

MINUTES
REGULAR MEETING OF THE BOARD OF TRUSTEES
VILLAGE OF MONTICELLO, N.Y.
MONDAY, JANUARY 28, 2008

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

**APPROVAL OF MINUTES OF BOARD MEETINGS OF JANUARY 7, 2008 AND
SPECIAL MEETING OF JANUARY 11, 2008**

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 January 7, 2008 and the Special Meeting of January 11, 2008 as presented.

OLD BUSINESS

Mayor Barnicle reminded everyone to vote in the Presidential Primary Election on Tuesday, February 5, 2008.

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MANAGER'S REPORT

On Monday, January 7th I delivered the "State of the Village" address to approximately 150 attendees. Highlights of the evening were Dave Hanlon, CEO of Empire Resorts informing all of Empire Resorts options regarding the Secretary of the Interior's decision not to allow Indian Gaming to move forward in Sullivan County or elsewhere.

Dave Hanlon on behalf of Empire Resorts handed over a check which will in part finance the underwriting of a water and sewer grant to upgrade our water and sewer infrastructure.

Other speakers were the Mayor, Betsy Conaty on behalf of our Park & Recreation Department, our Police Chief Doug Solomon who emphasized our record breaking police work is proactive not reactive response to crime in the Village. Edith Schop, who explained the benefits of the inter-municipal agreement between the County and the Village. John Barbarite who spoke about the Concord Project, Judge Finn who with judicial pride verbalized her pleasure in our new temporary courthouse and Glen Didaly, of our grant writing and engineering firm who spoke about revitalization of the Village of Monticello.

Special thanks to all the speakers and all the employees of the Village who helped contribute in making 2007 the year we have turned the corner.

On Wednesday, January 9th I received a call from the Department of Transportation (DOT) informing the Village that the State has agreed to reinstate installation of the decorative lighting for the Broadway project. Three years ago due to financial constraints the DOT removed from the Broadway project decorative lighting. After several months of intense negotiations the Mayor and I convinced the DOT that the right thing to do would be to install said lighting.

Without Mayor Barnicle's persuasive abilities and his tenacious persistence DOT would not have given in. Decorative lighting on the Pleasant Street project cost \$14,000 per lamp post. The Broadway project will have 64 decorative lamp posts. They will be "green friendly". If you do the math that amounts to an \$896,000 grant. Thank you Mayor Barnicle.

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On January 11th Village Officials and County Officials met with Jim Taylor. Discussions are under way as to whether a recycling operation such a Taylor Recycling is feasible for the County and Village.

On January 10th Treasurer Brenda Galligan and I met with Glenn Sutherland of Hudson Bank to discuss banking with them.

On Friday the 18th a meeting was held at the Village Hall regarding the newly renovated Victoria Building on Pleasant Street and Broadway. Village Officials and various Veterans' Organizations attended. The purpose of this meeting was to offer qualified Veterans a place to reside that would be an affordable improvement over their present living arrangements.

On Friday the 18th I met with representatives of Apollo Mall. We discussed the potential of developing that parcel.

Elizabeth Popovich, Director of the Sullivan County Red Cross has provided the Village of Monticello with a summary of the services provided by the American Red Cross from July 2007 - November 2007. They have responded to 16 emergencies, have provided 32 families with assistance, held 11 courses in Health and Safety in which 86 people have attended. Many thanks to the American Red Cross for providing 24 hour a day 365 days a year services to those in need.

Monticello Police have installed a much needed new police radio system. Two \$10,000 grants were provided by Senator John Bonacic and Assemblywoman Aileen Gunther. The new base radio has replaced an at time unreliable and antiquated system that was over 20 years old that had become unserviceable.

At 4 p.m. on February 1st the new temporary courthouse will be dedicated. For all those who would like to attend please do so. Refreshments will be served. The Honorable Judge Finn will preside.

