

MINUTES  
REGULAR MEETING OF THE BOARD OF TRUSTEES  
VILLAGE OF MONTICELLO, N.Y.  
MONDAY, JUNE 4, 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  
John Barbarite, Deputy Village Manager  
Tim Havas, Deputy Village Attorney  
Brenda Galligan, Treasurer  
Douglas Solomon, Chief of Police  
Clarence Decker, Water Superintendent  
Caroline Hayes, Asst. Grant Administrator

**APPROVAL OF MINUTES BOARD MEETINGS OF MAY 21, 2007**

A motion was made by Trustee VanDermark, seconded by Trustee Jenkins, unanimously approved on a roll call vote to adopt the minutes of the meetings of May 21, 2007.

**OLD BUSINESS**

**Yellow Ribbon Replacement**

Mayor Barnicle thanked Stephanie Johnson, along with a group of others, replaced all the worn yellow ribbons with new one.

Minutes - Regular Village Board Meeting  
6/4/07

**STRAW POLL ON RELOCATION THE VILLAGE JUSTICE COURT**

The Mayor explained that the Village has a dilemma due to the conditions of our buildings that are not up to date and the old firehouse that has black mold which prevents us from using that building as a court house, but at the same time the State is asking us to be out of our temporary home in the County Courthouse. He explained that the Village did an appropriate search for a new location and at this time it appears the Ted Stroebele Recreation Center is the only place to house it.

Harry Brantz felt the Village cannot afford to put the Court any other place.

Barbara Burton suggested that the Village and Town combined their Courts.

The Mayor responded that this was investigated and would not work.

Roz Sharoff, speaking as a private citizen felt that the Village is taking room away from groups that use that building. She suggested the old Miller Automatic building or renting out the Veteran's of Foreign Wars building on Liberty Street.

The Mayor indicated that the Manager is pursuing a plan to build a municipal center that would house all the Village offices.

Carmen Rue felt the Village should save money and stay temporarily in the Ted Stroebele Recreation Center.

The Mayor asked that each Board member raise there who is in favor of the Court relocating to the TSRC.

Trustee Schoonmaker, Trustee Jenkins and Mayor Barnicle indicated that they are in favor of the move.

Trustee Schoonmaker indicated that he voted to move the Court to that building only because the renovations are

Minutes - Regular Village Board Meeting  
6/4/07

almost completed and they are being told to move out of the County Courthouse, however he does not really want it to remain in that location.

Trustee Jenkins agreed with Trustee Schoonmaker for the same reason.

Connie Keller suggested the Village Board's meeting room.

The Mayor responded that a minimum of 150 seats are needed and better security so there is only one entrance and exit from that part of the building.

### **MANAGER'S REPORT**

The total number of arrests made since the first of the year by the joint impact patrol initiative is now 408 persons. This impact is a joint effort of the Monticello Police and the New York State Police. The results are astounding.

There have been 62 felony arrests

151 drug related arrests

31 DWI arrests

109 arrests involving either a suspended operator license or registration.

71 arrests involving outstanding warrants.

12 firearms have been removed from the streets of Monticello.

The Gang awareness seminar at Sullivan County Community College was well attended. A wealth of knowledge was shared by many knowledgeable speakers.

Special thanks to Art Rosenzweig for Donating a Flag for DeHoyas Park.

Minutes - Regular Village Board Meeting  
6/4/07

The Board of directors of Empire Resorts invited your manager to meet with them. We discussed the prospect of gaming coming to the Village. They are confident this goal will be achieved. We also discussed how Empire can assist the Village with a new face lift. David Hanlon agreed to meet in two week to further this discussion.

Fri. June 1, I met with Susan Jaffe Commissioner of Sullivan County Division of Community & Economic Development. We spoke about how the county can assist the Village in Economic development and how the county can help us spruce up our appearance.

