

**WORKSHOP MEETING  
TUESDAY, JUNE 16, 2020 @ 7:00 PM  
PROPOSED FLOOR AREA RATIO (FAR) LOCAL LAW**

Due to the COVID-19 pandemic and Governor Cuomo's Executive Order No. 202.1, a workshop to discuss the proposed Floor Area Ratio Local Law was held on Tuesday, June 16, 2020 at 7:00 PM by the Board of Trustees 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.

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

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

On a motion by Trustee Alley seconded by Trustee Behringer, the workshop on the proposed Floor Area Ratio Local Law opened at 7:00 PM.

Village Planner Bonnie Fransen of Nelson, Pope & Voorhis, 156 Rt. 59 Suite C6 Suffern, NY 10901 was present to discuss the recent changes and updates to the Board of Trustees to the proposed FAR law since its last iteration of 2019.

Although open to the public, public comment was not permitted.

On a motion by Trustee Conklin seconded by Trustee Behringer, the workshop was closed at 8:15 PM.

To hear the entire text of this workshop, please reference the audio on file in the Village Clerk's office.

**BOARD OF TRUSTEES MEETING  
TUESDAY JUNE 16, 2020  
([www.villageofmonroe.org](http://www.villageofmonroe.org))**

Following the workshop on the proposed Floor Area Ratio (FAR) Local Law, the second of the bi-monthly meetings of the Board of Trustees was held on Tuesday, June 16, 2020 beginning at 8:20 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.

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

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

**MINUTE APPROVAL: MAY 5<sup>th</sup> 2020:**

On a motion by Trustee Houle seconded by Trustee Conklin, the Minutes of the May 5<sup>th</sup> 2020 Meeting were approved.

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

**Nays:** None

**MINUTE APPROVAL: MAY 6<sup>th</sup> 2020:**

On a motion by Trustee Behringer seconded by Trustee Houle, the Minutes of the May 6<sup>th</sup> 2020 Meeting were approved.

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

**Nays:** None

**DISCUSSION OF FAR LAW:**

Mayor Dwyer stated he wanted to give the public an opportunity to ask any questions regarding the FAR Law. He asked that people limit their comments to 15 minutes and if there were additional questions that they may submit them in writing to Mayor Dwyer or Village Clerk Baxter.

Resident John Karl asked if the people have permanent structures, inground swimming pools or sheds, does that takes up square footage on their building lot if that square footage gets deducted from their total square footage. Ms. Fransen replied that it does not.

Mr. Karl asked what is in place to stop someone from merging lots, taking one building down and putting up one large building. Mayor Dwyer replied that they cannot because there is a local law in place preventing subdivision.

Resident Tim Mitts asked if this law pertains to new construction or pre-existing lots as well. Mayor Dwyer asked Mr. Mitts what the size of his lot was and Mr. Mitts replied 80,000 sq. ft. with current living space at 9,350 sq. ft. Mayor Dwyer replied that he would not be able to without submitting for a variance. Mr. Mitts asked if he rebuilt in the existing foot print would it be subject to FAR and Ms. Fransen replied that the law applies to single family detached and two family dwellings. If you are converting to an alternate use then it doesn't apply. It also applies to any application for a building permit to alter the interior space of a single family detached or two family dwelling which alteration does not alter the floor plan of the dwelling. Mr. Mitts asked what if the house burned to the ground and he wanted to rebuild. Ms. Fransen replied if you were going to rebuild a single family dwelling to fit within the FAR, unless there was some kind of non-compliant provision she doesn't know. Mr. Mitts asked if his home is currently valued on 9,350 sq. ft and it burns down, the Village is telling him that he can only build 4,500 sq. ft., the Village is depreciating his property by restricting it, yet the Tax Assessor is charging him at full value. Ms. Fransen replied that was a question for a tax assessor, it was not a zoning question. Mr. Mitts stated that the property is currently pre-existing but if it burns down to the ground then he'll have issues. Mr. Mitts added that he thinks it should be a provision that as long as you are rebuilding in the same footage you shouldn't have to go for a non-conforming adjustment in the law.

Mayor Dwyer reiterated that should anyone else have any questions regarding the FAR Law, they can contact Village Clerk Baxter by either phone or email and she would forward their inquiries on to the Board to address.

#### **REQUEST FOR ARCHITECTURAL HISTORIAN / PLANNING BOARD - CONTINUED:**

(See Minutes 6/2/20)

At the June 2<sup>nd</sup> Board Meeting, the Village of Monroe Planning Board requested the Board's approval to appoint Daniel J. Wilson AIA of Lacey, Thaler, Reilly & Wilson Architecture & Preservation, LLP, 79 North Pearl Street, Albany, NY 12207 to assist the Village of Monroe Planning Board in their review of an application before them for a proposed Adult Care Facility located at 236 High Street, which also appears on the National Register of Historic Places. Attorney Terhune requested that the matter to be tabled for discussion in Executive Session, as she was concerned that the conversation may lead to advice of counsel. Discussion followed. Mayor Dwyer asked Counsel to speak on the history of the request and then would ask Ms. Fransen to speak on it in regards to her firm representing the Village of Monroe in drafting the Adaptive Reuse Local Law.

