

**BOARD OF TRUSTEES MEETING**  
**TUESDAY JULY 16, 2019**  
[www.villageofmonroe.org](http://www.villageofmonroe.org)

The second of the bi-monthly meetings of the Board of Trustees was held on Tuesday July 16, 2019 at 7:00 PM in the Boardroom of the Village Hall, 7 Stage Road, Monroe, New York. Mayor Dwyer called the meeting to order and led in the pledge to the flag. Emergency exits were announced.

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

**Also present:** Attorney Terhune, Village Clerk Baxter, Deputy Clerk Zahra, Treasurer Murray, Building Inspector Cocks, Assistant Building Inspector Proulx, Water Plant Operator Mabee and Admin. Sergeant Amatetti

**Absent:** Trustee Houle (personal)  
Chief Melchiorre (vacation)

**APPOINTMENT – PART TIME POLICE OFFICER (SCHOOL RESOURCE OFFICER) / DENNIS GOMAS:**

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

**RESOLVED**, the Board of Trustees accepted the recommendation of Chief Melchiorre and appointed Dennis Gomas to the position of part-time Police Officer (School Resource Officer), effective July 17, 2019 at an hourly salary of \$32.00 per hour. This appointment is a result of the agreement between the Village of Monroe and the Monroe Woodbury Central School District to provide an SRO program (School Resource Officer) in the schools that are within the Village’s geographical bounds. Mr. Gomas is a former member of the Monroe Police Department and once appointed will attend the “school resource officer training.”

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

**Nays:** None

**COMPLETION OF PROBATIONARY PERIOD: J. COCKS & D. PROULX:**

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

**RESOLVED**, having completed the required probationary term required by Orange County Human Resources, Building Inspector James Cocks and Assistant Building Inspector Deborah Proulx are hereby given permanent status for civil service requirements. An updated MSD 426-B will be submitted to complete the process.

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

**Nays:** None

**END OF YEAR TRANSFERS/MODIFICATIONS FY/2019 (6/1/18-5/31/19):**

At the July 2, 2019 Board Meeting, Mayor Dwyer tabled this item to verify some of the figures with Treasurer Murray. On a motion by Trustee Behringer seconded by Trustee Alley and carried, the following end-of-year budget transfers / modifications were approved. Treasurer Murray was authorized to make the following budget modifications for the fiscal year 2019 (6/1/18-5/31/19):

<b>FROM;</b>	<b>DESCRIPTION:</b>	<b>AMOUNT:</b>	<b>TO:</b>	<b>DESCRIPTION:</b>	<b>AMOUNT:</b>
A.1990.4900	CONTINGENCY	126,770.20	A.1010.1100	TRUSTEES.PERS SERVICES	6,000.00
A.5110.4000	ST MAINT.ASPHALT	243,038.54	A.1110.1100	COURT.JUDGE PS	3.59
A.9060.8000	INSURANCE - HEALTH	104,538.76	A.1110.2200	COURT.OFFICE EQUIPMENT	187.00
			A.1110.4310	COURT.TELEPHONE	176.79
			A.1210.4100	MAYOR.GENERAL EXPENSE	1,447.74
			A.1325.4500	TREASURER.CONTRACTUAL	4,438.53
			A.1410.1000	CLERK.PERSONAL SERVICES	982.79
			A.1410.1010	CLERK.DEPUTY PS	1,403.64
			A.1410.2200	CLERK.OFFICE EQUIPMENT	954.07
			A.1410.4100	CLERK.GENERAL EXPENSE	107.20
			A.1420.4080	LAW.CODE PUBLICATIONS	2,148.00

A.1420.4500	LAW.CONTRACTUAL	29,328.42
A.1420.4510	LAW CONTRACT/OTH ATTY	43,850.07
A.1440.4500	ENGINEERNG.CONTRACTUAL	28,010.11
A.1620.4110	VH.OFFICE SUPPLIES	2,643.17
A.1620.4500	VH.CONTRACTUAL	9,173.74
A.1620.4530	VH.EQUIP MAINT	296.74
A.1620.4710	VH.POSTAGE	319.66
A.1910.4400	UNALLOCATED INSURANCE	3,898.89
A.3120.1210	PD.OT SERGEANTS	1,178.14
A.3120.1250	PD.OT HOLIDAY ADM SGT	747.30
A.3120.1520	PD.DISPATCHERS - OT	1,744.62
A.3120.2300	PD.MOTOR VEHICLES	33,331.54
A.3120.2500	PD.OTHER EQUIPMENT	7,506.94
A.3120.2510	PD.CAMERA EQUIPMENT	4,258.86
A.3120.2600	PD.REACT	1,685.98
A.3120.4150	PD.GAS & OIL - VEHICLE	386.59
A.3120.4160	PD.PROCEDURAL	379.26
A.3120.4170	PD.NARCOTIC PROGRAM	1,000.00
A.3120.4350	PD.GRANT EXPENSE	2,231.65
A.3120.4520	PD.BUILDING MAINTENANCE	15,370.41
A.3120.4530	PD AUTO MAINTENANCE	3,402.98
A.3310.4100	TRAF CONTROL GENL EXP	6,151.93
A.3310.4300	TRAF CONTROL ELECTRIC	1,352.26
A.3620.1100	BLDG INSP ASST PS	875.82
A.3620.2300	BLDG INSP MOTOR VEH	2,250.00
A.3620.4310	BLDG INSP.TELEPHONE	5.15
A.3620.4500	BLDG INSP CONTR - LEGAL	30.00
A.3620.4530	BLDG INSP EQUIP MAINT	1,321.57
A.5010.4100	ST ADMIN GENL EXP	356.93
A.5010.4310	ST ADMIN.TELEPHONE	18.69
A.5110.1000	ST MAINT PS	41,827.27
A.5110.1040	ST MAINT.UNUSED VACATION	10,426.42
A.5110.1200	ST MAINT.OT	53,425.93
A.5110.2400	ST MAINT.HWY.EQUIP.	22,000.00
A.5110.4020	ST MAINT.STREET SIGNS	175.65
A.5110.4130	ST MAINT BLDG SUPPLIES	382.12
A.5110.4150	ST MAINT.GAS CAR/TRK	13,782.73
A.5110.4300	ST MAINT GAS&ELEC BLDGS	3,544.23
A.5142.1200	SNOW REMOVAL.OT	26,786.48
A.5142.2400	SNOW REMOVAL.EQUIP	290.25
A.7110.2500	PARKS.EQUIPMENT	1,914.70
A.7110.4100	PARKS GENL EXP	8,501.83
A.7110.4500	PARKS.CONTRACTUAL	8,391.00
A.7110.4540	PARKS.GENERAL MAINT	1,245.93
A.8025.4100	PLAN BOARD GENL EXP	296.36
A.8170.4530	ST CLEANING.EQUIP MAINT	7,261.60
A.9010.8000	STATE RETIREMENT	14,629.40
A.9015.8000	POLICE RETIREMENT	