The office of the State Comptroller conducted an audit of the Village's tentative budget for the 2007-08 fiscal year. This is part of their findings. "We have reviewed the 2007-08 tentative budget for the Village of Monticello and found the significant estimated revenues and appropriations to be reasonable. In addition, we found that Village officials did take appropriate action to implement our recommendation related to insufficient appropriations contained in our previous budget report issued in June 2006." In plain English we're doing well.

Nationwide Spa developer Canyon Ranch has decided to opt out of developing a spa either at Kutchers or the old Concord site. Reason for the decision not to proceed with this project came after a trip thru the Village. They were turned off by the run down look of the Village. Each and every one of us must have more pride in our community. Lawns need to be maintained, litter picked-up, eyesores removed. This is a project we all must adhere to if we want nation wide developers to consider spending their resources here.

We are pleased to report Caroline Hayes re-location to the Village hall is working well. Bringing Caroline to the Village Hall has considerably helped make the Village more efficient and effective. We also are saving money by consolidating the job of Grant Administrator and Building Dept. Secretary.

Minutes - Regular Village Board Meeting  
6/4/07

Shame on those landlords who continue to try to beat the system. Our code enforcement dept. is diligently on the backs of those who break the law. We will not tolerate Code Violators. Unfortunately, the less fortunate, the poor and people who do not have the means to defend them become victim to the slum lord's greed. I, our Building Dept, our Code enforcers and our Deputy Manager make this pledge to the citizens of Monticello. Our job will not be completed until every home, every two family residence and every multi-dwelling in the village is structurally safe, fire safe and health wise safe.

With the assistance of Sullivan County renaissance the building located at 28 Pleasant St. will be removed. Hopefully this week.

Next week, on Thursday the County legislator Board will meet. On their agenda is the "County making Villages whole" issue. This issue is long overdue to be resolved, needless to say in the Villages favor. I beseech each and ever one of us who can attend this meeting to please do so. Your support is necessary. That's 10:00 am. Thursday the 14<sup>th</sup>.

### **OLD BUSINESS**

#### **Panhandler In the Village**

Roz Sharoff was concerned about the panhandlers on Broadway and other streets.

Connie Keller felt the Village's loitering laws should be better enforced.

The Chief of Police indicated that these people cannot be arrested since the Courts have ruled that they have right to do what they are doing, unless they are harassing people.

Dr. Hudes felt that people are coming basically coming from only one or two locations in the Village.

Minutes - Regular Village Board Meeting  
6/4/07

Chief Solomon indicated that he has visited the businesses on Broadway to encourage them to take ownership of what is happening outside in front of their property and notify the police of their concerns.

Bob Kunis felt there are only three or four people who are guilty of this type of behavior.

### **Drug Houses**

Harry Brantz felt that the Village has not shut down any drug houses, nor are the gangs being disbanded.

### **Zoning Concerns**

Dr. James Green indicated that home owners surrounding the Village are concerned with how the vacant land can be developed as right now it is zoned RM.

### **Loan Repayment Concerns**

Becky Whipple questioned whether businesses that have received loans are repaying them timely and being charged interest?

The Village Treasurer responded that they are being charged interest and she does send them letters regularly.

### **Property Maintenance Concerns**

Becky Whipple questioned whether properties that have high grass, unregistered vehicles or other violations are being cited. She was also concerned that the Rhulen lot has still not been cleared properly.

Village Manager Barbarite indicated that the judge has been increasingly raising the amount these violators are being fined.

Ralph Bonfiglio was concerned with the number of shopping carts being left around the Village from Shoprite and Walmart.

Minutes - Regular Village Board Meeting  
6/4/07

Trustee VanDermark explained that his father is paid by certain merchants to retrieve their carts; however Walmart refuses to pay someone to pick them up and bring them back to the store.

The Mayor indicated that he will look into this matter.

Deputy Village Manager reported that he is continually doing property inspections and when he finds violations he is citing them and they subsequently have to appear in Court before the Village Judge.