Attorney Terhune stated that there was a letter submitted by the Planning Board to the Board of Trustees requesting the Board of Trustees to hire an architect for a review of an application before them. Attorney Terhune continued that on May 19<sup>th</sup> 2020 an Attorney drafted an email to the Planning Board and copied the Board of Trustees regarding an application before the Planning Board regarding the Adaptive Reuse of a property. The applicant understood that the Planning Board intended to hire an architect to help them and was concerned about that because he had his own architect already.

On May 20<sup>th</sup> the Board of Trustees received a letter from the Planning Board if the Village Board would hire a particular architect to help the Planning Board with the review of that application. Attorney Terhune continued that she took a look at the Adaptive Reuse Local Law and it clearly states that it's within the Planning Board's discretion to hire an architect if they needed to do so. Attorney Terhune continued that she drafted a letter that basically said to the Planning Board that exact same thing. That under this provision it is not the Board of Trustees who hires the architect, it is the Planning Board.

On June 2<sup>nd</sup> the Board met, discussed and drafted a letter. Attorney Terhune stated that she did not recall what happened as a result of that discussion but she received a clear direction by the Board of Trustees to revise a letter, which she did.

Attorney Terhune continued that on June 3<sup>rd</sup> she circulated the revised letter based on her instructions to the Board of Trustees. On June 8<sup>th</sup> the circulation among the Board continued and she received further instruction by various members of the Board regarding the letter. On June 8<sup>th</sup> Attorney Terhune stated that she sent another circulation to the Board of Trustees essentially giving them her legal advice about the matter and expressed it was time sensitive to get the letter out. Attorney Terhune added that she asked the Board of Trustees on June 8<sup>th</sup> to respond if the letter was ok for Mayor Dwyer's signature. Attorney Terhune stated that she heard back from Mayor Dwyer and three Board members that the letter was ok and approved it for the Mayor to sign.

Attorney Terhune stated that on June 9<sup>th</sup> she instructed Village Clerk Baxter to put the letter on Village letterhead for the Mayor to sign.

Attorney Terhune added that on June 12<sup>th</sup> she spoke with the Planning Board Attorney and on June 15<sup>th</sup> the Board of Trustees received a second letter from the Planning Board with another request to hire an architect. That is the letter that the Board currently has in front of them.

Attorney Terhune stated that generally when the Planning Board or any Board is looking at an application of a property owner, under Chapter 98 of the Village of Monroe's fee schedule those consultants when they are hired are paid out of an escrow, so she isn't sure what the issue is here. Attorney Terhune continued that Chapter 98 is very clear and suggested that everyone read it. This allows the Boards to charge back the applicant.

Attorney Terhune continued that when this local law was drafted, the Planning Board was given the authority to hire an architectural historian at their discretion. There are times when people will likely not need that, for example, when the applicant has his own architect, then perhaps it would be a harder case to make when the Planning Board has to hire an architect. The bottom line is that if you are on a registry list of historical places by SHPO and SHPO comes back and questions the application, the Attorney Terhune believes that is a perfectly good reason to hire an architect. If the applicant doesn't have an architect, that would be another reason to hire one.

Attorney Terhune stated that she would turn the topic over to Ms. Fransen but in regard to the agenda tonight it is her opinion that this Board ratify the letter that was sent out so there is absolutely no question that this Board saw and approved that letter.

Planner Bonnie Fransen stated that she reviewed countless number of Planning Board applications as a planning consultant for various municipalities. Ms. Fransen continued that the analogy that aligns with this one is when you have an applicant who wants to develop a property and you take a quick look at the property and it is a wetland property. Ms. Fransen stated that what is customary is that the applicant obtains a wetland specialist and that specialist will map the wetland and the wetland map will be sent to the DEC or the Army Corps. of Engineers for validation. If those agencies who are responsible for regulating it and validating it, there is no need for the municipality to hire another consultant to opine on the work because it has already been reviewed by the DEC and the Army Corps. of Engineers.

Ms. Fransen stated that in this instance, the applicant has retained an architect. The architect has an understanding of what those renovations are to the interior and exterior of the building. If that information is transmitted to the State Historic Preservation Office (SHPO) and if they write a letter back that based on that information they don't have an issue and it won't affect the status of the National Registry, then she doesn't think you need to hire a second person to valid that. Ms. Fransen added that what is important is that the Planning Board is aware of the record and what was sent to the State Historic Preservation Office to make sure it reflects what was applied for. That is the important aspect of it, you want to know what was sent off to the agency. If an applicant for some reason does not retain an architectural historian then she believed it would be appropriate for the Village to retain one so they can review it before it goes off to SHPO. Part of this whole review process depends on the applicant and the consultants that they retain. Ms. Fransen stated that she wasn't entirely sure of the circumstances surrounding this application, if there has been an architect involved, if the Planning Board has full knowledge of all the information that was sent to SHPO and if that information clearly depicted what was being altered and changed as it related to the buildings historical registry status and if the State Historic Preservation Office has determined that the change will not alter its status, then Ms. Fransen doesn't believe you have to go beyond that. As a Planner, that is her opinion. If everything has been fully transparent, then that is her perspective on it.

