

BOARD OF TRUSTEES MEETING
TUESDAY APRIL 21, 2020
www.villageofmonroe.org

Due to the COVID-19 pandemic and Governor Cuomo's Executive Order No. 202.1, the second of the bi-monthly meetings of the Board of Trustees was held on Tuesday, April 21, 2020 beginning at 7:00 PM via ZOOM videoconferencing. Although there was no physical meeting location, the meeting was deemed to be conducted in the Boardroom of the Village Hall, 7 Stage Road Monroe, NY. Mayor Neil Dwyer called the meeting to order and led in the pledge to the flag. Emergency exits were announced.

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

Also present: Attorney Terhune, Village Clerk Baxter, Deputy Clerk Zahra, Police Chief Guzman, Treasurer Murray, Building Inspector Cocks and Water Plant Operator Mabee

SCHEDULING OF MAY MEETING DATES:

Due to the COVID-19 pandemic, the Village of Monroe Organizational Meeting that was scheduled for Monday, April 6th 2020 was postponed. Because no meeting date has been rescheduled and the 2019-2020 meeting schedule concluded with its final meeting on April 21st 2020, meeting dates for May needed to be set. At the recommendation of NYCOM (New York Conference of Mayors), all Boards are encouraged to set meeting dates on a month to month basis until their annual Organizational Meeting is held and meeting dates are scheduled for the remainder of the 2020-2021 year.

On a motion by Trustee Conklin seconded by Trustee Behringer, the May 2020 Meeting dates for the Village of Monroe Board of Trustees have been set for Tuesday May 5th and Tuesday May 19th.

Ayes: Trustees Alley, Conklin, Behringer, and Houle

Nays: None

COMPLETION OF PROBATIONARY PERIOD – POLICE CHIEF DARWIN GUZMAN:

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

RESOLVED, having completed the required probationary term required by Orange County Department of Human Resources, Police Chief Darwin Guzman is hereby given permanent status as Police Chief, for civil service requirements effective 4/9/2020. An updated MSD 426-B will be submitted.

Police Chief Guzman thanked the Board for the opportunity and confidence that they have shown him during this time.

Ayes: Trustees Alley, Conklin, Behringer and Houle

Nays: None

F/Y 2021 BUDGET ADOPTION:

Mayor Dwyer stated that the Board held a public hearing on the 2021 budget and the final iteration of it was only just published today. Village Clerk Baxter confirmed for Mayor Dwyer that the most current version had been added to the Village's website earlier that evening. Mayor Dwyer continued that for the purposes of allowing everyone to review it, he asked the Board about scheduling a special meeting on Friday, April 24th. Mayor Dwyer asked if the Board closed the public hearing for the budget and Village Clerk Baxter confirmed that they had. Attorney Terhune added that since the public hearing has been closed, there is no more input from the public on the budget. Attorney Terhune continued that it is now the Board's job to review the comments from the public, make the final tweaks to the budget before it is adopted. She added that the Board could certainly entertain additional comments or questions, provided in email written form. Trustee Conklin asked if they necessarily have to wait to adopt it or could they do it that night and Attorney Terhune replied that typically after the public hearing is closed, the Board gets together one more time to review the comments of the public and make any necessary changes if need be. If there are none, then they don't have to do that.

Mayor Dwyer continued that since they have received their final review would the Board consider holding a special meeting? The Trustees agreed, to allow additional time to review it. Attorney Terhune added that the Board could receive additional comments from the public in writing up until Friday. Mayor Dwyer advised the public to submit all comments to the Village Clerk.

Trustee Houle suggested 2:00PM for the ZOOM meeting on Friday, April 24th for the purposes of adopting the budget. Mayor Dwyer stated that Village Clerk Baxter would notice the meeting for the public. Village Clerk Baxter asked Attorney Terhune if the ZOOM meeting details needed to be included

in the meeting notice and Attorney Terhune replied yes. Trustee Conklin stated that she will set the meeting up after the conclusion of this meeting.

REQUEST FOR LICENSE AGREEMENT / 310 STAGE ROAD – CONTINUED:

(See Minutes 2/18/20, 3/3/20, 3/17/20)

Attorney Terhune stated that she had drafted a license agreement for the developer to install a sewer pipe in Stage Road. She asked the Board to review the documents she provided so the Board can move forward at the next meeting with approval. Attorney Terhune added that the documents have already been approved by the applicant's attorney.

