

**BOARD OF TRUSTEES MEETING
TUESDAY, JULY 20, 2010**

The July Meeting of the Board of Trustees was held on Tuesday, July 20, 2010 at 7 PM in the Boardroom of the Village Hall, 7 Stage Road, Monroe, NY. Mayor James Purcell called the meeting to order and led in the pledge to the flag. Emergency exits were announced.

Present: Mayor Purcell; Trustees Gormley, Chan, Wright and Eppinger
Also present: Attorney Bonacic, Treasurer Murray, DPW Supt. Smith, Building Inspector Wilkins, Police Lt. Melchiorre and Village Clerk Carey

Absent: Police Chief Giudice and Fire Chief Tankasali

MINUTE APPROVAL JUNE 1ST & 15TH :

On a motion by Trustee Chan seconded by Trustee Gormley, and carried, the Minutes of the June 1st and June 15th, 2010 Meetings were approved.

BUDGETARY TRANSFERS / MODIFICATION:

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

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

FROM: _____ **TO:** _____

A1560 Safety Inspection Fees	A1440.450 Engineering Contractual \$5,619.00
	Raises revenue/expense line re: safety inspection fees collected re: engineering

	<u>Capital Reserve</u>
	A5110.200 St Maint E&C Reserve Outlay \$160,841.37
	Purchase of new dump truck paid out of Hgwy Capital Rs

WATER RATE ANALYSIS ENGINEERING PROPOSAL:

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

RESOLVED, the Board of Trustees accepted Lanc & Tully Engineering's proposal to develop a rate study in general conformance with American Water Works Association standards. The purpose of the study will help develop a systematic rate design method to recover costs required for the continued operation of the Monroe water system. The design of the report will be similar to previous reports developed for earlier rate analysis and increase justification. This report will analyze current operation and maintenance, along with required upgrades and capital improvements. Analysis will be based upon information provided by the Village relating to water usage, customer classification, existing rates, etc. Cost of engineering not to exceed \$7,000. It is further

RESOLVED, Mayor Purcell was authorized to sign the proposal to proceed.

Ayes: Trustees Gormley, Chan, Wright and Eppinger
Nays: None

ORANGE COUNTY YOUTH BUREAU FUNDING 2011:

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

RESOLVED, the Board of Trustees authorized Mayor Purcell to submit the application for funds available for Recreation (\$1,852) and Service Eligibility (\$1,663) available from the Orange County Youth Bureau for 2011 waiving the Village allotment to the Town of Monroe for use by the Monroe Joint Park Recreation's Youth Activity Camp (YAC) Program.

Ayes: Trustees Gormley, Chan, Wright and Eppinger

Nays: None

STOP DWI PROGRAM PARTICIPATION AGREEMENT:

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

RESOLVED, the Board of Trustees approved an agreement with the County of Orange that authorizes the Village of Monroe Police Department to participate in the STOP DWI Program Services. The scope of service includes court appearances; provides for the performance of overtime road patrols to detect and deter impaired / intoxicated drivers as per Vehicle and Traffic Law, Section 1192. Grant provides for 75 hours and shall not exceed \$4,885. It is further

RESOLVED, that Mayor Purcell is hereby authorized to sign the STOP DWI Program Services Agreement for contract period July 2, 2010 through September 7, 2010.

EQUIPMENT DISPOSITION – WATER DEPARTMENT LAB EQUIPMENT:

On a motion by Trustee Wright seconded by Trustee Eppinger, and carried, it was:

RESOLVED, the Board of Trustees declare the following equipment surplus, retro to 5/31/10, and of no value and authorize removal from inventory and disposal by Water Plant Operator James Kennedy:

