

MINUTES
REGULAR MEETING OF THE BOARD OF TRUSTEES
VILLAGE OF MONTICELLO, N.Y.
TUESDAY, JANUARY 2, 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:

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

Also Present: Ray Nargizian, Village Manager
E. Danielle Jose, Village Attorney
Tim Havas, Deputy Village Attorney
Douglas Solomon, Chief of Police
Sue Flora, Code Enforcement Officer
Sam Wohl, County Legislator

MOMENT OF SILENCE - FRM PRESIDENT GERALD FORD

Mayor Barnicle asked for a moment of silence for former President Gerald Ford who passed away this week.

APPROVAL OF MINUTES OF BOARD MEETING OF DECEMBER 18, 2006

A motion was made by Trustee Marinello, seconded by Trustee Jenkins, unanimously approved on a roll call vote to adopt the minutes of December 18, 2006 as presented.

SWEARING IN OF THE NEW VILLAGE MANAGER

Village Clerk Edith Schop administered the Oath of Office to the newly appointed Village Manager Ray Nargizian.

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Village Manager Ray Nargizian thanked the Board for their vote of confidence in selecting him as the Village Manager and made the following remarks:

The Board has empowered me to do the job of managing the Village. The taxpayers are entrusting me on their behalf to manage the Village. My fiduciary responsibility is to the taxpayers. I am obligated to look out for their collective interest. And I will do so. Managing the Village will encompass overseeing a smooth transition from the old Broadway to the new Broadway. A priority will be on bringing new businesses to Broadway and filling up all the vacancies. A priority will also be placed on reducing crime in the Village with zero tolerance of law breakers.

Code Enforcement will be fine tuned and enforcer. We will be a people and business friendly Village. I welcome criticism and citizen participation. To my many friends and supporters I hope I can live up to their expectations, and I am looking forward to the challenges before me.

Mayor Barnicle explained that the Village Manager is the CEO and in charge of the day to day operation of the Village, and the Board enacts the laws and the Board is looking forward to working with him.

OLD BUSINESS

Mayor Barnicle announced that the Village transferred title of the firehouse to the Joint Monticello Fire District. All the property, building and equipment are now owned by the District. He noted that the Town tax bill that was received this week has a separate line item for the fire district and where previously it cost the Village taxpayers \$1.45 per thousand for fire protection and now that we are splitting the cost equally with the Town of Thompson it will cost the Village taxpayers .55 cents per thousand for fire protection.

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PUBLIC COMMENT

Crime Prevention

Harry Brantz felt that the police must crackdown of the increasing crime rate in the Village. He was also concerned that terrorists are all over this world.

Fire Department Taxpayer Cost

Becky Whipple questioned if the Village taxpayers were charged for fire protection service from January 2007 through July 2007 since it is being charged on the Town tax bill as a separate line item.

Mayor Barnicle responded that he will have the Village Treasurer respond to that inquiry at the next meeting.

Police Department

Becky Whipple was concerned that each time she drove by the police station, many police cars were sitting in front of the station although there were many shootings going on. She also asked for a comment regarding the recent article in the newspaper regarding the amount of illegal firearms in the Village given by the Chief of Police. She felt that the article will scare anyone interested in moving to the Village to live or thinking about opening a business. She felt the newspaper is read throughout the Hudson Valley and does not give the Village a good image.

The Mayor responded that it could be a change of shift, paper work being done by the officers or it could just be a coincident.

Trustee Schoonmaker indicated that Harry Brantz is correct that we have terrorism right here in the Village of Monticello with the gangs, with the shootings, etc. He noted that the Police Chief and the District Attorney have assured him that they are working on some plans, but it will take sometime to institute through a Task Force Grant that has already been awarded to the Monticello Police Department.

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The Chief of Police noted that the State Police is monitoring the Village activity and called in when necessary. He assured everyone that he is doing the best he can with the resources available to him.

The Mayor noted that the recent gun bust on Edward Avenue was done after a many months of investigations with many police agencies.

Bob Kunis felt that he has confidence in the people in charge.

Closing For Fmr. President Gerald Ford

Carmen Rue felt that money was wasted when local governments (County, Town and Village) closed for a day of mourning, since it was only the federal government that declared it a holiday. She felt taking a few minutes in silence for his memory would have been enough.