Attorney Terhune continued that she also sent the specifications of the size of the pipe to Village Engineer O'Rourke who replied that it was ok.

REQUEST FOR LICENSE AGREEMENT - 28 IRONWORKS ROAD – CONTINUED:

(See Minutes 11/4/19, 11/19/19, 4/7/19)

Mayor Dwyer stated that the Board has been working with the Building Department concerning several matters regarding this property. There is however, only one that is before the Board currently and that is the license agreement which allows them the use of an easement for the purposes of installing a fence and any other equipment that is in that area. Mayor Dwyer acknowledged that they have been working with them through Counsel and just today there was an exchange between the property owners and the Building Department about complying with all the information that was given to them.

Mayor Dwyer continued that the property owners have been advised that all open business would have to be closed before permanent easement or license would be granted including having a surveyor put onto mylar all of the encroached upon information. Mayor Dwyer asked Building Inspector Cocks if he had anything to add and Building Inspector Cocks replied that as long as the license agreement includes a time frame, he is satisfied. Building Inspector Cocks also added they need to get it to a point where the property owners are ready for the certificate to be issued; then the license agreement can be done.

INTRO. LOCAL LAW #5 OF 2020 – PROPERTY MAINTENANCE – CONTINUED:

The Public Hearing held on March 3rd, 2020 was adjourned to allow for residents to submit additional comments. Mayor Dwyer stated that the public hearing would be continued at the May 5th 2020 Board Meeting.

Mayor Dwyer stated that at an earlier meeting the Board discussed prohibiting parking along Spring Street.

MAYOR & TRUSTEE'S REPORT:

Trustee Houle stated that the first responders are doing a wonderful job keeping up with COVID response along with their regular work. Trustee Houle thanked Police Chief Guzman as well.

Trustee Behringer stated that the first responders going around for the birthdays have ben very touching to the community.

Mayor Dwyer commented that in the spirit of the unchartered waters that they are all in it was nice to see people coming together to support the positive rather than focus on the negative. Mayor Dwyer also wanted to take an opportunity to thank Christina Keizel and the Downtown Revitalization Committee for being instrumental in trying to find ways to encourage the public to be at their best during these difficult times. A project that they have currently undertaken is "Kindness Rocks" and the Board is supporting her with this along with these other types of projects that show what this community is made of.

Trustee Conklin added that it is important to acknowledge all the employees who operate inside of the grocery stores and restaurants that have gone to work every single day so people can maintain their lives. Trustee Conklin also thanked Mayor Dwyer for his work and stated that she couldn't be prouder of him. Mayor Dwyer replied that it is a great team effort. Trustee Conklin also complemented the Highway and Water Departments, they are incredible. They are in the public constantly, facing the public, facing questions and keep the Village going.

Trustee Alley interjected and added that on top of that you have all the departments and as much as they appreciate the Police, let's not forget the Treasurer who is here every day, and the Clerk's Office along with the Building Department, the Village wouldn't be doing anything with them. Mayor Dwyer and Trustee Houle agreed.

Mayor Dwyer stated that the Board had brought up the topic of parking along Spring Street and inquired where they were with that. Trustee Conklin asked if the Police Department had a report on that. Police Chief Guzman replied that they surveyed area and agreed that parking is challenging and it almost impossible to have a car parked there legally without it obstructing or blocking the roadway.

Attorney Terhune stated that the Village has regulations in its local code that prohibit parking in certain areas, so this would require an amendment to the local law. The law would have to be drafted, a public hearing would need to be held and then the Board could adopt the local law to modify the code. Attorney Terhune asked if it was the entirety of the street and on both sides as she would need the details to draft the local law. Mayor Dwyer replied it would be the whole length of Spring Street and on both sides of the road. All Trustees were in agreeance.

Mayor Dwyer stated that the budget is currently at a zero percent increase from last year. That was through a lot of diligent work done by the Board and includes no reduction in services. It keeps projects in place as well.

PUBLIC COMMENT:

PRESENT 1

TIME: 7:36 PM

Resident John Karl asked about the status of the Floor Area Ratio law. Mayor Dwyer replied that the Board has the Village Planner going through it, but it is at the finish line. Attorney Terhune added that the Board had several versions of the FAR law and there is a final edit to the actual ratios. She added that the Village Planner has to provide a little more information so the Board can determine whether they are comfortable or not with the size of the house allowed on the lot. The public hearing is still open and that will need to be closed. If the modifications are significant the public hearing will need to be left open. If they are not and the Board is comfortable with the changes that the Village Planner has made, then the local law can be adopted.