Recycling Report-Deputy Village Manager Barbarite

Deputy Manager Barbarite reported that this month the recycling program began with an emphasis on education and persuasion to

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encourage residents to recycle. The first target area is from Pleasant Street down towards Waverly Avenue including both sides of Broadway, and the Lincoln and Roosevelt including Fairchild Place, as well as Garden and Floral Drive. A Village employee will be going door to door delivering and explaining the program and the literature, and then the procedure will be reviewed to decide whether residents are cooperating.

Mayor Barnicle noted that in the Village of Liberty, commercial establishments are not required to recycle. He explained that Liberty was the model, but that is why the Monticello is starting with residences route by route so we are successful and commercial establishment will be tackled last. He felt the summer guests will be the Village's other challenge as the recycling program progresses.

Trustee Schoonmaker questioned why the Village is not packaging the recycling as the sanitation building on Waverly Avenue has the machinery to do that, and the Village could than sell the recycling material and reap the profits?

Mayor Barnicle responded that the Village does not have the manpower, and it would not be cost efficient to hire employees just to do that task. He felt that in the future it might be possible, but not at this time.

MOMENT OF SILENCE-JAMES BICKHAM

Trustee Schoonmaker asked for a moment of silence in memory of James Bickham who was a long time member of the Monticello Fire Department for 42 years.

RESOLUTION GRANTING THE STATE OF NEW YORK AUTHORITY TO PERFORM THE ADJUSTMENT FOR THE OWNER AND AGREEING TO MAINTAIN FACILITES ADJUSTED VIA STATE-LET CONTRACT

WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction, or improvement of **Route 42 Broadway SH# 5490** in the **Village of Monticello** located in **Sullivan County, PIN 9013.26**, and

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WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the relocation and adjustment to water mains and appurtenances, pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on the contract plans relating to the project and meeting the requirements of the owner, and

WHEREAS, the service life of the relocated and or replaced utilities has not been extended, and

WHEREAS, the State will provide for the reconstruction of the above mentioned work, as shown on the contract plans relating to the above mentioned project.

NOW, THEREFORE, BE IT RESOLVED: That the **Village of Monticello** approves of the relocation of and adjustment to their water mains and appurtenances and the above mentioned work performed on the project and shown on the contract plans relating to the project and that the (name of municipality) will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans.

BE IT FURTHER RESOLVED, that **James Barnicle** has the authority to sign, with the concurrence of the **Village Board**, any and all documentation that may become necessary as a result of this project as it relates to the **Village of Monticello**, and

BE IT FURTHER RESOLVED, that the clerk of the **Village of Monticello** is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

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

RESOLUTION TO MAINTAIN HIGHWAY LIGHTING IDENTIFIED AS NYS ROUTE 42 STATE HIGHWAY 5490, BROADWAY AND JEFFERSON STREETS- MONTICELLO PIN 9013.26, COUNTY OF SULLIVAN

Resolution of the Village Board of the MUNICIPALITY of the Village of Monticello agreeing to maintain, repair and energize a highway lighting system on or along a highway within

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the geographical jurisdiction of the MUNICIPALITY, such highway identified as NYS Route 42 STATE HIGHWAY 5490, BROADWAY AND JEFFERSON STREETS- MONTICELLO, PIN 9013.26, County of Sullivan.

WHEREAS, the State of New York Department of Transportation proposes to construct a State Highway identified as **NYS Route 42 STATE HIGHWAY 5490, BROADWAY AND JEFFERSON STREETS - MONTICELLO , PIN 9013.26**, County of Sullivan within the geographical jurisdiction of the MUNICIPALITY of the Village of Monticello, and

WHEREAS, the MUNICIPALITY of the Village of Monticello approves of such project and desires to have a lighting system on such facility within its geographical jurisdiction, and

WHEREAS, the State of New York has agreed to provide as a part of the project the following items in connection with a lighting system:

1. Underground duct system, including conduits, pull boxes, hand holes and drainage pockets.
2. Ducts pull boxes and anchor bolts on structures.
3. Foundation for light standards.
4. Light standards and bracket arms.
5. Luminaries, wiring switches and ballasts and all other component necessary to complete the standard lighting system, provided that the MUNICIPALITY of the Village of Monticello agrees to maintain, repair and energize such lighting system for a period of 10 years or until such time as the COMMISSIONER, in his discretion, determines that such lighting and/or the maintenance of such lighting system is no longer necessary for such Highway.

