

MINUTES  
REGULAR MEETING OF THE BOARD OF TRUSTEES  
VILLAGE OF MONTICELLO, N.Y.  
MONDAY, SEPTEMBER 17, 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  
E. Danielle Jose, Village Attorney  
Tim Havas, Deputy Village Attorney  
Clarence Decker, Water Superintendent  
Bill Bertholf, Sewer Superintendent  
Douglas Solomon, Chief of Police

**APPROVAL OF MINUTES BOARD MEETINGS OF SEPTEMBER 4, 2007**

A motion was made by Trustee VanDermark, seconded by Trustee Marinello, unanimously approved on a roll call vote to adopt the minutes of the meeting of September 4, 2007 as presented.

**OLD BUSINESS**

**Recovery Center Walk**

The Mayor reported that last Saturday a walk took place, organized by the Recovery Center down Broadway there was a walk against substance abuse to deHoyos Park which was

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followed by the 1<sup>st</sup> Boys & Girls Club fund raiser and awareness day. He noted that there was an outstanding turnout by families within the Village.

### **Skate Board Park Competition**

Mayor Barnicle announced the yesterday, Sunday, was the Village's 1<sup>st</sup> Skate Board Park competition with at least 40 or 50 youths participated.

### **17<sup>th</sup> Annual Senior Games**

Mayor Barnicle reported that annual senior game competition began this morning with a breakfast held at the raceway.

### **Fall/Winter Recreation Schedule**

The Mayor announced that on the table on the foyer in the meeting room is the schedule for the fall/winter which includes activities no only for the youth, but adults also.

### **MANAGER' S REPORT**

Our police force consisting of 24 men watch over the Village 24 hours a day, seven days a week. Their tenacity and dedication goes far beyond the call of duty.

Since January first their have been 657 arrests

89 of those arrests have been felony arrests

213 drug related arrests

We have had 46 DWI Arrests

Their have been 175 arrests involving either a suspended operators license or a suspended registration

125 arrests involving outstanding warrants

17 firearms have been removed from the Streets of Monticello.

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Sullivan County and the Village of Monticello have discussed "making the Village Whole" issue. An alternate method of accomplishing this goal has been put on the table. Tonight the County will meet with the Village board in executive session to discuss the details.

On Sept 12, Caroline Hayes and myself drove up to Hudson NY to attend the "Meet and Greet" Conference/Seminar sponsored by the office for Small Cities. I had a 1 on 1 meeting with Joe Rabito, Director NYS office for Small Cities. We discussed the process for the Village of Monticello to partake in available Grants.

Met with two broadloom contractors to measure and price carpeting for the new temporary Courthouse.

I Met with the Mayor, Police Chief, Deputy Mayor, and our Park Dept. to discuss the Halloween Parade. All are welcome to attend; it starts on Lakewood Avenue and ends at The Ted Stroebele center. There will be food, refreshments, cash prizes, games and activities.

Bedik Communications, Inc. has submitted a proposal for a Voice logger in the Village Hall and a camera and recorder for the Justice building. The Voice Logger will be a deterrent for excessive personal call, and frivolous incoming calls. It will also monitor all important calls. The Camera will be located at the Ted Stroebele center and will monitor criminal activity as well as act as a deterrent for Graffiti.

I met with Ray Sheehan regarding Village assistance in providing space for a Boxing program in the Village.

Monticello Raceway hosted the senior citizen special games today. Special thanks to them for being so hospitable to our seniors. It was a joyous breakfast event. Senior games end Thursday at noon.

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**PUBLIC COMMENT**

**Veteran's Event**

Stephanie Johnson explained that she is a member of Operation Support Our Troops in Sullivan County that there was a veteran's event that took place this morning in Monticello. She noted that recently at the Jesse Brahms Jewish War Veteran's Post both their American Flag and their Prisoner of War flag had been stolen, including the ropes and clips that were used to display those flags which were an act of vandalism and a terrible incident to happen to place that supports veterans in our community. Her organization heard about the incident and today a new American and a new POW flag were put up.

