

MINUTES
REGULAR MEETING OF THE BOARD OF TRUSTEES
VILLAGE OF MONTICELLO, N.Y.
MONDAY, NOVEMBER 5, 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
Douglas Solomon, Chief of Police
Sue Flora, Code Enforcement Officer

APPROVAL OF MINUTES BOARD MEETINGS OF OCTOBER 15, 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 15 2007 as presented.

OLD BUSINESS

Mayor Barnicle encouraged everyone to vote in tomorrow's General Election.

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Halloween Activities

Mayor Barnicle announced the success of the Halloween Parade, the 3x3 Annual Basketball Tournament and the Annual Skate Night Under the Lights for the skateboarders in the skateboard park.

The Broadway Reconstruction Project Update

The Mayor announced that the preconstruction for the Broadway Project will begin in January and the construction of Broadway will commence in June 2008.

Introduction of New Employee

Mayor Barnicle introduced Charles Sabatino recently hired as a Code Enforcement Officer.

Update Regarding County Foreclosure Process of Village Properties

1. Nancy Buck, Deputy County Treasurer, Brenda Galligan, Village Treasurer, Edith Schop, Village Clerk have been meeting weekly to coordinate dates and information.
2. Properties that are in jeopardy of being foreclosed for unpaid Village Taxes have been identified and the list is updated daily if necessary.
3. Title searches are in the process of being done.
4. County amending the 2005 delinquent property list.
5. Target date for sending out 90 day redemption letter is November 28, 2007 with payment no later than February 28, 2008 to avoid foreclosure.

MANAGER'S REPORT

Once again our Law enforcement officers are pursuing law breaking individuals. In conjunction with the Sullivan County Sheriff Dept. and New York State Police two "no-

knock search warrants" were executed on Wednesday
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10/24/2007. These "no-knock search warrants were issued following an investigation of illegal narcotics activity taking place in the Village of Monticello.

Officers recovered approximately one ounce of cocaine and 51 decks of heroin on the first search warrant. The Second search warrant officers recovered drug paraphernalia, marihuana, 6 grams of cocaine, 2 rifles and a shotgun. 4 people were arrested during these raids.

Our total cooperative number of arrests since our initiative began on Jan 1, 2007 is 683

104 of those arrests were Felony arrests.

234 of those arrests were drug related arrests.

DWI arrests have now added up to 49.

Suspended operators license or suspended registrations have reached 175 arrests.

There were 127 arrests involving outstanding warrants.

The total number of firearms removed from our village is now 22.

On Fri. Oct 19, Village officials met with several socially minded agencies regarding the potential closing of a low income development in Monticello. The Village position has been and will continue to be, safety is a paramount issue. But let their be no doubt, the Village has and will continue to work with all county agency's regarding the welfare of the citizens who live in these dwellings.

The Village Manager, the Mayor and Glen Smith Village engineer Traveled to Binghamton on Thursday Oct.18th to meet with the DOT. The purpose of this meeting was to discuss the Broadway project. I am pleased to announce that we have been clearly led to believe that the project will start this June.

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The Village Manager met with Verticon LTD on Friday Oct. 19. Verticon is a development company that specializes in Public Works projects. The Village is seeking their assistance in developing a Municipal Complex.

On Tues. Oct. 23, the Village manager our Engineers, Burton & Loguidice met to discuss development of a Municipal Complex and the availability of Grant money.

The Halloween day Parade was enjoyed by all that attended. There were no tricks only treats. There are too many individuals to thank to list them all individually. So please accept this blanket thank you to all the participants, donors, food distributors, drivers and law enforcement personnel for their help.

The Dream project kickoff reception was well attended at the recovery center on Tuesday October 30th. This project is a well thought out mentoring program to help the youth of our community prepare themselves for their future. Judge Josephine Finn is the founder and organizer for this program. The Village wishes her success in her endeavors.

