

**BOARD OF TRUSTEES MEETING**  
**TUESDAY, JANUARY 4, 2022**  
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The first of the bi-monthly meetings of the Board of Trustees was held on Tuesday, January 4, 2022 at 7:00 PM in the Boardroom of the Village Hall, 7 Stage Road, Monroe, New York. Mayor Neil S. Dwyer called the meeting to order and led in the pledge to the flag. Emergency exits were announced.

**Present:** Mayor Dwyer; Trustees Alley, Behringer and Karl

**Also present:** Village Clerk Baxter, Deputy Clerk Zahra, Attorney Terhune and Sergeant Gaylor

Mayor Dwyer wished all that were in attendance a Happy New Year.

**PRESENTATION: MAX STACH OF NELSON POPE & VOOHRIS / ZONING AMENDMENTS, HOTEL LAW:**

Max discussed National Chain Hotel Zoning. The zoning for hotel zoning in our area needs to be looked at and adjusted. Perhaps extended stay for military (West Point) employees and Officers put on assignment. Types of hotel rooms and transient housing – less than 30 consecutive days needs to be addressed. Height needs to be looked at and Max will have to double check our code to make this uniform with other buildings in our Village. Parking is usually one space per room, if a banquet hall is added, parking would have to be adjusted. Max stated that a special use permit would be needed from the Planning Board – looking at parking, traffic. Decisions would be made from the Planning Board at their discretion. The Board will review the zoning amendments along with the Building Department so that a question and answer can be had at the January 18, 2022 Board of Trustees Meeting.

**PRESENTATION: DARYL VOGARINO OF DEVO & ASSOCIATES LLC AND FLOWBIRD / DOWNTOWN PARKING SOLUTIONS:**

A sample kiosk for parking meter purposes was brought into the boardroom for Board members to see. The kiosk is solar powered with a 4 to 5-year battery life. Nine units would be needed based on current meter locations. Coin could be used to pay the meter or the Flowbird app on your phone. The Flowbird has a fee of 35cents per transaction. The Village would be charged the 35 cent per transaction fee once a month. Credit cards would be free to use on the kiosk. The cost of the kiosk per month is \$57.00. It would take about 16 weeks to obtain the kiosks. Your license plate number would be input into the kiosk and you would pay by coin, credit card or the Flowbird app on your phone. The Enforcement Officer would have access to information by the plate number. Green light is paid and still good, red light means the time has expired and a ticket could be issued. The rate charged per hour is decided upon by the Village. You would have the capability to add additional time with the Flowbird app or by adding additional payment at the kiosk. The receipt paper is the responsibility of the Village to replenish. There are 4200 tickets in a roll of receipt paper. If we should have snow, it is recommended to clean the tops of the kiosk for solar purposes.

**MINUTE APPROVAL - NOVEMBER 1<sup>st</sup> 2021 BOARD MEETING:**

On a motion by Trustee Karl seconded by Trustee Behringer, the Minutes of the November 1<sup>st</sup> 2021 Board Meeting were approved.

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

**Nays:** None

**MINUTE APPROVAL - NOVEMBER 5<sup>th</sup> 2021 SPECIAL BOARD MEETING:**

On a motion by Trustee Karl seconded by Trustee Alley, the Minutes of the November 5<sup>th</sup> 2021 Special Board Meeting were approved.

**Ayes:** Mayor Dwyer, Trustees Alley and Karl

**Nays:** None

**Abstain:** Trustee Behringer

**MINUTE APPROVAL - NOVEMBER 16<sup>th</sup> 2021 BOARD MEETING:**

On a motion by Trustee Karl seconded by Trustee Behringer, the Minutes of the November 16<sup>th</sup> 2021

**Board Meeting were approved.**

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

**Nays: None**

**MINUTE APPROVAL - NOVEMBER 22<sup>nd</sup> 2021 SPECIAL MEETING EXECUTIVE SESSION:**

**On a motion by Trustee Karl seconded by Trustee Alley, the Minutes of the November 22<sup>nd</sup> 2021 Special Executive Session were approved.**