Mayor Barnicle thanked her for all the activities she and her organization do to support all our troops.

**Senior Citizen Building Concerns**

Senior Citizen President Roz Sharoff stated:

"That every year the Office of Aging compiles a list of hours volunteered by Sullivan County Seniors. The amount of hours volunteered by the seniors of Monticello last year was six hundred ninety-one thousand, eight hundred thirty-one and half hours (691,831.30). I tell you this because I want you to fully understand that we do not sit back and just take, we give back to the community. Speaking of giving and taking the Village of Monticello gives us nothing. The Town of Thompson gives us our working budget. The building that senior meet in was given years ago to the seniors and youth. When we need something we get it ourselves. Two years ago I was the one who sought and got a private donation of a thousand dollars to buy decent tables that incidentally the whole community uses. When I asked the Mayor if there was access to a bookcase so we could start a convenient library for the Seniors I got a negative response. One was donated by a Board member. Another board member donated some bingo equipment. Wouldn't it be nice if these same members would have tried working with us and keeping the building for its original purpose. The Village has seen fit to chip away at whatever had been done in the past. You put in offices, supposedly temporally, without even having the decency of discussing it with us beforehand. We were told it would be for a short time and that has proven

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not to be the truth. You then saw fit to move the Village Court to the Ted Stroebele Recreation Center taking away valuable space used by all members of this community. We were promised, and I want it known it was said to the entire Senior Club at a meeting by Manager Mr. Nargizian that there would be a separate entrance to the court, that the sidewalk would be extended right to the door and that would have contained the court. That is not true. Now the Manager says he doesn't remember saying it. There are three stock answers we repeatedly get from the Village, 1. Some things are beyond our control. 2. The Village doesn't have enough money or 3. We don't have the manpower. Over the years when I informed the Village of leaks in the roof, I would get the stock answer but strangely enough when they put the offices in they found the money and the manpower to fix the leaks. Funny when it's to the advantage of the Village they find the time and the money.

Many months ago I addressed the Village Board about the taking over the rooms in building one by one. Not one member of this board found it important enough to comment on, not one of you. After the meeting I got an "I'm with you. Do you want me to come talk to the Seniors?" That's laughable. Another member told me "it was terrible what was being done to the Seniors." Too late my friends, we would have believed you if you had spoken out in public.

We have an annual Senior Games. The powers that be arranged for the opening ceremony and light breakfast to be held at the Racino. The truth of the matter is there is no longer room in the games room to hold it. The space has been taken away. If it were not for a few people who go store to store, office to office, asking for donations the event would not be as successful as it has become. Sadly on election year every politician is there, smiling and mixing. I must say Legislator Sam Wohl has always supported us with donations and has even entered some events. Another one who offers and contributes is Mr. Bob Kunis, again not an official of the village. I will say last year Victor helped all Thursday. Little by little you are trying to chip away at the intra structure of the seniors. But I will tell you now the older generation have survived even worse than the Monticello Village Board and Manager system. You are not going to drive us from the building. Eventually there will be Village elections again and our memory is pretty good.

Harry Brantz responded that the Village owns the building not the seniors.

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**Acting Manager's Salary**

Harry Brantz did not feel it was legal for the Mayor to vote himself a raise as Acting Village Manager.

Carmen Rue indicated that the Acting Manager's salary was not about the money, that the Mayor and the Deputy Mayor did it illegally in Executive Session and did bring the matter out in open session for a full vote by the entire Board. She questioned whether the money he was just voted would repay his Village loan and/or grant especially since the business was closed prior to it being opened for 5 years which was stipulation when the grant was approved.

**Condition of the Village**

Harry Brantz questioned what can be done to clean up the Village.