On Fri the 2nd Village officials met with Joseph Czajka County Grant Writer to discuss the county writing grants for the Village. The County will start this process immediately.

Tonight Mayor Jim Barnicle will award Craig and Stephanie Johnson with a certificate of appreciation for helping in the Beautification of Monticello. Thank you Craig and Stephanie for your efforts, you did make a difference.

Tomorrow is Election Day. The Village of Monticello is encouraging all its registered voters, to vote. Voting is your way of showing your pleasure or displeasure with your government.

PRESENTATION OF CERTIFICATES OF APPRECIATION

Mayor Barnicle, on behalf of the Village Board presented Certificates of Appreciation to Craig and Stephanie

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Johnson for their time and effort in the beautification of Broadway by planting and watering the flowers on Broadway and sending packages to the military men and women fighting in Iraq.

PUBLIC COMMENT

Charter Review Meeting

Barbara Burton felt that it is important that a representative of the Village attend the next Charter Review meeting on Monday, November 19th at 4 p.m. in the Legislatives' meeting room in the Government Center.

Mayor Barnicle agreed with Ms. Burton and asked the Deputy Village Manager try to attend that meeting.

Recycling Concerns

Betty Friedland was concerned with the lack of recycling enforcement by the Village.

Mayor Barnicle responded that several weeks ago he spoke with Gary Schmidt and his box truck that the Village is purchasing will be available sometime before the end of the year. The Village will convert that box truck, by removing the box from the truck which will become the frame for the Village's third recycling vehicle that is needed to do recycling correctly, as well as the six employees now employed by the Village and ready to begin picking up the recycling materials. The Mayor indicated that by the beginning of January 2008 there will be a full fleet of vehicles to start a recycling program and at that time certain routes will be targeted to ensure success and bring additional routes in as the word goes out of the Village's new recycling enforcement program.

Betty Friedland disagreed that the recycling enforcement should only be on one route in the begin because daily the Village is throwing away money by the increase in tipping fees for recyclables mixed in with the trash. She suggested that the summer residents be sent monthly letter apprising them that the Village is enforcing the recycling

regulations.

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Boxing Location

Betty Friedland questioned why the Village Justice Court could not be relocated in the old firehouse when the boxing program was given the approval to be at that location? She questioned whether there is still an asbestos problem also?

Mayor Barnicle responded that the Court could not be at that location because of handicap accessibility and the old fire department meeting room is too small to accommodate all the cases that the Court is now handling. The Mayor explained that the Department of Labor reinspected the area recently and the only problem was where there were some penetrations in the bays of the asbestos in the ceiling that can be fixed and other than that the building has a "clean bill of health" to clean up and fix up.

Moon Manor Apartment Payments

Betty Friedland questioned whether Moon Manor Apartments paid all their utility bills also when they paid their property taxes?

The Mayor responded that at that time the utility bills were not paid, however the Village is insisting upon receiving it quickly. The Mayor noted that the Village is mainly interested in making those buildings safe for the tenants and to not disrupt their lives.

Road Improvements

Betty Friedland noted that Atwell and Lloyd Lane were recently repaved, however the Mayor wrote a letter published in the newspaper that indicated that he was more concerned about the school buses using those roads than the local residents that live in that neighborhood. She noted that there are approximately 40 empty school buses going pass their homes and at times they can't get out of their driveways because of the heavy bus traffic. She noted that former Village Manager Richard Sush did write a letter to

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the past school superintendent requesting that some of these buses take another route, however nothing changed. At this time with the newly repaved roads there is a lot of speeding, legal parking, noisy buses passing by, etc and she felt the residents of that area should be given a little more consideration. She felt the illegally parked cars are causing more of a predicament because they are a traffic safety hazard and should be issued tickets by the police department.

The Mayor responded that he will contact the school Superintendent and discuss the situation and the residents concerns.