Attorney Terhune stated that the intent of the law was that this referral to SHPO be treated like a referral to Orange County Planning. If the Planning Board submits those documents to SHPO as a complete packet then the response would come back to the Planning Board, not to the applicant. The intent is not to cut the Planning Board out. If the packet is not sufficient, then SHPO will let the Planning Board know.

Ms. Fransen added that the new process at the State Historic Preservation Office is that they have a cultural resource information system and they want everything entered into their system digitally. The most important aspect of this is when they input this information there is a contact at the municipality, whether it is the Planning Board Secretary or whomever, so when they enter the information into the system, they have the same access to the information submitted so there is no question what was transmitted. Ms. Fransen stated that when they submit something to SHPO, they get a letter back confirming their receipt of what was sent. The Planning Board does the submission as a protective measure to ensure that the entire application or the most current application was submitted. It can be submitted by the applicant, but they should still include the Planning Board contact so they can access the same information.

Attorney Terhune stated that it is very clear in the local law. Although the Planning Board may not be able to hire a consultant, under this local law, they have the authority to do so.

#### **DISCUSSION – APPOINTMENT OF DOWNTOWN REVITALIZATION ARCHITECT:**

Mayor Dwyer stated that he was going to jump around a bit and go off schedule. He explained that the Downtown Revitalization Committee including himself and Trustees Alley and Houle had vetted three architectural firms. During the interview process, they realized that Jeff Wilkinson, R.A. checked all their boxes, and is the architect that they would like to appoint. Mayor Dwyer asked Mr. Wilkinson to share with the Board and the public what his vision is for the Village of Monroe.

Mr. Wilkinson stated that they had their first meeting in August 2019 in a coffee house. They took a tour of the Village and he got an idea of what they were looking to accomplish. Afterwards he prepared a proposal and they met at Village Hall and they are working on creating a vision. They wanted to prepare some studies and take another tour and get a clearer snapshot of what the downtown vision should include. From there they will prepare some sketches and drawings that will help further along what they are trying to accomplish with the focus on mainly the downtown corridor and some alleyways. Mr. Wilkinson continued that they would also start the process of creating some language for some design guidelines. Having them will be useful as the Village begins to steer improvements into the Village. Mr. Wilkinson introduced his associate, Dominique, to the Board who would also be assisting with this project.

Mayor Dwyer stated that there were two municipalities that Mr. Wilkinson worked on. Mr. Wilkinson explained that the first one was Beacon and he moved his family there. The initial main focus when thinking of Beacon is the Fishkill Correctional Facility, but slowly drew focus on other things, initiatives for Main Street, thinking a lot about many of the things being discussed here tonight. Mr. Wilkinson continued that the other city he recently worked with is the City of Newburgh and is involved in several projects there. It has great historic stock, half the city is on the National Historic Register. It allows for historic tax breaks and development. The Village of Monroe has a great central core that is really exciting to think about.

Mayor Dwyer explained that Dominique also came down with Mr. Wilkinson and did the walkthrough of the Village and asked Dominique if she had anything to add. Mr. Wilkinson interjected and stated that their main focus will be on Main Street and address lighting, exterior feels and signage. These are things that give Main Street character. Mayor Dwyer added that when you talk about lighting and signage that blends to another initiative that was listed on his proposal and that was an architectural design for the downtown referring to a code. Mr. Wilkinson replied that they were going to begin creating some basic formats and looking at other municipalities that created some design guidelines which are important. Mr. Wilkinson stated that he is not promising that they will deliver a final guide. It will be something that has to be structured over time but is a good place to start.

Mayor Dwyer thanked Mr. Wilkinson for his presentation and stated that he would be in touch.

#### **SCHEDULING OF JULY & AUGUST MEETING DATES:**

Due to the COVID-19 pandemic, the Village of Monroe Organizational Meeting that was scheduled for Monday, April 6<sup>th</sup> 2020 was postponed. Because no meeting date has been rescheduled and the 2019-2020 meeting schedule concluded with its final meeting on April 21<sup>st</sup> 2020, meeting dates for July & August 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. Discussion followed. Mayor Dwyer stated that the meetings are technically the first and third Tuesday of the months, but there was some discussion regarding a workshop and a meeting. Trustee Alley asked what the workshop would be about and Mayor Dwyer explained that it could pertain to items that are currently coming up on the agenda. Attorney Terhune added that a regular meeting could be opened up to allow the Board to take action and any regular business that may be time sensitive which comes up. Public comment would not be permitted during the workshop. Trustees Houle and Conklin agreed with that. Trustee Houle added that a workshop would help them clean up a lot of work that is on their plate that they can't seem to get to during a regular meeting.

