

MINUTES  
REGULAR MEETING OF THE BOARD OF TRUSTEES  
VILLAGE OF MONTICELLO, N.Y.  
MONDAY, AUGUST 2, 2004

**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  
Ariel Escobar, Trustee  
Victor, Marinello, Jr. Trustee  
Scott Schoonmaker, Trustee  
Brian VanDermark, Trustee

Also Present: Richard Sush, Village Manager  
E. Danielle Jose, Village Attorney  
Tim Havas, Deputy Village Attorney  
Clarence Decker, Water Superintendent  
Bill Bertholf, Sewer Superintendent  
Douglas Solomon, Chief of Police  
Alan Reynolds, DPW Superintendent  
Carl Houman, Director of Fire Services  
Michael Bastone, Fire Chief

**APPROVAL OF MINUTES BOARD MEETING OF JULY 19, 2004 AND  
SPECIAL VILLAGE BOARD MEETING OF JULY 21, 2004**

A motion was made by Trustee Marinello, seconded by Trustee Escobar, unanimously approved on a roll call vote to approve the minutes of the meeting of July 19, 2004 and the Special Village Board meeting of July 21, 2004 as presented.

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**OLD BUSINESS**

**Community Development Board**

Mayor Barnicle explained that the Village has a Community Development Board that is composed of members of our local community that oversee any of the housing grants approvals. The new members appointed to that committee are as follows:

- Bob Bellamy - Cream & Sugar Café
- Mike Cassaro - Keller Signs
- Mona Tugenda - Sullivan County Fountain
- Richard Sush - Village Manager

**Teen Night-August 2004**

Mayor Barnicle announced that our "Teen Night" will be this Friday, August 6<sup>th</sup> from 6 to 9 p.m. in the lower level of the NFB.

**New Basketball Court-NFB**

Mayor Barnicle announced with the help of the Village's DPW the new basketball court behind the NFB on Village property has just been opened and is being played on by the youth of the community.

**Bi-Centennial Report- Les Kristt-Co-Chairman**

Bi-Centennial Co-Chairman of the Bicentennial Committee announced the following schedule for the Bicentennial Celebration:

- Thursday, August 26<sup>th</sup> - Barbecue at Town Park  
Fireworks Display
- Friday, August 27<sup>th</sup> - Concert on Courthouse Lawn
- Saturday, August 28<sup>th</sup> - Dedication of new flag pole  
At Courthouse  
Fireman's Parade down Broadway  
Presentation of Village Clock
- Sunday, August 29<sup>th</sup> - Family Day at de Hoyos Park

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He urged everyone to join in the celebration and buy the journal, T-Shirts, etc. as all the profits will be used to further enhance the Village. He also explained that Assemblyman Maurice Hinchey will be presenting the Village with an American Flag that has been flown over the US Capital specifically in honor of the Monticello's 200<sup>th</sup> birthday celebration to be flown from the new flagpole on the County Courthouse lawn.

The Mayor asked that the August 16<sup>th</sup> meeting (the 2<sup>nd</sup> meeting in August) be moved to August 23<sup>rd</sup> to kick off the Bicentennial Week with a Proclamation celebrating the Village's 200<sup>th</sup> birthday.

#### **VILLAGE MANAGER'S REPORT**

1. The Bicentennial Committee is doing a stellar job on planning our birthday celebration. We included a schedule of bicentennial events with the tax bills along with a flyer called "Village Notes," which highlights certain issues we feel are of importance to residents: a discussion of 911 numbering requirements, how recycling saves money, Adopt-a-Street, and picking up of brush and branches.
2. We are planning to pave Jefferson Street beginning on September 15.
3. Last week, we met with our architects, engineers and construction principals regarding the firehouse project. The project is expected to start on September 1 and completed some time in the spring. We need to schedule a Groundbreaking ceremony for late August.
4. We have made an offer to an individual to fill the Assistant Code Enforcement Officer position. Once the offer is accepted, I will announce the name of the individual to the public.
5. The report on who has received utility reductions from the village is not yet complete. It should be available for the next meeting. I recommend that you do not make any alterations in utility bills until you have reviewed and discussed the report.

