

BOARD OF TRUSTEES MEETING
TUESDAY, DECEMBER 5, 2017
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The first monthly Meeting of the Board of Trustees was held on Tuesday, December 5 at 7:00 PM in the Boardroom of the Village Hall, 7 Stage Road Monroe, New York. Mayor James Purcell called the meeting to order and led in the pledge to the flag. Emergency exits were announced.

Present: Mayor Purcell; Trustees Conklin, Behringer, Dwyer and Chan
Also present: Attorney Bonacic, Village Clerk Baxter, Deputy Clerk Zahra and Building Inspector Cocks
Absent: Trustee Dwyer

Trustee Conklin arrived at 7:07 PM

MINUTE APPROVAL: MEETINGS OF NOVEMBER 14th AND NOVEMBER 21st 2017:

On a motion by Trustee Chan seconded by Trustee Behringer, the Minutes of the November 14th and November 21st Meeting were approved.

Ayes: Mayor Purcell, Trustees Behringer, and Chan
Nays: None

BUDGETARY TRANSFERS / MODIFICATIONS:

On a motion by Trustee Behringer seconded by Trustee Chan, with all in favor, it was:

RESOLVED, the Board of Trustees authorized the Treasurer to make the following fund transfers / modifications to balance the budget:

From:	Description	To:	Description	Amount
A.9950.960	Transfers Crane Prk Rsv	A.7550.410	Celebrations	171.61
Budget Modifications				
A.1560	Safety Inspection Fees	A.1440.450	Engineering Contractual	1,497.00
A.2115	Planning Board Fees	A.8025.450	Plan Bd Enginner Contract	2,002.00
A.2705	Donations	A.7550.410	Celebrations	2,000.00

HIGHWAY SURPLUS DISPOSITION – MISC. EQUIPMENT:
(See Minutes 8/23/17, Pg.229)

On a motion by Trustee Behringer, seconded by Trustee Chan, with all in favor, the following resolution was adopted:

WHEREAS, in accordance with State Law requirements that equipment no longer needed by the municipality be sold at fair market value.

NOW THEREFORE, BE IT RESOLVED the Board of Trustees declared the following Highway Equipment as surplus and authorized its sales through Auctions International and sold to the highest bidder:

1. 2012 John Deere 6330 Tractor with Snow Blower and Diamond Boom Mower
2. 2009 Caterpillar 420E Backhoe
3. 2008 Ford Ranger Pickup Truck
4. 1,000 Gallon Tank with pump & spraybar and a 5,000 Gallon Bulk Tank for salt brine

It is further **RESOLVED**, that upon sale, this equipment be removed from inventory and Marshall & Sterling Insurance be notified. It is further

RESOLVED, that funds received for these items shall be placed in the Highway Equipment Reserve Account A9950.9000. (**See Minutes of January 2, 2018)

RETIREMENT – JAMES E. ARNDT, F/T DISPATCHER 12/7/17:

On a motion by Mayor Purcell, seconded by Trustee Behringer, it was:

RESOLVED, notification was received from the NYS Retirement System that James Arndt, Fulltime Dispatcher, will be retiring on December 7, 2017 due to medical issues he incurred off duty several years ago. The Board accepted his resignation with regret and wished him well in his retirement and with his medical issues.

Ayes: Mayor Purcell, Trustees Behringer and Chan

Nays: None

REQUEST FOR CONSIDERATION / WATER ACCOUNT # 189 - CONTINUED:

(See Minutes 11/21/17)

At the November 21, 2017 Board of Trustees Meeting, Matthew Connolly, Treasurer of the Pine Tree Homeowners Association, requested that the Board consider an appropriate reduction in the Association's water billing, due to a hardship that their operating budget experienced due to leak in the main water line in 2016. Although this was the second request that Mr. Connolly submitted with documentation, the Board requested that it be tabled till the next meeting for further review. Discussion followed. Mayor Purcell stated that they were looking for a waiver of penalty fees and Clerk Baxter advised that the Association did not really specify what they were asking for. Trustee Chan commented that the letter submitted stated that they were looking for a reduction in their bill. Mayor Purcell stated that the Board needed more information regarding what dollar amount they are specifically looking and requested that Clerk Baxter contact Mr. Connolly to obtain this information. This matter was tabled till the December 19, 2017 for further review.

