

PROCLAMATION: JACK MICHAEL THAU – EAGLE SCOUT – COURT OF HONOR:

WHEREAS, the mission of the Boy Scouts of America is to prepare young people to make ethical and moral choices throughout their lifetimes by instilling in them the values of the Scout Oath and Law; and

WHEREAS, the designation of Eagle Scout is the highest achievement in Boy Scouts, and only 4% of Boy Scouts have earned that distinction, and;

WHEREAS, Jack Michael Thau, a member of Troop 440, has completed the requirements, and after an Eagle Scout Board of Review was convened and found him worthy of rank of Eagle Scout; and

WHEREAS, Jack Michael Thau has worked diligently to complete his project constructing five handicap accessible wood picnic tables, along with planted Green Mountain Boxwood Bushes, and three Colorado Blue Spruce Trees for the beautification of the Monroe Town Hall; and

WHEREAS, Jack Michael Thau has served his Troop and his peers, has performed selflessly on behalf of his community, having shown leadership, presentation of civic duty and has served as an example to all communities making the Village of Monroe very proud; and

NOW THEREFORE, be it proclaimed that the Village Board of Trustees, on behalf of our residents and community, wishes to acknowledge Jack Michael Thau for his attaining the rank of Eagle Scout, for his work and commitment to this community and extend to him our best wishes in all that he will do in his life and for a grateful community I say, "Thank You Sir, Well Done!"

In witness I, Neil S. Dwyer, Mayor of the Village of Monroe, have hereunto set my hand and caused to be affixed the seal and signature of the Village of Monroe on the thirtieth day of September, two thousand and twenty-two.

PUBLIC HEARING CONTINUED 10.4.22 – 7:00 PM

PROPOSED LOCAL LAW ENTITLED "MODIFICATION OF CHAPTER 195 OF THE VILLAGE CODE "WATER" TO PROTECT MOMBASHA RESERVOIR FROM CONTAMINATION"

A Public Hearing was held on Tuesday, October 4, 2022 and September 20, 2022 in the boardroom of the Village Hall, 7 Stage Road, Monroe, NY at 7:00 PM to review a proposed local law entitled Modification of Chapter 195 of the Village Code "Water" to Protect Mombasha Reservoir from Contamination. The Village Board of Trustees finds and determines that access to and recreational use of Mombasha Reservoir, the Village's drinking water, introduces a level of risk of contamination to the Village's water supply that needlessly jeopardizes the health and safety of Village residents and all others who depend on Mombasha Reservoir for safe drinking water.

Present: Mayor Dwyer, Trustees Behringer, Ferraro, Karl and O'Connor
Also present: Attorney Terhune and Clerk Zahra

On a motion by Trustee Behringer, seconded by Trustee Karl, and carried, the public hearing was opened at 7:00 PM.

There were 46 people from the public present for the public hearing. Written correspondence received is attached. The public hearing was left open for 77 minutes.

Supervisor Cardone expressed the Town of Monroe's support for the residents who border Mombasha Reservoir. Nobody could be a better gatekeeper than the residents surrounding the reservoir. See written correspondence attached.

Mariann Bischoff wrote a poem about Mombasha Reservoir and what it means to her. See written correspondence attached.

Larry O'Neill would like to see the Village of Monroe work collaboratively with the property owners surrounding the reservoir. See written correspondence attached.

Allison Priest, 24 Lakeview Drive, feels the local law should be kept as currently written and filed. Allison

says the residents help protect the lake and the land surrounding it. See written correspondence attached.

Annette Comito, West Shore Drive, has enjoyed the lake for many years. The residents volunteer their time to help protect the reservoir. She feels that permits to use the reservoir for residents and no trespassing signs would be helpful. She feels the Village needs to have better dialogue with the residents surrounding the reservoir. The harvester conductor, she finds, is confrontational.

Fred Wiebke is asking the Board to re-examine the local law modification of Chapter 195. He does not want to see all forms of recreation eliminated on the lake. See written correspondence attached.