6. We are considering the installation of parking meters on North Street and Government Drive. This will encourage government office workers to park in the available lots and leave street parking for the public. We met last week with a representative from one of the meter manufacturers.
7. Our new village web site will soon be under construction. I have asked Josh Sommers, president of Focus Media to prepare a proposal for me to review. Josh's firm has done a number of very good web sites, most notably the site for the Sullivan County Partnership.
8. Monticello Sullivan First has taken on the Neighborhood \_\_\_\_\_ Building as their Renaissance project for this summer. They have planted trees, flowers, and done other landscaping work, painted the garage bay doors and building trim and installed a new sign. Through a grant given to us by Senator Bonacic, the village has repaved and striped the parking lot and installed bumpers to keep cars off the grass. We have also installed a new basketball court in the rear parking lot. This makeover to our building was done without one penny from the village budget, except for the labor from village employees. The building looks better than ever, and is another step in our mission to make village properties look better and be more welcoming to our residents.

**Groundbreaking Ceremonies-New Monticello Firehouse**

The Board scheduled the Groundbreaking for the new Monticello Firehouse for Tuesday, August 24<sup>th</sup> at noon.

**APPOINTMENT OF HUMAN RIGHT COMMISSIONERS**

A motion was made by Trustee Escobar, seconded by Trustee Marinello, unanimously approved on a roll call vote to appoint William Lewis and Edwin Perez to the Human Rights Commission for a two year term to expire April 2006.

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**RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A THREE YEAR AGREEMENT WITH CAPACITY COVERAGE COMPANY OF NEW JERSEY, INC. WITH OWEN MCKANE AS OUR REPRESENTATIVE FOR THE VILLAGE LIABILITY INSURANCE**

Matter tabled for further discussion to Executive Session regarding contract negotiations.

**RESOLUTION CORRECTING THE 2004/05 VILLAGE TAX ROLL - SLEEPY HOLLOW DEVELOPMENT SECTION 126, BLOCK 1, LOT 3**

**WHEREAS**, the Sleepy Hollow Development Corp. is an exempt property in Roll Section 8 of the Village Tax Roll; and,

**WHEREAS**, Sleepy Hollow Development is federally funded and receives Shelter Rents as such, and therefore, the Village is entitled to a portion of this money.

**NOW, THEREFORE BE IT RESOLVED**, that the Village Board of the Village of Monticello does hereby correct the 2004/05 Village Tax Roll to reflect the additional **\$34,129.80**.

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

**PART II - ENVIRONMENTAL ASSESSMENT FORM**

Prior to the vote to declare a Negative Declaration under SEQRA, the Mayor completed Part II of the Environmental Assessment Form.

**RESOLUTION DECLARING A NEGATIVE DECLARATION BY THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTICELLO IN REGARD TO LOCAL LAW NO. 10 OF 2004, ANNEXING PROPERTY INTO THE VILLAGE OF MONTICELLO FORMERLY KNOWN AS TOWN OF THOMPSON TAX PARCEL SECTION 22, BLOCK 1, LOT 11.1 AND PROPERTY TO BE ZONED R-2**

**WHEREAS**, the Board of Trustees of the Village of Monticello has submitted a proposed Local Law No. 10 of 2004, annexing property into the Village of Monticello formerly known as Town of Thompson Tax Parcel Section 22, Block 1, Lot 11.1 and property to be zoned R-2; and

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**WHEREAS**, it appears that said local law involves an unlisted action; 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

**WHEREFORE**, Board of Trustees of the Village of Monticello has completed a short Environmental Assessment Form ("EAF").

**NOW THEREFORE BE IT**

**RESOLVED** that the of Trustees of the Village of Monticello has given consideration to the attached short EAF prepared in connection with the proposed Local Law No. 10 of 2004, annexing property into the Village of Monticello formerly known as Town of Thompson Tax Parcel Section 22, Block 1, Lot 11.1 and property to be zoned R-2.

**BE IT FURTHER RESOLVED** that the Board of Trustees of said Village does hereby determine that 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

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately.