On a motion by Trustee Alley seconded by Trustee Behringer, the July 2020 Meeting dates for the Village of Monroe Board of Trustees have been set as follows: a scheduled workshop for Tuesday July 7<sup>th</sup>, Tuesday and the regularly scheduled Board Meeting on Tuesday, July 21<sup>st</sup> 2020. Both workshop and meeting would begin at 7PM. August meeting dates would be scheduled at the July 21<sup>st</sup> meeting.

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

## **SCHEDULING OF 2020 INDEPENDENCE DAY & LABOR DAY HOLIDAYS:**

Due to the COVID-19 pandemic, the Village of Monroe Organizational Meeting that was scheduled for Monday, April 6<sup>th</sup> 2020 was postponed and the 2020 – 2021 Holiday Schedule for the Village non-contract staff has not been set. At the recommendation of NYCOM (New York Conference of Mayors), all Boards are encouraged to set meeting dates and holidays on a month to month basis until their annual Organizational Meeting is held and meeting and holiday dates are scheduled for the remainder of the 2020-2021 year.

On a motion by Trustee Alley seconded by Trustee Conklin, the following days have been deemed holidays for all non-union Village of Monroe employees, with all Union employees following the holiday provisions set forth in their collective bargaining agreement, Friday July 3<sup>rd</sup> 2020.

On a motion by Trustee Alley seconded by Trustee Behringer, Monday, September 7<sup>th</sup> 2020 has been deemed a holiday for all non-union Village of Monroe employees, with all Union employees following the holiday provisions set forth in their collective bargaining agreement.

Ayes: Trustees Alley, Conklin, Behringer, and Houle

Nays: None

## **RESIGNATION: CAMERON GOMAS, P/T DISPATCHER:**

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

**RESOLVED**, the Board accepted the resignation of Cameron Gomas, P/T Dispatcher, of the Monroe Police Department effective June 8, 2020. Both the Board of Trustees and the Monroe Police Department wished Cameron well in his future endeavors.

Ayes: Trustees Alley, Conklin, Behringer and Houle

Nays: None

## **APPOINTMENT: NICOLE THEISS, P/T DISPATCHER:**

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

**RESOLVED**, the Board of Trustees accepted the recommendation of Police Chief Guzman and appointed Nicole G. Thiess to the position of part-time dispatcher, effective June 17<sup>th</sup> 2020 at a salary of \$22.50 per hour. The required background investigation, physical and drug screening have been completed.

Ayes: Trustees Alley, Conklin, Behringer and Houle

Nays: None

## **REQUEST FOR ARCHITECTURAL HISTORIAN / PLANNING BOARD - CONTINUED:**

(See Minutes 6/2/20)

Attorney Terhune stated that the Board received a second request asking the Village Board to appoint a historical architect for the Rest Haven project. As she noted before and it is clearly stated in their first letter, acknowledged to the Planning Board that under section 200-61(F)(3) that authority is explicitly vested to the Planning Board by this Board. Attorney Terhune added that it is her recommendation that like they did in letter #1, they decline to appoint an architectural historian.

Trustee Alley asked if anyone has been in touch with the Planning Board and there seems to be a little bit of miscommunication. Attorney Terhune replied that she spoke with Planning Board Attorney David Levinson and she does not clearly understand why they are asking this Board to appoint this consultant. Attorney Terhune added that under the law they cannot do that because the delegated that authority explicitly in the Historic Reuse Law.

Attorney Terhune stated that she didn't know if there was an email sent out essentially making the claim that the applicant didn't have to pay for that consultant. She was copied on that as well as Mayor Dwyer and it went to the Planning Board and their Attorney and doesn't recall who else was copied on it. Attorney Terhune stated again that she is not sure what they are asking this Board to appoint the consultant, but they don't have the authority to do it. They delegated that authority to the Planning Board. Attorney Terhune added that she wasn't sure what happened in the past but the intent of the law is for the Planning Board to make the referral to SHPO and SHPO then tells the Planning Board whether or not the application and the proposed changes, whatever they are, will affect that. The bottom line is that if the applicant in that district wants to reuse their property, they have to be listed. The Planning

Board cannot approve a special permit without that listing being in effect at the time the special permit is issued.

Trustee Alley stated if it's not someone that the Board appoints every year like their regular Engineer or regular Attorney, they have no problem paying that invoice. Attorney Terhune replied that how the voucher would work would be the Planning Board Chairman Parise signs the voucher unless there is an issue and they could not pay it or ask for an explanation. If there is an escrow you would still look at those vouchers. Attorney Terhune stated that there appears to be some confusion about what the Village's fees law says and paraphrased that if you need to hire an architect or a hydrogeologist or a traffic consultant to help you get you through a project, but what you can't do is unnecessarily duplicate that service or hire consultants that aren't necessary. It is a rule of reason. You must be reasonable and non-discriminatory. Trustee Alley replied that in the past they have had to hire somebody else because the Village's regular consultant did the work for the applicant. Attorney Terhune replied that she wasn't aware of that and asked Mayor Dwyer if he was aware of that. Mayor Dwyer replied that what Trustee Alley was referring to was a conflict with Village Engineer O'Rourke and Attorney Terhune acknowledged that she was familiar with that. Mayor Dwyer stated that he was going to take a shot at it but the Planning Board Attorney or a Planning Board member or someone on the Planning Board side brought Trustee Alley up to speed. Trustee Alley replied that she hadn't spoken to anyone on the Planning Board. Mayor Dwyer asked her if she spoke with Treasurer Murray and she replied no. Mayor Dwyer stated that he just thought someone had spoken to her.