INVENTORY # DESCRIPTION MANUFACTURER MODEL # SERIAL # ORIGINAL COST ACQUIRED

000181	Panel Switch	Fisher & Porter	6Wx2Dx7H	14 Swith & Gauge	\$5,156.62	1/1/1976
000183	Autodialer	Acurex	Adas IX		1,343.76	1/1/1994
000186	Controller Filter	Fisher & Porter	5 Switches	7812A5505J7002	2,762.48	1/1/1976
000187	Controller Filter	Fisher & Porter	5 Switches	78212A5505J003	2,762.48	1/1/1976
000188	Controller Filter	Fisher & Porter	5 Switches	7812A5505J7004	2,762.48	1/1/1976
000190	Control Panel	Cutler-Hammer	5WX1DX7H	12 Switches	4,788.29	1/1/1976
000194	Mixer Flocculant	Wallace & Tiernan	Pennwalt		5,028.71	1/1/1990
000195	Mixer Flocclant	Wallace & Tiernan	Pennwalt		5,028.71	1/1/1990
000196	Mixer Flocculant	Wallace & Tiernan	Pennwalt		5,028.71	1/1/1990
000197	Mixer Flocculant	Wallace & Tiernan	Pennwalt		5,028.71	1/1/1990
000198	Pump, Lime Slurry	Robbins & Myers	FA56D	03283Y	2,209.98	1/1/1976
000199	Hexametaphosphate	Wallace & Tiernan				
	Pump		A/747041	XX02456	1,473.32	1/1/1976
000201	Scale Cylinder	Wallace & Tiernan	55-340		1,100.00	1/1/1998
000202	Scale Cylinder	Wallace & Tiernan	55-340		1,100.00	1/1/1998
000207	Analyzer, Chlorine	Wallace & Tiernan	A780221	XX21845	1,374.50	1/1/1974
000208	Recorder, Pressure	Bristol's	1G531-14	65A2050	1,927.67	1/1/1990
000218	Sterilizer		25X	000211	1,014.31	1/1/1976
000330	Meter Reading System Installation				1,138.00	1/20/2004
1804020067	Transformer		75KVA		1,612.19	1/1/1974
1804020069	Group of Process Piping				28,031.95	1/1/1974

Ayes: Trustees Gormley, Chan, Wright and Eppinger

Nays: None

MAINTENANCE AGREEMENT RENEWALS:

GOOSETOWN COMMUNICATIONS – EVENTIDE LOGGING RECORDER SEMI-ANNUAL BILLING 7/10 – 12/10 / MATTHEW’S AIR-CONDITIONING REFRIGERATION & HEATING, INC.

On a motion by Trustee Chan seconded by Trustee Gormley, and carried, it was:

RESOLVED, in accordance with the Village procurement policy, the following budgeted contract renewals were presented to the Board and approved for payment:

Goosetown Communications, 58 North Harrison Ave., Congers, NY 10920 for semi-annual lease billing for July through December 2010 for Eventide Logging Recorder at a cost of \$4,050 from budget line A3120.450.

Matthew’s Air Conditioning Refrigeration and Heating, Inc., P O Box 449, Westtown, NY 10998, semi-annual maintenance agreement, July through December, which includes 4 inspections and servicing for heating and air-conditioning units at a budgeted cost of \$1,300 (line A3120.450).

Trustee Chan would like to see department get together and use one company to do all the buildings.

SERVICE EDUCATION, INC. – JUSTICE COURT ROOM PROGRAM:

On a motion by Trustee Gormley seconded by Trustee Wright, it was:

RESOLVED, in accordance with the Village procurement policy, the following budgeted contract renewal was presented to the Board and approved for payment:

Service Education, Inc., 1777 Penfield Road, Penfield, NY 14526, for the continuation of the license/maintenance agreement for “The CourtRoom Program” (access to data transfer features of the program and the SEi web-site (NYCourts.us)) as follows:

CourtRoom Program annual license/maintenance agreement	\$800
Parking Program annual license/maintenance agreement	300
DMV-Call Program annual license/maintenance agreement	(Inc.)

Budgeted cost for yearly maintenance is \$1100 (A1110.453 Eq. Maint.). Period August 2010 – July 2011.