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

**RESOLUTION ADOPTING LOCAL LAW NO. 10 OF 2004 TO ANNEX  
PROPERTY TO THE VILLAGE OF MONTICELLO AND FORMERLY KNOWN AS  
TOWN OF THOMPSON TAX PARCEL SECTION 22, BLOCK 1, LOT 11.1  
AND PROPERTY  
TO BE ZONED R-2**

**WHEREAS**, the Board of Trustees have held a joint public hearing with the Town of Thompson Town Board to review and

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discuss the annexation of property into the Village of Monticello formerly known as SBL 22-1-11.1; and

**WHEREAS**, both the Village of Monticello Board of Trustees and the Town of Thompson Town Board have 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. 10 of 2004, entitled a LOCAL LAW ANNEXING PROPERTY INTO THE VILLAGE OF MONTICELLO AND FORMERLY KNOWN AS TOWN OF THOMPSON TAX PARCEL SECTION 22, BLOCK 1, LOT 11.1 AND PROPERTY TO BE ZONED R-2; 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 Escobar, unanimously approved on a roll call vote to adopt the above resolution.

**RESOLUTION SCHEDULING A PUBLIC HEARING TO BE HELD ON MONDAY, AUGUST 23, 2004 AT 7:00 P.M. REGARDING AN APPLICATION SUBMITTED BY ARON WEINBERGER REQUESTING THE RE-ZONING OF PROPERTY ON SCOTT LANE DESCRIBED ON THE TAX MAP AS SECTION 118A, BLOCK 1, LOT 3.1 FROM R2 TO RM**

**WHEREAS**, an application has been submitted by Aron Weinberger requesting the Village of Monticello Board of

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Trustees to re-zone certain property located on Scott Lane from an R2 (Single-Family Residence) designation to an RM Multiple Dwellings) designation this property being located in the Village of Monticello, New York and described on the Tax Map as Section 118A-1-3.1; and,

**WHEREAS**, a public hearing was conducted by the Planning Board on July 27, 2004 regarding this rezoning; and,

WHEREAS, the Village of Monticello Planning Board is making a recommendation that Mr. Weinberger's application be denied.

**NOW, THEREFORE BE IT RESOLVED**, that the Monticello Village Board of Trustees fix a date for a public hearing regarding whether it is appropriate to rezone the property on Scott Lane described on the Tax Map as Section 118A, Block 1, Lot 3.1 from (Single Family Residence) designation to an RM (Multiple Dwellings) designation.

The public hearing is scheduled for August 23, 2004 at 7:00 p.m., to take place at the Village of Monticello Hall located at 2 Pleasant Street, Monticello, New York. The Village Clerk is authorized to advertise the notice of said hearing.

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

**RESOLUTION BY THE VILLAGE OF MONTICELLO BOARD OF TRUSTEES TO DECLARE ITSELF LEAD AGENCY REGARDING THE ADOPTION OF LOCAL LAW NO. 11 OF 2004 AMENDING THE ZONING CODE TO REZONE AN ENTIRE PARCEL OF PROPERTY LOCATED ON SCOTT LANE DESCRIBED ON THE TAX MAP AS SECTION 118A, BLOCK 1, LOT 3.1 FROM R2 TO RM**

**WHEREAS**, the Village of Monticello Board of Trustees is contemplating the adoption of proposed Local Law No. 11 of 2004 entitled "Amending the Zoning Code to rezone an entire parcel located on Scott Lane designation, this property being located in the Village of Monticello, New York and described on the Tax Map as Section 118A, Block 1, Lot 3.1 from R-2 to an RM designation; and,



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**WHEREAS**, the Village Board intends to declare itself lead agency regarding Local Law No. 11 of 2004 amending the Zoning Code to rezone an entire parcel located on Scott Lane with a Tax Map description of SBL 118A-1-3.1 from an R-2 (Single Family Residence) designation to an RM (Multiple Dwellings) designation.

**WHEREAS**, this proposed local law constitutes an unlisted action as is specified under the State Environmental Quality Review Act (SEQRA); and,

**WHEREAS**, the Monticello Village Board wishes to become Lead Agency in connection with the SEQRA review process regarding this proposed local law.