Attorney Terhune stated the Village of Monroe's enabling statute for the Planning Board is a little bit different than others that she has seen. It is the Village Board that appoints the Attorney and the Engineer. In that regard, that's arguably not delegated to the Planning Board to Trustee Alley's point. In this particular law however, since it is an application by application review, and you may not need an architect, that is why the Village Board delegated to the Planning Board the authority on an application by application basis, based on need, to hire an architect. Attorney Terhune cited the provision that was quoted by the Planning Board in both of their letters and read the following: "All special use applications will be forwarded to NY State SHPO for review. The Planning Board in its discretion shall retain a qualified architectural historian to assist in the review of the application under this provision. The Planning Board shall not act on the application without having been received and reviewed the comments." It is at the discretion of the Planning Board to hire an architect. Attorney Terhune added that arguably the law could've been written if the applicant doesn't have an architect you can hire one. The Village Board delegated that authority to the Planning Board and you can't take it back, there is no way to take it back. Not in this particular case, not under this particular law, and she said that the first time around.

Trustee Conklin stated that she is completely lost in this and her head is spinning. For the sake of not slowing down the meeting she asked if the Board could review it with her during Executive Session.

Trustee Houle asked that in light of what Attorney Terhune has stated in the past, besides authorizing another Engineer when Village Engineer O'Rourke has a conflict with a project before the Planning Board, has the Board ever authorized another Engineer to be used on another project? Have they ever authorized a traffic engineer? Trustee Houle stated that she knows that they have had traffic studies done by other engineers other than who the Village contracts with. If they didn't authorize that, then there is no need for them to be the ones to authorize this. Mayor Dwyer replied that the Adaptive Reuse law specifically says that they put the ability on to the Planning Board to use what they feel is necessary, consultants, etc. to help them through the review process.

Trustee Conklin stated that Trustee Houle hit on what was causing her confusion so she thinks that she has the answer now. Mayor Dwyer stated that now that the Trustees have all asked their questions and Attorney Terhune has offered her opinion on the matter he requested that someone make a motion to decline the Planning Board's request for an architect from a letter dated June 15, 2020 addressed to him from Planning Board Chairman Parise. On a motion by Trustee Conklin, seconded by Trustee Behringer, it was:

**RESOLVED**, the Board of Trustees authorized Attorney Terhune to ratify the prior letter that was approved by the Board of Trustees and sent to the Planning Board on June 9, 2020 and authorize Attorney Terhune to draft a letter in response to the June 15<sup>th</sup> 2020 letter from the Planning Board denying their request.

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

**Nays:** None

## **WAIVER OF OUTDOOR CAFÉ PERMITS:**

Attorney Terhune stated that as part of the effort to help restaurants, the New York State Liquor Authority (NYSLA) and the Department of Health, whether you have a liquor license or not, will allow you to expand your outdoor seating. Mayor Dwyer stated that he preemptively waived the café permit fee in an effort to help the businesses and asked the Board to weight in on what they thought about waiving the \$50 fee. Attorney Terhune stated that part of the café permit application is a drawing to scale and asked Building Inspector Cocks if they were relaxing that a bit. Building Inspector Cocks replied that they were as long as they were putting the safety measures in place. They are requiring a sketch but allowing them to expand it a little larger than it would normally be.

Trustee Behringer asked about the businesses that are in a storefront, like Shop Rite Plaza, where there is a little bit of sidewalk. Mayor Dwyer replied that they would be required to go to their landlord and get permission but still must get an outdoor café permit. Trustee Conklin thanked the Building Department for the great job that they are doing to help the local businesses.

Trustee Houle stated that she was in favor of waiving the fee but asked about what happens when the retail places begin curbside pickup. Will the businesses that don't sell food but other items need a permit for that. Building Inspector Cocks replied that he couldn't answer that because they have never had to deal with that. They have sidewalk sale permits, but curbside pickup means you pull up to the door, pick up your merchandise and leave. Attorney Terhune replied that it is just that, you pull up to the curb and get your stuff. If there is a back door, that would be better, but no one really knows what is going to happen.

Trustee Conklin agreed with the rest of the Board to waiver the fee because it was important that they do as much as they can that is within their ability to help the businesses. Every restaurant has its own situation and they are coming before the Building Department to help remedy their situation and the Building Department is doing what they need to do to help them out.

Trustee Alley also agreed that waiving the fee is the right thing to do, but asked what happens when everyone goes back to normal. Building Inspector Cocks replied that permits are yearly and expire in December. Most of them won't be going into December any way. They are typically fair weather permits, and once the weather changes, that's the end of it. He added that should things go back to normal next month, any parking lots that have tables in them will have to be removed and the Building Department will make them do it. On a motion by Trustee Houle, seconded by Trustee Conklin, it was:

**RESOLVED**, the Board of Trustees waived the Outdoor Café Permit fee in an effort to help businesses during the COVID-19 pandemic.