Charles Sabatino felt that the Village is being to look better thanks to the efforts of the Village Manager and the Deputy Village Manager

**PUBLIC HEARING TO REVIEW AND DISCUSS (1) THE PROPOSED  
GENERAL GOVERNMENT BUDGET FOR THE VILLAGE OF MONTICELLO,  
(2) A SUMMARY OF THE ENTIRE PROPOSED BUDGET FOR THE 2007/08  
FISCAL YEAR (3) SANITATION RATES AND (4) SETTING WATER  
RATES FOR THE 2007/08 FISCAL YEAR**

Mayor Barnicle opened the public hearing at 7:57 p.m.

The Village Treasurer reported that there is no raise for water, sewer and sanitation charges and the sewer assessment rate will decrease from the present .82% to .66%. The projection in the tentative budget is for a property tax reduction of 2%. The Village is at 87% of our constitutional tax limitation where last year we were at 99%. She explained that the budget calls for 3% raises for all employees which are by contract and elected officials. The budget includes 14½ % in health insurance costs and a 20% increase in workmen's compensation and the Village has lost three quarters of a million dollars in assessed values.

As there were no other comments, Mayor Barnicle closed the public hearing at 8:02 p.m.

Minutes - Regular Village Board Meeting  
6/4/07

**PUBLIC HEARING TO REVIEW AND DISCUSS LOCAL LAW NO. 7 OF  
2007 ESTABLISHING THE VILLAGE OF MONTICELLO SEWER RENTS FOR  
2007/08**

Mayor Barnicle opened the public hearing at 8:03 p.m.

The Mayor again noted that the sewer assessment will be decreased from .82% to .66%.

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

**PUBLIC HEARING WITH RESPECT TO ADOPTION OF PROPOSED LOCAL  
LAW NO. 8 OF 2007 AMENDING SECTION 280-19 OF THE VILLAGE  
CODE ENTITLED "SIGNS AND BILLBOARDS"**

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

Deputy Village Manager explained that there are some businesses on very large parcels which are far from the road and a traditional building sign could not be seen. This amendment to the law is to allow those businesses on these very large parcels to put a freestanding on their property advertising their business. The amendment limits the size of the sign and requires landscaping around it and this is not considered a billboard law. He noted that there are construction and landscape standards.

The Village Attorney indicated that they do not have to come before the Design Review Board and the review is only technical to ensure that the freestanding sign complies with the code.

Dr. Hudes questioned if this local law is being adopted for a specific parcel that requested it or is this for future use.

The Deputy Manager responded that this is for any parcel located in the BLI zone which encompasses several large parcels throughout the Village such as the Apollo Mall property.

As there were no further comments, Mayor Barnicle closed the public hearing at 8:09 p.m.

Minutes - Regular Village Board Meeting  
6/4/07

**PART II OF THE ENVIRONMENTAL ASSESSMENT FORM - LOCAL LAW  
NO. 8 OF 2007 - ENTITLED "SIGNS AND BILLBOARDS"**

The Village Board reviewed Part II of the Environmental Assessment Form and found no environmental impacts.

**PUBLIC HEARING WITH RESPECT TO ADOPTION OF PROPOSED LOCAL  
LAW NO. 9 OF 2007 AMENDING LOCAL LAW NO. 3 OF 2007 ENTITLED  
"FENCES"**

Mayor Barnicle opened the public hearing at 8:11 p.m. Mayor Barnicle indicated that the correct title for Code Enforcement Officer has been designated a Municipal Officer, and therefore the law would have to be amended to include this correct title.

The Village Attorney indicated that there are many present local laws throughout the whole Village Code have this inconsistency in them, so she recommended the Board setting a public hearing to amend all the local laws that mentions this position.

Deputy Manager Barbarite explained that this local law only eliminates the 12" space between the person's property line and where the fence will be put because of property maintenance issues.

As there were no further comments, Mayor Barnicle closed the public hearing at 8:17 p.m.

**PART II OF THE ENVIRONMENTAL ASSESSMENT FORM - LOCAL LAW  
NO. 9 OF 2007 -ENTITLED "FENCES"**

The Village Board reviewed Part II of the Environmental Assessment Form and found no environmental impacts.