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Trustees of the Village of Monticello hereby designates itself as lead agency for the consideration of SEQRA review process regarding the adoption of proposed Local Law No. 11 Of 2004 as is specified above.

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

**DISCUSSION REGARDING REQUEST FROM RON & KATHY CAQUETTE TO HOOK INTO THE VILLAGE SEWER SYSTEM ON EAST BROADWAY AS AN OUTSIDE USER**

Mayor Barnicle explained that they have installed a septic system for approximately \$7,000 which doesn't work and is therefore not giving them a healthy discharge of their liquid waste so they are requesting to hook into the Village's sewer line on East Broadway. He questioned whether the Village should just be a good neighbor and help these people out with this problem by allowing them to tap into the Village's sewer line. The Mayor indicated that there would be no public discussion regarding this matter at this time.

The Village Manager explained that it has been the Village Board's policy in the past that if the property is contiguous to the Village boundary line, the Village Board required them to annex into the Village, similar to the

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annexation completed for the Hay Street property. He also reported that the Assessor has informed him that the property is contiguous with the Village boundary line. He explained that previous Board's have required that all properties contiguous to the Village were required to annex in and properties that receive outside water and/or sewer sign a contract that if in the event the property becomes contiguous they must also annex into the Village to continue receiving these services.

The Village Attorney confirmed this contract requirement and policy. She also recommended that if the property owner wishes to annex into the Village they should contact an attorney and start the petition process.

The Board members asked that this matter be tabled until the next meeting to give them time review this issue.

**DISCUSSION REGARDING REQUEST FROM SC MILLION MAN MARCH  
COMMUNITY ACTION GROUP FOR INSURANCE COVERAGE FOR THEIR  
AFTER SCHOOL BASKETBALL PROGRAM**

The Village Manager explained that Jesse York invited him to come to the gym to watch the activities so he went on several evenings to see for himself, and knows that part of the reason for this program is for socialization to take place and modeling of proper behavior. He felt it is a wonderful program, but he is concerned about the liability exposure since he believes there are no trained professionals running the program and it appears that the school is not willing to cover it under their insurance policy.

Trustee Escobar felt that he feels it is a positive program; however, he has the same concerns as the Village Manager.

Mayor Barnicle noted that he also feels this is a good program which is why the Village has just installed a basketball court at the Neighborhood Facility Building and

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also started Teen Night at the same location, but if the Village sets a precedent by covering a group's liability insurance than every other group that wants to have a program should be able to get the same type of insurance coverage and the Village can't afford it at this time.

The Board tabled to the next Village Board meeting when Jesse York would be present to further discuss this matter.

**DISCUSSION ON PLANS TO CORRECT WATER PROBLEM ON MILLER'S HILL**

The Village Manager explained that a survey was done in 1999 of the homeowners in that neighborhood and not everyone was having problems that some of the residents have been complaining about regarding discoloration of the water. The Village Engineer, Glenn Smith in September 2000 had investigated and reported that to replace all the water lines in the system would cost \$721,500, however this would not correct the problem, because the rest of waterlines would still have the same interior lining of sediment itself. He recommended a rechloration station be installed at a cost of \$60,000-\$70,000 to increase the clarity of the water. The money to pay for this improvement could possibly come from the profits of the proposed sale of Village water to the Town of Thompson. The Water Superintendent has suggested that for the homes that are having the discolored water that the Village cut into the line where the water lateral meets the main, because some laterals might have been installed in the lower half of the pipe which would more likely cause sediment and discoloration in only a few particular premises that were connected in this way. The Village will dig into the street on the few houses that are affected, at no cost to the home owner, and if it was connected improperly the Village will make the correction. The Village Manager also recommended that until the water problem is solved, the few houses that have water discoloration continue to get a reduction in their water bill.

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Trustee Schoonmaker suggested that the Village Manager meet with the residents of Miller's Hill again to advise anyone who is affected that hasn't complained up to now because they felt the Village would not do anything about it, but they now would want the same benefits as everyone else.

Betty Friedland agreed with Trustee Schoonmaker that a meeting of all the residents of that area be advised of the Village's plans for this area.

