

**SPECIAL MEETING  
BOARD OF TRUSTEES  
THURSDAY APRIL 12<sup>th</sup>, 2018 @ 7 PM  
([www.villageofmonroe.org](http://www.villageofmonroe.org))**

A Special Meeting of the Board of Trustees was held on Thursday, April 12<sup>th</sup>, 2018 at 7:00 PM in the Boardroom of the Village Hall, 7 Stage Road, Monroe, NY. Mayor Dwyer led in the pledge to the flag and called the meeting to order. Emergency exits were announced.

**Present:** Mayor Dwyer, Trustees Conklin, Behringer, Alley and Houle

**Also present:** Village Clerk Baxter Deputy Clerk Zahra, Treasurer Murray, Highway Supervisor Linderman, and Police Chief Conklin

**Absent:** Attorney Bonacic

**BUDGETARY TRANSFERS / MODIFICATIONS:**

On a motion by Trustee Conklin seconded by Trustee Behringer, 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
			None	
			<b>Budget Modifications</b>	
F.2770	Miscellaneous Revenue	F.9950.920	Transfers Distribution Equipment Rsv	34,850.00

Mayor Dwyer explained that the monies being transferred were collected from the contractual agreement established regarding the work on Gilbert Street. The four payments are to offset the cost of the water agreement the Village has with the developer of the Smith Farm project.

**BUDGET ADOPTION FY/2019:**

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

**RESOLVED**, the Board of Trustees adopts the Budget for Fiscal Year 2019 as follows:

**General Fund: \$10,158,483                      Water Fund: \$2,078,925**

**Amount to be raised by taxes \$7,038,219**

**Tax Rate per thousand of assessed valuation: \$43.22**

**Increase - \$43.00 on a \$50,000 assessed valuation  
              \$86.00 on a \$100,000 assessed valuation**

**Tax Rate Increase Rate: 2.03%**

**Revenues: \$2,885,264**

**Appropriated Fund Balance: \$235,000**

Discussion followed. Mayor Dwyer stated that after the last workshop, the Board worked diligently to adjust the budget and reduced the tax rate increase to 2.03%

**Ayes:** Trustees Alley, Behringer, Conklin and Houle

**Nays:** None

**DISCUSSION – WATER ACCOUNT #10064:**

Mayor Dwyer stated that the Village had a town water account that had fallen into arrears. Mayor Dwyer explained that the Board had taken action at the last meeting and requested that the bill be paid in full by Friday, April 13, 2018 or the water would be shut off, as the Village has the right to do. Mayor Dwyer added that subsequent to that, Trustee Conklin had spoken with the resident about the possibility of an arrangement, although the Board had made a motion

otherwise. Mayor Dwyer concluded that he was bringing it before the Board again for final discussion.

Trustee Houle asked for clarification regarding the statement in the agreement letter that stated that his quarterly bills must be current. Trustee Conklin stated that the resident would pay the agreed upon amount plus his quarterly water bill. Trustee Houle asked that if he makes all the payments on time, and pays off the outstanding bill, if the resident misses a payment on his next quarterly bill, will the Village shut the water off. Trustee Conklin clarified that once the resident makes good on the delinquent bill, if he should become delinquent on the future bills, the resident runs the risk of having the water shut off again. Clerk Baxter added that Village Code section 195-13 states that the Village has the right twice a year, March and September, to interrupt service to town accounts for non-payment.

Trustee Behringer stated she thinks the agreement is fair and hopes that the resident is true to his word.

Trustee Conklin shared that she spoke with the resident directly, and the resident advised her that he had spoken with the Public Service Commission and they advised him that he could pay whatever he could pay. She stated that she was intrigued by this and called the Public Service Commission herself and found out that they do not govern the Village of Monroe's water system and that they had no record of even speaking with this gentleman, it appeared to have been just a story he had created to help himself. Trustee Conklin also added that after speaking with Clerk Baxter, Deputy Clerk Zahra and the Water Billing Control Clerk Michel, the resident had a history of telling different stories to different people.

Trustee Alley commented that she felt it was a fair agreement and that the Village isn't in the business to shut off people's water but the Village does have the responsibility to collect on the bill and do their due diligence. Trustee Alley asked if the resident was receptive to the agreement and Trustee Conklin confirmed that they were but he was also receptive to every other offer they were given. Trustee Conklin added that she advised the resident that if he did not hear from her, that it was understood that payment needed to be in by the pre-agreed upon due date of April 13, 2018. She also added that the resident was advised that if any of the agreed upon payments were missed, that water service would be terminated immediately.

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

**RESOLVED**, the Board of Trustees rescind the prior resolution of April 3, 2018, minute page 96, in which the Village Board declined to enter into a payment arrangement with town water account #10064.