**PUBLIC HEARING WITH RESPECT TO ADOPTION OF PROPOSED LOCAL  
LAW NO. 10 OF 2007 AMENDING LOCAL LAW 4 OF 2007 BY REMOVING  
"Village Manager and the" FROM THE SECOND SENTENCE OF  
SECTION 5 OF SAID LAW**

Mayor Barnicle opened the public hearing at 8:19 p.m.

Minutes - Regular Village Board Meeting  
6/4/07

The Village Attorney explained this law is eliminating the Village Manager as the Zoning Officer and the Deputy Village Manager will have those powers. She indicated that when the Village brought this position to be classified by the County Commissioner of Personnel it was determined that the Zoning Officer would have to certified and take all the required classes, and at this time Mr. Barbarite has already taken those classes and therefore is able to be certified quite easily. In the event the Village Board determines it does not need a Deputy Village Manager position it would even be impacted.

As there were no further comments, Mayor Barnicle closed the public hearing at 8:21 p.m.

**PART II OF THE ENVIRONMENTAL ASSESSMENT FORM - LOCAL LAW NO. 10 OF 2007 - BY REMOVING "Village Manager and the" FROM THE SECOND SENTENCE OF SECTION 5 OF SAID LAW**

The Village Board reviewed Part II of the Environmental Assessment Form and found no environmental impacts.

**PUBLIC HEARING WITH RESPECT TO ADOPTION OF PROPOSED LOCAL LAW NO. 11 OF 2007 AMENDING CHAPTER 105 OF THE VILLAGE CODE BY REPEALING THE ENTIRE CHAPTER AND ADOPTING A LOCAL LAW PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE**

Mayor Barnicle opened the public hearing at 8:22 p.m.

Deputy Village Manager Barbarite explained that the State no longer gives municipalities the option of adopting the State Building Code and the State recommends that each municipality adopt language in the implementation of that code and this gives the Code Enforcement Officer the authority to enforce that code and spells out unique things in our Village in regard to building permit issues and codifies two of our local laws into the State model making it one clear law.

As there were no further comments, Mayor Barnicle closed the public hearing at 8:26 p.m.

Minutes - Regular Village Board Meeting  
6/4/07

**PART II OF THE ENVIRONMENTAL ASSESSMENT FORM - LOCAL LAW  
NO. 11 OF 2007 - AMENDING CHAPTER 105 OF THE VILLAGE CODE  
BY REPEALING THE ENTIRE CHAPTER AND ADOPTING A LOCAL LAW  
PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE NEW  
YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE**

The Village Board reviewed Part II of the Environmental Assessment Form and found no environmental impacts.

**PUBLIC HEARING WITH RESPECT TO ADOPTION OF PROPOSED LOCAL  
LAW NO. 12 OF 2007 AMENDING THE VEHICLE AND TRAFFIC CODE TO  
ADD SECTION 252-29 TO BE ENTITLED PARKING OF COMMERCIAL OR  
CONSTRUCTION VEHICLES IN DRIVEWAYS**

Mayor Barnicle opened the public hearing at 8:27 p.m.

Carmen Rue was in favor of this local law since she did not want these types of vehicles parking in her residential neighborhood as they are noisy, smelly and leave grease stains under the vehicle where they have been parked. She also was concerned with these commercial vehicles parking at the end of Park Avenue near the Village's aquifer.

Becky Whipple noted there are several commercial vehicles parked in her neighborhood that starts up their engines at 5:00 a.m. and letting them idle for awhile. She felt this is changing residential areas into commercial areas.

Mayor Barnicle questioned whether these vehicles can be parked in a commercial lot without being in an enclosed garage as stated in this local law?

The Deputy Mayor indicated that they have to be in an enclosure only if they are in a residential zone.

As there were no further comments, Mayor Barnicle closed the public hearing at 8:33 p.m.