NOW THEREFORE, the Village Board, duly convened, does hereby **RESOLVE**, the MUNICIPALITY of the Village of Monticello approves of the above subject project; and it is hereby further

RESOLVED, that the MUNICIPALITY of the Village of Monticello shall maintain, repair and energize such facility lighting system, and it is hereby further

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RESOLVED, that the Village Board of the MUNICIPALITY hereby authorizes the Mayor of the MUNICIPALITY of the Village of Monticello to enter into and execute an Agreement with the State of New York and through the Commissioner of Transportation to commit the MUNICIPALITY of the Village of Monticello to maintain, at its own expense, the lighting system on the above identified project, such agreement to provide that the maintenance shall include the repair and replacement of equipment and the furnishing of electric current for the lighting system, and

BE IT FURTHER RESOLVED, that the Clerk of this Board is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation at 44 Hawley Street, Binghamton, New York 13901 Attention Carol Chanitz, Region 9 Utilities Engineer.

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

RESOLUTION OFFERING AN OPTION TO ACTIVE EMPLOYEES TO "OPT OUT" OF THE VILLAGE HEALTH INSURANCE PROGRAM WITH A REIMBURSEMENT OF \$1,000 FOR 2008

WHEREAS, the Village of Monticello provides its active employees with full medical coverage; and,

WHEREAS, the Village of Monticello feels that it is economically beneficial to offer active employees the option to "opt out" of the health insurance plan.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Monticello does hereby offer all active Village employees the option to "opt out" of the Village health insurance program with a reimbursement of \$1,000 for the 2008 calendar year.

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

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**RESOLUTION AUTHORIZING ADOPTION BY THE VILLAGE BOARD OF THE
VILLAGE OF MONTICELLO OF LOCAL LAW NO. 1 OF 2008 AMENDING THE
VILLAGE CODE PROVIDING FOR THE REGISTRATION OF MULTIPLE
DWELLINGS**

WHEREAS, a resolution was duly adopted by the Village Board of the Village of Monticello for a public hearing to be held on November 17, 2007, at 7:00 p.m. at Village Hall, 2 Pleasant Street, Monticello, New York 12701 to hear all interested parties on said proposed Local Law 1 of 2008 providing for the registration of multiple dwellings; and

WHEREAS, notice of said public hearing was duly advertised in the Sullivan County Democrat, the official newspaper of said Village, on November 9, 2007; and

WHEREAS, said public hearing was duly held on November 19, 2007, at 7:00 p.m. at Village Hall, 2 Pleasant Street, Monticello, New York 12701, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

WHEREAS, the Board having sent the proposed law to Sullivan County Department of Planning and having received a positive review; and

WHEREAS, the Board of Trustees of the Village of Monticello has pursuant to part 617 of the implementing regulations pertaining to article 8 State Environmental Quality Review Act (SEQRA) that the proposed local law would not have a significant negative 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 proposed local law would not have a significant negative effect upon the environment; and be it further

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RESOLVED, that the Board of Trustees of the Village of Monticello hereby adopts said Local Law No. 1 of 2008; and be it further

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 AMENDING RESOLUTUION ADOPTED ON DECEMBER 17, 2007
AUTHORIZING THE PURCHASE OF A 2008 4X4 ONE TON UTILITY TRUCK FOR
THE SEWER DEPARTMENT TO INCREASE THE AMOUNT FROM \$27,106.93 TO
\$28,130.68**

WHEREAS, Truck #4 a 2003 Chevrolet Utility Truck was destroyed in a fire while parked at the Sewer Department and the vehicle was totalled; and,

WHEREAS, the insurance company awarded the Village a total loss settlement in the amount of \$21,112.50; and,

WHEREAS, the Sewer Department is in need of replacing this vehicle and have attained State Contract bids.