State Road Improvements

Betty Friedland felt the Mayor should not take all the credit for the recent State reconstruction road projects since several other Boards were in office at the inception of these projects.

The Mayor responded that those were stalled projects going nowhere until he got involved and now those projects are coming to completion and some have already been completed. He noted that it has taken hard work, meetings and twisting arms and having our State representatives make calls on the Village's behalf to get these projects started.

Zoning Concerns

Dr. James Green indicated that he is here with several of his neighbors to encourage the Village Board to consider in this quiet time a moratorium and a full comprehensive study of the Village's zoning laws so that there is a total overview of the zones so changes aren't done on a piecemeal basis.

The Mayor responded that the Village has begun discussions about recodification of the Village Code.

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Both Trustee Marinello and Trustee Jenkins felt that they are determined to ensure that the Town property that borders the Village will be similarly zoned and both felt no building should take place until a zoning study is completed.

The Village Attorney noted that it could take along time to complete a zoning survey and if a moratorium was in place no building could take place anywhere in the village until it is completed and voted into law.

Dr. Green felt it has been a long time since a comprehensive study has been done and in that time many changes have taken place.

The Mayor asked that the matter be put on the next agenda for discussion.

Code Enforcement

Shaul V questioned what the role of Mr. Barbarite is in the building department since Charlie Sabatino was recently hired and Sue Flora is also in that department. He indicated that since Mr. Barbarite has been employed by the Village people are complaining and some businesses have moved out of the Village because of him and the feeling of intimidation by him.

The Mayor responded that whenever changes occur and there is a new "sheriff in town" there will be some ruffled feathers, however in the Village there is no gray area anymore on what legal or illegal with construction or codes, etc. If a business or project is coming into the Village of Monticello fees have to be paid, engineer reports must be filed, etc.

Trustee Jenkins felt that as long as Mr. Barbarite is following the codes it is acceptable and he knows them better than anyone else. He noted that he inspected some of the apartments that were recently closed and most of them should have been vacated years ago.

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Deputy Village Manager Barbarite explained that when Sue Flora took over after the death of Code Enforcement Officer Jim Artale there was a backlog of problems and with the state's new mandates it has taken a lot of work to get to this point. Approximately 30 dangerous, illegal businesses have been shut down and there are probably hundreds of code violations that are being addressed by meeting with landlords and lawyers to get them into compliance.

Taxi Medallion Discussion

Gary Putter, owner of Sureway Taxi explained that he has attended several meetings and participated in the process in discussing the medallion issue for additional medallions to be offered and at this point he is very confused. His main concern is that his request for additional medallions to be issued is not being considered in a timely way. His concern is that the price of additional medallions seems to be based on the price he paid Mr. Kesten (Yellow Cab) for each medallion he acquired from him. Mr. Putter did not feel this was relevant as that was a private business transaction and the Village Manager should not be the one who makes that determination.

Deputy Manager Barbarite reported that on the Village Boards directive he started to study the taxicab licensing by reviewing at least 30 other municipal codes that are posted on the General Code website. He is presently calling the Village Clerks in those 30 villages since the fees are not listed in their codes. He hoped that by the next Board meeting he will have a report as to what they charge for licenses, for renewals and how they go about issuing licenses.

Trustee Jenkins noted that Middletown sells their medallions for \$500, but will be going into a bidding system as people are purchasing them and reselling them at a higher prize.

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**PUBLIC HEARING WITH RESPECT TO ADOPTION OF PROPOSED LOCAL
LAW NO. 17 OF 2007 AMENDING THE VILLAGE CODE WITH RESPECT
TO STRIPPING OF LAND**

Mayor Barnicle opened the public hearing at 7:55 p.m.

Deputy Manager Barbarite explained that the interpretation that most people have of stripping of land is a bulldozer running over it and pushing the vegetation off and rearranging the contours, and it has never been considered of people taking a nice lot and dumping dirt on top of it. The new local law will include the dumping dirt as well as stripping and grading of the land as the law already states.