Mr. Karl asked if Attorney Terhune or anyone else has checked with the Town of Chester, who has been challenged in Court with their cluster law as to why they are being litigated against. Attorney Terhune replied that she has not been directed by the Board to take a serious look at that lawsuit but she has spoken with the attorney who is representing Chester and it really isn't the same. It is very different than the factual basis of the Village's FAR law. Attorney Terhune added that FAR laws are constitutional and many municipalities have put them into effect. She added that unless they are applied in an unconstitutional manner, they should pass constitutional muster. Mr. Karl agreed that it is long overdue.

Mr. Karl asked if the Village has been looking into updating its website and Mayor Dwyer replied that they are. The Board is looking to make it much more user friendly and allow the Department Heads to update their own information, with levels of administration. It will take the relief off of one person. Mr. Karl asked if the agenda and meeting information could be moved to the top so they didn't have to scroll through all this information to get to it.

Mr. Karl asked for an update status of the traffic reconfiguration of Stage and Lakes Roads and Carpenter Place by the blinking light. Mayor Dwyer replied that it is moving forward. It is big red tape environment. They have got funds administered through the Orange County Transportation Council and every time you dot an "I", they want another one dotted. Mayor Dwyer continued that the Village's transportation engineer, Creighton Manning, has had their design approved. Mayor Dwyer explained that part of the project sits in the Heritage Trail easement owned by Orange County and it took some time for Attorney Terhune to acquire what was necessary through the County's legal department and nothing moves fast in government. Once this information was received, it had to go back to OC Transportation and they had to make sure it was compliant on the Federal side. Mayor Dwyer stated that the project is moving forward and that they anticipate putting it out to bid by the end of May for return in July. Mr. Karl asked if that was the TAP Grant and Mayor Dwyer confirmed that it was. Mr. Karl asked if there was a 5 year timeframe on that and Mayor Dwyer replied that he wasn't sure but that he had to sign off on a letter to continue the process twice for a different reason. One time was for getting the easement with the County and the second time was asking for an extension again. Nothing on the Village's side, more so for the grant and the red tape. Mr. Karl stated that he just didn't want to see the Village lose the money and Mayor Dwyer replied that they wouldn't lose the money, it was a done deal.

Mr. Karl asked when the DPW will go back to working full staff and start getting some stuff done in the Village. He knows that they are doing partial work with limited hours. Mayor Dwyer replied the biggest concern is social separation and a safe environment to work in. Currently they are in individual trucks and doing a pre-clean and post-clean after each truck trip to keep everyone safe. The Board is looking at ways to increase the time and move forward and start as early as Monday.

Mr. Karl shared with the Board that the Mombasha Fire Company assisted with an early morning fire at an old stone home along Rt. 32 in Woodbury that morning. Trustee Houle commented that she had heard that Mombasha responded very quickly to the call and Mr. Karl replied that by the time he

arrived to the fire house, they were already gone. Mr. Karl encouraged the Board to stress the importance of smoke detectors to their residents.

Resident Lorraine Loening asked the Village Board if they submitted written comment to the Town of Monroe's DGIS for the cluster housing proposal along Rye Hill Road and if the Mayor could summarize what was submitted. She added that she was particularly interested in the water and if any reports or usage studies were referenced. Mayor Dwyer replied that the Village of Monroe submitted a 10 page response to that and water and traffic are on the table as well as access to Orange Turnpike and Rye Hill Road. These were the three major pieces, with water being the main one. Mayor Dwyer added that there was some comment because there is something out there that the main transmission line runs through that property and that came up to make sure it is dealt with and preserved. There has been a conversation over a portion of that property because of the transmission line that goes through there that they had rights to water in some early agreement that he couldn't find anywhere, but it could still be out there. Ms. Loening stated that it is going to affect police because there is going to be an increase in traffic down by Rye Hill Road and Reynolds Road and Mayor Dwyer agreed. Traffic is a major piece. Mayor Dwyer replied that it was available and he could get her a copy of it and she replied that she would appreciate that and asked if it could be on the website. Mayor Dwyer said it would be on the website by tomorrow.