Staci McCleary is getting to know her neighbors around the lake and feels a connection with them, as they all have the same love for it. The Village and property owners need to agree on a viable solution. The property owners would like the opportunity to be heard.

Dr. Stefan Chevalier feels that the residents surrounding the reservoir is the best 24/7 volunteer force to protect the water source. See written correspondence attached.

Brannin Russell is requesting the Board schedule another meeting to review additional information and recommendations. See written correspondence attached.

John Donelan, 34 Hain Drive, says that it's a national Geographic scene across the lake with organic material from animals getting into the reservoir. He is worried about someone getting hurt on the lake and being liable, as with the proposed local law, he will not be allowed to have a boat in the water to save them. Looking around a full boardroom of residents from Mombasha Lake, he looks forward to working with the Village and his neighbors to come to an agreement.

Mayor Dwyer says that the Board is as passionate and concerned about this body of water as the residents of Mombasha Reservoir are. We are here to protect this water source. He agrees there should be better communication with the Mombasha reservoir residents.

With no further comments or questions, on a motion by Trustee Karl, seconded by Trustee Ferraro and carried, the public hearing closed and left open for ten (10) days for written comment to be submitted at 8:17 PM.

BOARD OF TRUSTEES MEETING
TUESDAY, OCTOBER 4, 2022
(www.villageofmonroe.org)

The first of the bi-monthly meetings of the Board of Trustees was held on Tuesday, October 4, 2022 at 8:17 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 Behringer, Ferraro, Karl, and O'Connor
Also present: Attorney Terhune and Clerk Zahra

MINUTE APPROVAL – SEPTEMBER 20, 2022 BOARD MEETING:

On a motion by Trustee Behringer seconded by Trustee Karl the Minutes of the September 20, 2022 Board Meeting were approved.

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor
Nays: None

CONTINUED - BOND REDUCTION – SPRING HILL APARTMENTS:
(Minutes 9.20.22)

RESOLVED, the Board of Trustees accepts the recommendation of the Village's Engineer, John O'Rourke, PE, and approves the request for a bond reduction for Spring Hill Apartments for the work remaining to \$260,559.00. Noting that most of the items in the bond are near completed, the withheld amount is due to ongoing construction activities and remaining work. Both the Village Water and Highway Department find the recommendation acceptable.

On a motion by Trustee Behringer, seconded by Trustee Ferraro

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor

Nays: None

REQUEST TO HANG SCARECROWS & CORNSTALKS – MW GIRL SCOUTS & BOY SCOUTS:

In a letter from Barbara Mallory, Service Unit Manager for the Monroe Woodbury Girl Scouts, she requests permission of the Board of Trustees to host their annual Scarecrows in the Village activity. On Saturday October 22, 2022 (rain date of Sunday, October 23rd) the Girl Scouts would like to decorate the downtown of the Village of Monroe with cornstalks and scarecrows for the fall season. The cornstalks will be placed between 9AM-11AM by both the Girl Scouts and Boy Scouts, and then the Girl Scouts will gather in the commuter parking lot by the bus depot and Becks at 11AM to take a group photo and then will proceed to hang the scarecrows on the lamp posts. Discussion followed. Trustee Karl asked if the scarecrows could be left off the crosswalks and intersections, as at night, they look like people.

RESOLVED, the Board of Trustees approves the request of Barbara Mallory, Service Unit Manager for the Monroe Woodbury Girl Scouts, to hang corn stalks and scarecrows on the lampposts in the downtown for the fall season on Saturday October 22, 2022 between the hours of 9AM – 12PM A rain date of Sunday, October 23, 2022 has also been scheduled in case of inclement weather.