Minutes - Regular Village Board Meeting  
6/4/07

Pleasant Street, Monticello, New York 12701 to hear all interested parties on said proposed Local Law 8 of 2007 which would amend Section 280-19 of the Village Code entitled "Signs and Billboards"; and

**WHEREAS**, notice of said public hearing was duly advertised in the Sullivan County Democrat, the official newspaper of said Village, on May 25, 2007; and

**WHEREAS**, said public hearing was duly held on June 4, 2007, at 7:00 p.m. at Village Hall, 2 Pleasant Street, Monticello, New York 12701, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

**WHEREAS**, 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

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

**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. 8 of 2007; and be it further

Minutes - Regular Village Board Meeting  
6/4/07

**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 Schoonmaker, unanimously approved on a roll call vote to adopt the above resolution.

**RESOLUTION AUTHORIZING ADOPTION BY THE VILLAGE BOARD OF THE VILLAGE OF MONTICELLO OF LOCAL LAW NO. 9 OF 2007 AND DECLARING A NEGATIVE DECLARATION**

**WHEREAS**, a resolution was duly adopted by the Village Board of the Village of Monticello for a public hearing to be held on June 4, 2007, at 7:00 p.m. at Village Hall, 2 Pleasant Street, Monticello, New York 12701 to hear all interested parties on said proposed Local Law 9 of 2007 which would amend Local Law 1 of 2007, entitled "Fences"; and

**WHEREAS**, notice of said public hearing was duly advertised in the Sullivan County Democrat, the official newspaper of said Village, on May 25, 2007; and

**WHEREAS**, said public hearing was duly held on June 4, 2007, at 7:00 p.m. at Village Hall, 2 Pleasant Street, Monticello, New York 12701, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

**WHEREAS**, 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

Minutes - Regular Village Board Meeting  
6/4/07

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

**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. 9 of 2007; and be it further

**RESOLVED**, that the Village Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Village of Monticello, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

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

**RESOLUTION AUTHORIZING ADOPTION BY THE VILLAGE BOARD OF THE VILLAGE OF MONTICELLO OF LOCAL LAW NO. 10 OF 2007 AND DECLARING A NEGATIVE DECLARATION**

**WHEREAS**, a resolution was duly adopted by the Village Board of the Village of Monticello for a public hearing to be held on June 4, 2007, at 7:00 p.m. at Village Hall, 2 Pleasant Street, Monticello, New York 12701 to hear all interested parties on said proposed Local Law 10 of 2007 which would amend Local Law 4 of 2007, which has created the position of Deputy Village Manager; and

**WHEREAS**, notice of said public hearing was duly advertised in the Sullivan County Democrat, the official newspaper of said Village, on May 25, 2007; and

Minutes - Regular Village Board Meeting  
6/4/07

**WHEREAS**, said public hearing was duly held on June 4, 2007, at 7:00 p.m. at Village Hall, 2 Pleasant Street, Monticello, New York 12701, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

**WHEREAS**, 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

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

**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 2007; and be it further

**RESOLVED**, that the Village Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Village of Monticello, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

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

Minutes - Regular Village Board Meeting  
6/4/07

**RESOLUTION AUTHORIZING ADOPTION BY THE VILLAGE BOARD OF THE  
VILLAGE OF MONTICELLO OF LOCAL LAW NO. 11 OF 2007 AND  
DECLARING A NEGATIVE DECLARATION**

**WHEREAS**, a resolution was duly adopted by the Village Board of the Village of Monticello for a public hearing to be held on June 4, 2007, at 7:00 p.m. at Village Hall, 2 Pleasant Street, Monticello, New York 12701 to hear all interested parties on said proposed Local Law 11 of 2007 which would amend Chapter 105 of the Village Code by repealing the entire chapter and adopting a new local law providing for the administration and enforcement of the NYS Uniform Fire Prevention and Building Code; and

**WHEREAS**, notice of said public hearing was duly advertised in the Sullivan County Democrat, the official newspaper of said Village, on May 25, 2007; and

**WHEREAS**, said public hearing was duly held on June 4, 2007, at 7:00 p.m. at Village Hall, 2 Pleasant Street, Monticello, New York 12701, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