WHEREAS, the Village Board approved the purchase of this vehicle at a cost of \$27,106.93, however the Superintendent of the Waste Water Treatment Plant realized that this vehicle would have a standard transmission and the additional amount of \$1,023.75 is for an automatic transmission.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Monticello does hereby authorize the purchase of a 2008 4x4 One Town Utility Truck for the Sewer Department in the increased amount of \$1,023.75 for a total amount of \$28,130.68.

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 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. 2 OF 2008 ESTABLISHING
POLICIES AND PROCEDURES IN THE VILLAGE OF MONTICELLO FOR THE
SALE OF PARCELS OF REAL PROPERTY NOT REDEEMED FOR DELINQUENT
REAL PROPERTY TAXES, IN ACCORDANCE WITH NEW YORK STATE REAL
PROPERTY TAX LAW ARTICLE 11 TO BE HELD ON MONDAY, FEBRUARY 11,
2008 AT 7 P.M.**

WHEREAS, the Village Board has determined that it is necessary for the Village of Monticello to establish the policy and procedure in the village of Monticello for the sale of parcels of real property not redeemed for delinquent real property taxes, in accordance with New York State Real Property Tax Law Article 11; and

WHEREAS, to that end, the Village wishes to amend the Village Code by establishing a law which articulates said policies and procedures; 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. 2 of 2008 establishing the policy and procedure in the Village of Monticello for the sale of parcels of real property not redeemed for delinquent real property taxes, in accordance with New York State Real Property Tax Law Article 11; 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 February 11, 2008, 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 Schoonmaker, 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 TO SELL PROPERTY NO LONGER NEEDED FOR PUBLIC PURPOSE AND CONSIDERED SURPLUS PROPERTY AND DESIGNATED AS VILLAGE OF MONTICELLO SBL 117.-1-14 TO THE MONTICELLO JOINT FIRE DISTRICT

Matter tabled to after discussion in Executive Session.

DISCUSSION REGARDING SLEEPY HOLLOW DEVELOPMENT AND COMMUNITY IMPROVEMENT HOUSING DEVELOPMENT FUND COMPANY, INC. WITH EDGEWATER AFFORDABLE HOUSING, L.P.

Mayor Barnicle explained that the Village had to act quickly when Regency Manor Senior Housing was being proposed to create an "overlay" zone because the funds were available from the State during that fiscal year. In the Sleepy Hollow case the Village has to act quickly to move this proposal forward while the State funds are available.

Attorney Henri Shawn representing the present owner of Sleepy Hollow explained that a contract has been signed with Edgewater who will continue to keep it as an affordable housing complex as it is presently. Edgewater is buying Sleepy Hollow for just over six million dollars and their intention is to invest nine million dollars which will include renovating each unit with a new roof, new insulation, high efficiency windows, new siding, energy star appliances, central air conditioning, new floors and ceiling fans, a separate laundry with card access, a community building with a fitness center, a learning center for the youth and in excess of over \$75,000 in security cameras to allow the residents of that development to live more securely. Along with this there will be a secure area that the police will be able to use to do paperwork or to do interrogations. He explained presently the Sleepy Hollow Development has a PILOT Agreement (Payment In Lieu of Taxes) and will continue to be in effect as long as the present owners own the property. Edgewater Development is asking that this PILOT Agreement be extended. He explained that the Payment In Lieu of Taxes is calculated at 13.63% of "Shelter Rents" (this equals the net operating income - revenue minus the expenses multiplied by 13.63%) and therefore if they are able to increase the savings and the PILOT agreement increases accordingly. Attorney Shawn noted that the