**DISCUSSION FOR USE OF VACATION TIME FOR DEPARTMENT HEADS**

The Village Attorney recommended that this matter be discussed in Executive Session as it concerns particular personnel.

**DISCUSSION REGARDING NAME CHANGE OF THE NEIGHBORHOOD FACILITY BUILDING**

The Mayor explained that the word "facility" sounds like an institution in peoples' minds so some suggestions were to change the name to Monticello Neighborhood Center, etc. He asked the public for input as to whether the name should be changed, as the use of the building is expanding for the usage.

Bob Friedland felt the name should not be changed as this building is a landmark and has been known by this name since it was opened.

Dominick Daniels suggested that the name be Thomas Jefferson Community Center.

The Village Manager felt that the name should reflect to residents that are new to the area exactly what goes on in that building.

The Mayor asked that this matter be discussed at the next meeting with five names being chosen and the public being allowed to vote of their favorite name by possibly calling into the radio stations.

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**CORRESPONDENCE**

The Mayor read a letter from James J. Halloran, of the Coalition for a Casino-Free Sullivan County commending the Monticello Police Department for helping that organization with a demonstration on 17B at the opening of the Racino.

**RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT FOR AND ON BEHALF OF THE VILLAGE OF MONTICELLO AND THE TOWN OF THOMPSON FOR THE SALE OF WATER**

Discussion -

Trustee Schoonmaker apologized for missing the work session that the Board held on this matter. He explained that he is not in favor of approving this agreement and felt that the contract should only be for a two (2) year term if at all.

Trustee VanDermark felt that the water agreement, Treasurer's position and the grant's position should be considered as three separate issues, not a "package" deal. He felt that the Town should be charged at least slightly more than Village residents pay for water, and the amount they will be charged for water should be reviewed after five (5) years. He was concerned that if the Board rejects the Water agreement, the other issues will be withdrawn by the Town leaving the Village in a bind.

The Village Manager noted that the Board has been discussing all three issues for several months and by this time they should all be able to be approved. He did not understand why there is any objection to any of these matters as both the Village and Town gain from each one of them. He felt that recently a water agreement was approved by this Board with the Stockridge Muncee Indians not that long ago with the same terms and conditions.

Trustee VanDermark noted that the cost to them would be higher than for Village properties.

The Village Manager noted that this was not an agreement with the Town who are residents of this community as well.

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Trustee Schoonmaker questioned what kind of development is being planned for that area that this pipeline will be utilized for. He did not feel that \$50,000 is enough when the Town is going to make millions from future developments. He also felt the Board should see the contract prior to passing this resolution or any other agreement.

The Mayor explained that if more water is used, the Village will get more money, as the agreement is based upon usage.

**WHEREAS**, the Village of Monticello owns and operates a plant for the production and supply of water; and

**WHEREAS**, the Town of Thompson has requested the Village Of Monticello to enter into an agreement ("Agreement") with the Town to convey water from the Village of Monticello to the Kiamesha Water District ("District"); and

**WHEREAS**, the Village of Monticello is willing to sell surplus water to the Town for use in the District at the same rate charged for Village of Monticello users; and

**WHEREAS**, the Town of Thompson is willing to be responsible for any costs associated with the project and any labor, machinery, tools and equipment in addition to costs and construction of infrastructure related to the project, as a term of the Agreement; and

**WHEREAS**, Town of Thompson is willing to be responsible for maintenance and upkeep of the Town systems, equipment and infrastructure and is willing to sign a separate maintenance agreement with the Village of Monticello, as a term of the Agreement; and

**WHEREAS**, the Town of Thompson is willing to pay an additional \$15,000.00 to the Village of Monticello to replace revenues presently collected from WalMart, a member of the District, as a term of the Agreement; and

**WHEREAS**, the Town of Thompson is willing to provide the Village of Monticello with a yearly Notice of Anticipated Use, sixty days prior to the anniversary date of the contract as a term of the Agreement; and

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**WHEREAS**, pursuant to Article 5-G of the general Municipal Law, the Village and Town are authorized to enter into a Municipal Cooperation Agreement with respect to the provision of such services;