					26,535.00
			A.9045.8000	INSURANCE - LIFE	33.25
			A.9055.8000	INSURANCE - DISABILITY	21.32
			A.9089.8000	OTHER EMPLOYEE BENEFITS	11,919.26
F.1990.4900	CONTINGENCY	25,000.00	F.8310.1010	ADMIN.PS BILLING CLERK	7,806.27
F.8320.4500	SOURCE.CONTRACTUAL	27,999.88	F.8310.1050	ADMIN.SICK	214.38
F.8330.4610	PURIF.WASTE REMOVAL	20,937.66	F.8310.2500	ADMIN.OTHER EQUIP	208.09
F.8340.4500	DISTR.CONTRACTUAL	51,461.50	F.8310.4100	ADMIN.GENERAL EXPENSE	688.44
			F.8310.4500	ADMIN.CONTRACTUAL	530.01
			F.8310.4710	ADMIN.POSTAGE & PRINTING	3,964.94
			F.8320.4300	SOURCE.ELECTRICITY	480.43
			F.8330.1000	PURIFICATION.PS	878.64
			F.8330.1200	PURIFICATION.OT	359.53
			F.8330.4300	PURIFICATION.ELECTRICITY	3,819.14
			F.8330.4500	PURIF.CONTRACTUAL	7,117.06
			F.8330.4520	PURIF BUILDING MAINT	531.61
			F.8330.4530	PURIF.EQUIPMENT MAINT	6,813.00
			F.8340.1200	DISTRIBUTION.OT	4,839.62
			F.8340.2500	DISTR.OTHER EQUIP	943.72
			F.8340.4100	DISTR.GENERAL EXP	6,851.26
			F.8340.4120	DISTRIBUTION.UNIFORMS	728.77
			F.8340.4530	DISTR.EQUIPMENT MAINT	23,496.56
			F.8340.4870	RADIO READS	11,319.50
			F.9010.8000	STATE RETIREMENT	4,465.60
			F.9030.8000	SOCIAL SECURITY	317.53
			F.9035.8000	MEDICARE	157.65
			F.9040.8000	WORKERS COMPENSATION	27,645.04
			F.9045.8000	INSURANCE - LIFE	14.25
			F.9055.8000	INSURANCE - DISABILITY	73.00
			F.9089.8000	OTHER EMPLOYEE BENEFITS	1,380.50
			F.9710.7000	BONDS WATER SYSTEM INT	9,754.50

**PETITIONING O&R TO ALLOW CUSTOMERS TO RETAIN NON-AMI OR NON-AMR UTILITY METERS WITHOUT FEES OR PENALTIES – CONTINUED:**

(See Minutes 7/2/19)

**At the July 2, 2019 Board Meeting, Mayor Dwyer advised the Board that Orange & Rockland Utilities has obtained a product that allows them to read meters remotely through their transmission lines. As a result of this, anyone who does not put these meters on their home or business will be subject a fee. Like the Town of Chester, Mayor Dwyer suggested petitioning O&R opposing the fee and asked for the Board's support as well as authorization for Attorney Terhune to draft a resolution to support this. Discussion followed. On a motion by Trustee Conklin, seconded by Trustee Behringer, it was:**

**TITLE: A resolution petitioning the New York State Public Service Commission to order Orange and Rockland Utilities, Inc., to allow customers located in the Village of Monroe to retain non-AMI or non-AMR Utility Meters without any fees or penalties.**

**WHEREAS, on November 14, 2014, Orange and Rockland Utilities , Inc. ("O&R") filed with the New York State Public Service Commission Tariff Leaves which revised previously filed tariff leaves which sets tariff fees related to electricity and gas service for residential customers who choose to opt-out of using Automated Meter Infrastructure ("AMI") and Automated Meter Reading ("AMR") devices;**

**WHEREAS, the revised Tariff Leaves further state that the proposed tariffs would allow residential customers to opt-out of using AMI devices and instead elect to have O&R install and maintain non-AMI or non-AMR devices , such as Analog Meters, and manually read these meters through bi-monthly in-person meter readings; and**

**WHEREAS, the O&R AMI and AMR Opt-Out tariffs state that an existing customer receiving service through a non-AMI or non-AMR (e.g. analog utility meter) equipped meter may execute and submit an Application to request that service be continued through a non-AM I or non-AMR equipped meter, and that the customer will not be subject to a meter change fee, but will instead be subject to a monthly non-AMI or non-AMR service fee; and**

**WHEREAS, the O&R AMI and AMR Opt-Out tariffs state that an existing customer receiving service through an AMI or AMR equipped meter may execute and submit an Application to request that service be continued through a non-AMI equipped meter, but that the customer will be subject to the a meter change fee and a monthly non-AMI or non-AMR service fee; and**

**WHEREAS, the Village Board of the Village of Monroe has received voluminous complaints from residents who want to retain their Analog Utility Meters under the terms of the AMI and AMR Opt-Out Tariff, but are being told by O&R that their current Analog Utility Meters are going to be replaced by Digital Utility Meters; and**

**WHEREAS, the Village Board of the Village of Monroe, as the result of recent information related to the potential effects of chronic exposure to wireless radiofrequencies radiation, has serious concerns related to the potential health impacts of AMI and AMR meters on residents of the Village of Monroe; and**

**WHEREAS, it is the intention of the Village Board of the Village of Monroe to allow residents in the Village of Monroe to retain their existing Analog Utility Meters in the interest of public health, safety and welfare; and**

