

MINUTES
REGULAR MEETING OF THE BOARD OF TRUSTEES
VILLAGE OF MONTICELLO, N.Y.
MONDAY, FEBRUARY 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:

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

Also Present: Ray Nargizian, Village Manager
E. Danielle Jose, Village Attorney
Tim Havas, Deputy Village Attorney
Brenda Galligan, Treasurer
Arlene Glass, Grant Administrator
Douglas Solomon, Chief of Police
Clarence Decker, Water Superintendent
Bill Bertholf, Sewer Superintendent

APPROVAL OF MINUTES OF BOARD MEETING OF JANUARY 16, 2007

A motion was made by Trustee Schoonmaker, seconded by Trustee VanDermark, unanimously approved on a roll call vote to adopt the minutes of January 16, 2007 as presented.

MANAGER'S REPORT

Good evening, my name is Ray Nargizian. I'm still in the learning mode, but do have much to report regarding the last three weeks. I meet with the Village Insurance brokers regarding removal of the fire district from our ins. Policy. I expect a substantial savings.

Minutes - Regular Village Board Meeting
2/05/07

On Jan 17, I and local officials met with the Stockbridge Muncies Indians Regarding their desire to establish an Indian Casino in the town of Thompson. They are optimistic the Governor will approve their application.

A dialog has been opened between the Village and the County regarding the landfill and the Villages options when the landfill is full.

On Thursday Glen Smith and I met in Binghamton with the DOT Regarding the Broadway project. Biding should go out in April. The project should be completed sometime in 2009.

Met with Bill Cutler, head of the County's recycling. The Village must see to it recycling becomes part of our every day lives.

As promised reducing crime is a top priority. Our men in blue have made a concerted effort to rid our village of undesirables. Over 61 persons have been arrested in the last 3 weeks 10 arrests were felonies, 26 arrests were drug related, and 7 arrested were defendants wanted on outstanding warrants.

Code enforcement and Clean-up are also top priorities. The last few weeks a substantial effort has been made to follow up and clean up our Village.

To protect our village residents from shoddy professional workers the Village needs to license carpenters and plumbers. We are in the process of doing the necessary legal work in order to facilitate this measure.

We are exploring, whether or not we can cap Tax exempt properties in the Village. It's just not fair that the Taxpayers of the Village must pick-up taxes for non profit organizations over a fair and reasonable amount. This includes religious groups, charitable organizations, the boy scouts, Municipalities, (prisons, Village halls, government centers, etc.), .Or let the state form a non Taxable Zone. Pay the taxes on the tax-exempt properties. Then divide the total amount of should be non-collect taxes amongst the entire state population.

Minutes - Regular Village Board Meeting
2/05/07

We are looking into capping Tax exempt properties

We are looking into licensing plumbers and carpenters.

This afternoon I met with SPECS. This village manager has pledged to make Recycling a priority.

PUBLIC COMMENT

Affordable Housing

Harry Brantz felt that affordable housing should be a top priority in the Village.

Anti Casino

Harry Brantz announced that he is against casinos as they bring crime, prostitution and other bad vices.

Charter Commission Meeting

Barbara Burton encourages everyone to read the minutes of today's Charter Commission meeting.

Police Activity

Becky Whipple asked that the newspapers run positive articles about the stepped up police activities and all the recent arrests that have been made with this increased enforcement.

Dick Kelly questioned whether these criminals are repeat offenders?

The Chief of Police responded that they are not only repeat offenders, but are generations of the same family.

Recycling Program

Becky Whipple encouraged the Board to contact the Village of Liberty regarding their very successful recycling program to begin to bring it into the Village.

Minutes - Regular Village Board Meeting
2/05/07

Village Cleanup

Carmen Rue thanked the Village Manager for getting the lot cleaned up at Fisk and Starr Avenues after calling other officials for the last two years. She also thanked him for getting the street signs put back up on Pleasant Street.

Graffiti Law

Carmen Rue questioned why the Graffiti Law is not being enforced since none of the graffiti has been removed nor have any fines been imposed for at least a year which makes the Village look like a ghetto.