The Village Attorney explained that it always been regulated to do stripping of land, but there never really was a definition in the code and this will clarify that.

As there were no further comments, Mayor Barnicle closed the public hearing at 7:57 p.m.

**PUBLIC HEARING WITH RESPECT TO ADOPTION OF PROPOSED LOCAL
LAW NO. 18 OF 2007 AMENDING THE VILLAGE CODE WITH RESPECT
TO ESTABLISHING A PANEL TO PRE-SCREEN AND REVIEW CHANGES IN
LAND USE**

Mayor Barnicle opened the public hearing at 7:58 p.m.

Deputy Manager Barbarite explained that presently under 265 of the Village Code all changes of use and all new proposes uses require Planning Board approval. A panel comprised of the Zoning Officer, the building inspector and Planning Board Chairman with the Village Clerk serving as the alternative would screen whether the change of use is simply changing a dress shop to a men's wear store and allow businesses to open sooner.

The Village Attorney indicated that this local law must be sent to the County Planning Department for a 239m Review.

Mayor Barnicle closed the public hearing at 8:00 p.m.

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**PUBLIC HEARING WITH RESPECT TO ADOPTION OF PROPOSED LOCAL
LAW NO. 19 OF 2007 AMENDING CHAPTER 89 THE VILLAGE CODE
WITH RESPECT TO ANIMAL SHELTERS AND PENS**

Mayor Barnicle opened the public hearing at 8:01 p.m.

Deputy Manager Barbarite explained that this is to provide a provision for dog houses and small pens for animals that are permitted within the Village to move them away from the property line and also regulating the size of these pens and dog houses.

Mayor Barnicle questioned whether existing pens and dog houses be "grandfathered" in.

Deputy Manager Barbarite responded that these will be "non-conforming" until they are removed.

As there were no further comments, Mayor Barnicle closed the public hearing at 8:03 p.m.

**PUBLIC HEARING WITH RESPECT TO ADOPTION OF PROPOSED LOCAL
LAW NO. 20 OF 2007 AMENDING CHAPTER 89 THE VILLAGE CODE
WITH RESPECT TO "CERTAIN ANIMALS PROHIBITED"**

Mayor Barnicle opened the public hearing at 8:04 p.m.

Deputy Manager Barbarite explained that the present code allows for one chicken and no roosters and it names certain animals it excludes, however by not including other animals they are then permitted, therefore you can have horses, cows, giraffes, elephants, etc. This law will not prohibit all farm animals within the Village of Monticello and this would be considered a health and sanitation issue.

As there were no further comments, Mayor Barnicle closed the public hearing at 8:05 p.m.

**PUBLIC HEARING WITH RESPECT TO ADOPTION OF PROPOSED LOCAL
LAW NO. 21 OF 2007 AMENDING CHAPTER 98 THE VILLAGE CODE
WITH RESPECT TO REGISTRATION OF BICYCLES**

Mayor Barnicle opened the public hearing at 8:05 p.m.

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Deputy Manager Barbarite explained that currently in the Village law there is an entire statute requiring the registration of bicycles in the Village of Monticello which has been done in over 15 years and there is no real purpose of it.

As there were no further comments, Mayor Barnicle closed the public hearing at 8:06 p.m.

PUBLIC HEARING WITH RESPECT TO ADOPTION OF PROPOSED LOCAL LAW NO. 22 OF 2007 AMENDING CHAPTER 112 THE VILLAGE CODE WITH RESPECT TO DEMOLITION OF BUILDINGS

Mayor Barnicle opened the public hearing at 8:07 p.m.

Deputy Manager Barbarite explained that this local law adds a provision which requires that after a building is demolished and the foundation is filled in that the land has to be graded, top soiled and seeded.

As there were no further comments, Mayor Barnicle closed the public hearing at 8:08 p.m.