**WHEREAS**, 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

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

**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

Minutes - Regular Village Board Meeting  
6/4/07

**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. 11 of 2007; and be it further

**RESOLVED**, that the Village Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Village of Monticello, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

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

**RESOLUTION AUTHORIZING ADOPTION BY THE VILLAGE BOARD OF THE VILLAGE OF MONTICELLO OF LOCAL LAW NO. 12 OF 2007 AND DECLARING A NEGATIVE DECLARATION**

**WHEREAS**, a resolution was duly adopted by the Village Board of the Village of Monticello for a public hearing to be held on June 4, 2007, at 7:00 p.m. at Village Hall, 2 Pleasant Street, Monticello, New York 12701 to hear all interested parties on said proposed Local Law 12 of 2007 which would amend the Vehicle and Traffic Code by creating Section 252-29, to be entitled "Parking of Commercial or Construction Vehicles in Driveways"; and

**WHEREAS**, notice of said public hearing was duly advertised in the Sullivan County Democrat, the official newspaper of said Village, on May 25, 2007; and

**WHEREAS**, said public hearing was duly held on June 4, 2007, at 7:00 p.m. at Village Hall, 2 Pleasant Street, Monticello, New York 12701, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

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

Minutes - Regular Village Board Meeting  
6/4/07

**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

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

**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. 12 of 2007; and be it further

**RESOLVED**, that the Village Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Village of Monticello, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

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

\*The Village Board agreed that the Village notify the owner's of these vehicles of the new local law and that they have 30 days in which to comply until the law is fully enforced.

**RESOLUTION TO AUTHORIZE FILING A GRANT APPLICATION TO THE NEW YORK STATE UNIFIED COURT SYSTEM FOR A JUSTICE COURT ASSISTANCE PROGRAM GRANT**

**WHEREAS**, the NYS Unified Court System has requested

Minutes - Regular Village Board Meeting  
6/4/07

applications for the next cycle of the Justice Court Assistance Program grants; and

**WHEREAS**, the Village is interested in applying for funds for improvements to the Justice court; and

**WHEREAS**, the program requires the Village to adopt a resolution authorizing the application.

**NOW, THEREFORE, BE IT RESOLVED**, that the Monticello Village Board authorizes that an application be filed with the NYS Unified Court System; and

**BE IT FURTHER RESOLVED**, that the Village Mayor be authorized and empowered to certify the application in the name of the Village of Monticello.

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

**RESOLUTION APPROVING BUDGET TRANSFERS FOR FY 2006/07**

**WHEREAS**, the Village of Monticello has adopted its annual budget for the 2006/07 fiscal year; and,

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

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

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

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

Minutes - Regular Village Board Meeting  
6/4/07

**RESOLUTION APPROVING PAYMENT FOR PURCHASE OF 1½ HP  
SUBMERSIBLE SEWER PUMP FOR THE SEWER DEPARTMENT IN THE  
AMOUNT OF \$1,768.00**

**WHEREAS**, the Sewer Department is in need of replacing an old pump with a new 1½ HP Submersible Sewer Pump; and,

**WHEREAS**, there is funds in this appropriation for the cost of this item; and,

**WHEREAS**, the Sewer Department has received fax quotes from 3 vendors as required by the Village's Procurement Policy.

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Trustees of the Village of Monticello does hereby approve the purchase of a new 1½ HP Submersible Sewer Pump to replace an old worn out one in the amount of \$1,768.00

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

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF  
MONTICELLO CREATING A PART TIME CLERICAL POSITION REQUESTED  
BY THE BUILDING DEPARTMENT WITH A TOTAL SALARY INCREASE  
OVER AND ABOVE HER SALARY AS ASSISTANT GRANTS ADMINISTRATOR  
NOT TO EXCEED \$4,000 PER YEAR**

**WHEREAS**, the Building Department is in need of some additional clerical services due to its expansive volume; and,

**WHEREAS**, the Village Board wishes to create a part-time, at will, clerical position with a total salary increase over and above her salary as Assistant Grants Administrator not to exceed \$4,000 annually, at the request of the Building Department and the Deputy Village Manager; and,

**WHEREAS**, the Board of Trustees of the Village of Monticello finds that it is in the best interest of the Village to create said position.