Return of Funds

Carmen Rue questioned whether the Mayor has returned the \$6,000 plus interest that he was paid illegally for performing the Acting Village Manager duties.

Fisk Avenue

Carmen Rue was concerned with 20 bags of garbage that remain on the property on Starr Avenue, since they have remained there before the holidays and it is looking like a landfill. She felt there is not only crime in the Village, but it is very dirty. She noted that the Village has passed many code enforcement laws such as the removal of graffiti from buildings and none of these laws have been enforced.

Appointment of Emergency Management Coordinator

Carmen Rue felt that Trustee Marinello should not be appointed the Emergency Management Coordinator as he is employed by Mobilemedic who was supposed to submit an emergency plan in exchange for the use of the Ted Stroebele Recreation Center; however a different plan was submitted

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by the Town and Village. She questioned whether Trustee Marinello would be paid since Mr. Satenstein received \$1,800 for chairing that committee from the Town of Thompson.

Trustee Marinello responded that he volunteered and served with no payment to him.

Condition of the Village

Betty Friedland noted that when you drive around the Village all you see a Village that is dirty with dilapidated buildings and she would like to live in a clean community. She felt that with these poor conditions you are only attracting the wrong people who possess drugs, have guns, etc.

Water Conditions

Betty Friedland indicated that her water is still dirty when running through her faucets at home, as well as Becky Whipple's water.

Tax Exempt Properties

Betty Friedland indicated that there is a rumor in the Village that several large parcels of land are being bought by tax exempt organizations and she suggested that the Mayor and/or Manager write a letter to the new Governor explaining what is happening in the County, Towns and Villages and explain that the taxpaying residents cannot afford any more exemptions because the burden is put on them.

Working Together

John LiGreci felt that everyone should work together to make it a better place to live and it will make a difference.

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**RESOLUTION ADOPTING LOCAL LAW NO. 1 OF 2007 ENTITLED
"FENCES"**

The Village Attorney explained that she has revised the local law incorporating all of Dr. Hudes suggestions with two changes in Section 12 and Section 15. Dr. Hudes suggested using the word "unsightly" but she felt for the purposes of enforcement that might be unconstitutionally vague so she specifically put in "overgrowth" in Section 12. With respect to Section 15-Existing Fences she wrote that existing fences need to follow all the other sections of the chapter including without limitation Section 12-Overgrowth. She asked for feedback from anyone who has expertise in fences including the Code Enforcement Officer, and Trustee Schoonmaker to revise this law appropriately. The Village Attorney will submit a new revised local law for the Board's review prior to the February 5th Board meeting.

Since there was a question regarding existing fences it was agreed to set a new public hearing for a totally revised local law.

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF
MONTICELLO SETTING A TIME AND PLACE FOR A PUBLIC HEARING
WITH RESPECT TO ADOPTION OF PROPOSED LOCAL LAW NO. 2 OF
2007 ENTITLED "FENCES"**

WHEREAS, the Board of Trustees of the Village of Monticello desires to add a Section to the Village Code governing fences in 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 regulate fences 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 No. 2 of 2007 entitled "fences" to the Village Code, so that the public may be heard.

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NOW, THEREFORE BE IT 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 Monday, February 5, 2007, at Village Hall, 2 Pleasant Street and it 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 Schoonmaker, 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 ADOPTING THE PROPOSED COMPREHENSIVE EMERGENCY MANAGEMENT PLAN FOR THE VILLAGE OF MONTICELLO AND THE TOWN OF THOMPSON

WHEREAS, it is required under current law for each municipality in the State of New York to adopt an emergency management plan; and

WHEREAS, the Town of Thomson ("Town") and the Village of Monticello ("Village") have, in coordination with other local, state and federal agencies developed a comprehensive proposed Emergency Management Plan which is a work in progress; and

WHEREAS, the Board of Trustees of the Village of Monticello has reviewed the proposed comprehensive Emergency Management Plan and finds that it is in the best interest of the Village of Monticello.

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

1. THAT the Board of Trustees of the Village of Monticello does hereby adopt the comprehensive proposed Emergency Management Plan; and
2. THAT the Board of Trustees of the Village of Monticello does hereby authorize the Mayor to execute the above referenced plan; and

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3. 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 Jenkins, nay; Trustee Marinello, aye; Trustee VanDermark, aye; Mayor Barnicle, aye; to adopt the above resolution. Motion carried 3 ayes -2 nays.

RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTICELLO APPOINTING A COMPREHENSIVE EMERGENCY MANAGEMENT COORDINATOR FOR THE VILLAGE OF MONTICELLO

WHEREAS, it is required under current law for each municipality in the State of New York to adopt an emergency management plan; and

WHEREAS, the Town of Thomson ("Town") and the Village of Monticello ("Village") have, in coordination with other local, state and federal agencies, developed a comprehensive proposed Emergency Management Plan which is a work in progress; and

WHEREAS, the Board of Trustees of the Village of Monticello has adopted the proposed comprehensive Emergency Management Plan which is a work in progress and finds that it is in the best interest of the Village of Monticello; and

WHEREAS, the plan will continue to be modified through intermunicipal and interagency cooperation and consultation; and

WHEREAS, Deputy Mayor/Trustee Victor Marinello has worked in coordination with other local, state and federal agencies and assisted in the hands-on development of the comprehensive Emergency Management Plan adopted by the Village; and

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WHEREAS, the Board of Trustees of the Village of Monticello finds that it is in the best interest of the Village to appoint Deputy Mayor/Trustee Victor Marinello, as the Emergency Management Coordinator to continue to serve as liason to the continued development of the Emergency Management Plan which is a work in progress.

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

1. THAT the Board of Trustees of the Village of Monticello does hereby appoint Deputy Mayor/Trustee Victor Marinello as Emergency Management Coordinator; and
2. THAT this resolution shall be effective immediately upon signature of the Village Clerk.

Discussion-Mayor Barnicle indicated that Trustee Marinello represented the Village on this committee compiling this document.

Trustee Schoonmaker did not feel that Trustee Marinello had the training and expertise to be nominated as the Emergency Management Coordinator.

Trustee Jenkins felt that Trustee Marinello has a conflict because he is on the Village Board, and he felt the Village should find someone who has the training and is not on the Village Board.

Mayor Barnicle felt that Trustee Marinello should be appointed the coordinator since he helped write the plan and is the most knowledgeable of its content.

Trustee Schoonmaker felt that once a disaster is declared the County takes over the entire operation.

Trustee Marinello indicated that whatever happens in the Village is coordinated by someone in the Village before it even gets to the County Emergency Management Director.

Trustee Jenkins suggested that Albee Bochman be appointed the Emergency Management Coordinator.

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A motion was made by Mayor Barnicle, seconded by Trustee VanDermark on a roll call vote as follows: Trustee Schoonmaker, nay; Trustee Jenkins, nay; Trustee Marinello, abstain; Trustee VanDermark, aye; Mayor Barnicle, aye; to adopt the above resolution. Motion denied 2 ayes-2 nays-1 abstention.

**RESOLUTION BY THE VILLAGE OF MONTICELLO BOARD OF TRUSTEES
DECLARING ITSELF LEAD AGENCY WITH RESPECT TO PROPOSED LOCAL
LAW NO. 1 OF 2007 CREATING A SPECIAL BENEFIT ASSESSMENT
AREA WITH RESPECT TO THE CRYSTAL RIDGE PROJECT.**

WHEREAS, the Village of Monticello Board of Trustees is contemplating the adoption of Local Law No. 10 of 2006 which would create a special benefit assessment area for stormwater and drainage improvements; and

WHEREAS, this special benefit assessment area for stormwater and drainage improvements would apply to the Crystal Ridge project located in the vicinity of Hillcrest Avenue in the Village of Monticello, New York, and containing a tax map number of 106-3-1.2 and 106-3-6; and

WHEREAS, this local law would constitute an unlisted action and would require SEQRA evaluation; and

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WHEREAS, the adoption of this local law would not require any coordinated review,

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Village of Monticello Board of Trustees will act as lead agency with respect to the SEQRA determination pertaining to proposed Local Law No. 1 of 2007.

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

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**PART II OF THE ENVIRONMENTAL ASSESSMENT FORM - LOCAL LAW
NO. 2 OF 2007 - SPECIAL BENEFIT ASSESSMENT AREA WITH
RESPECT TO THE CRYSTAL RIDGE PROJECT**

The Village Board reviewed the EAF Part II with Deputy Village Attorney Tim Havas as listed on the Short Form Part II form, and it was agreed that there would be no major environmental impacts. The Mayor asked if anyone had any comments or issues regarding the Environmental Assessment Review. There were no comments at this time.