Ayes: Trustees Gormley, Chan, Wright and Eppinger

Nays: None

HUDSON VALLEY WATER WORKS CONFERENCE 8/12/10:

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

RESOLVED, the Board of Trustees approved attendance of the following three employees at the Hudson Valley Water Works Seminar at the Mary Harriman Park, Harriman, NY on Thursday, August 12, and 2010 at a budgeted cost of \$30 / employee (\$90) from budget line F/8310.472 Adm. Ed.:

John Mulligan, Paul Fusik and Ernest Mabee

Ayes: Trustees Gormley, Chan, Wright and Eppinger

Nays: None

POLICE OFFICER HIRE: AMBIORIX R. GOMEZVEGA

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

RESOLVED, the Board approved the appointment of Ambiorix R. GomezVegas as a full-time police officer to fill the vacancy created by the retirement of Gregory Witte. The effective date of hire is August 12, 2010 at the 2nd year salary of \$62,150 with an anniversary date of 6/1/09. Mr. GomezVega would be a transfer as per O.C. Department of Civil Service requirements with a probationary period of 26 weeks pending results of his physical and psychological screening.

Ayes: Trustees Gormley, Chan, Wright and Eppinger

Nays: None

Mr. GomezVega had been employee by the Middletown Police Department since July 2008 and prior to that was employed by the New York City Police Department since 2002.

PAYMENT AUTHORIZATION: KAL-HABOUR INC. – LAKE STREET CROSSWALKS

On a motion by Trustee Wright seconded by Trustee Gormley, it was:

RESOLVED, the Board of Trustees accepted the recommendation of Engineer John O'Rourke, Lanc and Tully, PC for release of retainage and issuance of payment to Kal-Harbour, Inc., d/b/a Harbour Roads, PO Box 4087, Albany, NY 12204 in the amount of \$2,282.50 subject to approval of O.C. Community Development.

Ayes: Trustees Gormley, Chan, Wright and Eppinger

Nays: None

4th ANNUAL CRUSIN FOR ST JUDE CHILDREN'S RESEARCH BIKE RUN 8/22/10:

See page 248

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

RESOLVED, permission is hereby granted to Laura Ann Farms for the 4th Annual Cruising For St Jude's Children's Research Bike Run on Sunday, August 22, 2010 from 9 AM to 9 PM at 401 Route I7M contingent upon the following:

1. Coordination with Police Chief Giudice for security.
2. State Liquor Authority Temporary Permit is received.
3. A Certificate of Insurance naming the Village of Monroe as Additional Insured on the Certificate in the amount of one million dollars.

Ayes: Trustees Gormley, Chan, Wright and Eppinger

Nays: None

Mayor Purcell publicly thanked Anthony Coumo for his benevolence in donating flowers to our village for Memorial Day. His kindness was very much appreciated.

ANNUAL MONROE CROP WALK FOR THE HUNGRY:

On a motion by Trustee Gormley seconded by Trustee Chan, and carried, it was:

RESOLVED, permission was granted to the M-W Clergy Association for the 2010 Monroe Crop Walk on Sunday, October 24, 2010 beginning at 2 PM. Walk to begin and end at the Monroe Methodist Church utilizing the Crane Park Walkway. It is further

RESOLVED, the Board of Trustees approved hanging a banner between the Millponds for the 2010 Monroe Crop Walk for the Hungry. It is further

RESOLVED, this event must be coordinated with Police Chief Giudice. A certificate of insurance naming the Village of Monroe as additional insured is required.

**CONGREGATION EITZ CHAIM MWJCC – HIGH HOLY DAY RELIGIOUS WALK
9/9/10:**

Lt. Melchiorre spoke to Melissa Dally at Eitz Chaim today and resolved the Chief's questions. He was advised there will be a foot procession from Eitz Chaim to 27 Amy Todt Drive. There will be a dedication ceremony there followed by a foot procession back to Eitz Chaim. Our Police Department will escort the procession to and from. Mark Schulberg was present for Eitz Chaim. On a motion by Trustee Chan seconded by Trustee Wright, it was:

RESOLVED, permission is hereby granted to Congregation Eitz Chaim Monroe Woodbury Jewish Community Center to walk from the synagogue at 1465 Orange Turnpike to 27 Amy Todt Drive on Thursday, September 9, 2010 at 4:30 PM. Procession is a ritual marking the high holy day of Rosh Hashanah. Certificate of Insurance, naming the Village of Monroe as additional insured, was filed. Event will be coordinated with Police Chief Giudice.