**WHEREAS, for the purposes of this Resolution, the following terms shall have the meanings hereinafter defined:**

**“Utility Consumer” shall be defined as an O&R electric ratepayer, including, but not limited to renters, business owners and consumers.**

**“Electro-Mechanical Analog Utility Meter” shall be defined as a device that measures the amount of electrical energy consumed by a residence, business or an electrically powered device which operates by counting the revolutions of a non-magnetic, but electrically conductive, metal disc that rotates at a speed proportional to the power passing through the meter. This device is purely mechanical and uses no electronic components, no switch mode power supply, no transmitter, no antenna and no radio frequency emissions.**

**NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Monroe shall petition the New York State Public Service Commission to request the following relief:**

**1. O&R shall provide Utility Consumers in the Village of Monroe with a 30-Day written notice in advance of installing any type of digital meter at no additional charges to said Utility Consumer, monthly or otherwise.**

**2. O&R shall fully inform Utility Consumers in the Village of Monroe of their right to participate in the Opt-Out program, which will allow said Utility Consumers to retain their Electro-Mechanical Analog Meters.**

**3. O&R shall allow Utility Consumers in the Village of Monroe who decide to participate in the Opt- Out program to retain their installed Electro-Mechanical Analog Meters and said Utility Consumers shall not be subject to the one-time meter change fee nor the monthly non-AMI or non-AMR service fee.**

**4. O&R shall offer to Utility Consumers in the Village of Monroe Electro-Mechanical Analog Meters as a replacement for previously installed AMI and AMR meters and said Utility Consumers shall not be subject to the a meter change fee or a monthly non-AMI or non-AMR service fee.**

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

**Nays: None**

**REQUEST FOR LICENSING AGREEMENT FOR FENCE ON VILLAGE PROPERTY – 315 STAGE ROAD LLC - CONTINUED:**

(See Minutes 6/4/19, 7/2/19)

At the July 2, 2019 the Board of Trustees discussed allowing the property of 315 Stage Road to install a fence on Village property to help establish some privacy on his property on what is a very busy corner. The home is located on the corner of Millpond Parkway and Stage Road, and he is often challenged with people and animals trespassing. All Board Members shared their support of the fence installation with the exception of Trustee Alley who stated she doesn't believe that the Village should allow any resident to install anything on Village property. As a result, Mayor Dwyer instructed Attorney Terhune to prepare a preliminary licensing agreement between the Village and the property owner of 315 Stage Road for the purposes of reviewing it and continuing the conversation. Discussion followed.

Mayor Dwyer stated that he had a conversation with the Building Department that day to discuss it. Mayor Dwyer confirmed that it was in fact the Village's property and it is listed as parkland, Crane Park property. Having just gotten this additional information, Mayor Dwyer suggested vetting the idea again allowing for additional time to review. Should the Board take action, they would be deciding as a Board to allow the property owner to install a fence. Trustee Conklin requested the matter be tabled to allow for additional time to review.

**REQUEST FOR LICENSING AGREEMENT FOR FENCE ON VILLAGE EASEMENT – 12 NEWBURY STREET - CONTINUED:**

(See Minutes 7/2/19)

At the July 2, 2019 the Board of Trustees discussed the request of the owners of 12 Newbury Street to install a section of fencing in the rear of their property in a Village easement. The Board of Trustees reviewed the documentation that the property owners submitted and stated that they would like additional time to review their request with the Building Department and would have an answer for them by the next Board Meeting on July 16<sup>th</sup>. Discussion followed.

Mayor Dwyer stated that there are two easements on the Murphy's property located at 12 Newbury Street, a Village easement for stormwater management and a second for a sewer easement for Orange County Sewer District #1. Mayor Dwyer stated that the Village has done this in the past, with the property owners full understanding of the ramifications should the Village need to access to area for service. Mayor Dwyer continued that he spoke with the Building Department and confirmed that the Village is still waiting to hear from OCSD#1, allowing the Murphy's to access their easement as well. Building Inspector Cocks stated that he received verbal approval today from OCSD#1 that they were going to approve it, and that they were waiting on the wording, which they would discuss the following day.

Mayor Dwyer continued that he believes that the homeowners and the Building Department have done their due diligence on the matter and he would like to move forward with the agreement contingent upon the Murphy's getting approval from OCSD#1. Building Inspector Cocks interjected and stated that he would defer to Counsel, but he believed that the Board could move forward with its licensing agreement regardless of the sewer districts approval, there was no correlation between the two. Attorney Terhune responded that if there is an easement for Orange County, then they will have to sign off on that, however if the Board wishes, they can approve it tonight, send it to her drafting the language that is acceptable to the property owners. On a motion by Trustee Conklin, seconded by Trustee Alley, it was:

**RESOLVED**, the Board of Trustees authorized Attorney Terhune to draft a licensing agreement between the Village of Monroe and the property owners of 12 Newbury Street, allowing them to install a fence on the Village's easement for stormwater management. It is further

**RESOLVED**, the Board of Trustees authorized Mayor Dwyer to sign the agreement subject to its review by both the Building Department and the property owners.

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

**Nays:** None

Mrs. Murphy asked for a timeline as to how long the Board anticipated this would take and Mayor Dwyer replied that the Village could have it together within a week. Mrs. Murphy asked if they would receive something in the mail like a permit. Building Inspector Cocks stated that this is all done before they apply for their permit, that once this has been completed, they will still need to apply for their permit application and all the documentation that goes along with it. Mayor Dwyer added that Mrs. Murphy could also follow up with the Village Clerk Baxter as well.