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continuation of the PILOT Program is critical to the ability of renovation to proceed with HUD'S approval. He felt there is a tremendous need for affordable housing in this area and the need will probably grow. Additionally there is about 14.4 acres of vacant land in the rear that has never been used which when all the renovation is completed they want to subdivide and do an additional affordable housing development with input from the Village and Planning Boards. He felt that the vacant land will remain unused if this developer owns this land because to get to the rear parcel one must use Terry Lane that goes through the development. He summed up his presentation by stating the they are asking for two resolution that recognizes the need to preserve the existing affordable housing options in the Village and that Sleepy Hollow would provide 229 units of affordable renting housing for families on 14.4 acres and they will take all steps necessary at each stage of the process to secure the approvals to construct and operate the projects, including planning board, village board, meetings with the Village Manager, the Village Engineer, etc. and a resolution that it supports the proposed renovation of the Sleepy Hollow Development as it was presented by him this evening. He explained that he is advocating this on Edgewater's behalf because he has lived in Monticello for 50 years and chose to come back here after graduating from law school and serving in the armed forces and he feels that what this developer proposes to do is going to be outstanding for Monticello.

Doug Gurkin, Principal of Edgewater Affordable Housing, L.P. explained that his company buys existing subsidized federal properties and renovates them. In Sleepy Hollows instance the units are functionally obsolete; however, they have done similar renovations 18 times. If his company purchases this complex they are tied to it for a minimum of 15 years. He stated that if they accomplish what they set out to do, Sleepy Hollow will be the nicest multifamily living in Monticello.

Executive Director Matty Anderson of the Monticello Housing Authority questioned whether they will be bringing in their own management company?

Mr. Gurkin responded that they will bring in their own management company because the existing management is the nonprofit that does not want to remain. He noted the residents will remain the same, the administration will change.

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Trustee Schoonmaker questioned whether his company surveys the local areas to find out whether affordable housing is warranted.

Mr. Gurkin explained that a survey was performed and what was determined is that there is a need for this type of housing.

Trustee Schoonmaker questioned where these vacant apartments would be marketed if there are no jobs presently available in this area? He was concerned with the increase in traffic at the complex and who will pay for the road maintenance because of this increase. He questioned whether his organization is a nonprofit company and if not they will be making money using the tax abatement?

Mr. Gurkin explained that Monticello's medium family income is the lowest except for one other town in all of Sullivan County; however, there is great proximity to people who make more money if the housing costs are less. He responded to the question regarding nonprofit that his company is a profit making company. He indicated that the same people are using the same services today costing the same money with \$30,000 more for it and the opportunity to provide more housing in the back and much better place including the additional services that will be offered in the complex itself. He felt that there are no down sides to this proposal.

Trustee VanDermark noted that the people that are living in the Sleepy Hollow Development use the Village services now, the difference is filling the vacant apartments after they have been rehabilitated.

Trustee Schoonmaker was concerned that these subsidized housing units are going to be marketed throughout the area and/or state that are available in Sullivan County. He felt if people take advantage of renting these units and there are no jobs available than the end result are more people living in low income housing which in his opinion the Village does not need.

Attorney Shawn felt there are people right now in Sullivan County that have no place to live.

Dr. Marc Hudes felt that the Board should investigate Mr. Gurkin and his company to find out the truth.

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The Mayor explained that this is only the first step. They would have to go to HUD for approval; he would then have to go to the Planning Board to get approval and many other steps that have to be taken to make this idea realty.

Bob Kunis agreed with Dr. Hudes that the Board should do further investigations and when all the information obtained, then a final decision should be made.

The Mayor responded that presentations have already been made to the Manager and Police Chief.

Attorney Shawn noted that the Village Manager has been meeting with him and Mr. Gurkin for almost a year.

Mattie Anderson questioned how the Village can extend the present corporation agreement and allow a new owner to continue with the same agreement.

The Village Attorney responded that at closing it can be assigned and extended.

The police chief noted that just from a socioeconomic makeup of the Village the only way that these apartment complexes can survive is with some real proactive management and when complexes get old and rundown it breaths criminality. He has met with Mr. Gurkin several times and from a police point of view he likes what he has to say.