RESOLUTION AUTHORIZING ADOPTION BY THE VILLAGE BOARD OF THE VILLAGE OF MONTICELLO OF LOCAL LAW NO. 17 OF 2007 AND DECLARING A NEGATIVE DECLARATION

WHEREAS, a resolution was duly adopted by the Village Board of the Village of Monticello for a public hearing to be held on Monday, October 15, 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 17 of 2007 with respect to stripping of land; and

WHEREAS, notice of said public hearing was duly advertised in the Sullivan County Democrat, the official newspaper of said Village, on October 19, 2007; and

WHEREAS, said public hearing was duly held on November 5, 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
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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) determined by that adoption of said proposed Local Law appears to constitute an unlisted action and after completing a Short Form EAF has determined 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

RESOLVED, that the Board of Trustees of the Village of Monticello hereby adopts said Local Law No. 17 of 2007; 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 Marinello, seconded by Trustee Jenkins, unanimously approved on a roll call vote to adopt the above resolution.

RESOLUTION AUTHORIZING ADOPTION BY THE VILLAGE BOARD OF THE VILLAGE OF MONTICELLO OF LOCAL LAW NO. 18 OF 2007 AND DECLARING A NEGATIVE DECLARATION

WHEREAS, a resolution was duly adopted by the Village Board of the Village of Monticello for a public hearing to be held on Monday, October 15, 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 19 of

2007 amending Chapter 89 of the Village Code with respect to Animal Shelters and Pens; and
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WHEREAS, notice of said public hearing was duly advertised in the Sullivan County Democrat, the official newspaper of said Village, on October 19, 2007; and

WHEREAS, said public hearing was duly held on November 5, 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 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) determined by that adoption of said proposed Local Law appears to constitute an unlisted action and after completing a Short Form EAF has determined 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

RESOLVED, that the Board of Trustees of the Village of Monticello hereby adopts said Local Law No. 18 of 2007; 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.

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**RESOLUTION AUTHORIZING ADOPTION BY THE VILLAGE BOARD OF THE
VILLAGE OF MONTICELLO OF LOCAL LAW NO. 19 OF 2007 AND
DECLARING A NEGATIVE DECLARATION**

WHEREAS, a resolution was duly adopted by the Village Board of the Village of Monticello for a public hearing to be held on Monday, October 15, 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 19 of 2007 amending Chapter 89 of the Village Code with respect to prohibiting certain animals; and

WHEREAS, notice of said public hearing was duly advertised in the Sullivan County Democrat, the official newspaper of said Village, on October 19, 2007; and

WHEREAS, said public hearing was duly held on November 5, 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 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) determined by that adoption of said proposed Local Law appears to constitute an unlisted action and after completing a Short Form EAF has determined 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. 19 of 2007; 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 Marinello, seconded by Trustee VanDermark, unanimously approved on a roll call vote to adopt the above resolution.

RESOLUTION AUTHORIZING ADOPTION BY THE VILLAGE BOARD OF THE VILLAGE OF MONTICELLO OF LOCAL LAW NO. 20 OF 2007

WHEREAS, a resolution was duly adopted by the Village Board of the Village of Monticello for a public hearing to be held on Monday, October 15, 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 21 of 2007 amending Chapter 98 of the Village Code with respect to registration of bicycles; and

WHEREAS, notice of said public hearing was duly advertised in the Sullivan County Democrat, the official newspaper of said Village, on October 19, 2007; and

WHEREAS, said public hearing was duly held on November 5, 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 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) determined by that adoption of said proposed Local Law appears to constitute a Type II action requiring no further regard to SEQRA; and

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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. 20 of 2007; 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 AUTHORIZING ADOPTION BY THE VILLAGE BOARD OF THE VILLAGE OF MONTICELLO OF LOCAL LAW NO. 21 OF 2007 AND DECLARING A NEGATIVE DECLARATION