Free Wood Pile

Carmen Rue felt that cart of "free wood" across the street from the Julio's Bodega on East Broadway looks awful and should be removed.

Boarded Up Windows

Carmen Rue was concerned that Nela Vranhich who got grant money from the Village has boarded up windows that are not complying with the Village's standards and the reason grants were awarded was to improve the Village, and since they were given money they should at least use it to put glass in the windows.

deHoyos Park Ice Skating

Carmen Rue suggested that the Village put a sign, "skate at your own risk", at the pond in the park that is used for ice skating and possibly have someone watching the activities.

Mayor Barnicle responded that the insurance company has advised the Village not to have anyone at these activities sites or the Village will be liable.

Minutes - Regular Village Board Meeting
2/05/07

Use of Sand

Carmen Rue questioned whether the Village could use more salt than sand for coating the roads during the winter so there would be fewer cleanups in the spring since the sand remains on the roadways.

The Mayor responded that sand is far less expensive to use and you need heavy traffic to move the salt along the snow in order to get an even spread to melt it.

**PUBLIC HEARING FOR PARTICIPATION IN THE NEW YORK STATE
SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

Mayor Barnicle opened the public hearing at 7:18 p.m.

Grant Administrator Arlene Glass explained that this first public hearing on the CDBG 2007 grant is to explain what the Small Cities Program is and what is eligible to be applied for under this program. It is a competitive program up to \$400,000 and the eligible programs are housing (which can include first time home buyers or housing rehabilitation), public facilities which generally affect low to moderate incomes, or micro enterprises which is a business assistance that is available to a small business defined as five or fewer people one of whom is the owner. This is the competitive round and there is also a "open" economic development round that runs the entire year. Under the year round grant the Village could present at any time during the year to the Small Cities staff economic activities which are going to create jobs. At this time for the competitive program we are soliciting ideas that would fit under this program and these ideas can be sent to the Village Clerk, Manager or the grants department and from these ideas an application will be crafted that is eligible for this program.

Mayor Barnicle suggested that a flyer be inserted into the Catskill Shopper which reaches all the residents of the Village to make them aware that ideas are being solicited and this flyer should be bilingual in both English and Spanish so everyone would understand the notice.

Mayor Barnicle closed the public hearing at 7:25 p.m.

Minutes - Regular Village Board Meeting
2/05/07

**PUBLIC HEARING WITH RESPECT TO ADOPTION OF PROPOSED LOCAL
LAW NO. 2 OF 2007 ENTITLED "FENCES"**

Mayor Barnicle opened the public hearing at 7:26 p.m.

The Village Attorney explained that she has asked for comments previously and most of those comments were regarding fences that are already in place. She addressed this issue of "grandfathering" in old fences by revising the law that all fences must comply with the New York State Property Maintenance Laws. With respect to the footings she has not received any comments.

Mayor Barnicle suggested that the public hearing be adjourned to the next meeting for the Village to receive written comments on footings, etc. to allow the Village Attorney to revise the local law to include any additional information that might be received.

Mayor Barnicle adjourned the public hearing to the next Village Board meeting at 7:35 p.m.

**PUBLIC HEARING WITH RESPECT TO ADOPTION OF PROPOSED LOCAL
LAW NO. 3 OF 2007 AMENDING SECTION 252-26 OF THE VILLAGE
CODE, FORMERLY RESERVED, TO BE ENTITLED "HANDICAPPED
PARKING SPACES ESTABLISHED"**

Mayor Barnicle opened the public hearing at 7:35 p.m.

Harry Brantz felt that there should be more reserved handicap spaces on Broadway.

The Village Manager explained that he received a call from a potential tenant in the Peachtree Building on Broadway indicating that the Village has a municipal parking lot that does not have handicap parking designated.

Mayor Barnicle closed the public hearing at ____ p.m.

