

MINUTES
REGULAR MEETING OF THE BOARD OF TRUSTEES
VILLAGE OF MONTICELLO, N.Y.
MONDAY, JUNE 19, 2006

MEETING TO ORDER

Mayor Barnicle called the meeting to order at 7:00 p.m.

PLEDGE TO THE FLAG

Roll Call

Upon call of the roll, the following were:

Present:

Absent:

James Barnicle, Mayor
Gordon Jenkins, Trustee
Victor, Marinello, Jr. Trustee
Brian VanDermark, Trustee

Scott Schoonmaker, Trustee

Also Present: Richard Sush, Village Manager
Tim Havas, Deputy Village Attorney
Sue Flora, Code Enforcement Officer

APPROVAL OF MINUTES OF BOARD MEETING OF JUNE 5, 2006

A motion was made by Trustee VanDermark, seconded by Trustee Marinello, unanimously approved on a roll call vote to adopt the minutes of June 5, 2006 as presented.

OLD BUSINESS

Fishing Derby

Mayor Barnicle announced that the 2nd annual Fishing Derby hosted by the Village of Monticello and the Federation of Sportsmen's Clubs of Sullivan County at deHoyos Park will be held on Saturday, July 15th from 10 a.m. to noon for children ages 14 & under.

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Gymnastic Exhibition

Mayor Barnicle announced that he attended the annual gymnastic exhibition held at the Monticello High School where the achievements of the gymnastic school demonstrated their accomplishments.

AWARD PRESENTATION - OFFICERS SCOTT EDWARDS & ROBERT PRATTI

Chief Douglas Solomon awarded Officers Scott Edwards & Robert Pratti the Medal of Honor for performing an outstanding act in the line of duty in imminent personal hazard of life with full knowledge of the risk involved. He explained that on March 4, 2006 a man was firing multiple shots from a handgun into the window of the crowded Chase Bar located just across the street from the police station. Showing great courage and restraint Officers Edwards and Pratti disarmed the assailant with one bullet left in the handgun and the only injury that occurred was to one female struck in the hip by a bullet that had ricocheted off the ceiling.

MANAGER'S REPORT

Budget Update

The Manager reported that with the suggestions and the Board's guidance the Treasurer was able to reduce the budget from a 5% down to a 3.6% increase. One of the factors was that the career firefighter's health insurance was still being charged to the Village and this was corrected and reduced the health insurance cost. He also explained that the State Comptroller was here to review the 2006/07 Fiscal Year budget and they were very pleased with everything, however, the State Comptroller's office notified the Treasurer that they were not happy that the Village did not account for how the Village will pay the fire district the tax money that is collected which wasn't included in the budget. The Treasurer indicated that the State Comptroller had only reviewed the preliminary budget and since that time it is included in the final budget and has been addressed.

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**RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO SIGN A
RENEWAL AGREEMENT WITH BRENDA ROBINSON TO BE THE PARK
CUSTODIAN**

WHEREAS, the Village of Monticello has had a park custodian to monitor activities of deHoyos Park and open the gates in the morning and close the gates at sundown; and,

WHEREAS, Brenda Robinson owns property at the entrance of the deHoyos park and has assumed these duties and report any errant behavior to the Monticello Police Department and/or the Village Manager; and,

WHEREAS, as compensation Brenda Robinson has received is that her Village Water, Sewer and Sanitation charges be waived during the period of time she performs these duties.

WHEREAS, the Village of Monticello was satisfied with this arrangement for having a park attendant.

NOW, THEREFORE BE IT RESOLVED, that Board of Trustees of the Village of Monticello does hereby authorize the Village Manager to sign a renewal agreement for the period from June 2, 2006 To June 1, 2007 in form approved by the Village Attorney with Brenda Robinson to be the Park Custodian with payment to be in lieu of her Water, Sewer and Sanitation - Account #474 Utility Bills.

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 APPROVING PAYMENT #4 TO J. NOSENCHUK
CO. IN THE AMOUNT OF \$2,052.00 FOR CONSTRUCTION OF NEW
RECHLORINATION STATION ON EAST DILLON ROAD**

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

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

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

WHEREAS, the Village Engineer and Clarence Decker, Water Treatment Plant Superintendent has recommended that the fourth payment in the amount of \$2,052.00 be paid to J. Nosenchuk Co. for the work already completed.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Monticello does hereby approve payment No. 2 in the amount of \$24,424.50 to J. Nosenchuk Co. for the work completed for the construction of a new rechlorination station on East Dillon Road.