Mayor Barnicle felt that hopefully in two years time this becomes the example that the Village wants the other housing complexes to look like and hopefully others will follow and do similar upgrades and improve the standard of living of all income levels that live in the Village.

Trustee Jenkins was concerned that this is being rushed passed the Board without them having any knowledge prior to this presentation. He felt that the information discussed this evening should be digested and a decision made at the next meeting. He felt it should not be a rush job, as this Board is always being push to make a decision on information presented at the last minute.

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Dr. Marc Hudes agreed with Trustee Jenkins and questioned why it hasn't been discussed before this and it is the first he has heard of these plans?

Attorney Shawn indicated that he and Mr. Gurkin have been dealing with the Village Manager for about a year.

Trustee VanDermark agreed that he has not heard of this proposal prior to this evening, however if someone is willing to invest that amount of money to renovate a rundown housing complex than it should be encouraged.

Trustee Schoonmaker noted that Deputy Manager Barbarite sent each Board member a memo regarding the Sleepy Hollow proposal and recommended that the Board find out more information to determine exactly what is being proposed before a decision is made. He felt the Board should not support something when the Board doesn't have all the information.

Mayor Barnicle responded that if the Board, this evening, was approving the building of this property without any information he would agree with everyone, however all that is being requested is a vote of confidence for them to move forward for them to go to HUD and other approval processes through the Planning Board, the engineering, or department heads that have to sign off of different aspects of the plan so there are many hurdles it must clear before it is a reality.

Trustee Schoonmaker referring the Deputy Manager's memo felt that there are many questions and issues regarding this proposal that should be raised before approving this application.

Mayor Barnicle responded that there are months and months ahead of the Board for them to do that.

Trustee Schoonmaker questioned how the Board can give them a vote of confidence if the questions haven't been answered at this time.

Mayor Barnicle responded that the developer can't know if he can get the PILOT money until the Board allows them to go to HUD.

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Trustee Jenkins indicated that he is a businessman and he doesn't just take the person's word, he listens and digests the information and then makes a final decision. He felt that this is being pushed down his throat and questioned whether a decision can be made in several days, not this evening. He felt that although it might have been on the Manager's desk he had only seen it for the first time this evening. He felt the Mayor should treat Village matters as if it was his personal matter. He indicated that if this was his personnel deal he would not make any decision until he fully investigates all the aspects of the proposal.

Mayor Barnicle noted that the Deputy Manager's memo regarding his concerns and questions was dated a week ago. He indicated that he only looks back at the success of Regency Manor which is what the Board had to enact, and that also came under some criticism because the Board had to act quickly. This resolution is nothing more than letting this company move forward with a vote of confidence from the Village, at this early stage in its development. The engineer or the Planning Board can shoot this project down as it progresses through the system.

Mr. Gurkin explained that presently they have spent approximately \$50,000 in the studies, and it is a big decision whether they go forward after a certain point, and by the 3rd week in February he had to have an application to the State Housing Authority. He apologized completely that the Board was not aware of these ongoing negotiations for about a year and he also doesn't like decisions being dumped on him, however, he felt that they have given the Board more than enough information of an understanding of what they are doing. He did not feel there were any negatives for this property, only if it is going to be fixed or not.

Trustee Schoonmaker indicated that his concern is for the future and what happens if the development fails.

Trustee VanDermark responded is it worth decay in the situation it is in now or at least giving it a chance to revitalize and get to a viable project.

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Trustee Jenkins indicated that he is not for or against this project, but he will have to vote "no" on the proposed resolution because he has very little knowledge about.

