prior to the expiration of the original building permit. This developer missed that date and weren't aware that their permit expired until they were notified by the bank who was about to release money but wouldn't do it unless they had a valid building permit. For this reason the developer was asked to pay the full amount with the discretion being given to the Village Board as to whether they wanted to refund one-half the entire fee.

The Mayor felt that the Board being "building friendly" does the Board want to amend the fee so the developer doesn't get hurt financially.

The Village Manager felt that the Village has to take a certain amount of responsibility because we were fully aware that this project was not going to be completed in one year and the developer was never notified that the permit was expiring.

The Village Attorney indicated that she is concerned about the Village giving the developer an illegal gift that would be unconstitutional. The amount being forgiven is \$12,500. She also felt with respect to responsibility and dates the onus should be on the developer not the Village's. She advised the Village Board not to pass this resolution.

Trustee VanDermark agreed with the Village Attorney and felt that developers know the rules and are building throughout the state or elsewhere and felt that it is the builder's responsibility to renew a permit prior to the expiration date.

Mayor Barnicle was concerned that the Board not do anything illegal.

WHEREAS, Chapter 290A of the Village Code permits a Building Permit to be renewed for "1/2 of the original fee but in no case less than the original base fee, whichever is greater, if renewal is submitted at least 30 days prior to expiration date of original"; and

WHEREAS, the current owner did not submit the renewal at least 30 days prior to the expiration date of the original building permit; and

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WHEREAS, the present owners have shown good cause for having failed to submit the renewal at least 30 days prior to the expiration date of the original building permit; and

WHEREAS, the property owner has indicated that payment of the entire fee would be burdensome; and

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 permit renewal of the Building permit for property located at West Broadway, SBL # SBL 109A-1-1.1 AND 109A-1-2 (Dunbar Towers), at the reduced building permit renewal rate; and this resolution shall be effective immediately upon signature of the Village Clerk.

A motion was made by Trustee Marinello, seconded by Trustee VanDermark, disapproved on a roll call vote as follows: Trustee Gordon, nay; Trustee Marinello, nay; Trustee VanDermark, nay; Motion denied - 3 nays - 0 ayes.

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 17 OF 2007 AMENDING THE VILLAGE CODE WITH RESPECT TO STRIPPING OF LAND

WHEREAS, the Village Board has determined that the needs of the Village would be better served by specifically defining "Stripping of Land" in the Village Code; and

WHEREAS, to that end, the Village wishes to amend the Village Code by specifically defining "Stripping of Land" in the Village Code; 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 17 of 2007 amending section 280-40 of the Village Code with respect to stripping of land; and

NOW, THEREFORE, it is hereby **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

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at 7:00 p.m. on November 5, 2007, 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 VanDermark, seconded by Trustee Marinello, 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 NO. 18 OF 2007 AMENDING CHAPTER 89 THE VILLAGE CODE WITH RESPECT TO ANIMAL SHELTERS AND PENS

WHEREAS, the Village Board has determined that the needs of the Village would be better served by specifically regulating animal pens in the Village of Monticello; and

WHEREAS, to that end, the Village wishes to amend the Village Code by setting forth said regulations in Section 89-14 of the Code 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 No. 17 of 2007 amending Chapter 89 of the Village Code with respect to animal shelters and pens; and

NOW, THEREFORE, it is hereby **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 November 5, 2007, 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.

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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 NO. 19 OF 2007 AMENDING CHAPTER 89 THE VILLAGE CODE WITH RESPECT TO "CERTAIN ANIMALS PROHIBITED"

WHEREAS, the Village Board has determined that the needs of the Village would be better served by specifically prohibiting certain animals; and

WHEREAS, to that end, the Village wishes to amend the Village Code by naming the specific animals to be prohibited in Section 89-6 of the Code 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 No. 19 of 2007 amending Chapter 89 of the Village Code with respect to the prohibition of said animals; and

NOW, THEREFORE, it is hereby **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 November 5, 2007, 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.

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**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. 20 OF
2007 AMENDING CHAPTER 98 THE VILLAGE CODE WITH RESPECT TO
REGISTRATION OF BICYCLES**

WHEREAS, the Village Board has determined that the needs of the Village would be better served by eliminating the provisions of the Village Code dealing with registration of bicycles in the Village of Monticello; and

WHEREAS, to that end, the Village wishes to amend the Village Code by eliminating Article II of Chapter 98 of the Code of the Village of Monticello in its entirety; 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 20 of 2007 amending Chapter 98 of the Village Code with respect to registration of bicycles; and

NOW, THEREFORE, it is hereby **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 November 5, 2007, 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 Jenkins, 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 NO. 21 OF
2007 AMENDING CHAPTER 112 THE VILLAGE CODE WITH RESPECT TO
DEMOLITION OF BUILDINGS**

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WHEREAS, the Village Board has determined that the needs of the Village would be better served by requiring permittees desiring to demolish a building to post a bond to ensure that the property is filled, leveled, seeded and mulched following the demolition of the building in question; and

WHEREAS, to that end, the Village wishes to amend the Village Code by providing a procedure for the posting and administration of said bonding; 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 No. 21 of 2007 amending Chapter 112 of the Village Code with respect to demolition of buildings; and

NOW, THEREFORE, it is hereby **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 November 5, 2007, 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 VanDermark, seconded by Trustee Marinello, unanimously approved on a roll call vote to adopt the above resolution.