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

**Nays:** None

Attorney Terhune notified the Board that she had Special Counsel standing by for Executive Session to respond to a settlement offer that needs to be discussed. She stated that she was hoping that they could table the rest of the discussions until next time or somehow break, go into Executive Session to discuss the settlement offer, and then come back. She just doesn't know how that will work with the ZOOM call. Mayor Dwyer replied that he would move through the agenda items quickly.

## **REQUEST FOR ASSISTANCE / WATER ACCOUNT #116:**

Pete Cassidy, President of the Monroe Country Club located at 63 Still Road, submitted a letter to the Board of Trustees requesting an adjustment to the May 2020 water bill. Mr. Cassidy stated that the bill was unusually high for that time period, inquired about it with the Water Department and it was only after they checked the meter that it was determined there a broken pipe that they were not aware of, causing the meter to run the entire time to a rate of 1.3 gallons per minute. Although the May 2020 bill in the amount of \$1,290.24 has been paid in full by the Monroe Country Club, they are requesting a partial refund. Discussion followed. Mayor Dwyer asked Water Plant Operator Mabee if the water leak occurred after the meter and he confirmed that it did. Water Plant Operator Mabee stated that they called to make an appointment and got in touch with their grounds keeper who indicated that it wasn't a rush and would like to make an appointment for the end of the week. Water Plant Operator continued that by the time they made an appointment to get over there, the owner wasn't too happy with them that they took so long to arrive. Water Plant Operator Mabee explained to him that they were advised by the head grounds keeper that it was only to be a meter check, they were not aware of a meter leak until they went out there.

Mayor Dwyer tabled the matter till the July 7<sup>th</sup> Board Meeting.

## **DISCUSSION – SMITH FARM WATER ACCOUNTS:**

Mayor Dwyer explained that a water district for Smith Farm was created and it has gotten to the point now where water has been used and the bills have been processed using the Village's water billing software. Mayor Dwyer stated that the water bills should have been sent to the Town but went to the actual property instead. Mayor Dwyer noted that the Town charges each of the accounts a different rate than what the Village charges them, and that includes a \$35 surcharge added to each of the water bills.

Mayor Dwyer continued that there were 18 bills that were affected by this and asked the Board to consider offering the Town an offset amount rather than return all the monies and all the accounting that would be needed, and that one-time credit would be \$1,015.00. After that, all bills would go directly to the Town.

Trustee Conklin stated that is in the agreement so they need to issue the refund and move forward with the correct procedure. Trustee Behringer agreed. Mayor Dwyer reiterated that the billing is done by section, lot & block. All bills are sent to the Town and the Town is responsible for collecting the money from the properties. The Town Building Department will issue a CO to a property and update the accounts with the owner information. The Village needs to have the meter match the SBL. On a motion by Trustee Behringer, seconded by Trustee Conklin, it was:

**RESOLVED**, the Board of Trustees approved a one-time credit to the Town of Monroe in the amount of \$1,015.00.

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

**Nays:** None

**Abstain:** Trustee Houle (lost connection during the meeting call)

## **DISCUSSION – DOWNTOWN REVITALIZATION COMMITTEE:**

Town resident Cristina Kiesel, Director of Together Hudson Valley, a grass roots environmental organization that formed in 2018, have a presentation to the Board regarding the Downtown Revitalization Committee they spearheaded, which is comprised of volunteers, Elected Officials (including Mayor Dwyer, Trustee Houle, Trustee Alley, Town Councilman Colon and Town Councilman Scancarello), as well as business owners and local artisans.

The Committee met with several architects last year and did walk throughs and they held a community vision meeting with local business owners and there was a lot of positive and constructive feedback. They also gave a presentation to the Greater Monroe Chamber of Commerce back in March of 2020. Ms. Kiesel added that they have also met with Millennium Strategies, the grant writers on retainer with the Town of Monroe and Villages of Monroe & Harriman. She shared that they are applying for several grants, the largest which is the Downtown Revitalization Initiative, which is either a \$10M or \$5M grant, as well as many other smaller grants. The Committee has already received a grant to install electric car charging stations in both the Town and Village commuter parking lots. They are also looking for a grant to install bicycle rentals for the Heritage Trail. Ms. Kiesel also stated that they have met with many County Organizations as well.

Ms. Kiesel continued that their mission is to revitalize the downtown of Monroe, attract new business and expand on their existing assets. Monroe has a unique history, with many things like the ponds, the largest stretch of the Heritage Trail, a multiplex movie theatre, golf courses, hiking trails and Museum Village. They have many events like the Farmer's Market, carnivals, summer concert music series, fireworks and food truck festivals. The Committee is also looking at different events as well, like "Light the Sky", which would be lanterns on the pond. These are all being planned for 2021. Ms. Kiesel thanked all the event planners in the Village of Monroe that have done such fabulous events.