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

**Nays: None**

**RESIGNATION - P/T DISPATCHER, JOSEPH FARAGO:**

**On a motion by Trustee Behringer, seconded by Trustee Karl, it was:**

**RESOLVED, the Board accepted the resignation of Joseph Farago, P/T Dispatcher, with the Monroe Police Department effective December 30, 2021. Both the Board of Trustees and the Monroe Police Department wished Mr. Farago well with his future in the New York Police Academy.**

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

**Nays: None**

**RESIGNATION – TRUSTEE, DOREY HOULE:**

**On a motion by Trustee Behringer, seconded by Trustee Karl, it was:**

**RESOLVED, the Board of Trustees accepted with regret the resignation of Dorey Houle from the position of Trustee for the Village of Monroe effective January 4, 2022 due to her election win to join the Town of Monroe as Councilperson.**

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

**Nays: None**

**The Board wished her well.**

**ONE STAGE ROAD PARKING ISSUES – CONTINUED:**

**Attorney John Furst along with his clients, Elieser Salcer and Isac Karpfen discussed the parking concerns with the Board. The parking lot is partially owned by the Village and partially by the building owner of 1 Stage Road. It was suggested by Mayor Dwyer that we remove the bushes, add a guardrail, and make the parking spots at more of an angle so that pulling out of the parking spots would be less dangerous. Attorney Furst didn't think it would be an issue to remove the bushes. There are currently two handicap parking spaces. With the new design, at least one handicap spot will be removed. What is the law on handicap parking? The sign for parking in these spots were also asked to be taken down. Mr. Karpfen suggested that parking could open up to anyone after a certain time of night and weekends. Parallel spots were also a suggestion. That would reduce the amount of parking. After much discussion, it was decided that a draft be drawn from Larry Torro and should be presented to the Board and run by the Village Engineer to see if they can come to a mutual agreement.**

**This draft should be brought to the first meeting in February – February 1, 2022.**

**LED STREET LIGHT UPGRADE PROJECT / REALTERM ENERGY – CONTINUED:**

**(See 10/5/21 Minutes)**

**On a motion by Trustee Alley, seconded by Trustee Karl:**

**RESOLVED, Mayor Dwyer is authorized to sign a Professional Services Agreement with REALTERM Energy in an amount not to exceed \$22,000.00 to perform the initial inventory of Village streetlights.**

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

**Nays: None**

**PAYMENT AUTHORIZATION – HIGH STREET WATER MAIN REPLACEMENT PROJECT:**

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

RESOLVED, the Board of Trustees accepted the recommendation of Village Engineer, John O'Rourke P.E., and approved Payment No. 3 for the period ending December 20, 2021 submitted by Ground Control Excavating, 63 Waterbury Rd. Warwick, NY 10990, for the High Street Water Main Replacement project in the amount of \$177,226.49. All documentation has been reviewed and found complete. Mayor Dwyer is hereby authorized to sign the voucher for payment.

Ayes: Trustees Alley, Behringer and Karl

Nays: None

**PAYMENT AUTHORIZATION – LAKE STREET REVITALIZATION PROJECT:**

Mayor Dwyer stated that he was not prepared to pay this invoice yet and stated that Village Engineer Creighton Manning was preparing a document to show what has been satisfactorily completed. Mayor Dwyer expressed his concern about the quality of some of the work and was not satisfied with the response from the contractor.

Attorney Terhune asked if Creighton Manning signed off on the payment request and Mayor Dwyer replied that they had but that they were reviewing and approving payment based on quantity not quality. Attorney Terhune replied that the engineer should be checking both quantity and quality and asked if the Village had paid the engineer. Mayor Dwyer responded that he did think so. Attorney Terhune added that withholding payment to a contractor after the payment has been approved can present a problem and that the you are getting into the area of construction law and with that comes its own set of implications.

Trustee Karl questioned why the authorization of the first payment didn't come before the Board for \$108,000.00. Mayor Dwyer spoke with Attorney Terhune and was told that if the agreed payment schedule was in the contract a voucher could be processed if signed by two Board members.

The Board has decided to table the matter.