Ayes: Trustees Chan, Wright and Eppinger

Nays: None

Abstain: Trustee Gormley (member of the congregation)

GENERAL CODE PUBLISHERS – E- CODE360 ONLINE:

Deputy Clerk Budrow was present and gave the Board an overview of her research on E-code. E-code will enable the village to bring the village code into the 21st century with providing it online. Discussion followed. On a motion by Trustee Chan seconded by Trustee Gormley, it was:

RESOLVED, the Village Board approved the proposal received from General Code, LLC, 72 Hinchey Road, Rochester, NY, for eCode on-line that provides access to our Village Code from a link on our website, enabling users inside and outside our municipality easy access to code information. Standard eCode 360 includes: Set-up, 1st year's maintenance, pre-supplementation posting, archival CD/DVD, enhanced navigation, electronic index, up-graded print functionality at a cost of \$995 (from A1420.408). (the initial investment price and annual fee does not include supplementation fee for the printed code. Annual Maintenance second year forward is \$995.) It is further

RESOLVED, Mayor Purcell is authorized to sign the proposal authorizing General Code to proceed.

Ayes: Trustees Gormley, Chan, Wright and Eppinger

Nays: None

ADOBE ACROBAT V. 9.0 SOFTWARE:

Deputy Clerk Courtney Budrow was present. She has requested approval to purchase Adobe Acrobat software that will enable scanning forms to her desktop and make alterations and update forms. Current capabilities with the copier we cannot change or alter documents, they are stored in a PDF file electronically. Discussion followed. On a motion by Trustee Gormley seconded by Trustee Chan it was:

RESOLVED, the Village Board approved the purchase of ADOBE ACROBAT V.9.0 PDF Application through FLC Equipment and Supplies, 198 Willow Ave., Cornwall, NY 12518 at a cost of \$332.33 (from A1990.490). Installation of software to be billed separately.

Ayes: Trustees Gormley, Chan, Wright and Eppinger
Nays: None

MONROE VOLUNTEER AMBULANCE CORP REFUND REQUEST: TM# 220-3-1.2

The Monroe Volunteer Ambulance Corp, 100 Ramapo Street, received a Building Permit on 6/4/10 to finish the second floor offices, training room, bathrooms, kitchenette and storage and installation of central air conditioning. A fee of \$800 was paid and Building Permit #9353 was issued. Monroe Volunteer Ambulance Corp President Nancy Peifer in a letter dated 6/11/10 requested the fee be waived and a refund issued. On a motion by Trustee Eppinger seconded by Trustee Wright, it was:

RESOLVED, the Board of Trustees approved a wavier/refund of the Building Permit fee (B.P.# 9353) for the Monroe Volunteer Ambulance's renovation of the 2nd floor of their building at 100 Ramapo St. to Best Mechanical in the amount of \$800.

Ayes: Trustees Wright, Eppinger and Mayor Purcell
Nays: None
Abstain: Trustee Chan and Trustee Gormley

NEW WEBSITE DESIGN CO.:

Mayor Purcell submitted to the Board two proposals for web designs. One from Hudson Horizons Web Design and Development Company (\$9,250 - \$15,500) and one from EA Doherty Website Services \$2,875 + a hosting fee of \$30/month (\$360/year). On a motion by Trustee Eppinger seconded by Trustee Wright it was:

RESOLVED, the Board of Trustees approved an agreement with EA Doherty.com Website Services, 23 Bridge Street, Monroe, NY 10950 to re-design the Village of Monroe website at a cost of \$2,875 plus \$360/year for maintaining the website. Cost to be taken from Contingency A1990.490. This agreement can be terminated by the Village at any time.