**EVENT APPLICATION – SOUTH ORANGE FAMILY YMCA ANNUAL 5K COLOR RUN / KIDS DASH 10/5/19:**

An event application was submitted by the South Orange Family YMCA for the annual 5K Color Run on Saturday, October 5, 2019 utilizing the walking paths around Crane Park and a portion of the Millpond Parkway Commuter parking lot. Millpond Parkway will be closed from the commuter lot to the intersection of Rt. 17M from 6 AM to 1 PM. This request includes approval for setup the evening before on 10/4/19 and will include tents, tables, and portable toilets. Removal of all trash from the event will be handled by YMCA staff and taken back to their dumpsters. Certificate of Liability Insurance has been submitted. Application has been reviewed and approved by the DPW and the Building Department. A temporary tent permit has also been filed and issued. The Police Department has also reviewed and approved the application. Additional Police Services include 2 Officers on 5 hours of overtime to shut down Millpond Parkway and assist with traffic control points during the race. Additional cost of Police Services is \$710.00, of which 20% is to be paid for by the YMCA. A check in the amount of \$142.00 made payable to the Village of Monroe Police Department has been also been received for these additional Police Services and will be deposited upon approval of the application. On a motion by Trustee Conklin, seconded by Trustee Behringer, it was:

**RESOLVED**, the Board of Trustees approved the event application submitted by the South Orange Family YMCA's 5K Color Run on Saturday October 5, 2019 from 6 AM to 1 PM, utilizing the walking paths around Crane Park and a portion of the Millpond Commuter parking lot to continue to raise money for their Capitol Campaign expansion project.

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

**Nays:** None

**CORNERSTONE MASONIC HISTORICAL SOCIETY & LODGE FAMILY FUN 5K RACE & OKTOBERFEST, 9/28/19, 11-9 PM:**

An events application was submitted by the Cornerstone Masonic Lodge, located at 300 Stage Road, for their annual Family 5K Race and Oktoberfest to be held on Saturday September 28, 2019 from 11 AM to 9 PM. The route is comprised of 2 loops around the Mill Ponds starting and ending at 26 Millpond Parkway, as per the race route submitted with the events application. Additionally, wristbands will be given to Oktoberfest entrants signifying age and whether they can participate in alcoholic beverages. A bartender will be on premises serving drinks and checking ID's. A 3,200 sq. foot tent will be erected, and there shall be no cooking under the tent. Fire extinguishers will be located on each side of the tent, and a Certificate from the Department of Health is also required and will be provided to the Village Clerk. A copy of the outdoor State Liquor License must be filed with the Village Clerk and Police Department prior to the event. Sign-off of the event application has been made by the DPW, and both the Building Department and Police Departments. Additional Police services include 1 officer on three hours of overtime, to shut down Millpond Parkway at Smithfield Court and Stage Road, and to assist B line officers with traffic control safety for the participants throughout the race. Estimated cost of additional Police Services is \$231.00, of which 20% is the responsibility of Cornerstone Masonic Historical Society, totaling \$46.20. On a motion by Trustee Conklin, seconded by Trustee Behringer, it was:

**RESOLVED**, the Village Board approved the Cornerstone Masonic Lodge's application for their annual Family 5K Race and Oktoberfest Event located at 300 Stage Road on Saturday, September 28, 2019 from 11 AM – 9 PM. Wristbands will be given to Oktoberfest entrants signifying age and whether they can participate in alcoholic beverages. A bartender will be on premises serving drinks and checking ID's. Approval is contingent upon applicant securing a temporary permit from the NYS Liquor Authority and filing it with the both the Clerk's Office and the Police Department, their Certificate from the Department of Health prior to the event, and a check in the amount of \$46.20 which represents their 20% of the estimated cost of additional police services.

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

**Nays:** None

**EVENT APPLICATION – VILLAGE OF MONROE'S 6<sup>TH</sup> ANNUAL SUMMER CARNIVAL 8/1-8/4/19:**

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

**RESOLVED**, the Board of Trustees approved the Special Events Permit Application submitted by Mayor Dwyer for the 6<sup>th</sup> annual Carnival to be held in the north field of Crane Park from August 1<sup>st</sup> to August 4<sup>th</sup>, 2019. Hours of the carnival are as follows: August 1<sup>st</sup> & 2<sup>nd</sup> from 6PM to 11PM, August 3<sup>rd</sup> from 1PM to 11PM, and August 4<sup>th</sup> from 2PM to 11PM. Emergency Services and Marshall & Sterling will be copied on the approval letter. Sign-off on the event application has been made by the DPW, Building and

Police Departments. Police Dept. will oversee the event (2 Officers on overtime each day during the carnival for crowd and traffic control) at an estimated cost of \$4,620.00, based on 60 hours of overtime.

Ayes: Trustees Alley, Behringer and Conklin

Nays: None

**EVENT APPLICATION – VILLAGE OF MONROE’S QUASQUICENTENNIAL CEREMONY 8/3/19:**

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

**RESOLVED**, the Board of Trustee’s approved the Special Events Permit Application submitted by the Quasquicentennial Committee to host the Quasquicentennial Ceremony honoring the 125<sup>th</sup> Anniversary on Saturday, August 3<sup>rd</sup>, 2019 from 12PM to 1PM at Village Hall, 7 Stage Road in Monroe. The ceremony will include a ribbon cutting and light refreshments. Stage Road will be closed down between the First Presbyterian Church and the entrance to the Village Hall rear parking lot. The DPW, Building and Police Departments have all reviewed and approved the event application. The Police Department will oversee the event with 1 officer on 3 hours of overtime to assist a B line officer with completely shutting down Stage Road from Carpenter Place to Millpond Parkway at an estimated cost of \$231.00.

Ayes: Trustees Alley, Behringer and Conklin

Nays: None

**REQUEST TO TRAVEL – RECORDS RETENTION WITH THE OFFICE OF RECORDS MANAGEMENT /COURT CLERK L. DULGARIAN:**

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

**RESOLVED**, the Board approved Village Justice Strauss’ request to send Court Clerk Lina Dulgarian to the free training course offered by the Unified Court System for Town and Village Court Clerks on Records Retention with the Office of Records Management on Thursday, July 25, 2019. The course will provide the rules and guidelines for storing and destroying documents and will be held at the Orange County Courthouse in Goshen, NY. There is no cost for the course and Court Clerk Dulgarian will submit a voucher for mileage which will be allocated from budget line A.1110.4720, Court Education.