Minutes - Regular Village Board Meeting  
6/4/07

**NOW, THEREFORE BE IT RESOLVED**, that the Village Board hereby creates the position of a part-time, at will, clerical position in the Village Building Department; and be it further

**RESOLVED**, that the salary increase over and above her salary as Assistant Grants Administrator for said position is hereby fixed at \$4,000.00 annually, and be it further

**RESOLVED**, that the Village Manager is hereby authorized to fill said position pursuant to Section 45-7 of the Village Code.

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

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTICELLO CREATING TWO (2) FULL-TIME GROUNDS AND MAINTENANCE WORKER POSITIONS REQUESTED BY THE HIGHWAY/SANITATION DEPARTMENTS WITH A TOTAL SALARY NOT TO EXCEED \$27,500.00 PER YEAR FOR EACH EMPLOYEE**

**WHEREAS**, according to the Highway and Sanitation Superintendent, the Highway and Sanitation Departments are in need of some additional services which do not fall under the job description of "Laborer"; and

**WHEREAS**, the Village Board wishes to create two (2) full-time Grounds and Maintenance Worker positions to meet the needs of the Highway and Sanitation Departments, each with a salary of \$27,500.00 annually and benefits as per the applicable collective bargaining agreement; and

**WHEREAS**, the issue of classification of said positions has been addressed with the Commissioner of Personnel for Sullivan County; and

**WHEREAS**, pursuant to the applicable collective bargaining agreement, the union has been notified of the potential workforce changes; and

Minutes - Regular Village Board Meeting  
6/4/07

**WHEREAS**, the Board of Trustees of the Village of Monticello finds that it is in the best interest of the Village to create said position.

**NOW, THEREFORE BE IT RESOLVED**, that the Village Board hereby creates the positions of two (2) full-time Grounds and Maintenance Worker positions to meet the needs of the Highway and Sanitation Departments; and be it further

**RESOLVED**, that the salaries for said positions are hereby fixed at \$27,500.00 annually benefits as per the applicable collective bargaining agreement for each employee; and be it further

**RESOLVED**, that the Village Manager is authorized to execute an amendment to the collective bargaining agreement containing the terms of this resolution in a form to be approved by the Village Attorney; and be it further

**RESOLVED**, that the Village Manager is hereby authorized to fill said position pursuant to the appropriate Civil Service regulations in conjunction with Section 45-7 of the Village Code.

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

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTICELLO SETTING A TIME AND PLACE FOR A PUBLIC HEARING WITH RESPECT TO ADOPTION OF PROPOSED LOCAL LAW 13 OF 2007 AMENDING THE VILLAGE CODE WITH RESPECT TO THE POSITION OF THE ENFORCEMENT OFFICER**

**WHEREAS**, the Village Board has determined that the needs of the Village would be better served by specifically enumerating the code enforcement powers of the Enforcement Officer throughout the Village Code; and

**WHEREAS**, to that end, the Village wishes to amend the Village Code by specifically enumerating the code enforcement powers of the Enforcement; and

Minutes - Regular Village Board Meeting  
6/4/07

**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 13 of 2007 amending several sections of the Village Code with respect to the position of the Enforcement Officer

**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 June 18, 2007, at Monticello Village Hall, 2 Pleasant Street, Monticello, New York 12701; and it is further

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

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

**Scheduling A Budget Work Session**

A motion was made by Trustee Marinello, seconded by Trustee Schoonmaker, unanimously approved on a roll call vote to schedule a budget Work Session for Monday, June 11, 2007 at 6 p.m.

**EXECUTIVE SESSION**

At 9:35 p.m., a motion was made by Trustee Jenkins, seconded by Trustee Schoonmaker, unanimously approved on a roll call vote to move into Executive Session to discuss a litigation matter.

---

EDITH SCHOP, Village Clerk