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

1. THAT the Village, shall be and hereby is authorized to enter into a ten (10) year Agreement with the Town of Thompson to provide water to the Kiamesha Water District, and the construction of the infrastructure related to such water district together with all fees and charges is to be paid for by the Town of Thompson in accordance with such Agreement; and
2. THAT, in accordance with such Agreement, the Town of Thompson shall be responsible for maintenance and upkeep of the Town systems, equipment and infrastructure and shall sign a separate maintenance agreement with the Village of Monticello; and
3. THAT, in accordance with such Agreement, the Town of Thompson shall pay \$15,000.00 to the Village of Monticello to replace revenues presently collected from WalMart, a member of the Kiamesha Water District; and
4. THAT, in accordance with such Agreement, the Town of Thompson shall provide the Village of Monticello with a yearly Notice of Anticipated Use, sixty (60) days prior to the anniversary date of the Agreement; and
5. **THAT the Mayor is authorized to enter into a contract embodying the terms specified above, in a form to be approved by the Village Attorney; and**
6. THAT the execution of an agreement with the Town is subject to completion of the SEQRA review process concerning construction of the infrastructure improvements relating to the Project; and
7. 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 VanDermark, approved on a roll call vote as follows:  
Trustee Schoonmaker, nay; Trustee Escobar, aye; Trustee Marinello, aye; Trustee VanDermark, aye; Mayor Barnicle, aye to adopt the above resolution. Motion carried 4 ayes - 1 nay.

**BEHALF OF THE VILLAGE OF MONTICELLO AND THE TOWN OF THOMPSON FOR CONSOLIDATION OF THE VILLAGE TREASURER'S POSITION WITH THE POSITION OF THE COMPROLLER OF THE TOWN OF THOMPSON**

**WHEREAS**, pursuant to Article 5-G of the general Municipal Law, the Village and Town are authorized to enter into a Municipal Cooperation Agreement with respect to the provision of consolidated treasury services;

**WHEREAS**, the Board of Trustees of the Village of Monticello finds that it is in the best interest of the Village of Monticello to cooperate with the Town of Thompson to jointly employ one individual to perform treasurer's services for both municipalities;

**WHEREAS**, it has been determined that the proposed cost of creating a joint position will save taxpayers' money in the amount of more than \$30,000.00 per annum without significant adverse effect upon service delivery to the residents and taxpayers;

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

1. THAT the Village of Monticello shall be and hereby is authorized to enter into an intermunicipal agreement with the Town of Thompson, retroactive to June 1, 2004, to jointly hire Brenda Galligan as Village of Monticello Treasurer and Town of Thompson Comptroller. The Village Treasurer/Town Comptroller shall be compensated by the Town of Thompson, and the Village of Monticello shall reimburse the Town of Thompson for two-fifths of her total salary and benefits; and



2. THAT this intermunicipal agreement is subject to review in six (6) months with regard to the issues of appropriate service delivery; and
3. THAT the Mayor is authorized to enter into a contract embodying the terms specified above, the form of said contract shall be as approved by the Village Attorney; and
4. 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, nay; Trustee Escobar, aye; Trustee Marinello, aye; Trustee VanDermark, aye; Mayor Barnicle, aye to adopt the above resolution. Motion carried 4 ayes - 1 nay.

**A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT FOR AND ON BEHALF OF THE VILLAGE OF MONTICELLO AND THE TOWN OF THOMPSON FOR CREATION OF A JOINT GRANTS DEPARTMENT**

**WHEREAS**, pursuant to Article 5-G of the general Municipal Law, the Village and Town are authorized to enter into a Municipal Cooperation Agreement with respect to the provision of consolidated grants writing, administration and inspection services; and

**WHEREAS**, the Town of Thompson presently employs an experienced grants writer with vast expertise and no support staff, while the Village of Monticello has a capable support staff and lacks expertise and experience; 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 cooperate with the Town of Thompson to create a joint grants department to combine the grants departments of the two municipalities to jointly perform grants writing, management and inspection services for both municipalities;