Ayes: Trustees Alley, Conklin and Behringer

Nays: None

**INTERNSHIPS TO ASSIST WITH QUASQUICENTENNIAL ACTIVITIES:**

In a memo from Trustee Houle to the Board of Trustees, Trustee Houle requested Board approval for the appointment of 4 unpaid interns to assist with the remaining activities scheduled in honor of the Village of Monroe’s Quasquicentennial Anniversary. Trustee Houle would like to offer the internship to the following Monroe-Woodbury students: Giovanni Cioffi, Jake Houle, Katie Morgante and Brooke Schoen. Giovanni Cioffi would be the only intern to report to Village Hall, while the others are brought on as artists. Mr. Houle will focus on creating banners and posters for Village events. Ms. Morgante will design the cover of the journal and assist with the layout of the journal and Ms. Schoen will take photos of various Village locations to be utilized in the journal and other purposes. On a motion by Trustee Conklin, seconded by Trustee Alley, it was:

**RESOLVED**, the Board of Trustees approved the request of Trustee Houle to offer 4 unpaid internships to Giovanni Cioffi, Jake Houle, Katie Morgante and Brooke Schoen to assist with the remaining activities scheduled in honor of the Village of Monroe’s Quasquicentennial Anniversary. Start dates and hours worked at to be decided.

Ayes: Trustees Alley, Conklin and Behringer

Nays: None

**MAYOR’S REPORT:**

Attorney Terhune stated that she drafted a local law amending Chapter 155, Peddling and Soliciting, and asked if the Board wished to introduce it at tonight’s meeting. If not, she stated that it could be introduced at the next meeting. Attorney Terhune reminded the Board that it was to set bonding requirements for individuals, so the local law was modified by adding that section, but also the registration of solicitors by adding a clause within the sentence that reads “including each person within the entity” that will require each person to apply for a license within say a real estate company, or some other organization that wished to solicit within the Village of Monroe. Attorney Terhune suggested to the Board that if they haven’t reviewed it in a while, there may be other things within the local law that you

may want to add, like excluding Sundays for solicitation. Trustee Conklin replied that she would like the opportunity to review it, so Mayor Dwyer asked the Board to get back to Attorney Terhune with any modifications and tabled it till the August 6<sup>th</sup> Board Meeting.

#### **PRESENTATION BY SOLITUDE LAKE MANAGEMENT:**

Mayor Dwyer introduced Todd Schram and Glenn Sullivan from Solitude Lake Management who were invited to present to the Board and the residents what their company does and the services the currently provide to the Village of Monroe. Additionally, Solitude was asked to discuss some concerns about our lake, which is the Village's main water supply. Mayor Dwyer added that the biggest concern that he has is that information is not disseminated properly, and when it is not disseminated correctly, it creates its own little environment. Mayor Dwyer asked the gentlemen to also speak about the conditions that they are currently aware of. He added that he has also spoke to them briefly about the water chestnut issue and what it is they treat.

Mr. Schram stated that Solitude Lake Management performs 4 treatments a year and the maintenance to keep the water clear. That is what they are contracted to do, to keep the algae at bay so the Water Department doesn't have any problem with that. Mr. Schram also added that there is a wide variety of plants in the lake, but they are not contracted to treat that. Mr. Schram asked the Board how they wish to handle what is going on there now, where do they go from here and how o they want to treat it. He inquired how much the Village wants to treat the vegetation.

Mayor Dwyer asked if there is a water chestnut issue there and what percentage of it affects the lake currently, how does it continue to manifest itself, what can be done, what is the ramification treating it in regards to the environment. Mayor Dwyer also asked if there are safety concerns and would they still be allowed to take water from the lake during the treatment. Mr. Sullivan replied that it is his understanding that approximately 1/4 to 1/3 of the lake supports water chestnut. Water chestnut is an invasive plant that anchors to the bottom and rises to the surface and forms a rosette. Over time, especially in the summer, they will pile on top of one another, so there is no light penetration to the bottom of the water. They will grow in about 8 feet of water, beginning at the shoreline and will grow to that point throughout the entire lake. Mr. Sullivan added that it will affect the water quality. Mr. Sullivan continued that the options for controlling it are mechanically, where you would harvest it out. If you harvest it out at the right time of year, over the course of years, to deplete its root stock.

Mr. Sullivan advised the Board that it could be treated chemically, as there are a number of herbicides, however the issue is that since this is the Village's water supply, some of the products that they have had great success with, could not be used because it is drinking water. Mr. Sullivan spoke about two types of chemical treatments, both a type of glycosphate, that are sprayed directly on the leaves and that would occur during mid-summer. Over the course of 4 to 5 weeks, the plants will die off and drop to the bottom but the problem is the newer plants that haven't reached the top yet will come up. Again, it is a multi-year challenge. With this type of treatment in a water supply, you would need to hold the water within a certain distance from the intake for 48 hours.

The second herbicide option Mr. Sullivan spoke about was recently registered in New York. It doesn't have any drinking water restrictions, but if you are using the water for things like greenhouse irrigation or animal consumption (being the only source of water for an animal). The Village would be able to continue to use the water supply, but the residents would have to be notified that for a certain period of time they shouldn't water their gardens but they could water their lawns. This would take about a week for the residue to dry, for them to sample it and get the report back to say that it has been cleared out. Mr. Sullivan stated that if the Village of Monroe has a 1/4 to a 1/3 of the lake already occupied with water chestnuts these would be the options to consider but reminded the Board of Trustees that it would be a multi-year effort to get it to the point where would potentially do it by hand. Once there is very little left, it is very easy to remove by hand.

Mayor Dwyer reiterated the options that Mr. Sullivan suggested. Mayor Dwyer if there was any harm to humans and Mr. Sullivan replied that aquatic herbicides are targeted for plants, so they act on mechanisms that are on plants not on humans. Mayor Dwyer advised Mr. Sullivan that the Village of Monroe had applied for two grant opportunities for invasive species as well as protecting the lake. Mayor Dwyer stressed that the Village does not have a buffer between people and the watershed. There are homes and points of entry. Most watershed have thousands of feet, but the Village of Monroe doesn't have that. The Police and Water Departments monitor that area regularly,

Mayor Dwyer asked Mr. Sullivan if he has ever dealt with water chestnuts in their water source with another client and Mr. Sullivan replied not with water chestnuts, other plant growth and algae but not this. Mr. Sullivan also added there are also permits that need to be acquired, Fresh Water Wetlands and pesticide use and those can take a while. Mr. Schram added that the pesticide permit you can't start

treatment until the next year and the Wetland Permit could take up to 6 months. Generally you are allowed to control invasive species in a wetland but they don't allow anything else.