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

**RESOLVED**, the Board of Trustees approved the proposed payment agreement, on file with the Water Department, with town water account #10064. The payment agreement states resident is responsible to make 3 monthly payments of \$1271.97, due by close of business on April 13, May 1, and June 1, 2018. Payments are to be made in cash, certified check or money order. The regular, quarterly bill must also be paid by its due date otherwise water service will be interrupted immediately.

**Ayes:** Trustees Alley, Behringer, Conklin and Houle  
**Nays:** None

#### **DISCUSSION – 2018 CARNIVAL:**

Mayor Dwyer stated that Trustee Conklin has been working with different vendors to procure the best deal for the Village's annual carnival. Trustee Conklin stated that the Village vetted three amusement companies and selected to hire Ace Tent Amusement who offered the better contract. Trustee Conklin stated that they met all of the Village's needs and she feels they will produce a great event. Mayor Dwyer added that they do an awesome job; they have a great track record with local interests. Mayor Dwyer also stated that they do the Harriman Fire Department carnival and they are reputable. Their rides are clean, well kept; their staff doesn't stay on property, a big plus, and that helps the Police Department. On a motion by Trustee Conklin, seconded by Trustee Houle, it was:

**RESOLVED**, the Board of Trustees approved entering into an agreement with Ace Tent Amusement, 59 West Moreland Drive, Yonkers, NY 10704 for the Village's annual carnival scheduled for Thursday, August 2, through Sunday, August 5, 2018. Mayor Dwyer is authorized

to sign the agreement on behalf of the Village of Monroe. An event application will still need to be submitted for Board review and approval, as well as certificate of liability insurance.

Ayes: Trustees Alley, Behringer, Conklin and Houle

Nays: None

**DISCUSSION – ROSCOE SMITH PROPERTY ACQUISITION (TM #211-1-1):**

(See Minutes: 8/19/14, Pg.39, 9/2/14 Pg. 44, 1/19/16 Pg.283, 4/21/16 Pg.340, 5/17/16 Pg.348)

Mayor Dwyer stated that this matter has been ongoing on since he was sworn in as a Trustee four years ago. Without getting into detail, Mayor Dwyer continued at the time he started, he was told that the restoration of the Roscoe Smith house would cost between \$3.5 - \$5 million dollars. Based on that, Mayor Dwyer did not see burdening the tax payer with that type of price tag and it would be a poor decision to accept that. Mayor Dwyer stated that what was offered by the Developer was rescinded by the Village Board. Within 6 to 9 months of that, Mayor Dwyer became aware of more information and reached out to the developer, with permission of the Board of Trustees, and got permission to go on to the property and do an assessment and an evaluation to see what it would cost, and Mayor Dwyer stated that he estimated that it would cost between \$1 - \$1.2 million dollars to restore the home, both the interior and exterior.

Mayor Dwyer continued that since then he has been trying unsuccessfully to acquire this property for the Village and has not been successful. He stated his commitment to acquiring the Roscoe Smith property per the developers offer and contingent upon a complete examination of the file and the land and the properties that are involved. Mayor Dwyer asked the Board to consider it and stated that he is also going request that Village Engineer John O'Rourke PE, of Lanc & Tully, hold a workshop for the Board to bring them up to speed on what the Village is looking to acquire. From the workshop meeting, the Board members will be well informed on what it is that we are gaining for the Village of Monroe. As many have shared with him, it is important to preserve the history of the Village, and in the fore front is Roscoe Smith. By keeping the property in his family's name by virtue of the Village would be a remarkable thing.

Mayor Dwyer acknowledged that the project is before the Planning Board and has been chugging along. The project has had its own challenges and they are all being addressed through the Planning Board. Mayor Dwyer stated that he would like to meet with counsel and draft a letter stating clearly to the Planning Board what the Village's intention is. Mayor Dwyer asked the Board to consider what he has said and allow him to reach out to the developer through counsel and with the support of the Board and its consultants.

Trustee Behringer stated that the workshop was a good idea since they have been talking about this for a long time and it would be a good opportunity to review everything and bring everyone up to speed. Trustee Behringer asked if the workshop would be for the Board only, or would it be open to the public. Mayor Dwyer stated that it would be open to everyone that wanted to attend, the more the merrier.

Mayor Dwyer stated that the developer has offered many things throughout the years and his goal is to strengthen that offer and believes that when it is finally restored, it will be one of the many jewels of the Village. Mayor Dwyer stated again that the first move would be to rescind the original resolution in which the Village denied the offer initially back in 2015 or so.

**MAYOR'S REPORT:**

Mayor Dwyer stated that the Board has worked very hard on modifying this year's budget to find the best solutions while respecting the tax payers and respecting the work that the Village employees do. Mayor Dwyer stated that Treasurer Murray has been amazing dealing with him and wanted to publicly acknowledge that. Mayor Dwyer expressed his gratitude during this transitional time.