LOCAL LAW #8 OF 2017 – AMENDING CHAPTER 158 “RENTAL PROPERTY” OF THE CODE OF THE VILLAGE OF MONROE:

On a motion by Trustee Behringer, seconded by Trustee Conklin, with all in favor:

WHEREAS, the Board of Trustees finds that it is reasonable and appropriate to update and amend Chapter 158, entitled “Rental Property”, of the Village of Monroe Code from time to time; and

WHEREAS, the Board of Trustees finds that the amendment of Chapter 158 (“Rental Property”) is an exercise of the police powers of the Village of Monroe to protect the public health, safety and general welfare of its residents.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Monroe that the Board of Trustees hereby adopts and enacts Introductory Local Law 8 of 2017, entitled “A Local Law Amending Chapter 158 (“Rental Property”) of the Code of the Village of Monroe”. This Local Law shall take effect upon filing with the Secretary of State.

PARKING BAN ALONG SHOULDER OF RT. 17M BETWEEN BRIDGE ST. & OAKLAND AVE - CONTINUED: (See Minutes 11/21/17)

At the November 21, 2017 Board of Trustees Meeting a proposal was submitted to ban parking on the shoulder along Rt. 17M from Bridge Street to Oakland Avenue. Both residents and Board members raised questions and concerns, including Chief Conklin who stated that some of these properties may have property lines that come all the way down to the street so they may be parking on their property in which case there would be nothing that the Village could do. Mayor Purcell asked Inspector Cocks to review the property lines of these homes in question and report back. This matter was tabled till the next Board Meeting on December 5, 2017. Discussion followed. Mayor Purcell stated he believed that it was perhaps just a matter of issuing and overnight ordinance. Trustee Chan commented that after the last meeting the home in question had been ticketed and Chief Conklin also went to the home and spoke with the tenants and it hasn't happened since so why even do anything else. Trustee Conklin interjected and stated that adding no overnight parking to that area may help the solution to the problem. She continued that it is the overnight parking and the double parking that is the real issue, not the parking during the day and while it may not be a problem right now, it could continue and by adding this ordinance would give the Village a little more teeth with enforcement. Mayor Purcell also stated that the Village would still have to go to New York State with the resolution since it is a state road. Mayor Purcell agreed with Trustee Conklin that adding the ban on overnight parking would be

helpful down the road since it is a rental property and the rest of the homes are single family. Trustee Conklin asked if a ban on double parking could be added to the resolution and Attorney Bonacic stated that it could but it would be at the State's discretion to agree to it.

Trustee Chan asked where would the residents park their cars if parking was banned. Mayor Purcell stated that this resolution would allow them to park during the day but banned them for overnight parking and double parking. Trustee Chan continued that he understands it was a problem, parking has always been a problem there, but the Police addressed it and he doesn't understand the need to now enact a law banning it. He continued that he doesn't have a problem enacting the law, but asked again where are the residents going to park. Can the Village set parking up farther up the road for them that's not along Rt. 17M. Mayor Purcell stated that residents can park along Oakland Avenue but again, they cannot park overnight between November 1st and April 1st.

Mayor Purcell requested that Attorney Bonacic redraft the resolution law to include the ban on double parking which can cause a line of sight issue, as well as including the ban on overnight parking as well, and present the revision at the next Board Meeting. This matter was tabled till the December 19, 2017 meeting. (**See Minutes of January 2, 2018)

REQUEST FOR PENALTY WAIVER – 2nd REQUEST / WATER ACCOUNT #5653:

Water account 5653 has submitted a second request for a credit in the amount of \$24.81 for late fees imposed to their account for failure to pay their November 2015 water bill. They state that it went unnoticed until their February 2016 bill was received and proceeded to pay both bills, plus the penalty amount at that time. Mr. and Mrs. Ferrara submitted a request for credit in May of 2016 which was denied. They claim that they have never missed a payment in their 31 years as residents, and Clerk Baxter provided a customer billing history report for the Board to review. The Ferrara's stated that since attending recent Village meetings it seems as though more and more people are receiving waivers of some kind and questioned Mayor Purcell about it who advised them to submit their request again for the Board to review. Discussion followed. Mayor Purcell stated that this resident contacted him personally regarding this and he advised them to submit their request again to the Board for review. Mayor Purcell acknowledged that at the prior meeting the Board granted a waiver to a 10 year resident who had sent her payment to the wrong place. This resident in question has lived here for 31 years and has never missed a payment, and there have been a few other times in the past as well. Trustee Conklin stated that the circumstances are a little different. Regarding the accounts that they did waiver penalty on the Board had tangible evidence supporting their request for the wavier. Trustee Conklin continued that just because you missed your water bill you automatically get a refund. The Board always looked at these cases individually where there have been extenuating circumstances, and everyone misses one bill at one time or another in their life.