Mayor Dwyer commented that there were residents present who had some questions, so he opened the floor to those that wished to speak. A 51 year resident who did not wish to not provide his name asked if the herbicides that Solitude spoke about was used in other drinking areas and was the water still safe to drink. Mr. Sullivan stated the one of the pesticides was new to New York and it hasn't been used a lot. Solitude has only used it twice because it has only just been registered. Mr. Sullivan spoke to the chemical side of the item and anything under 50 parts per billion is safe and over 50 billion is too high for potable water. The herbicide they are proposing is 7 points per billion and effective in killing water chestnuts. It has been used in other states, it just takes a little bit longer in New York. Mr. Sullivan added that the other herbicide has also been very successful in killing water chestnuts as well. Mayor Dwyer asked if New York was more regulatory heavy as opposed to New Jersey or Connecticut. Mr. Sullivan replied that it is more complicated than New Jersey, Connecticut or Delaware.

Resident John Karl stated that he noticed that the south side of the lake is in pretty bad shape and its even up on the north side. Some of the pants are going over the spillway and Lake Wannapea is off of East Mombasha Road and has water chestnuts in it as well. From there it feeds into Arrow Park.

Mr. Karl continued that it is important that they start securing that reservoir and advised the Board that the Village owns the land from the high water level and all the way around the lake. Nobody has rights to that lake there.

Mr. Karl asked if Solitude or the Village has looked into sterile carp. Mr. Sullivan replied that the problem with sterile carp in Mombasha is that there is a great, native diverse plant population in it and the fish would eat those first, they aren't going to eat the water chestnut until there was nothing else to eat. You would end up with worse water quality than you have now.

Mr. Karl continued that the NJ side of Greenwood Lake now has an algae bloom problem. People toss their boat into Greenwood Lake, use it, pull it out, don't clean it off, and then drop it in Mombasha Lake you're now going to have a problem. Mr. Karl stated that it is important that the Village becomes partners the property owners. They understand what's going on. Over fertilizing their lawns doesn't do anyone any good, it ends up in the lake.

Resident Allison Priest who lives on Mombasha Lake, spoke and advised the Board of Trustees that this issue is also affecting the ecosystem of the fish and the other animals that live there. She agreed that the carp was a good idea and offered to help with the harvesting. Ms. Priest provided copies to the Board of some research that she did, as well as a petition signed by 17 residents of the Lake Mombasha area requesting the Village clean up the lake and remove the water chestnuts. Additionally, Ms. Priest stated that because the growth is so thick where she lives, there are a lot of mosquitos and they can no longer sit in the backyard. She feels her property value has gone down considerably. Ms. Priest encouraged them to seek grants to help rectify the problem. Mayor Dwyer explained that the Village has recently entered into a partnership with the Village of Harriman and Town of Monroe to share a grant writer. The Board asked the DPW Department and the Water Department to give them an issue of what it is that they need, and it was just this issue that the Water Department mentioned. Mayor Dwyer reiterated that 6 months prior the Village had applied for an invasive species grant. The Board is acutely aware of the problem and are committed to rectifying the situation.

For the next 30 minutes, the Board, Mr. Schram, Mr. Sullivan and the residents continued to discuss the issue, remediation plans and general treatment questions. To hear the additional conversation, please reference the audio on file in the Clerk's office.

**PUBLIC COMMENT: # PRESENT 5 TIME: 8:05 PM**

Resident Tim Mitts stated that he believes that there has been a misunderstanding between the Building Department and zoning of 200-61-1. Mr. Mitts stated that the Building Department has told him that because of the height of the building, they are in violation and in restriction in the zoning that the property sits, but he believed it is not in violation because it is pre-existing.

Mr. Mitts continued that the second issue that the Building Department has raised is that according to them they use an F2 and an F4 of the zoning, that there is a term used called "alterations." Mr. Mitts stated that the Building Department has decided to inject that alterations as to mean also any mandatory alterations like a ramp or lift, or an ADA compliance bathroom, fire sprinkler system. Next it will be the water line that needs to be increased. Mr. Mitts stated that the Building Department told the ZBA that things violate the rule. His understanding is that that isn't true. Because the building was built in 1902, the height is irrelevant, it is not an issue. Mr. Mitts added that his understanding is that the alterations terms refers to the owner, not what the law mandates, especially the Federal Law.

Mr. Mitts also stated that at the ZBA Meeting last week, according to what he heard, the Building Department told the ZBA they never reviewed the law before it was enacted. Mr. Mitts added that he has a video of both members of the Building Department at a meeting with the Planning Board in November 2018 discussing the very law that was passed. Mr. Mitts stated that this needs to be addressed because he shouldn't have to spend more time, because he understood alterations to mean he cannot make alterations to the building, which everyone knows he hasn't. Mr. Mitts continued that it has been discussed in length that the height of the building is not an issue because it is pre-existing. He needs these things to be addressed because the ZBA is leaning towards believing that if the Federal Government says put a bathroom in, put an elevator in, put a ramp in, they are in violation, and that is not right. They do for the community, they pay their taxes and my understanding is this was addressed prior to. Mr. Mitts claimed that when ZBA Chairman Baum asked the Building Department if they reviewed the law before it went into effect, the Building Department said no. Mr. Mitts stated that they have a hearing coming up, otherwise they are going to have to throw variances out for everything and he doesn't think they should have to do that. He needs help from the Board getting this squared away and educating the Building Department that this does not include mandatory. He was told to put a ramp in, he was told to put a hallway in around the back kitchen, he is told to put a vertical lift in, he is told to put an ADA bathroom in, he is told to put a sprinkler system in, he is told to put a bigger water line in that is going to cost \$15,000 to do. He doesn't mind doing it but the Building Department has to stop this. Mr. Mitts stated that the Board and Attorney Terhune need to make it clear to the Building Department and the ZBA exactly what it is. They are willing to comply but they can't bang him every time he turns around, its wrong. He is not the one that makes up the rules about ADA, but they have to be done. There are no structural changes being made. The house is architecturally designated as a historical marking and they are protecting it, but they need to clear it up. You cannot enforce on him something that is 116 years old.