**RESOLUTION BY THE VILLAGE OF MONTICELLO BOARD OF TRUSTEES
TO DECLARE A NEGATIVE DECLARATION WITH RESPECT TO THE
ADOPTION OF LOCAL LAW NO. 1 OF 2007 CREATING A SPECIAL
BENEFIT ASSESSMENT AREA FOR THE CRYSTAL RIDGE PROJECT.**

WHEREAS, the Village of Monticello Board of Trustees is contemplating the adoption of Local Law No. 10 of 2006 creating a special benefit assessment area with respect to the Crystal Ridge project located in the vicinity of Hillcrest Avenue in the Village of Monticello, New York, and containing a tax map description of 106-3-1.2 and 106-3-6; and

WHEREAS, the Village of Monticello Board of Trustees has declared itself lead agency with respect to this matter; and

WHEREAS, the Village of Monticello Board of Trustees has reviewed and completed a short Form EAF; and

WHEREAS, the Village of Monticello Board of Trustees has presided over a public hearing; and

WHEREAS, the Village of Monticello Board of Trustees, based on all of the foregoing, has concluded that there are no adverse environmental impacts with respect to the adoption of Local Law No. 1 of 2007; and

NOW, THEREFORE, IT IS HEREBY RESOLVED, that:

- (1) The Village of Monticello Board of Trustees declares a negative declaration with respect to the adoption of Local Law No. 1 of 2007.

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

EXECUTIVE SESSION

At 8:25 p.m., a motion was made by Trustee VanDermark, seconded by Trustee Marinello, unanimously approved on a roll call vote to move into Executive Session for legal advise.

RECONVENING THE REGULAR VILLAGE BOARD MEETING

At 8:55 p.m., a motion was made by Trustee VanDermark, seconded by Trustee Marinello, unanimously approved on a roll call vote to move out of Executive and reconvene the regular Village Board meeting.

VILLAGE OF MONTICELLO RESOLUTION OF ADOPTION LOCAL LAW NO. 1 OF 2007 BENEFIT ASSESSMENT AREA FOR STORMWATER/DRAINAGE IMPROVEMENTS

WHEREAS, an introductory Local Law entitled "Benefit Assessment Area for Stormwater/Drainage Improvements" was introduced before the Board of Trustees of the Village of Monticello on November 20, 2006, and upon notice duly published and posted, a hearing was held on November 20, 2006, before the Board of Trustees; and

WHEREAS, said local law authorized the Board of Trustees of the Village of Monticello to establish the operation and maintenance of a detention basis for the proposed residential development project known as "Crystal Ridge" as a local improvement pursuant to New York Village Law Section 22-2200; and

WHEREAS, public discussion was heard at such hearing concerning the merits of said introductory local law; and

WHEREAS, the Village of Monticello Planning Board, as lead agency for the environmental review of the proposed Crystal Ridge residential development project pursuant to the State

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Environmental Quality Review Act (SEQRA) made a determination of non-significance, i.e. a negative declaration, for the project on November 20, 2006, and/or this local law is a unlisted action under SEQRA.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that introductory Local Law entitled "Benefit Assessment Area for Stormwater/Drainage Improvements" of the Village of Monticello be and hereby is adopted as Local Law No. 1 of 2007 of the Village of Monticello.

A motion was made by Trustee VanDermark, seconded by Trustee Schoonmaker, unanimously approved on a roll call as follows: Trustee Schoonmaker, aye; Trustee Jenkins, nay; Trustee Marinello, aye; Trustee VanDermark, aye; to adopt the above resolution. Motion carried 3 ayes-1 nay.

ORDERING BILLS PAID

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.

EXECUTIVE SESSION

At 8:56 p.m., a motion was made by Trustee VanDermark, seconded by Trustee Marinello, unanimously approved on a roll call vote to move into Executive Session to discuss pending litigation and a personnel matter involving an individual person.

ADJOURNMENT

At 9:30 p.m., a motion was made by Trustee Marinello, seconded by Trustee Jenkins, unanimously approved on a roll call vote to adjourn the Regular Village Board meeting.

EDITH SCHOP, Village Clerk