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTICELLO
IN SUPPORT OF RENOVATIONS OF SLEEPY HOLLOW DEVELOPMENT AND
COMMUNITY IMPROVEMENT HOUSING DEVELOPMENT FUND CO., INC.**

WHEREAS, the Board of Trustees of the Village of Monticello recognizes the need to preserve the existing affordable housing options in the village of Monticello; and

WHEREAS, Terry Lane, LP, plans to utilize housing credits to renovate the Sleepy Hollow apartments located at five Terry Lane, Monticello, NY 12701;

WHEREAS, the proposed renovations to the Sleepy Hollow apartments will result in 229 units of affordable rental housing for families on 14.4 acres of land;

WHEREAS, Terry Lane, LP, will be required to take all steps necessary at each stage of the process to secure the approvals necessary to construct, reconstruct and operate the proposed project;

NOW, THEREFORE, it is hereby

RESOLVED, that the Board of Trustees of the Village of Monticello does hereby support the proposed renovation of the Sleepy Hollow apartments pursuant to the presentation made to the Village Board on Monday, January 28, 2008.

A motion was made by Trustee VanDermark, seconded by Trustee Marinello, approved on a roll call vote to adopt the above resolution as follows: Trustee Schoonmaker, nay; Trustee Jenkins; nay; Trustee Marinello, aye; Trustee VanDermark, aye; Mayor Barnicle, aye. Motion carried 3 ayes - 2 nays.

DISCUSSION REGARDING BUS STOPS IN THE VILLAGE

Mayor Barnicle explained that in the same vein the Village has been trying to find more affordable transportation and Shortline Bus line is willing to work with the Village, as well as the DOT

and the County. The biggest obstacle to providing
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transportation to the different complexes is that there is no where a large Shortline bus is to turn around going down Forestburgh Road towards Port Jervis, so if this is approved before the back parcel is developed that a cul de sac be created which allow the bus to turn, pick up the residents in Sleepy Hollow and then make stops along Forestburgh Road to the other housing complexes and make stops at Walmart and Shoprite all for a fare of \$1.60. At this time we don't have the capability to turn the bus around on Forestburgh Road passed Sleepy Hollow.

Mr. Gurkin felt that any program that the Village is interested in, they would cooperate to the fullest.

DISCUSSION REGARDING REZONING

Due to the lateness of the meeting this matter was tabled to the next meeting.

EXECUTIVE SESSION

At 8:35 p.m., a motion was made Trustee Marinello, seconded by Trustee VanDermark, unanimously approved on a roll call vote to move into Executive Session to discuss contract negotiations and a personnel matter involving a particular person and sale of Village owned property.

RECONVENING THE REGULAR VILLAGE BOARD MEETING

At 9:15 p.m., a motion was made by Trustee VanDermark, seconded by Trustee Marinello, unanimously approved on a roll call vote to move out of Executive Session into open session.

A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO SIGN A CONTRACT WITH NEO-CURVE, LLC, FOR THE PROVISION OF WEBSITE DESIGN AND HOSTING SERVICE I ALONG WITH E-MAIL SERVICES FOR THE VILLAGE OF MONTICELLO

WHEREAS, the Board of Trustees of the Village of Monticello has determined that the Village is in need of website design and hosting services along with e-mail services for Village employees; and

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WHEREAS, the Village of Monticello has received two bids for the provision of said services, to wit: a proposal from Neo-Curve, LLC and a proposal from Tom Rue; and

WHEREAS, each contractor has described services which will be performed, and while each contractor appears well-suited to serve the needs of the Village, it appears that the proposal submitted by Neo-Curve, LLC represents the lowest most responsible proposal; and

WHEREAS, the Board of Trustees of the Village of Monticello finds that it is in the best interest of the Village of Monticello to authorize the Village Manager to sign a Contract with Neo-Curve, LLC for the provision of website design and hosting services along with e-mail services for the Village of Monticello.

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

1. That the Manager of the Village of Monticello shall be and hereby is authorized to sign a Contract on behalf of the Village of Monticello with Neo-Curve, LLC for the provision of website design and hosting services along with email services for the Village of Monticello; and
2. That this resolution shall be effective immediately upon signature of the Village Clerk.