Attorney Terhune replied that once the Building Inspector interprets a local law, right or wrong, it then has to be appealed to the Zoning Board of Appeals as you know. The interpretation needs to be appealed to the ZBA which she believed Mr. Mitts has done. Mr. Mitts confirmed that he is in the process of that.

Attorney Terhune continued that the alternative is that if the Building Inspector's interpretation, right or wrong, is upheld by the ZBA for whatever reason, then you should be allowed to have at that same meeting, a variance. Attorney Terhune added that in her experience as a ZBA attorney, they often will get a request for an interpretation as to what the Building Inspector interpreted and if it is upheld, then at the same time the applicant would request a variance for whatever variance is required.

Attorney Terhune stated that she is not sure of what is happening, but stated that the ZBA is a separate board and the Board of Trustees cannot and should not influence a ZBA determination one way or another. If the ZBA determines that the Building Inspector interpreted the local law in a way that was not intended by the Board of Trustees, then the Board of Trustees would take action to modify the local law, so that the Board's intent is clear. Attorney Terhune continued that as she understands this Boards intent in that any modification that does not modify the outside of a historic building would be deemed compliant. She believes that was the intent. Mr. Mitts asked about the inside of the building, where they are mandating ADA access. Attorney Terhune replied that unless she is wrong, the Board of Trustees intent was that if the modifications were to the outside of the building, then that would require variances, but if the modification was to the inside of the building and the outside of the building was not modified at all, then she believed this Board intended it to be interpreted in a way that a variance would be required. Attorney Terhune asked the Board if she was wrong, and Trustee Conklin replied that she doesn't speak for everyone but she believes that to be correct.

Mr. Mitts stated that if he understands her correctly, the big part is if he modifying the building in any way shape or form, meaning adding or building on, changing the slightest bit of the historical layout of the building, so that alternation issue is reversed to as me as the owner, as the preservationist. Attorney Terhune stated that was correct. Mr. Mitts continued that when a government agency comes in and says that he has to do A, B & C, because ADA compliance requires him to do it, that is not him doing it, that is him being told he has to do it by law. Attorney Terhune replied that it doesn't matter who tells you to do, if you do it in response to a requirement for the use that you have, and that changes the footprint. Mr. Mitts interrupted and stated that he isn't changing the footprint. Attorney Terhune stated that the Board of Trustees cannot take up something that is before the ZBA. When the ZBA acts, if they uphold the Building Inspectors determination, and the Board of Trustees finds that that interpretation was not their intent, then the Board of Trustees will modify the local law so their intent is clear in the law. Having said that, if the ZBA is looking to uphold the interpretation, they will also take up at that time whatever variance is being asked for at that time.

Mr. Mitts replied that the matter that they are taking up because of the interpretation is that Mr. Mitts is looking to install a ramp outside and a vertical lift inside, not because he wants to, but because he was told he has to. Attorney Terhune stated again that it would be the ZBA's business and only the ZBA's business to uphold the Building Inspectors interpretation, whatever that was. If they uphold it and need

a variance then they can act at that point to grant or not grant a variance. At that point, if the Board of Trustees needs to act, to either clarify the intent of the local law or allow relief within that local law for things that are required under federal law, then the Board of Trustees can take action.

Mr. Mitts asked about the height of the building. Attorney Terhune replied that she would not answer that question because she is not the ZBA's attorney, and this Board is not the ZBA. Mr. Mitts stated that he believed the height of the building was not an issue based on how the law was written but that wasn't what the Building Department said. Mr. Mitts claimed that the Building Department told the Planning Board that the height was an issue because it was over 30 feet and that is a mischaracterization of the law. Attorney Terhune reiterated if the Building Inspector's interpretation as to any particular variance that is required according to the Building Department and is upheld by the ZBA, and it turns out that was not the intent of the local law based on what the Board of Trustees expected how it to be interpreted, then the local law will be modified to clarify it. But if the Board of Trustees decides that the interpretation was their intent, then it will not be modified.

#### **EXECUTIVE SESSION:**

On a motion by Trustee Behringer, seconded by Trustee Conklin, with all in favor, the meeting was closed at 8:22PM. Following a 5-minute recess, the Board convened in Executive Session for discussion of pending litigation.

Executive Session Minutes compiled by Mayor Dwyer.

**OPEN SESSION:** on a motion by Trustee Behringer seconded by Trustee Conklin and carried, the Open Meeting resumed at 9:00 PM.

#### **ADJOURNMENT:**

On a motion by Trustee Conklin, seconded by Trustee Alley and carried, no further business, the meeting was adjourned at 9:01 PM.

Respectfully Submitted,

Ann-Margret Baxter  
Village Clerk

#### **MONTHLY REPORTS:**

Department reports were accepted as file on a motion by Trustee Alley, seconded by Trustee Behringer, with all in favor, the department monthly reports were accepted and filed.

#### **JUNE 2019 VILLAGE CLERK'S REPORT SUBMITTED BY ANN-MARGRET BAXTER, VILLAGE CLERK:**

1. Minutes prepared, processed associated correspondence and Legal Notices completed for the June 4<sup>th</sup> and June 18<sup>th</sup> Board of Trustees Meetings & 2 Public Hearings dated June 18<sup>th</sup>.
2. Permits issued: Handicap Parking: 11 Garage Sale: 10 Solicitor/Peddling: 0  
Road Opening: 0 Blasting Permit: 0 Liquor License: 0 Towing Permits: 0
3. Processed 4 FOIL Requests.
4. Processed 3 Event Applications.
5. Public Hearing Held: 2
6. Closed out mailing machine for month on 6/28.
7. Bi-Weekly payroll worksheets completed and submitted.
8. Required paperwork filed with O.C. Department of Human Resources.
9. Oversee updates and maintenance, of Village Website and Constant Contact. (24 sent)
10. Daily retrieval of messages left during the day and after hours. Forwarded messages and responded as required.
11. Collected May water rents.
12. Collected and processed 2019-2020 Village Tax Bills.
13. Vouchers completed as required. Transmittal of money collected completed and bank deposits done.
14. Scan and email pertinent information to Board and Attorney.