Trustee Behringer asked if the Village had the original letter for their first request. Mayor Purcell stated that it was from 2015. Trustee Behringer stated that she thought she remembered that the resident had put in the letter that it was because she didn't receive her bill. Clerk Baxter stated that the resident indicated in her recent letter to the Board that she did not receive the November 2015 bill and only became unaware of the missed bill when she received the February 2016 bill and saw the past due amount with penalty.

Attorney Bonacic stated that from a legal standpoint unless there are new facts that the Board did not have during the first consideration, the denial has already been acted upon by the Village. The other accounts that the Board has granted waivers on that are not considered new information in respect to this account. Attorney Bonacic continued that without new facts, the Board does not have to take any action. Mayor Purcell stated that the denial would stay as is and since no action is being taken, no motion is needed.

MAYOR'S REPORT:

Mayor Purcell reminded the community that this weekend is the Village's Winterfest on Saturday from 1-5PM. There will be hayrides, a bonfire, a little parade, hot chocolate, the tree lighting, a DJ and crafts for the kids. Trustee Conklin also commented that anyone interested in having a float is welcome.

Mayor Purcell stated that the Village has received its letter to proceed from NYS DOT on the Stage Rd. & Lake St. Grant. The Village will be able to begin with the preliminary design and begin to move forward on that project.

Resident John Karl commented on how nice the Village looks decorated for the holiday season and it is a compliment to the community.

Mr. Karl also commented that the leaf pickup this season seems to have been really streamlined and is working much better than in past years and they seem to have already been through his neighborhood 4 times already.

Mr. Karl followed up on a previous inquiry that one of his neighbors made at an earlier meeting regarding For Sale signs. He continued that there are still signs up in the Village's right of way and they have been there longer than the allotted 30 days. Mr. Karl stated that people are living in the homes, and the signs have been adjusted from for sale to sold, and should have come down quite some time ago. Mayor Purcell inquired as to what street he was referring too and Mr. Karl stated that it was Sutherland Drive, either 14 and 16 or 16 and 18, he wasn't entirely sure. Mayor Purcell stated that he could have the Buildings Department look into it.

EXECUTIVE SESSION:

On a motion by Trustee Chan, seconded by Trustee Behringer, with all in favor, the meeting was closed at 7:22 PM. Following a 5-minute recess, the Board convened in Executive Session for discussion of Attorney Client.

Respectfully Submitted,

Ann-Margret Baxter
Village Clerk

Executive Session Minutes compiled by Mayor Purcell.

OPEN SESSION: on a motion by Trustee Chan seconded by Trustee Behringer and carried, the Open Meeting resumed at 8:10 PM.

MONROE JOINT PARK COMMISSION WATER AGREEMENT:

On a motion by Trustee Conklin, seconded by Trustee Chan, it was:

RESOLVED, the Board of Trustees accepted the offer proposed by John Battaglia, Chairman of the Monroe Joint Park Commission, that the Village of Monroe, in connection with the operation of Smith Clove Park, shall allocate up to 6,000 gallons of water each calendar year to the Monroe Joint Park Commission, free of charge. For any and all usage in excess of 6,000 gallons, the Village of Monroe shall charge the Commission at the then current Village residential rate.

In regard to the outstanding water bill due and owing by the Monroe Joint Park Commission, the Village of Monroe hereby agrees to reduce the outstanding amount on account #392 owed to \$14,000.00, which is the amount that would be considered due and owing if the Village of Monroe had charged the Monroe Joint Park Commission based upon the existing Village residential rate.

Ayes: Trustees Behringer, Chan and Conklin
Nays: None

ADJOURNMENT:

On a motion by Trustee Chan, seconded by Trustee Behringer and carried, no further business, the meeting was adjourned at 8:15 PM.

Ayes: Trustees Behringer, Chan and Conklin
Nays: None