RESOLUTION APPROVING EMERGENCY PURCHASE FOR REPAIR OF TWO (2) DRAFT TUBES FOR THE SEWER TREATMENT PLANT IN THE AMOUNT OF \$7,200.00

WHEREAS, the Monticello Sewer Department is in need of Emergency Repair of two (2) Draft Tubes; and,

WHEREAS, the plant is violating our discharge permit and the NYSDEC has notified the Sewer Department to complete this work as soon as possible or face fines.

WHEREAS, there is funds in the 2007/08 FY budget to purchase the two draft tubes.

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NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Monticello does hereby approve the emergency purchase of two (2) Draft Tubes in the amount of \$7,200.

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 A LICENSE AGREEMENT WITH INTERNATIONAL BOXING ACADEMY OF MONTICELLO FOR USE OF THE OLD FIREHOUSE TO CONDUCT A YOUNG MEN'S BOXING PROGRAM

WHEREAS, International Boxing Academy of Monticello (IBAM) has requested the Village of Monticello to allow exclusive use of the meeting room of the old firehouse for the purposes of conducting a young men's boxing program during specified times; and

WHEREAS, in consideration for said license, International Boxing Academy of Monticello shall make payment to the Village of Monticello \$1.00 per month for the term of the license agreement; 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 License Agreement with IBAM memorializing the aforementioned conditions;

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

1. That the Village Manager shall be and hereby is authorized to sign a License Agreement, the final form of which to be approved by the Village Attorney, with IBAM with respect to the old firehouse, allowing IBAM use of the meeting room for the purposes of conducting a young men's boxing program during specified times; 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 Marinello, seconded by Trustee Jenkins, unanimously approved on a roll call vote to adopt the above resolution.

RESOLUTION AUTHORIZING 2005 COMMUNITY BLOCK GRANTS TO GARY & MONA TUGENDER, MPJ, INC., THE BAGEL BAKERY AND ROY HOWARD

Discussion - Grants Administrator Caroline Hayes explained that this is the final funds in the Village's CBDG 2005 Block Grant that needs to be disbursed or the money will be lost. This must first be approved by the Community Board before these applications are accepted.

WHEREAS, Gary & Mona Tugender, MPJ, Inc. the Bagel Bakery and Roy Howard have applied for a 2005 Community Block Grant; and,

WHEREAS, the Community Board will review all documentation from each of these entities and determine whether they meet all the qualifications.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Monticello does hereby authorize that Gary & Mona Tugender, MPJ, Inc. the Bagel Bakery and Roy Howard be the recipients of the 2005 Community Block Grant Program pending receipt of all documentation, review and approval of the Community Board.

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

PROCLAMATION - HOME FIRE SAFETY DAY

Mayor Barnicle read the Proclamation proclaiming October 20, 2007 in the Village of Monticello as Home Fire Safety Day.

Boxing Academy In Firehouse

Roz Sharoff questioned whether the firehouse is safe to have boxing in it?

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The Mayor responded that the room will be inspected as they do the repair work and remodeling, but it is safe.

Roz Sharoff felt that he could be repaired for the boxing but it could not be repaired for the courthouse.

The Mayor noted that only the meeting room is being used which did not have asbestos and the participants are using a back staircase which is not handicap accessible. He noted that there are multiple reasons why it can be used for boxing, but it couldn't be used for a courtroom.

PUBLIC DISCUSSION ON ADDITIONAL TAXI MEDALLIONS

The Village Attorney indicated that at this time the Village Manager is recommending that the Board take no action because he does not believe the Village has enough information and for other reasons already stated.

Mayor Barnicle asked if any Board member would make a motion for the Village to schedule a public hearing for a local law regarding the Village issuing additional taxi medallions and setting the cost of these medallions.

Trustee Jenkins felt that Mr. Putter has been asking for more medallions to be issued and he felt the matter should not be tabled for six months. He felt that there is a need for additional medallions as it can take up to 30 minutes for a cab to come to a designated location.

The Village Manager indicated that he has spoken with the owner of Sureway and Yellow Cabs and Mr. Kesten's view is that additional medallions are not need presently, but they might be needed in the summer or if the casino opens. Also, he mentioned to both gentlemen that a fair market value has been established at \$30,000 which is the amount Sureway paid Mr. Kesten the owner of Yellow Cab Company for his five medallions recently. Mr. Putter indicated that he would not pay \$30,000 for a medallion and Mr. Kesten doesn't think we need the additional medallions now, so therefore, the matter should be postponed since neither of them are interested. He also noted that the Village would have to look into how these medallions would be distributed by auction, or by an advertisement or a lottery system.

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The Village Attorney indicated that any Board member can direct the Village Clerk to put the matter back on the agenda.

Mr. Putter felt that when the medallions were sold by Mr. Kesten to Mr. Valone five years ago he actually sold him 22% of his existing business. The new medallions have no customers attached to them and have not been worked into a business.

The Village Manager disagreed with Mr. Putter as he only sold the medallions not his client list, and therefore the price for each medallion was established at \$30,000 each.

The Mayor directed the Deputy Village Manager to survey surrounding communities (villages of a similar size) to find out how they issue new medallions and at what cost.

ADJOURNMENT

At 8:42 p.m., a motion was made by Trustee Marinello, seconded by Trustee VanDermark, unanimously approved on a roll call vote to adjourn the Regular Village Board meeting.

EDITH SCHOP, Village Clerk