WHEREAS, a resolution was duly adopted by the Village Board of the Village of Monticello for a public hearing to be held on Monday, October 15, 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 22 of 2007 amending Chapter 112 of the Village Code with respect to demolition of buildings; and

WHEREAS, notice of said public hearing was duly advertised in the Sullivan County Democrat, the official newspaper of said Village, on October 19, 2007; and

WHEREAS, said public hearing was duly held on November 5, 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

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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) determined by that adoption of said proposed Local Law appears to constitute an unlisted action and after completing a Short Form EAF has determined 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

RESOLVED, that the Board of Trustees of the Village of Monticello hereby adopts said Local Law No. 21 of 2007; 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 Jenkins, seconded by Trustee VanDermark, unanimously approved on a roll call vote to adopt the above resolution.

RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO SIGN A CONTRACT WITH WAL-MART FOR THE LIMITED PURPOSE OF ADEQUATE WATER SERVICE FOR THE FIRE PROTECTION SYSTEM

WHEREAS, Wal-Mart owns a retail store at Route 42 and Anawana Lake Road in the Town of Thompson and is in need of continued water services for fire protection purposes; and

WHEREAS, the Village of Monticello has been providing said services since 1998; and

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WHEREAS, the Board of Trustees of the Village of Monticello continues to agree to provide Wal-Mart and Wal-Mart has agreed to continue to accept from the Village of Monticello, adequate water services for fire protection only; and

WHEREAS, the agreement will continue for three (3) years at an annual fee of \$18,351.56 per year plus any percentage increases as applies to residential properties in years two (2) and three (3), payable in advance.

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 Wal-Mart for the limited purpose of adequate water service for Wal-Mart's fire protection system.
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, unanimously approved on a roll call vote to adopt the above resolution.

RESOLUTION APPROVING PURCHASE REQUEST FOR ZETRON BASE RADIO CONSOLE FOR THE POLICE DEPARTMENT IN THE AMOUNT OF \$6,820.00

WHEREAS, the Monticello Police Department needs to purchase a Zetron Base Radio Console for use in the Police Department; and,

WHEREAS, the Police Department received a Grant: LG78480 in the amount of \$10,000; and,

WHEREAS, this equipment is being purchase under the State Bid price.

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NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Monticello does hereby approve the purchase a Zetron Base Radio Console for use by the Monticello Police Department in the amount of \$6,820.00.

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 22 OF 2007 AMENDING CHAPTER 280 THE VILLAGE CODE WITH RESPECT TO HOME OCCUPATIONS

WHEREAS, the Village Board has determined that the needs of the Village would be better served by establishing a permit process for home occupations within the Village of Monticello; and

WHEREAS, to that end, the Village wishes to amend the Village Code by articulating said process; 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 22 of 2007 amending Chapter 280 of the Village Code with respect to home occupations; 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 19, 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.

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AWARDING OF BIDS - VILLAGE HALL COMPUTERS

A motion was made by Trustee VanDermark, seconded by Trustee Marinello, unanimously approved on a roll call vote to award the bid for 8 work stations/8 Monitors& Labor Installation to Computer Doctor in the amount of \$17,159.00.

AWARDING OF BIDS - WATER DEPARTMENT EMERGENCY BACKUP GENERATOR

A motion was made by Trustee VanDermark, seconded by Trustee Marinello, unanimously approved on a roll call vote to award the bid for Water Department Plant Emergency Generator to Academy Electrical Contractors, Inc. of Westwood, New Jersey in the amount of \$96,591.00.

RESOLUTION APPROVING BUDGET TRANSFERS FOR FY 2007/08

WHEREAS, the Village of Monticello has adopted its annual budget for the 2007/08 fiscal year; and,

WHEREAS, the Village will incur expenditures that exceed the adopted line items amount authorized by the Village Board of Trustees, and;

WHEREAS, there are revenues that exceeded budgetary amounts and/or expenditures line items that may be reduced.