**RESOLUTION ADOPTING LOCAL LAW NO. 2 OF 2007 AMENDING
SECTION 252-26 OF THE VILLAGE CODE, FORMERLY RESERVED, TO
BE ENTITLED "HANDICAPPED PARKING SPACES ESTABLISHED."**

WHEREAS, the Board of Trustees of the Village of Monticello

has identified a need for handicapped parking spaces in the municipal parking lot on the east side of Lakewood Avenue; and

WHEREAS, the Board of Trustees of the Village of Monticello has determined that enacting a local law establishing handicapped spaces in the fourth and sixth spots on the North side of the municipal lot and "no parking" spaces in the fifth and seventh spots on the North side of the municipal lot will meet the aforementioned need; 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

Minutes - Regular Village Board Meeting
2/05/07

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. 2 of 2007, entitled a Local Law Amending Section 252-26 of the Village Code, formerly reserved, to be entitled "Handicapped Parking Spaces Established"; 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

RESOLUTION ADOPTING AN AGREEMENT BETWEEN THE VILLAGE OF MONTICELLO AND THE COUNTY OF SULLIVAN REGARDING THE PROCEEDS RECEIVED FOR SALE OF PARCELS BY THE COUNTY OF SULLIVAN FOR THOSE PROPERTIES LYING AND BEING SITUATED IN THE VILLAGE OF MONTICELLO

WHEREAS, the County of Sullivan and the Village of Monticello have heretofore entered into mutual resolutions concerning distribution of the proceeds of the sale by the County of foreclosure of Village properties, and

WHEREAS, the County of Sullivan has requested that there be a modification of the previous policy since the County foreclosure procedures have become current and the County's tax foreclosure is for only the specific lien year in accordance with New York State Real Property Tax Law Article 11, and

WHEREAS, the County is proposing that the proceeds received from the sale of the said parcels by the County of Sullivan of those properties lying and being situated within the Village of Monticello will be divided between the County of Sullivan and the respective Village as follows:

- I. Title of the County of Sullivan will be subject to the unpaid 2006-2007 Village tax liens, the payment of which will be the obligation of the purchasers from the County of Sullivan following the Public Auction or private sale of the properties.
- II. Proceeds will be divided between the County of Sullivan and the Village of Monticello as follows:
 - (a) the County will receive the first \$150.00 plus any additional out of pocket expenses from the proceeds for administrative expenses;
 - (b) the County of Sullivan and the respective Village will then divide the proceeds pro rata based upon their outstanding matching tax liens which will encompass the Village liens for 2004/2005 and 2005/2006; then
 - (c) if there are still monies available, the County will be paid funds up to \$1,000.00 for additional administrative expenses; then
 - (d) if there are additional monies remaining, the Village will receive payment for its other liens, if any, without interest and penalty, then
 - (e) all payments to the Villages for each property sold will be in complete satisfaction of all outstanding delinquent Village tax liens and each

Village Treasurer is hereby directed and authorized to discharge them
upon receipt and recapitulation of the funds from the County of Sullivan.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees
of the Village of Monticello does hereby agree that the
proceeds received for sale of parcels by the County of
Sullivan for those properties lying and being situated in
the Village of Monticello will be divided between the
County of Sullivan and the Village of Monticello as
follows:

- I. Title of the County of Sullivan will be subject to the unpaid 2006-2007 Village
tax liens, the payment of which will be the obligation of the purchasers from the
County of Sullivan following the Public Auction or private sale of the properties.
- II. Proceeds will be divided between the County of Sullivan and the Village of
Monticello as follows:
 - (a) the County will receive the first \$150.00 plus any additional out of pocket
expenses from the proceeds for administrative expenses;
 - (b) the County of Sullivan and the respective Village will then divide the
proceeds pro rata based upon their outstanding matching tax liens which
will encompass the Village liens for 2004/2005 and 2005/2006; then
 - (c) if there are still monies available, the County will be paid funds up to
\$1,000.00 for additional administrative expenses; then
 - (d) if there are additional monies remaining, the Village will receive payment
for its other liens, if any, without interest and penalty, then
 - (e) all payments to the Villages for each property sold will be in complete
satisfaction of all outstanding delinquent Village tax liens and each
Village Treasurer is hereby directed authorized to discharge them upon
receipt and recapitulation of the funds from the County of Sullivan.