**Recycling Concerns**

Betty Friedland questioned whether the Village Board read the Liberty recycling rules she handout at the last meeting. She felt that it has been 2½ years that she has questioned when the Village of Monticello will begin a rigorous program since it is costing the taxpayers money by adding to the landfill tipping fees when recycling is mixed in with the garbage. She felt it should not only be the Village but the County should also be instituting a mandatory program.

**Rear Door Handicap Ramp**

Betty Friedland noted that at the last meeting she thanked both the Mayor and the Deputy Manager for remedying a safety problem near the handicap ramp, however the Manager reminded her after the meeting that he was also very instrumental in fixing the problem, so therefore is thanking him too. She felt that handicap ramps should have handrails and hoped they would address this concern in a speedy manner.

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**Miller Automatic Building**

Betty Friedland questioned it took so long to get the tractor trailer moved so that it did not block the sidewalk necessitating pedestrians to walk in the street and block the site distance from vehicles exiting the library parking lot.

**Manager's Agreement**

Betty Friedland questioned whether the agreement that the Manager signed with the Village included reimbursement of gasoline, etc. when he was using his personal vehicle for Village business.

The Mayor responded that he is not reimbursed anything extra for using his personal tomorrow

**Manager Training**

Betty Friedland felt that this Manager as well as future managers should be sent to some type of training seminar to formularize them with municipal government guidelines.

**Fraser Avenue Conditions**

Ceil Plotkin thanked the Deputy Village Manager in remedy all her concerns on Fraser Avenue.

**Village Improvements**

Dr. Hudes noted that with the guidance of the Village Manager and the Deputy Village Manager the Village has been moving in the right direction.

**Horizon Apartment Complex Problems**

Jennifer McCoy a resident at Horizons explained that she is concerned with a shooting that took place on September 8<sup>th</sup> at the Horizon Apartment Complex. She stated:

The issue that happened at Horizon started the night before (Friday night, September 7th). Citizens that lived there sat minding their own business on their porch when a fight broke out between two women, a scorned female who does not

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live in Horizons then called for backup. The car drove up with the five passengers jumping from the vehicle than attacked a group of boys they thought had something to do with the original fight. The attacked the wrong group of boys that night and the police were called. The police did nothing, refusing to take statements from the boys that were attacked and called them "fake bloods". My son was one of those boys and he is not a blood nor are any of the other boys that were attacked by these men are bloods or any other gang member at all. My son was almost stabbed while sitting on his porch minding his own business. The police refused to take a statement from an older female, the grandmother that called the police four times before they responded to those calls. A person suffered at the hands of the police's neglect in acting. The drunken men who are not from Horizon who had just started a fight with teens were allowed to go free. After these men jumped from their vehicle and jumped a group of boys with a liquor bottle were allowed to go free while citizens and families of the attacked boys tried to give statements and tried to press charges were disrespected by the police officers. They were told that sixteen is the legal age to press charges, but gang members cannot press charges so no paper work was done. A group of grown men who mistakenly attacked a group of innocent teens that the police had labeled as "bloods" were allowed to go free and were not even asked to leave the premises. Had they been arrested Friday night, taken in and processed as they have been, had the police taken into account that they had been called there and should have performed their jobs correctly, instead of being pompous and disrespectful to the very people who pay their salaries, they would have had them in custody, nor would they had the opportunity to return the next day a shoot that boy. They shot the boy whose guardian tried to press charges against the men. She noted that she has lived in Monticello all her life and felt that the hardworking people get disrespected because they reside in a certain low income area. She questioned why no one was arrested Friday night?

The Mayor questioned whether she has contacted the Chief of Police? He suggested that a representative group meet with the Chief and sit down and go through their accusations and the Chief will follow up and if there isn't satisfaction then they can go to the Village Manager and the Village Board.

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Cecily McCoy explained that whenever there is an issue in a low income area everyone tries to pass the buck, however while they are being told to talk to different officials their children are in danger.

Trustee Jenkins was concerned that he is following up this incident with CORE.

Rochelle Massey indicated that the black community is always told to wait, and questioned how long will it take.