A motion was made by Trustee 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 5 OF 2006 AMENDING SECTION 216-5 AND SECTION 216-17 OF CHAPTER 216 OF THE CODE OF THE VILLAGE OF MONTICELLO ENTITLED "SOLID WASTE"

WHEREAS, the Board of Trustees of the Village of Monticello desires to aggressively pursue recycling efforts within the limits of the Village of Monticello; and

WHEREAS, in furtherance of aggressive pursuit of recycling efforts, the Board of Trustees of the Village of Monticello to require the use of clear plastic bags for disposal of refuse within the limits of the Village of Monticello; and

WHEREAS, the Board of Trustees of the Village of Monticello wishes to set a time and place for a public hearing with respect to proposed Local Law 5 of 2006 amending Sections 5 and 17 of Chapter 216 of the Code of the Village of Monticello entitled "Solid Waste", so that the public may be heard;

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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 July 10, 2006, at Monticello Village Hall, 2 Pleasant Street, Monticello, New York 12701; and it is further

RESOLVED, that the Village Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

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

DISCUSSION OF LOCATION OF TAXI "HACK" STANDS

The Mayor explained that there are three "hack stands" located in the center of the business district where most of the businesses are operating. With those present locations and parking space that will be lost when Broadway is redone next year, the Mayor suggested that these "hack stands" be moved to a side street such as Pelton Place, Prince Street, Liberty Street or Lakewood Avenue.

The Clerk noted that the public hearing is scheduled for the July 10th meeting, but in order to write the local law the exact locations of each of these "hack stands" must be specifically named in the proposed local law.

The Chief of Police suggested that he and the Village Manager try to locate the appropriate spots on the side streets and report back to the Board at the next meeting.

The Clerk suggested that the Board amend the resolution setting the public hearing for the second meeting in July.

RESOLUTION AMENDING THE 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. 6 OF 2006 AMENDING SECTION 11 OF CHAPTER 229 OF THE CODE OF THE VILLAGE OF MONTICELLO ENTITLED "HACK STANDS" ADOPTED ON JUNE 5, 2006

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Trustee Jenkins suggested that three spaces be reserved in one of the Village's municipal lots.

Police Chief Solomon requested that the matter be tabled until he can evaluate the different locations and make a recommendation to the Board.

WHEREAS, the Board of Trustees of the Village of Monticello desires to relocate various hack stands within the limits of the Village of Monticello; and

WHEREAS, the Board of Trustees of the Village of Monticello has determined that it is in the best interest of the Village of Monticello to relocate said hack stands within the limits of the Village of Monticello; and

WHEREAS, the Board of Trustees of the Village of Monticello wishes to reschedule the time and place for a public hearing with respect to proposed Local Law 6 of 2006 amending Section 11 of Chapter 229 of the Code of the Village of Monticello entitled "Hack Stands", so that the public may be heard;

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. be rescheduled for July 24, 2006, at Monticello Village Hall, 2 Pleasant Street, Monticello, New York 12701; and it is further

RESOLVED, that the Village Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

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

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PUBLIC COMMENT

Conditions on Broadway

Becky Whipple was concerned with the appearance of the former Kaplan's building that has shredded paper on the front plate glass windows and the former Napoli's building has opened or boarded up windows on top and paper half covering the front plate glass windows. She felt that it is a horrible image for people driving into downtown to see vacant properties that look dilapidated.

Handicap Ramp

Becky Whipple was concerned about the crumbling condition of the handicap ramp leading up to the backdoor of the Village Hall.

Problems At The Ted Stroebele Recreation Building

Roz Sharoff, President of the Senior Citizens, was concerned about the deteriorating conditions at the Ted Stroebele Recreation Building. She indicated that an exterminator is needed immediately as there is evidence of vermin. Also, the clock in their meeting room that was donated by Kiwanis was stolen possibly by the "Juneteenth" activity held on Saturday night. She also noted that after many weekend activities are held in that building bulletin boards are rearranged or stolen, strips of tape have to be removed from the walls, etc.