Ayes: Trustees Gormley, Chan, Wright and Eppinger
Nays: None

REQUEST FOR PROPOSALS – CROSSWALKS (CDBG-R):

On a motion by Trustee Wright seconded by Trustee Gormley, it was:

RESOLVED, the Board of Trustees authorized the Village Clerk to publish a "Request for Proposal" for the O.C. Community Development Block Grant 2010 Crosswalk Project (CDBG-R). Publication to be in the Times Herald Record on Friday, July 23, 2010. Bid opening will be on Monday, August 16, 2010 @ 9 AM with bid award on August 17th.

Ayes: Trustees Gormley, Chan, Wright and Eppinger
Nays: None

Trustee Wright commented on the effect this project will have on the downtown businesses. Mayor Purcell said there will be better coordination with the contractor and businesses as the project moves forward.

MAYOR'S COMMENTS:

Mayor Purcell thanked Village Clerk Carey, Deputy Clerk Budrow and Account Clerk Appleman for their work and overtime put in during Village Tax Collection in June. Their processing of payments and deposits of funds is what keeps the Village going. The girl's hard work is appreciated.

On 7/6 Mayor Purcell met with landlords and businesses of the downtown at Planet Pizza. He presented them with a power point presentation. Mayor Purcell is looking forward to formation of a Chamber of Commerce or a Downtown Business Alliance and to develop a relationship between the public sector and private sector. A tentative meeting has been scheduled for August 16th @ 12 noon at Planet Pizza.

Our Independence Day celebration on 7/2 went well. The vendors were thankful for the opportunity to participate. For most, this was their biggest fundraiser. There was great support shown by the community. There were no major incidents. Mayor Purcell thanked our Police Dept., our DPW, the O.C. Sheriff's Dept. and Sheriff Dubois and the Village of Harriman who sent one of their employees to assist. To the municipalities who contributed money and participated with the Village of Monroe - Village of Harriman, Town of Monroe and Village of Kiryas Joel, thank you for your support. Mayor Purcell thanked the Police Dept. for protecting the public safety. They did a fantastic job that night. We had approximately 6,000 people here. Thank you Supt. Smith and your crew. To the Monroe Ambulance Corp and Fire Dept. for being there assist. A letter went out today to thank Sheriff Dubois for sending a crew to help clean up. Kudos to everyone!

Mayor Purcell announced Drought Emergency Restrictions have been implemented. A notice was published in last Wednesday's Times Herald Record and in the Photo News on Friday. We have had a few hot weeks. Mombasha Lake is down 8". We are running at full capacity. If the hot weather continues, we may have to institute mandatory Drought Emergency Regulations in accordance with the Village Code.

ATTORNEY'S REPORT:

MONROE EQUITIES / B.V. BUILDERS LITIGATION:

Attorney Bonacic brought to the Board's attention two pending litigation matters that Attorney Ostrer's office has been handling. One is Monroe Equities v. Village of Monroe and the second, B.V. Builders v. Village of Monroe. On July 9th Attorney Bonacic received a letter from Attorney Ostrer indicting Monroe Equities is a pending action in both Federal and State Court. It was before the appellate division and they granted a summary of judgment motion to the Village. Attorney Ostrer was handling the matter. Monroe Equities has taken the matter to the Court of Appeals to potentially reverse the Appellate division's decision. The other matter deals with B.V. Builders and Fire Protection Fees charged by the Village. The Village currently has the right to collect fire protection fees from developers. As part of the litigation, the Village elected to redact the fees charged to B.V. Builders and refund that money. Because of that and B.V. Builders position on the legalities of the fees being charged, Attorney Sweeney who represents B.V. Builders, has brought an additional action to seek legal fees incurred and brought forth this action. Attorney Sweeney has submitted a memorandum. Attorney Ostrer was in the process of doing the research to answer that memorandum. It hasn't been done. These two matters have to be represented. Attorney Bonacic recommended the Village allow Attorney Ostrer to continue and take these two matters to finality. Monroe Equities has a conference call scheduled with the Court of Appeals as a prerequisite to see if they will hear the matter on 8/17. On a motion by Trustee Chan seconded by Trustee Gormley, it was:

RESOLVED, in the matter of Monroe Equities v. Village of Monroe and B.V. Builders v. Village of Monroe, this Board finds it to be in the best interest of the Village of Monroe to engage the services of Benjamin Ostrer, Esq. to continue as special counsel with these two matters. It is further

RESOLVED, Mayor Purcell is authorized to negotiate with Attorney Ostrer a fee for services in these matters in an amount not to exceed \$250/hour.