**Intermunicipal Agreement with Sullivan County**

County Manager Fauslau explained that the Village Manager approached the County several months ago to request that the County look into making the Village "whole" regarding delinquent taxes. He indicated that in tonight's Executive Session a municipal agreement will be discussed that, he believes, will set a process forward that will allow the Village to realize money sooner and perhaps more money as we talk about the process. In short, it will be asking the County Treasurer's Office to act as the agent on behalf of the Village in aggressively enforcing your tax liens, your tax warrants and moving them through to a foreclosure process.

**RESOLUTION APPROVING PURCHASE OF FURNAS STARTER TO BE  
INSTALLED ON WATER WELL #1 FOR THE WATER DEPARTMENT IN THE  
AMOUNT OF \$1,690.00**

**WHEREAS**, the Water Department needs to install one (1) size 3 FURNAS" starter with aux contacts for Well #1.; and,

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

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Trustees of the Village of Monticello does hereby approve the purchase of one (1) size 3 FURNAS" starter with aux contacts for Well #1 in the amount of \$1,690.00

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

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**RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO SIGN AN  
ADDENDUM TO THE COLLECTIVE BARGAINING AGREEMENT WITH DPW**

Matter tabled to the next meeting.

**PUBLIC DISCUSSION REGARDING REQUEST FOR ADDITIONAL TAXI  
MEDALLIONS**

The Mayor explained that the Sureway Taxi Company has requested that the Village issue additional taxi medallions.

Trustee Schoonmaker felt that the Village does not need additional taxi medallions year round, except during the summer months when the population grows. He indicated that it is disturbing that he has heard that he is frequently late in having his vehicles inspected by the Village.

Sureway Taxi Company owner Gary Putter responded that they did miss July's deadline for Village inspections but it wasn't anything intentional and he assumed they the inspection date was August not July. He indicated that it was an oversight on their part and they weren't avoiding them. He felt that his company puts a good, late model vehicle on the road. He said when they were told of the oversight, although several tickets were issued by the police department, they were inspected. He felt that Mr. Putter is asking the Village to increase the number of medallions, but he is not complying with the rules.

Trustee Schoonmaker felt that the taxi companies should be well aware of the dates that the taxicabs are to be inspected and it is the taxi company's responsibility to have it done. He was also concerned that a cab that does not have a Village medallion and had a Fallsburgh phone number and tag on it picking up people throughout the Village.

Mr. Putter responded that he owns cabs in Liberty, Fallsburgh and Monticello and he doesn't have any current medallions in So. Fallsburgh but they do service that municipality and there is a separate issue with

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enforcement. He explained that they have 16 medallions in Liberty and since the business fluctuates so that in the summer they may need 16 vehicles to service the area and in September we may only need 7. Liberty does not take into consideration the seasonal nature of the business, so they put their Liberty medallions on other registered vehicle in Monticello also and they bring those vehicles into Liberty because they are licensed. In Liberty you must keep the medallions on cabs year round so Valone (the prior owner) used their Fallsburgh cabs and as cabs were needed in Liberty they were able to bring in licensed vehicles to service the Village of Liberty. He assumed the cab that Trustee Schoonmaker saw today had an old Fallsburgh tag on the windshield but also had a Monticello medallion on it.

Trustee Schoonmaker indicated that he took the time to visually inspect the vehicle and it did not have a Monticello medallion on it.

The Mayor questioned whether Sureway was using vehicles that do not have a Monticello medallion and are not inspected by the Village Highway Department?

Mr. Putter responded that it is just the opposite, that he uses the vehicles in Fallsburgh and Monticello to support his other 13 medallions in Liberty. In other words if necessary he can move the cabs from Fallsburgh and use them in Liberty because they are legally licensed in that municipality. He felt that it gets confusing because all these different municipalities, which don't really need it at all, have all this licensing and codes, and because the Town and County are so interactive it is very hard to follow. He felt Sureway is trying to comply with the Code and bring a licensed vehicle into the Village of Monticello that is allowed to operate. He indicated that he does pull Monticello licensed vehicles into other municipalities because the Village will not allow cabs to operate unless they are licensed by this Village. He felt that Monticello on a year round basis needs more coverage with taxis and he is buying property in the Village to make a permanent home and he needs more medallions than he has.