Ms. Kiesel stated that their vision is to create a pedestrian friendly downtown with ample parking, outdoor cafes, beautiful alley ways that are improved with paver stones, benches, lighting, landscape and artwork. Ms. Kiesel add that they would like to close off the main street to traffic on weekends and create outdoor dining and live music, as well as upgrades around the ponds.

Ms. Kiesel also shared that they just worked on a survey that will go out to local residents for their feedback on what types of improvements they would like to see. She is hoping to send it out soon on Constant Contact, Facebook and possibly a booth at the Farmer's Market, but the feedback they have received so far has been really positive and everyone seems to have the same vision.

Ms. Kiesel added that she spoke with Clay Boone, who was the original wood carver who created the signs at the corners of 17M & Airplane Park and 17M & Lake St. The signs are in rough shape and the one at Airplane Park can't be salvaged but the other one possibly can. He will be sending estimates for

those signs to Mayor Dwyer. They are happy to announce the agreement with Jeff Wilkinson who is the architect that was on earlier this evening and they believe that his vision is closely aligned with the vision of the Committee.

Ms. Kiesel told anyone who is interested in a copy of the Power Point presentation that they gave to the Chamber of Commerce to email her at [togetherhudsonvalley@yahoo.com](mailto:togetherhudsonvalley@yahoo.com). She thanked everyone who has been helping keep the meeting going during the pandemic, they have managed to continue to meet weekly.

#### **MAYOR & TRUSTEE'S REPORT:**

The Board had nothing to report at this time.

**PUBLIC COMMENT:** # PRESENT 2 TIME: 10:20 PM

Resident Tim Mitts agreed that the revitalization was a great idea. He stated that he sent Mayor Dwyer a request that the woman who did the buggy rides during Christmas time at Rest Haven would like to do them on Sunday's during the Farmer's Market.

Mr. Mitts stated that the business owners need to be part of the revitalization and the problems of the business owners is taxes. Taxes are extremely high and Mr. Mitts suggested that they go to RPTL 444A, which will allow any business in the historical district to maintain its tax base, but any improvements that are made will be exempt for 10 years. There is one for historical buildings and one for historical districts. Mr. Mitts suggested coordinating with Village Historian Linda Burroughs and Town Historian Jim Nelson.

#### **EXECUTIVE SESSION:**

On a motion by Mayor Dwyer, seconded by Trustee Conklin, and carried, following a 5 minute recess, the Board convened in Executive Session at 10:23 PM for advice from Counsel.

Executive Session Minutes compiled by Mayor Dwyer.

**OPEN SESSION:** on a motion by Trustee Conklin seconded by Trustee Behringer and carried, the Open Meeting resumed at 10:54 PM.

#### **AUTHORIZATION TO PREPARE RESPONSE LETTER:**

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

**RESOLVED**, the Board of Trustees authorized Attorney Mark Blanchard, Blanchard & Wilson LLP 235 Main Street Suite 330 White Plains, NY 10601 to prepare a letter to the defendants council, Blustein, Shapiro, Rich & Barone, LLP 10 Matthews Street Goshen, NY 10924, regarding pending litigation.

Ayes: Trustees Alley, Conklin, Behringer and Houle

Nays: None

#### **APPOINTMENT OF DOWNTOWN REVITILIZATION COMMITTEE ARCHITECT:**

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

**RESOLVED**, the Board of Trustees hereby appointed Jeff Wilkenson, R.A. of JWRA, 13 Chambers Street Newburgh, NY 12550 as the architect to assist the Downtown Revitalization Committee. Mayor Dwyer was authorized to sign an agreement on the Village's behalf. Agreement and fee schedule to be filed with the Village Clerk.

Ayes: Trustees Alley, Conklin, Behringer, and Houle

Nays: None

#### **ADJOURNMENT:**

On a motion by Trustee Behringer, seconded by Trustee Alley and carried, no further business, the meeting was adjourned at 11:15 PM.

Respectfully Submitted,  
Ann-Margret Baxter  
Village Clerk

## MONTHLY REPORTS:

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

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

1. Minutes prepared, processed associated correspondence and Legal Notices completed for the May 5<sup>th</sup> and May 19<sup>th</sup> Board of Trustees Meetings along with a Public Hearing held on May 19<sup>th</sup>.
2. Permits issued: Handicap Parking: 2 Garage Sale: 0 Solicitor/Peddling: 0  
Road Opening: 0 Blasting Permit: 0 Liquor License: 0 Towing Permits: 0
3. Processed 0 FOIL Requests.
4. Processed 0 Event Applications.
5. Public Hearings Held: 1
6. Closed out mailing machine for month on 5/29.
7. Bi-Weekly payroll worksheets completed and submitted.
8. Collected May water rents.
9. Required paperwork filed with O.C. Department of Human Resources.
10. Oversee updates and maintenance, of Village Website and Constant Contact. (18 sent)
11. Daily retrieval of messages left during the day and after hours. Forwarded messages and responded as required.
12. Mailed 2020-2021 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.