Mr. Karl added that at one time the Village had an agreement with the developer of the Shea Farm project regarding replacing those lines through the farm and also putting them in the road network that is supposed to be constructed through there. Mr. Karl stated that 8 or 9 lots had easements through them to the watermain. That was all negotiated and he doesn't know if that was ever followed through with. Mr. Karl stated that he had gotten out of office so he didn't know if that was ever followed through on. The Department of Health was online with doing what the Village had originally laid out and that was to make it redundant with pipes laid out on both sides of the development so if you had to shut them down, you wouldn't shut the water off to the Village. There was a whole plan that was laid out that was approved by the Department of Health. Attorney Terhune asked Mr. Karl to clarify what he had just said and reiterated that when he was in office there was an agreement with the property owner for easements to run water lines to the water supply. Mr. Karl replied that the main transmission line came from the reservoir to the filter plant and the line for the filter plant at the end of Woodcock Road comes right down through that property and comes out on Rye Hill Road. Mr. Karl continued that the initial plan they had was for a 28 or 29 lot subdivision there and these mains would have been through 8 or 9 of the building lots. Attorney Terhune asked if Village water would have then been supplied and Mr. Karl replied that the Village would have supplied water but it would have been through the High Ridge Water District which is the Town of Monroe because it is outside of the Village. The Village was supplying them because of an agreement from back in the 1800's up until the 1940's when they put the second water main through there, that the Shea Family had rights to Village water. Mr. Karl continued that it was also going to become part of the High Ridge Water District, which is now either Water District #2 or #12. Mr. Karl also stated that they were going to move the mains and put them in the streets so that these properties did not have easements through them because it would have devalued the properties so much to the point that they wouldn't have been able to sell them. Mr. Karl stated that there was a plan in place but doesn't know if the agreement was ever signed because he got out of office. The Health Department did approve the water main extensions to be put in the street to be done. Mr. Karl suggested reaching out to Attorney Ben Oster who was involved in that at the time.

EXECUTIVE SESSION:

On a motion by Trustee Conklin, seconded by Trustee Houle, and carried, following a 5 minute recess, the Board convened in Executive Session at 7:54 PM for discussion of ongoing litigation.

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 8:59 PM.

ADJOURNMENT:

On a motion by Trustee Houle, seconded by Trustee Conklin 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 Houle, seconded by Trustee Alley, with all in favor, the department monthly reports were accepted and filed.

MARCH 2020 VILLAGE CLERK'S REPORT SUBMITTED BY ANN-MARGRET BAXTER, VILLAGE CLERK:

1. Minutes prepared, processed associated correspondence and Legal Notices completed for the March 3rd and March 17th Board of Trustees Meetings along with a Public Hearing held on March 3rd.
2. Permits issued: Handicap Parking: 8 Garage Sale: 0 Solicitor/Peddling: 0 Road Opening: 0 Blasting Permit: 0 Liquor License: 0 Towing Permits: 0
3. Processed 2 FOIL Requests.
4. Processed 0 Event Applications.
5. Public Hearings Held: 1
6. Closed out mailing machine for month on 3/31.
7. Bi-Weekly payroll worksheets completed and submitted.
8. March 18th 2020 elections cancelled due to COVID-19 pandemic.
9. Village Hall closed to the public as of March 20th 2020.
10. Due to EO 202.1, all BOT meetings closed to the public as of 3/12/2020.
11. State of Emergency declared 3/30/2020.
12. Required paperwork filed with O.C. Department of Human Resources.
13. Oversee updates and maintenance, of Village Website and Constant Contact. (40 sent)
14. Daily retrieval of messages left during the day and after hours. Forwarded messages and responded as required.
15. Collected February water rents.
16. Vouchers completed as required. Transmittal of money collected completed and bank deposits done.
17. Scan and email pertinent information to Board and Attorney.

MARCH 2020 DPW SUBMITTED BY LARRY GIUDICE, HEAVY EQUIPMENT OPERATOR:

REGULAR MAINTENANCE / VILLAGE IMPROVEMENTS:

1. Garbage Removal in Village and around Ponds seven times.
2. Picked papers on Stage Road, Rye Hill Road, Schunnemunk Street, and Clark Street.
3. Repaired water main break on Cregan Place.
4. Blacktopped water main break on Cregan Place.
5. Blacktopped service line on Mill Street.
6. Blacktopped around fire hydrant on Mid Oaks Drive.
7. Cut and chip trees on Highland Avenue.
8. Trim trees and brush around Village for sight distance.
9. Clean catch basin tops.
10. Inspect retention ponds.
11. Inspect Village easements.
12. Used Road Sweeper around the Village three times.
13. Cleaned out water valves on franklin Avenue with Sweeper.
14. Went over all trucks, sanders and equipment.
15. Went over wood chipper and chainsaws.
16. Repaired potholes around the Village.
17. Repaired siding on the Salt Shed.
18. Sand and paint rusted areas on equipment.
19. Sand and paint counter weight on excavator.
20. Saw cut blacktop on Elm Street for drainage.
21. Cleaned around outside of shop.
22. Cleaned shop.
23. Salted the Village streets two times.