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Trustee Schoonmaker indicated that he did not have a problem with the additional medallions; however, he is concerned that Liberty vehicles are operating in Monticello. He felt if Sureway wants the Village of Monticello to do for him, than Sureway has to abide by this Village's codes and regulations which are in place to protect the citizens.

Mr. Putter explained that some of the vehicles have not been repainted and have Liberty phone numbers on it, however they are all inspected and licensed in Monticello and are brought in to replace a vehicle that has to be replaced.

Betty Friedland questioned whether Mr. Putter said that he takes a Village of Monticello vehicle out of here and sends it to Fallsburgh or Liberty?

Mr. Putter responded that this is correct.

Betty Friedland felt that if Sureway is moving vehicles out of Monticello than why do they need any more Monticello vehicles. She felt just leaving the five vehicles licensed in Monticello should be left here and he doesn't need anymore medallions as all the licensed cabs are not always needed here.

Harry Brantz felt that the Village needs more taxis as people are waiting, at times, more than 30 minutes for a ride. He questioned why the cost of fares hasn't gone down since the price of gas is dropping. He also felt that Sureway should keep their Village licensed cabs in Monticello which would reduce the waiting time.

Trustee VanDermark questioned whether any of the Village of Monticello licensed vehicles have Liberty medallions on them also?

Mr. Putter responded that several taxis do have both medallions on the vehicles to keep them legal in both municipalities.

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Trustee Schoonmaker requested that both cab companies have a program that will reach out to the youth who have been drinking alcohol to take them safely home to prevent alcohol related accidents. He asked that the cab companies give something back to the community.

Mr. Putter noted that currently he participates with Dana Distributors with a designated drivers program on every holiday.

Trustee Jenkins felt that if Sureway is willing to pay for additional medallions the Village needs the extra cabs.

#### **EXECUTIVE SESSION**

At 8:10 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 a personnel matter regarding a particular person and contract negotiations.

#### **RECONVENING THE REGULAR VILLAGE BOARD MEETING**

At 8:25 p.m., a motion was made by Trustee Jenkins, seconded by Trustee Marinello, unanimously approved on a roll call vote to move out to Executive Session and reconvene the Regular Village Board meeting.

#### **RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTICELLO WITHDRAWING ITS PROOF OF CLAIM IN BANKRUPTCY PROCEEDING CASE NO.: 07-35140, WITHOUT PREJUDICE TO ANY AND ALL RIGHTS THAT IT MAY HAVE AGAINST THE DEBTOR, AND AGREEING TO ACCEPT PAYMENT "OUTSIDE THE PLAN".**

**WHEREAS**, on March 30, 2007, the Village of Monticello, a secured creditor, by its Treasurer, Brenda Galligan, filed a proof of claim with the Clerk of this Court in the sum of \$9,805.01; and

**WHEREAS**, subsequent installment payments have been made thereon; and

**WHEREAS**, the co-maker of the secured promissory note upon which the proof of claim was filed is the husband of the debtor; and

**NOW, THEREFORE, BE IT RESOLVED**, that because the claim is secured, and is endorsed the husband of the debtor, who is not in bankruptcy, the Village of Monticello hereby withdraws its proof of claim with regard to Case #07-35140, without prejudice to any and all rights that it may have against the debtor, and agrees to accept payment "outside the plan".

**EXECUTIVE SESSION**

At 8:30 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 contract negotiations, a personnel matter regarding a particular person.

**ADJOURNMENT**

At 9:25 p.m., a motion was made by Trustee VanDermark, seconded by Trustee Marinello, unanimously approved on a roll call vote to adjourn the Regular Village Board meeting.

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EDITH SCHOP, Village Clerk