NOW, THEREFORE BE IT RESOLVED, that the following line items are increased/decreased as adopted, and the Village Treasurer is directed to make the following modifications to the annual budget: [see attached]

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

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 PURCHASE OF TWO VEHICLES UNDER A LEASE PURCHASE AGREEMENT WITH M & T (REAL LEASE)

Discussion - Chief Solomon explained that one vehicle is a marked police car the other will be used by the Village Manager and when it is no longer used by the Village Manager it will be turned over to the police department to be used as a canine unit vehicle.

WHEREAS, the Village is in need of replacing two (2) police vehicles each under State bid; and,

WHEREAS, the Village Treasurer has recommended a lease purchase agreement with M & T (Real Lease) and,

WHEREAS, by buying these vehicles under the lease purchase option the Village will be saving money by not having to pay for bonding fees and legal notices.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Monticello does hereby authorize the purchase of two (2) police vehicles under a lease purchase agreement with M & T (Real Lease)

A motion was made by Trustee VanDermark, seconded by Trustee Marinello, 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 Marinello, 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.

RESOLUTION BY THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTICELLO GRANTING THE STATE OF NEW YORK AUTHORITY TO PERFORM THE ADJUSTMENT FOR THE OWNER AND AGREEING TO MAINTAIN FACILITIES ADJUSTED VIA STATE-LET CONTRACT

WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction or improvement of

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Route 42 Broadway SH#5490 in the **Village of Monticello** located in **Sullivan** County, **PIN 9013.26**; and,

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 Village of Monticello 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 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 23 OF 2007
AMENDING CHAPTER 280 THE VILLAGE CODE WITH RESPECT TO
ACCESSORY BUILDINGS**

WHEREAS, the Village Board has determined that the needs of the Village would be better served by regulating the size and number of permitted accessory buildings on properties within the Village of Monticello; and

WHEREAS, to that end, the Village wishes to amend the Village Code by articulating said regulations; 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. 23 of 2007 amending Chapter 280 of the Village Code with respect to accessory 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 19, 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. 24 OF
2007 PROVIDING FOR THE REGISTRATION OF MULTIPLE DWELLINGS**

WHEREAS, the Village Board has determined that the needs of

the Village would be better served to provide for the registration of Multiple Dwellings; and

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WHEREAS, to that end, the Village wishes to amend the Village Code by articulating said registrations of multiple dwellings; 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. 24 of 2007 to provide for the registration of multiple dwellings.

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 19, 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. 25 OF 2007 AMENDING SECTION 265-5(A) OF THE VILLAGE CODE WITH RESPECT TO PROPOSED BUILDINGS AND USES REQUIRING PLANNING BOARD APPROVAL

WHEREAS, the Village Board has determined that the needs of the Village would be better served by eliminating certain exceptions from the requirement for planning board approval for certain buildings and uses within the Village of Monticello; and

WHEREAS, to that end, the Village wishes to amend the Village Code by articulating said process; 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. 25 of 2007 amending

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SECTION 265-5(A) of the Village Code with respect to eliminating certain exceptions from the requirement for planning board approval for certain buildings and uses within the Village of Monticello; 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 19, 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 Jenkins, seconded by Trustee Marinello, unanimously approved on a roll call vote to adopt the above resolution.

OTHER BUSINESS - ADDITIONAL TAX MEDALLIONS

The Village Manager stated, "That the Board instructed the Village Manager to ask for \$30,000 per medallion amongst other considerations".

EXECUTIVE SESSION

At 8:23 p.m., a motion was made by Trustee Marinello, seconded by Trustee VanDermark, unanimously approved on a roll call vote to move into Executive Session to discuss purchase of property and contracts.

ADJOURNMENT

At 8:40 p.m., a motion was made by Trustee Marinello, seconded by Trustee Jenkins, unanimously approved of a roll call vote to adjourn the Regular Village Board meeting.

EDITH SCHOP, Village Clerk