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

5. THAT the Village of Monticello shall be and hereby is authorized to enter into an intermunicipal agreement with the Town of Thompson, retroactive to June 1, 2004, to jointly create a grants department employing Arlene Glass as Grants Administrator, Caroline Hayes as Assistant Grants Administrator, Dominic Daniels and Carl Houman, as part time Grants Inspectors; and
6. THAT the Grants Administrator shall remain on the payroll of the Town of Thompson, receiving a \$15,000.00 annual stipend from the Village of
7. Monticello grants administration fees and other proceeds of the grants, and the Village of Monticello employees, Caroline Hayes, Dominic Daniels and Carl Houman, will continue to be compensated by the Village of Monticello through grants administration fees and other proceeds of the grants; and
8. THAT this intermunicipal agreement is subject to review in one year from the retroactive starting date of June 1, 2004, with regard to the issues of appropriate service delivery; and
9. THAT the Mayor is authorized to enter into a contract embodying the terms specified above, the form of said contract shall be as approved by the Village Attorney; and
10. THAT this resolution shall be effective immediately upon signature of the Village Clerk.

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A motion was made by Trustee VanDermark, seconded by Trustee Marinello, approved on a roll call vote as follows: Trustee Schoonmaker, nay; Trustee Escobar, aye; Trustee Marinello, aye; Trustee VanDermark, aye; Mayor Barnicle, aye to adopt the above resolution. Motion carried 4 ayes - 1 nay.

**ORDERING BILLS PAID**

**Fiscal Year 2003/04**

General Fund Claims #1247-1298 in the amount of \$31,944.19 said set forth in abstract A-1 dated August 2, 2004.

Water Fund Claims #340-348 in the amount of \$5,143.88 said set forth in abstract F-1 dated August 2, 2004.

Sewer Fund Claims #257-273 in the amount of \$4,967.85 said set forth in abstract G-1 dated August 2, 2004.

Sanitation Fund Claim #77 in the amount of \$399.60 said set forth in abstract CL-1 dated August 2, 2004.

Capital Fund Claims #65-73 the amount of \$19,249.52 said set forth in abstract H-12 dated August 2, 2004.

Community Development Fund Claims 139-149 in the amount of \$9,583.83 said set forth in abstract CD-1 dated August 2, 2004.

Trust and Agency Fund Claim #118 in the amount of 73.98 said set forth in Abstract TA-1 dated August 2, 2004.

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

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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**PUBLIC COMMENT**

**Cedar Park Commons - New Hope**

Gladys Gold a resident of Cedar Park Commons questioned whether New Hope can buy a home and apply for tax exempt status without the Village Board's approval?

The Mayor explained that New Hope has been in touch with the Village Manager regarding this matter.

Gladys Gold explained that the contract for sale of this Cedar Park unit is conditioned upon "Padavan" site approval by the Village of Monticello. She explained that Padavan Site Approval is the Mental Hygiene Law of the State of New York and they cannot buy a tax exempt parcel of property unless they get the Village Board's approval, and she is not aware that this approval has been given by this Board. She was concerned that these premises would not be a safe facility for people with special needs because it is a two story condo with a small kitchen and a tiny backyard with three stone steps for them to leave the back of the house.

The Mayor directed that Village Attorney to research the matter to find out if the Village has any legal recourse.

The Deputy Village Attorney felt that the Village might be able to stop this sale if New Hope misrepresented them.

**AAA Transportation**

Alan Kesten, owner of Yellow Cab explained that there has been a long standing legal problem with a non-medallion, non-licensed competitor. He felt it is time for the Village Board to direct the Village Attorney to get an injunction to put an end to the continuing problem.

The Village Attorney directed the Deputy Village Attorney to advise the Village Board as to their legal ramifications.

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The Deputy Village Attorney felt this matter should be addressed in Executive Session, but explained that he feels the Monticello Police Department has exceptional job of enforcement regarding this problem.

**Tax Revaluation**

Betty Friedland was concerned because many Village properties valuations were raised because of the recent revaluation and then the Board increased taxes by 5.6%. She noted that some residents got a tax increase of \$500 or more in this one year, and she felt it was almost criminal that the Board did not allow public comment at their budget workshop because some of the people have good ideas about how to cut the budget without cutting services. She felt the Board did not take into consideration people who could not afford these steep increases.