**JUNE 2019 DPW SUBMITTED BY LARRY GUIDICE, HEAVY EQUIPMENT OPERATOR:**

**REGULAR MAINTENANCE / VILLAGE IMPROVEMENTS:**

1. Garbage Removal in Village and around Ponds eight times.
2. Mowed and weed wacked all green areas and the park three times.
3. Weed wacked shoreline.
4. Used Sweeper on Village roads seven times.
5. Cut Weeds in the Pond eight times.
6. Installed Historical Sign on Stage Road.
7. Installed Catch Basins and 220' 6" perforated pipe on Oakland Avenue.
8. Installed three catch Basins and 400' 8" pipe on Millpond Parkway.
9. Repaired section of curb on Roe Circle.
10. Repaired a park bench.
11. Cleaned Catch Basin tops.
12. Planted with the Garden Club.
13. Watered flower pots and flower beds four times.
14. Installed sod around the Airplane.
15. Removed stumps from park and Half Hollow Turn sidewalk.
16. Blacktopped walking path to the Heritage Trail by Airplane Park.
17. Trimmed bushes, cut grass, and installed mulch at the Police Department.
18. Cut and chipped tree on Hillside Terrace that had blown over into the roadway.
19. Cut and chipped trees hanging over road on Freeland Street.
20. Cut trees back on Sunset Heights.
21. Went over all trucks and equipment.
22. Cleaned the shop.

**JUNE 2019 FILTRATION PLANT REPORT SUBMITTED BY ERNEST MABEE, CHIEF OPERATOR:**

Production: Lake Mombasha 24,381,362 Gallons / 29,739,895 Gallons LY 2018  
Well #4: 4,189,038 Gallons / 4,815,326 Gallons LY 2018

Consumption: 28,570,400 Gallons / 34,555,221 Gallons LY 2018

Water Samples / Testing: OK  
Rainfall: 2.37  
Reservoir: Full

**Miscellaneous:**

Mark Outs  
2 Reservoir Inspections  
Final Water Reads  
Daily Equipment Maintenance at Plant and Well  
Weekly and Monthly Water Testing to Lab, All Results Good  
Painted Hydrants  
Karl from Aqualogics  
Adjust PRV on High Street  
Solitude was here to treat Mombasha Lake  
Excavated Marc Terrace and James Road  
Excavated James Road and Bliss Terrace ( Located 2 Shut Valves)

**JUNE 2019 JUSTICE COURT REPORT:**

Total Fines: \$31,091.00 Total Surcharges: \$12,747.85 Total Parking: \$6,915.00  
Total Civil Fees: \$1,335.00 Bail Poundage Collected: \$6.15 Total Bail Forfeited: \$200.00  
Total for June: \$52,295.00

Vehicle & Traffic Tickets: 350 Disposed: 378  
New Criminal Cases: 46 Disposed: 82 Civil Cases: 5 Disposed: 1  
Paid Parking Tickets: 200 Dismissed Traffic Tickets: 65

**JUNE 2019 POLICE DEPARTMENT REPORT SUBMITTED BY ALEX MELCHIORRE, CHIEF:**

**CALLS FOR SERVICE**

TOTAL CALLS – 1,547  
NON CRIMINAL OFFENSE –  
CRIMINAL OFFENSE – 199  
ARRESTS – 43

**TRAFFIC REPORT**

TRAFFIC TICKETS – 324  
PARKING TICKETS – 224  
DWI/DWAI –  
GAS – \$1,988.00 – 12/912G  
MVA – 22

**TRAINING**

Department Dispatcher Training  
Range  
JCARD – Krauss/Young  
SART- Young/Grosso

**JUNE 2019 BUILDING DEPARTMENT AS SUBMITTED BY ASSISTANT BUILDING INSPECTOR PROULX:**

Building Permits Issued:	36
Rental Inspections Completed:	19
Title Searches Completed:	18
Violations Issued:	11
Building Permit Inspections performed:	123
C.O's Issued:	30
Complaint Inspections:	16
Fire Inspections:	1

Open, active building permits 251

FOIL Requests: 5

Building Permit Fees:	\$ 14,023.00
Rental Permit Fees:	575.00
Fire Inspection Fees:	275.00
Title Search Fees	<u>2,550.00</u>
Total Fees Collected	\$ 17,423.00

Monthly Assessor's report filed  
Attend Monthly Planning Board and ZBA meetings  
Monthly report to FD for Solar  
Daily cash deposits to Clerk  
Bi Monthly mailing for expired permits and rental permit renewals

**MONROE FIRE DISTRICT OFFICERS 2019:**

Commissions: John Centofanti, Jason Kalter, Thomas M. Smith Dep. Chair, Thomas P. Sullivan, Ch.  
Secretary: Mary Ellen Beams  
Treasurer: Richard Goldstein  
Chief John Scherne, 1<sup>st</sup> Ass't Chief Rich Lenahan

**JUNE 2019 TREASURER'S REPORT SUBMITTED BY CATHERINE MURRAY:**

Treasurer's Report  
Village of Monroe  
June 2019

**SIGNIFICANT ACTIVITY (REVENUES)**

Bank interest	4,685
Planning Board Fees	5,732
Rental of Real Property	7,319
Building Permits	17,423

**SIGNIFICANT ACTIVITY (EXPENDITURES)**

Water - Purification Waste Removal	21,482
Water - Bond Water System Interest	10,060
Water - BAN Water Controls Interest	17,830

Health Insurance - General Fund	130,506
- Water Fund	16,883
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	147,389

Liability Insurance - General Fund	42,200
- Water Fund	12,466
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	54,666

Workers Compensation Insurance - General Fund	42,249
- Water Fund	7,425
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	49,674

**STATUS OF FY 2020 CONTINGENCY ACCOUNTS**

**CURRENT BALANCE**

General Fund Appropriation -budgeted	\$132,503	132,503
Water Fund Appropriation -budgeted	\$25,000	25,000

**COMMENTS:**

We have completed 1 month of the fiscal year and expenses should be at 8.3%. The expenses are at 3.8% for the General Fund and 8.4% for the Water Fund.

Respectfully submitted,  
Catherine Murray  
Treasurer