The Manager was directed to find out whether that the organization's deposit for the use of the building has been refunded yet.

RECESS

At 7:29 p.m., a motion was made by Trustee VanDermark, seconded by Trustee Jenkins, unanimously approved on a roll call vote to recess the meeting until Monday, July 3, 2006 at 6 p.m. for the purpose of passing the 2006/07 Fiscal Year budget.

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**RECONVENING THE REGULAR VILLAGE BOARD MEETING - MONDAY,
JULY 3, 2006**

MEETING TO ORDER

Mayor Barnicle called the meeting to order at 6:09 p.m.

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: Richard Sush, Village Manager
E. Danielle Jose, Village Attorney
Clarence Decker, Water Superintendent

**RESOLUTION ADOPTING THE GENERAL GOVERNMENT BUDGET FOR THE
VILLAGE OF MONTICELLO (2) A SUMMARY OF THE ENTIRE PROPOSED
BUDGET FOR THE 2006/07 FISCAL YEAR (3) SANITATION RATES AND
(4) SETTING WATER RATES FOR THE 2006/07 FISCAL YEAR**

Mayor Barnicle explained that at the work session when it was announced that the increase would be 3.6%, however, with the latest revised budget with the State Auditors recommendations it moved the increase from 3.6% to 4.9%. He and the Village Manager than looked at the Consumer Price Index (CPI) increase was, which is 3.4% for 2005 and rose at a 5.2% seasonally adjusted annual rate. He felt that the proposed 4.9% Village budget increase is below the CPI for the metropolitan area.

Trustee Schoonmaker indicated that a 4.9% increase is not acceptable. He was also concerned that the Village is getting too close to the Constitutional Tax Limit and shortly will be at the maximum level.

Carmen Rue explained that taxes are already too high and people cannot afford to live in the Village any more.

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The Village Manager explained that after the Board had their work session and the Board suggested a variety of budget cuts, the Treasurer revised the budget which lowered the increase to 3.6%, however, the Village then received the letter from the State Comptroller which was based on the tentative budget and their complaint was that items were not included such as not enough in the contingency line, two possible retirements were not provided for, and it did not include the payment to the Fire District that has to be done by December 31, 2006. The Treasurer was able to put everything into the proposed budget except \$56,000 (of the \$356,000) that has to be given to the Fire District. The Comptroller insisted that the full amount be included in the 2006/07 budget, which will make next year's budget possibly lower. Also, since we are not sure that two employees are retiring, so only one retirement benefit was included in the proposed budget. He noted that the Treasurer's memo notes that this 4.9% increase is the best that can be achieved without making cuts that the Board would feel uncomfortable making.

Trustee Schoonmaker wanted a more detailed budget proposal including the payroll schedule. He felt that the Board had not agreed to leave the stipends in the budget as they were presented and some were to be removed from.

The Mayor felt that Trustee Schoonmaker already had that information and the Board had agreed to leave the stipends in the budget.

Trustee Jenkins agreed with Trustee Schoonmaker that no decision had been made about the stipends and he also had not agreed to leave them in the budget as he is totally opposed to stipends.

The Village Manager replied that he received no instructions the evening of the work session to remove the stipends only \$20,000 from the landfill, \$1,000 for ammo, reduce the retirement, the fire district, \$2,600 from elections, \$500 on traffic lights, \$5,000 on prepaying retirement from the proposed budget.

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A motion was made by Trustee Schoonmaker, seconded by Trustee Jenkins to adjourn the meeting until the Board has a complete packet including the payroll schedule.

The Mayor explained that at the work session, although there was a long discussion, there was no agreement to withdraw neither the stipends nor the salary increases.

Trustee Schoonmaker explained that he wanted the \$8,500 stipend removed because of how it was originally given to that employee.

Trustee Jenkins explained that he was under the impression that the Treasurer would be at this meeting tonight. He wants the budget to be reduced.

Mayor Barnicle explained that after the work session the Treasurer lowers the increase to 3.6%, however the Comptroller made her add items that she was not expecting to be included in this budget this year which raise the increase to 4.9%.