A motion was made by Trustee VanDermark, seconded by Trustee Marinello, approved on a roll call vote as follows: Trustee Schoonmaker, aye; Trustee Jenkins, recused; Trustee Marinello, aye; Trustee VanDermark; aye.

RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO SIGN A CONTRACT WITH BARTON & LOGUIDICE, PC TO PERFORM GRANT WRITING SERVICES FOR THE VILLAGE OF MONTICELLO AT A COST NOT TO EXCEED \$30,500

WHEREAS, the Board of Trustees of the Village of Monticello has previously determined that consulting services are required for the Village of Monticello with respect to several areas, including grants, zoning and planning, environmental concerns,

beautification and facilities management; and
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WHEREAS, the Village of Monticello has previously entered into an agreement with Barton & Loguidice, PC ("B & L") for provision of the aforementioned services; and

WHEREAS, the contract provides that individual task orders will be completed according to past order agreements; and

WHEREAS, the Village of Monticello is currently interested in contracting with B & L for grants writing services with respect to the water and sewer departments in an amount not to exceed \$30,500 for the water department and sewer department respectively with respect to round one of said grant applications; 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 task order Contract with B & L for the performance of the aforementioned services;

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

1. That the Manager of the Village of Monticello shall be and hereby is authorized to sign a task order Contract with B & L for grants writing services with respect to the water and sewer departments in an amount not to exceed \$30,500 for the water department and sewer department respectively with respect to round one of said grant applications;
2. That the documents executed by the Village Manager will be in a form approved by the Village Attorney; and
3. That this resolution shall be effective immediately upon signature of the Village Clerk.

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

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**RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO ENGAGE IN
NEGOTIATIONS WITH MARK SCHULMAN, ESQ. (SBL 112-6-29) AND THE
OWNER OF PROPERTY ADJACENT TO MARK SCHULMAN'S PROPERTY (SBL 112-
6-30) WITH RESPECT TO THE VILLAGE ACQUIRING IN SOME MATTER THE
AFOREMENTIONED PROPERTIES AT SOMETIME IN THE FUTURE**

WHEREAS, Mark Schulman currently owns property adjacent to the property upon which sets the current Village Hall for the Village of Monticello (hereinafter "Village"); and

WHEREAS, Mark Schulman is currently desirous of divesting himself of said property; and

WHEREAS, the owner of property adjacent to Mark Schulman's property may also be desirous of divesting himself of said property; and

WHEREAS, the Village is in need of property upon which to reconstruct a municipal complex i.e. Village Hall; 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 engage in the aforementioned negotiations;

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

1. That the Manager of Village of Monticello shall be and hereby is authorized to engage in negotiations with Mark Schulman and the owner of property adjacent to Mr. Schulman's property with respect to the Village acquiring the aforementioned properties at sometime in the future; and
2. That this resolution shall be effective immediately upon signature of the Village Clerk.

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 AUTHORIZING THE VILLAGE MANAGER TO OBTAIN APPRAISALS
FOR CERTAIN VILLAGE OWNED PROPERTIES IN AN AMOUNT NOT TO EXCEED
\$350.00**

WHEREAS, the Village of Monticello ("Village") currently owns property located at 44 Mill Street in the Village of Monticello more particularly described as Village of Monticello section block and lot number 117.-1-14; and

WHEREAS, the property described above is no longer needed for Village purposes and constitutes surplus property; and

WHEREAS, the Village is desirous of selling said property to the Monticello Joint Fire District, as the property in question is adjacent to the firehouse property on Richardson Avenue; and

WHEREAS, it is necessary to arrive at a determination of fair market value prior to selling the property to the fire district; and

WHEREAS, it will be necessary for the Village to obtain the services of a real estate appraiser to establish fair market value for said property.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Monticello hereby authorizes the Village Manager to obtain an appraisal of property located at 44 Mill Street in the Village of Monticello more particularly described as Village of Monticello section block and lot number 117.-1-14, the cost of said appraisal not to exceed \$350.

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

ADJOURNMENT

At 9:30 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