Trustee Conklin encouraged Trustees Alley and Houle to visit every department within the Village. While they are liaisons, they are Trustees as well. Meet each department head, meet the employees. The Village of Monroe has wonderful employees and they should take the opportunity to get to know each of them.

Trustee Behringer agreed with Trustee Conklin and both encouraged them to develop their own relationships with the employees. Mayor Dwyer also encouraged them to ask as many questions as they need. He understands that this is not their wheelhouse and they rely on the employees to help them.

Resident Tim Mitts offered his congratulations to Mayor Dwyer on his election win. Mr. Mitts also asked the Board if they had received the petition his Attorney submitted to preserve the house, Rest Haven at 236 High Street, as an adult home residence. Mayor Dwyer acknowledged that they had received the petition and stated that tonight's meeting was focused primarily on the budget. Mayor Dwyer stated that although he has been on the Board as a Trustee for 4 years, the position of Mayor with a one week transition period is a different cadence and you're hitting the ground running. It is pretty remarkable what you're stepping into and what you are responsible for. Mayor Dwyer stated that the Board would look at his petition as they moved forward.

Mr. Mitts extended an invitation to the new Board members to come to Rest Haven. He continued that in approximately 3 weeks they will be contacted by the National Historic Society and they are looking to make the property a National Landmark. Mr. Mitts continued that they have found documentation that historically ties Museum Village and Roscoe Smith into Rest Haven and believes that this should help draw people into the Village of Monroe. Mr. Mitts also stated by running Rest Haven as an adult home it will allow them to do so without public money, and claims to date, they have put approximately \$1 million dollars into the property.

Mr. Mitts lastly added that he will be appearing before the Town of Monroe Board. He has been notified that he will be receiving historical documents regarding the house and will be asking permission to put some them on display at the Monroe Movie Theater.

Resident John Karl thanked the Board for bringing the budget down. He stated at the budget hearing he had asked several questions regarding the prior year's budget, specifically how much money was not spent and he did not get a response on that. He is asking that question again tonight. Mayor Dwyer asked Mr. Karl if he would allow him the opportunity to find the answers. Mr. Karl stated that he brought it up at the workshop and still hasn't gotten the information. Treasurer Murray stated that she was not prepared to answer that question tonight since tonight's meeting was focused on the new budget.

Mr. Karl asked what amount was currently in the Village's fund balance. Treasurer Murray stated that with all the work with the budget preparation and doing the job of two people, she was not prepared to answer that this evening but would be able to get the answer for him another time. Mr. Karl repeated that he had asked for this information previously. Treasurer Murray stated that it is an ever changing thing, and at the end of last year it was \$800,000, but if you asked what it was today she couldn't answer that because it is a dynamic thing.

Trustee Conklin suggested that Mr. Karl email his questions to Treasurer Murray allowing her the opportunity to gather all the information. Mr. Karl stated that it wasn't just for last year that he asked these questions, it was this year's amount too, and all he gets is blank looks, he shouldn't have to ask twice. Trustee Conklin asked Mr. Karl to email all his questions to Treasurer Murray and she would get back to him by Wednesday. Mr. Karl stated as a tax payer he did not appreciate being spoken to by a Village employee in the manner that he was.

Mayor Dwyer apologized for the confusion and assured Mr. Karl that they would get him answers to his questions. Mr. Karl thanked him and asked if the Water Fund covered all of its expenses. Mayor Dwyer stated that it did.

Mr. Karl asked for the name of the company covering the carnival this year. Trustee Conklin confirmed it was Ace Tent Amusements. Mr. Karl asked if they were the same as Shamrock and Mayor Dwyer stated it was not. Trustee Conklin stated that Ace has done the Harriman carnival for the last three years. Mr. Karl stated that Harriman used Shamrock and Trustee Conklin stated that Harriman walked away from Shamrock. Mayor Dwyer stated that Justin LaMarch, from the Harriman Fire Company, negotiated to bring Ace on board. Mayor Dwyer added that in 2017 Ace did the Hero's For a Cure event and it was a great carnival.

#### **ADJOURNMENT:**

On a motion by Trustee Conklin, seconded by Trustee Behringer, with all in favor, the meeting was closed at 7:34 PM. Following a 5-minute recess, the Board convened in Executive Session for discussion of Attorney Client and Personnel.

Respectfully Submitted,

Ann-Margret Baxter  
Village Clerk

**Executive Session Minutes compiled by Mayor Dwyer.**

**OPEN SESSION: on a motion by Trustee Houle seconded by Trustee Behringer and carried, the Open Meeting resumed at 8:20 PM.**

**ADJOURNMENT:**

**On a motion by Trustee Houle, seconded by Trustee Behringer and carried, no further business, the meeting was adjourned at 9:20 PM.**

**Ayes: Trustees Alley, Behringer, Conklin and Houle**

**Nays: None**