Ayes: Trustees, Gormley, Chan, Wright and Eppinger

Nays: None

ESTATES OF BRIARCLIFF ENGINEERING FEES:

Attorney Bonacic discussed outstanding engineering fees owed by David Makan since May. In May Treasurer Murray requested Mr. Makan replenish his escrow in the amount of \$20,000. The Village holds a Bond for the project and Mr. Makan will be making a bond resolution request and took the position he was authorizing the Village to take any money from the bond reduction and apply it toward escrows. There is a punch list of items that need to be done before a bond reduction can be considered. If a developer isn't complying with requirements, we need to have a policy in place to make sure they are replacing what is required for engineering. DPW Supt. Smith said the money that we're owed is from a group called Libertyville Capital Group LLC. Libertyville is not David Makan. Libertyville is Mr. Makan's banker which is actually Mr. Rowley. Mr. Rowley's counsel is Mr. Michael Blustein. Supt. Smith reviewed what's happened to date. The Village needs to have a standard policy going forward to address this kind of situation. Treasurer Murray will provide an accounting of what is owed to date. That amount plus \$15,000 escrow will need to be deposited with the Village. On a motion by Trustee Chan seconded by Trustee Eppinger it was:

RESOLVED, the Board of Trustees authorized DPW Superintendent Smith to contact David Makan with regard to payment of outstanding engineering fees owed for the Briarwood Estates subdivision. Those fees must be paid to the Village forthwith. In addition, Mr. Makan must deposit / replenish his escrow account in the amount of \$15,000 for future engineering bills.

Ayes: Trustees Gormley, Chan, Wright and Eppinger

Nays: None

PUBLIC COMMENT: There was no one present from the public.

BOARD COMMENT 8:30 PM:

SMITHS' CLOVE PARK COMMERCIAL WATER ACCOUNT: Trustee Eppinger said he and Mayor Purcell conferred on the matter of Smith Clove Park's commercial water account. It was decided this matter should be discussed at a Joint Meeting with the Town Board. Mayor Purcell will send a letter to Town Supervisor Leonard requesting a Joint Meeting to discuss the commercial water account (392) for Smiths' Clove Park.

VOUCHERS & TRANSFERS PROCEDURAL RECOMMENDATIONS: Trustee Eppinger gave the Boards a copy of recommendations / procedure for voucher and budgetary transfers that he and the Mayor and treasurer have been working on. Attorney Bonacic was given a copy to review and comment on. He will compare it with our existing Procurement Policy. Trustee Eppinger went over what is being proposed. He said the goal is to have everyone review the procedure once more at the August 17th meeting and implement the procedure by September 1st. Discussion followed. Trustee Chan said the Board needs to sit down with department heads and review the recommendations. Mayor Purcell said the purpose is that the Board wants to know where the money is going and how it is being spent. This matter was carried to the August 17th Meeting.

NORTH MAIN STREET SIDEWALK COMPLAINT: Mary Ellen Beams in correspondence to Trustee Wright voiced concern on the conditions of the sidewalks on North Main Street where she has resided for 25 years. North Main Street is a main entrance onto the Village and the deteriorating sidewalks are a concern. North Main Elementary School has children walking to and from school. The very old sidewalks are a safety concern. Monroe Commons Senior Housing is also a concern with the elderly there walking on these sidewalks. Supt. Smith said he spoke to Mrs. Beams about the issue. In the Village of Monroe, the homeowner owns the sidewalk and is responsible to maintain it. We did apply for a grant – Safeway to Schools, but didn't qualify for the grant. We have told the County that before the Village would consider taking over maintenance of North Main Street, the curbs and sidewalks would have to be replaced. The school district cannot go outside their domain to the next municipality to make offsite improvements. As an example of cost, Amy Todt Drive, McGarrah Road and Kasch Court sidewalk cost is just under 3 million dollars. Supt. Smith said he would love to fix the sidewalks, but we can't. If a sidewalk is bad where it poses a hazard, the Village Code Enforcer can cite you for failing to maintain your property and make you fix it. We know the problem, we tried to get grant money and couldn't because it is a County Road, the school district can't help us because they can't. Attorney Bonacic suggested contacting the County Legislature and stating the circumstances - it's near an elementary school, would they consider applying for any available grants that are available and file for it. On a motion by Trustee Wright seconded by Trustee Gormley, with all in favor, it was:

RESOLVED, on behalf of all the residents of North Main Street, including North Main Street School and Monroe Commons Senior Center, the Board directs Mayor Purcell to send a letter to County Legislator Kemnitz seeking relief for obtaining a grant for sidewalk replacement on North Main Street in the interest of safety for all parties.

ADJOURNMENT / EXECUTIVE SESSION:

On a motion by Trustee Gormley seconded by Trustee Chan, and carried, the meeting was closed at 9 PM. Following a short recess, the Board convened in Executive Session for discussion of personnel.

Respectfully submitted,

Virginia Carey
Village Clerk

OPEN SESSION:

On a motion by Trustee Chan seconded by Trustee by Trustee Gormley, and carried, the open meeting resumed at 9:15 PM.

**RESOLUTION AUTHORIZING DISCIPLINARY ACTION TO BE TAKEN AGAINST
VILLAGE EMPLOYEE AND DIRECTING SUSPENSION WITHOUT PAY PENDING
CIVIL SERVICE HEARING**

On a motion by Trustee Chan seconded by Trustee Gormley, the following resolution was adopted:

Whereas, the Board of Trustees of the Village of Monroe (the "Village") has received written information that a Village employee ("Employee") was issued a written Notice of Discipline July 19, 2010, and

Whereas, pursuant to Sections 405 and 406 of the Village Employee Handbook, and in accordance with Civil Service Law section 75, the Village is required, in certain circumstances, to conduct a hearing prior to taking disciplinary action against certain protected classes of employees, including, among others, those Village employees holding a position by permanent appointment in the Competitive Class of the classified Civil Service, and

Whereas, it would appear that the Employee is entitled to the protection of Civil Service Law section 75, and

NOW, THEREFORE, be it resolved by the Mayor, as the Appointing Authority, and the Board of Trustees of the Village of Monroe in regular session duly convened, as follows:

1. A hearing will be conducted into what, if any, appropriate disciplinary action shall be taken by the Appointing Authority against the Employee for alleged failure in maintaining proper and accurate books and records on behalf of the Village of Monroe.
2. The Mayor is directed to advise the Employee, in writing, of the employee's rights pursuant to Civil Service Law section 75.
3. A copy of the formal charges preferred against the Employee has previously been furnished to said Employee on July 19, 2010, and Employee will be allowed at least 8 days to answer the same in writing.
4. A hearing pursuant to Civil Service Law section 75 will be held on a date to be determined at the Village Hall before David L. Levinson, as Hearing Officer appointed by the Mayor, as the appointing authority, and supported by the Village Board. In the event Mr. Levinson is unwilling or unable to serve as Hearing Officer in this matter, Stephen L. Reineke shall serve as the Hearing Officer. At that hearing, Employee will be given an opportunity to be heard regarding said charges and to be represented by counsel at this hearing.
5. Pursuant to Civil Service Law section 75(3), Employee's employment by the Village is suspended without pay as of July 19, 2010, for a period of 30 days while awaiting the decision of the Hearing Officer.
6. This Resolution shall take effect immediately.

Votes Recorded:

Ayes: Trustees Gormley, Chan, Wright and Eppinger

Nays: None

ADJOURNMENT:

On a motion by Trustee Chan seconded by Trustee Gormley, and carried, there being no further business, the meeting was adjourned at 10 PM.

Executive Session minutes compiled by Attorney Bonacic.