**Outside Sewer Services**

Bob Friedland questioned what benefit he gets as a Village property owner when the Board is giving away the services, such as sewer and water to Town of Thompson property owners. He felt that if the property on East Broadway is contiguous with the Village than they should be made to annex into the Village since he wants our benefits. He felt that by giving away these services people have no incentive to move into the Village.

**Property Maintenance Concerns**

Rochelle Massey explained that the problem she complained about at the last meeting on Spring Street has not been remedied, as well as there still are many unregistered vehicles on properties throughout the Village.

The Mayor announced that the Village is in the process of hiring another code enforcement officer who will be issuing summons to unregistered vehicles and property maintenance issues also. He asked the Village Attorney to write a law to shorten the time period to take the offenders to court or simply remove junk cars when they are not immediately moved by the owner.

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The Village Attorney responded that she has been looking at some sample legislation to begin drafting a law, but the Code Enforcement Officer, Sue Flora, has been streamlining the system already.

The Mayor asked the Village Attorney to distribute at the next Board meeting for the public's information, the procedure and time frame regarding various types of violations to be remedied.

The Village Manager indicated that he will check on Mrs. Massey property because that should have been given a summons week's ago. He will contact Rochelle when he finds out what is holding up the process.

Ms. Massey noted that she has been complaining about this particular property since April.

The Mayor explained that once this new Assistant Code Enforcement Officer is hired that Village will have more people on the street finding these violations. He noted last year only 3 hours a week was spent on code enforcement and with the addition of this new person 70 hours will be devoted to just code enforcement.

The Village Manager felt that he is hoping to enact a law that has unregistered vehicles removed within 24 hours after they have been cited.

### **Park Avenue**

A resident was concerned about vehicles speeding on Park Avenue.

The Village Manager responded that other residents of that street have also complained and as a result an officer has been stationed at that location and a number of motorists have been ticketed using radar. He felt that this practice should be done throughout the Village. He noted that just today he gave the Police Chief a memo regarding enforcing quality of life issues such as left hand turns where they are prohibited, etc. He felt this enforcement must be done tenaciously.

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Bob Friedland suggested that Village enact a law preventing left hand turns onto Broadway from Park Avenue between the hours of 8 a.m. to 5 p.m. as it is becoming increasingly dangerous for cars to get through traffic from that intersection.

**EXECUTIVE SESSION**

At 9:22 p.m., a motion Trustee VanDermark, seconded by Trustee Escobar, unanimously approved on a roll call vote to move into Executive Session to discuss a contract and a personnel matter involving a particular person.

**RECONVENING THE REGULAR VILLAGE BOARD MEETING**

At 9:35 p.m., a motion was made by Trustee Escobar, seconded by Trustee Schoonmaker, unanimously approved on a roll call vote to reconvene the Regular Village Board meeting.

**RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A THREE YEAR AGREEMENT WITH CAPACITY COVERAGE COMPANY OF NEW JERSEY, INC. WITH OWEN MCKANE AS OUR REPRESENTATIVE FOR THE VILLAGE LIABILITY INSURANCE**

**WHEREAS**, the Village agreed on May 17, 2004 to enter into an agreement with William A. Smith Insurance Agency and Owen F. McKane III as our representative; and,

**WHEREAS**, Owen F. McKane III has left the William F. Smith firm and has the authority to take his accounts with him; and,

**WHEREAS**, the new Company, Capacity Coverage Company of New Jersey, Inc., can provide equal or better coverage at a lower cost to the Village.

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, by the Board of Trustees of the Village of Monticello that the Mayor of the Village of Monticello is authorized, on behalf of the Village of Monticello to enter into a contract according to the parameters of the proposal herein attached, with Capacity Coverage Company of New Jersey, Inc. and Owen McKane III as our representative for a comprehensive Risk Minutes - Regular Village Board Meeting

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Management and Compliance Program for the Village; and that said contract shall be for a term of three (3) years to expire July 31, 2007.

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

**ADJOURNMENT**

At 10:50 p.m., a motion was made by Trustee Schoonmaker, seconded by Trustee Marinello, unanimously approved on a roll call vote to adjourn the Regular Village Board meeting.

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EDITH SCHOP, Village Clerk