## MAY 2020 POLICE DEPARTMENT REPORT SUBMITTED BY DARWIN GUZMAN, CHIEF:

### CALLS FOR SERVICE

TOTAL CALLS – 1,590

CASES/CRIMINAL OFFENSE – 265

ARRESTS - 42

### TRAFFIC REPORT

TRAFFIC TICKETS – 177

PARKING TICKETS – 78

GAS - \$1,799.08/1039.94G

MVA – 7

### TRAINING

N/A

## MAY 2020 DPW SUBMITTED BY LARRY GIUDICE, HEAVY EQUIPMENT OPERATOR:

1. Disinfect – buildings – trucks – equipment, every day.
2. Garbage removal in Village and around Ponds eight times.
3. Used sweeper on Village roads for twelve days.
4. Watered flowers in the Village every day.
5. Planted flowers around Memorials and Village.
6. Diamond Map fire hydrants and valves for one day.
7. Chipped brush around Village for ten days.
8. Mow park and weed wacked four times.
9. Mowed green areas and weed wacked three times.
10. Used the road mower for two days.
11. Picked up papers in the park for two days.
12. Installed playground mulch in Airplane Park.
13. Striped the Commuter Parking Lot.
14. Repaired catch basin, curb, and blacktopped on O'Neill Circle.
15. Milled and blacktopped a sinkhole on DeAngelis Drive.

- 16. Trimmed trees on Smithfield Court.
- 17. Replaced three handicap parking signs in Commuter Lot.
- 18. Installed new light in Bell Tower.
- 19. Hund Military Banners throughout the Village.
- 20. Widened and blacktopped the Water Plant driveway.
- 21. Cleaned shop.

**MAY 2020 JUSTICE COURT REPORT:**

Total Fines: \$4,952.00 Total Surcharges: \$72.00 Total Parking: \$1,749.00  
 Total Civil Fees: \$2,420.00 Bail Poundage Collected: \$0.00 Total Bail Forfeited: \$0.00  
*Total for May: \$9,9193.00*

Vehicle & Traffic Tickets: 177 Disposed: 66  
 New Criminal Cases: 37 Disposed: 15 Civil Cases: 0 Disposed: 0  
 Paid Parking Tickets: 64 Dismissed Traffic Tickets: 17  
 ARRESTS – 42

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

Production: Lake Mombasha:	27,771,241	24,409,349 Gallons LY 2019
Well #4:	4,127,418	3,851,400 Gallons LY 2019

Consumption: 31,898,659 Gallons / 28,260,749 Gallons LY 2019

Water Samples / Testing: Passed  
 Rainfall: 2.19  
 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 Fire Hydrants
- Updated Diamond Maps
- Replaced Check Valve at Briarcliff Pump Station
- DPW here to Install Drain Pipe and Blacktop
- Changed Pump Sequence
- Ketchem Fence here to fix Gate

**MAY 2020 BUILDING DEPARTMENT AS SUBMITTED BY ASSISTANT BUILDING INSPECTOR PROULX:**

Building Permits Issued:	21*
Rental Inspections Completed:	0*
Title Searches Completed:	9*
Violations Issued:	8*
Building Permit Inspections Performed:	29*
C.O's Issued:	10*
Complaint Inspections:	8*
Fire Inspections:	0*
Open, active building permits:	298

**FOIL Requests:** 2

**Building Permit Fees:** \$ 4,867.00

**Rental Permit Fees:** 50.00

**Fire Inspection Fees:** 0.00

**Title Search Fees:** 1,350.00

**Total Collected Fees:** \$ 6,267.00\*

**Monthly Assessor's Report**  
**Monthly report to FD for Solar**  
**Daily cash deposits to Clerk**  
**Bi Monthly mailing for expired permits**

**\*\*COVID-19 Statewide Shut down MONROE FIRE DISTRICT OFFICERS 2020:**

**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**

**MAY 2020 TREASURER'S REPORT SUBMITTED BY CATHERINE MURRAY:**

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

Bank interest	
Franchises	37,141
Rental of Real Property	6,438
Building Permits	5,912
Revenue Sharing Aid (AIM)	31,856
Mortgage Tax	84,025

**SIGNIFICANT ACTIVITY (EXPENDITURES)**

Law Contractual	6,839
Law Contract/Other Atty	5,225
PD Uniform Allowance	14,385
Street Lighting Light	17,364
Sidewalks General Expense	27,140
Planning Board General Expense	7,036
Purification Electricity	12,612
Purification Chemicals	9,112
Purification Waste Removal	13,725
Bonds - Water System Interest	44,444
Workers Compensation - General Fund	5,995
- Water Fund	4,805
	10,800
Health Insurance - General Fund	119,058
- Water Fund	16,642
	135,700

**STATUS OF FY2020 CONTINGENCY ACCOUNTS**

	<b><u>CURRENT BALANCE</u></b>
General Fund Appropriation -budgeted \$127,505	98,178
Water Fund Appropriation -budgeted \$25,000	25,000

**COMMENTS:**

We have completed 12 months of the fiscal year and expenses should be at 100%. The expenses are at 86.3% for the General Fund and 86.9% for the Water Fund.

Respectfully submitted,  
Catherine Murray  
Treasurer