MARCH 2020 FILTRATION PLANT REPORT SUBMITTED BY ERNEST MABEE, CHIEF OPERATOR:

Production: Lake Mombasha 24,325,193 Gallons / 23,921,174 Gallons LY 2019
Well #4: 3,989,607 Gallons / 3,755,336 Gallons LY 2019

Consumption: 28,314,800 Gallons / 27,676,510 Gallons LY 2019

Water Samples / Testing: Passed
Rainfall: 2.54
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
Ketchem Fence here to fix front gate
Started flushing hydrants
Updated Diamond Maps

MARCH 2020 POLICE DEPARTMENT REPORT SUBMITTED BY DARWIN GUZMAN, CHIEF:

CALLS FOR SERVICE

TOTAL CALLS – 1,604
CRIMINAL OFFENSE – 170
ARRESTS – 34

TRAFFIC REPORT

TRAFFIC TICKETS – 216
PARKING TICKETS – 112
GAS – \$1,935.77/1089.93G
MVA – 11

TRAINING

Video Examinations for Police Investigator Training - Malgieri

MARCH 2020 BUILDING DEPARTMENT AS SUBMITTED BY ASSISTANT BUILDING INSPECTOR PROULX:

Building Permits Issued:	29
Rental Inspections Completed:	8
Title Searches Completed:	19
Violations Issued:	2
Building Permit Inspections performed:	92
C.O's Issued:	19
Complaint Inspections:	1
Completed Fire Inspections:	3
Open, active building permits	298
FOIL Requests:	4
Building Permit Fees:	\$ 23,156.00
Rental Permit Fees:	1,600.00
Fire Inspection Fees:	0.00
Title Search Fees	<u>2,700.00</u>
Total Fees Collected	\$ 27,456.00

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

MARCH 2020 JUSTICE COURT REPORT:

Total Fines: \$24,725.00 Total Surcharges: \$8,765.00 Total Parking: \$4,300.00
 Total Civil Fees: \$2,252.00 Bail Poundage Collected: \$00.00 Total Bail Forfeited: \$00.00
 Total for March: \$40,042.00

Vehicle & Traffic Tickets: 374 Disposed: 342
 New Criminal Cases: 31 Disposed: 60 Civil Cases: 0 Disposed: 1
 Paid Parking Tickets: 112 Dismissed Traffic Tickets: 71

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, 1st Ass't Chief Rich Lenahan

FEBRUARY 2020 TREASURER'S REPORT SUBMITTED BY CATHERINE MURRAY:

Treasurer's Report Village of Monroe February 2020
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SIGNIFICANT ACTIVITY (REVENUES)

Bank interest	4,851
Sales Tax	18,989
Franchises	38,633
Rental of Real Property	6,404
Building Permits	15,473
Fines & Forfeited Bail	24,743

SIGNIFICANT ACTIVITY (EXPENDITURES)

Law Contractual	9,855
VH Maintenance	6,093
PD Other Equipment	5,566
PD Uniform Allowance	5,308
PD Contractual	9,738
PD Building Maintenance	6,080
Snow Removal Salt	14,076
Street Lighting Street	10,655
Other Employee Benefits	7,167
Radio Reads - Water Fund	5,974
Liability Insurance - General Fund	34,387
- Water Fund	9,664
	44,051
Workers' Compensation Insurance - General Fund	43,952
- Water Fund	8,781
	52,733
Health Insurance - General Fund	116,785
- Water Fund	16,642
	133,427

STATUS OF FY2019 CONTINGENCY ACCOUNTS

	CURRENT BALANCE
General Fund Appropriation -budgeted \$127,505	107,178
Water Fund Appropriation -budgeted \$25,000	25,000

COMMENTS:

We have completed 9 months of the fiscal year and expenses should be at 75.0%. The expenses are at 67.4% for the General Fund and 69.7% for the Water Fund.

Respectfully submitted,
 Catherine Murray
 Treasurer