Trustee Jenkins explained that he expects to lower that increase at this meeting this evening.

Mayor Barnicle explained that at the work session the Board reduced the budget to "bare bones", except for hiring an additional Code Enforcement Officer, but what caused the increase was no discretion to include certain costs in the budget by the State Comptroller's Office.

Trustee Schoonmaker explained that at the work session it was said that certain appointed officials of the Village are not entitled to a 3.25% raise because they knew what that salary would be at the time of their appointment. It was also said that the Village needs to be run like a business and everything needs to be reviewed and changed.

After a short discussion Trustee Schoonmaker withdrew this motion, seconded by Trustee Jenkins, unanimously approved on a roll call vote to withdraw the motion to adjourn this meeting.

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The Manager explained that the \$8,500 stipend is for additional work that is not in their job description.

Trustee Jenkins indicated that he did not believe it is additional work.

Water Superintendent Decker felt that Sheri Bisland is more than worth that \$8,500 and she was given that stipend because she does all of this extra work and being piled on her because there is no full time Treasurer.

Mayor Barnicle indicated that this stipend had been voted on by a previous Village Board.

Trustee Jenkins explained that there were stipends that were removed, so other can also be removed.

The Village Manager agreed that they can be taken back, but he is advising against it in this case. The Manager explained that the former Treasurer put this stipend in the budget, but no one knows why it was given originally, however, now the Deputy Treasurer is getting the money for additional duties.

Trustee Schoonmaker felt that the original stipend was given because someone's attitude towards other employees salaries when Gary Sommers was Mayor.

The Manager indicated that this might be true; however, that is not the present case.

Trustee Schoonmaker questioned if there is a job description for Deputy Treasurer?

The Manager responded that there is a job description for Deputy Treasurer which is over and above the account clerk work.

Trustee Schoonmaker felt that the additional work is not worth \$8,500. He felt the Board is doing is ruining the Village with all the money that is paid out.

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Trustee Jenkins felt that in that case all the deputies should get extra money.

The Mayor noted that stipends are not entitled to the 3.25% raises.

Trustee Jenkins noted that he is concerned about the taxpayers and their perception of how their money is being spent. He noted that he has already had four phone calls just about the stipends. He also thought the stipend could be substantially reduced.

Trustee Schoonmaker felt that the Village Manager should meet with the County to see if the landfill tipping fee could be reduced before the budget is voted on.

The Manager indicated that this would not reduce the general fund budget, and he felt the County would not negotiate with the Village as long as that Local Law regarding the expansion of the landfill is a law.

Trustee Marinello explained that he has been to the County several times to try and get the tipping fees reduced and they would not even discuss the proposal. He indicated that he will not support rescinding the landfill expansion local law.

Trustee VanDermark felt that if the stipend is removed it will put an extra burden on the Treasurer who might resign from the position and the Account Clerk in the Treasurer's Office will not be willing to do anything other than what is in her job description.

Trustee Schoonmaker felt that there will be a public outcry if the budget is passed with a 4.9% increase.

A motion was made by Trustee Jenkins, seconded by Trustee Schoonmaker, on a roll call vote as follows: Trustee Schoonmaker, aye; Trustee Jenkins, aye; Trustee Marinello, nay; Trustee VanDermark, nay; Mayor Barnicle, nay; to remove the \$8,500 stipend from the proposed budget. Motion denied 2 ayes - 3 nays.

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A motion was made by Trustee VanDermark, seconded by Trustee Jenkins, on a roll call vote as follows: Trustee Schoonmaker, nay; Trustee Jenkins, nay; Trustee Marinello; nay; Trustee VanDermark, nay to adopt the 2006/07 Fiscal Year Budget. Motion was denied 4 nays.

EXECUTIVE SESSION

At 7:10 p.m., a motion was made by Trustee Jenkins, seconded by Trustee VanDermark, unanimously approved on a roll call vote to move into Executive Session to discuss a contractual matter and a personnel matter.

ADJOURNMENT

At 7:25 p.m., a motion was made by Trustee VanDermark, seconded by Trustee Schoonmaker, unanimously approved on a roll call vote to adjourn the Regular Village Board meeting.

EDITH SCHOP, Village Clerk