**AUTHORIZATION FOR AT&T EQUIPMENT INSTALLATION TO EXISTING CELL TOWER ON BALD HILL:**

The Building Department has received a permit application prepared by Airosmith Development for AT&T equipment upgrades to an existing cell tower located on Bald Hill. As part of the Building Department requirements, the property owner must consent to the work before the work can begin and consent is given by the property owner signing off on the permit application. Since Bald Hill is owned by the Village of Monroe, the Village Board must consent to the work and authorize the Mayor to sign the permit application. The description of the project consists of swapping out new 48V rectifiers and 24V converters in the cabinets as well as swap in three (3) new equipment cabinets for six (6) existing cabinets. Discussion followed.

The Board has decided to let Jim Deloria look this over and get his opinion. Attorney Terhune reminded the Board that after a certain time period has passed, it is deemed approved if no response.

The Board has decided to table the matter.

**APPROVAL TO ENTER INTO AN AGREEMENT WITH POWERDMS / MONROE POLICE DEPARTMENT:**

In a memo to the Board of Trustees, Police Chief Guzman requested authorization to enter into an annual agreement with PowerDMS, a cloud based single platform which currently assists more than 3,000 law enforcement agencies with police policies, content tracking, training and accreditation management. The cost for the annual agreement is \$7,972.89 and is to be allocated from budget line A.3120.450, Contractual.

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

RESOLVED, the Board of Trustees authorized the Monroe Police Department to enter into an annual agreement with PowerDMS, 101 S. Garland Ave. Suite 300, Orlando, FL 32801 in the amount of \$7,972.89. PowerDMS is a cloud based single platform which currently assists 3,000 law enforcement

agencies with police policies, content tracking, training and accreditation management. This budgeted expense is to be allocated from line A.3120.450, Contractual. Mayor Dwyer is authorized to sign the agreement.

Ayes: Trustees Alley, Behringer and Karl

Nays: None

**WELL #4 CLEANING PROPOSAL / WATER DEPARTMENT:**

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

**RESOLVED**, the Board of Trustees approved the request of Water Plant Operator Mabee and accepted the proposal submitted by Layne Christensen Co., 134-2 Layne Lane Schoharie, NY 12157 for the rehabilitation of Well #4 in the amount of \$32,810.00. The proposal entails the cleaning, chemical treatment, surging and inspection of Well #4 which is required every 24 to 30 months and takes approximately 4 to 5 days. The source of payment in the amount of \$32,810.00 will be split between two budget lines. \$15,000 to F/9950.9200 – Distribution Equip Reserve and \$15,000 to F/9950.9400 – Purification Reserve. Ernie Mabee, Water Plant Supervisor, will have to decide on another budget line for the remaining balance of \$2,810.00.

Ayes: Trustees Alley, Behringer and Karl

Nays: None

**MAYOR & TRUSTEE'S REPORT:**

Trustee Behringer spoke about Police Reform and that they have met their target timelines and a Police Community Relations meeting would be set up in early 2022 in a Zoom fashion.

Trustee Karl asked about the sidewalk and curb work being done in Maple Knolls. Mayor Dwyer said that is wrapped up until the Spring. Trustee Karl spoke about a water main break on Winchester and Forge and was thankful for the assistance of Rich Winters from NY Rural Waters. He wished everyone a good New Year!

**ATTORNEY'S REPORT:**

Attorney Terhune said she had the summary judgement motion from the Greenfeld case. She will also send the tax cap override to the Clerk. She is establishing the fines for parking violations in the Vehicle & Traffic Law- Parking Bureau for FBS.

**PUBLIC COMMENT:** **# PRESENT 0** **TIME: 10:14 PM**

There was no public comment.

**EXECUTIVE SESSION:**

On a motion by Trustee Behringer, seconded by Trustee Karl, and carried, following a 5-minute recess, the Board convened in Executive Session at 10:15 PM for Attorney Client, personnel.

Executive Session Minutes compiled by Mayor Dwyer.

**OPEN SESSION:** on a motion by Trustee Behringer, seconded by Trustee Alley and carried, the Open Meeting resumed at 11:27 PM.

**ADJOURNMENT:**

On a motion by Trustee Alley, seconded by Trustee Behringer and carried, no further business, the meeting was adjourned at 11:38 PM.

Respectfully Submitted,

Ann-Margret Baxter  
Village Clerk