On a motion by Trustee Behringer, seconded by Trustee Karl

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor

Nays: None

RATIFICATION OF RESOLUTION OF ADOPTION OF LOCAL LAW #9 OF 2022 – AMENDING CHAPTER 200 (“ZONING”) TO VEST AUTHORITY TO PERFORM THE “MONROE BALANCING TEST” IN THE VILLAGE OF MONROE BOARD OF TRUSTEES:

**VILLAGE OF MONROE
RATIFICATION OF RESOLUTION ADOPTING A LOCAL LAW
AMENDING CHAPTER 200 (“ZONING”) TO VEST EXCLUSIVE AUTHORITY IN THE VILLAGE
OF MONROE BOARD OF TRUSTEES
TO PERFORM THE ‘MONROE BALANCING TEST’ WHEN OTHER MUNICIPALITIES SEEK
EXEMPTION FROM THE VILLAGE ZONING LAW**

WHEREAS, an introductory Local Law, titled “AMENDING CHAPTER 200 (“ZONING”) TO VEST AUTHORITY TO PERFORM THE ‘MONROE BALANCING TEST’ IN THE VILLAGE OF MONROE BOARD OF TRUSTEES,” was introduced before the Board of Trustees of the Village of Monroe on September 6, 2022; and

WHEREAS, a duly noticed public hearing was held on September 20, 2022, whereat all interested persons were provided the opportunity to be heard and after determining that no one wished to be heard on the matter, the public hearing was closed; and

WHEREAS, the Board of Trustees determined that the adoption of this local law is a Type II action pursuant to the State Environmental Quality Review Act (“SEQRA”) pursuant to 6 NYCRR 617.5(c)(33), “adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list,” and, therefore, not subject to further environmental review; and

WHEREAS, the Board of Trustees adopted the Local Law at its September 20, 2022; and

WHEREAS, the Village Attorney advised the Board that further research indicated that the Local Law may have required referral to the Orange County Planning Department pursuant to General Municipal Law § 239-m; and

WHEREAS, to avoid any potential claim of jurisdictional, the Local Law was referred to the Orange

County Planning Department (“OCDP”) pursuant to General Municipal Law § 239-m which responded by letter dated September 21, 2022, finding that the action would have no significant intermunicipal or countywide impacts and, therefore, the action was a “local determination.”

NOW THEREFORE, BE IT RESOLVED, that the introductory Local Law, titled “**AMENDING CHAPTER 200 (“ZONING”) TO VEST AUTHORITY TO PERFORM THE ‘MONROE BALANCING TEST’ IN THE VILLAGE OF MONROE BOARD OF TRUSTEES,**” of the Village of Monroe, adopted on September 20, 2022, as Local Law No. 9, be and hereby is ratified as Local Law No. 9 of 2022 of the Village of Monroe.

On a motion by Trustee Karl, seconded by Trustee O’Connor

Ayes: Trustees Behringer, Ferraro, Karl and O’Connor

Nays: None

ADOPTION – LOCAL LAW #10 OF 2022 – “MODIFICATION OF CHAPTER 195 OF THE VILLAGE CODE “WATER” TO PROTECT MOMBASHA RESERVOIR FROM CONTAMINATION”:

(Minutes 9/20/2022, 10/4/2022)

This matter has been tabled, no action taken.

EVENT APPLICATION – VILLAGE OF MONROE HALLOWEEN PARADE 2022:

RESOLVED, the Board of Trustees approves the event application submitted by Mayor Dwyer to host a Halloween Parade on Saturday, October 29, 2022 beginning at 12:00PM. Parade participants will start out at the Village of Monroe Commuter Lot on Millpond Parkway and utilize the Heritage Trail, walking towards the center of the Village for a candy crawl through the business district. The participants will then walk along Carpenter Place, make a left onto Mapes Place and then a right onto Spring Street where they will enter Smith’s Clove Park to participate in a Halloween Community Celebration, including pumpkin painting and hay rides. Approval and sign-off of the event application has been completed by the Building Department, Highway Department, and Police Department. The Monroe Police Department will provide one (1) police officer on three (3) hours of overtime to assist with pedestrian traffic during the parade. The estimated cost for additional police services is \$205.50. Emergency services and the Village’s insurance carrier, Marshall & Sterling, will be copied on the approval letter.

On a motion by Trustee Karl, seconded by Trustee Behringer

Ayes: Trustees Behringer, Ferraro, Karl and O’Connor

Nays: None

DISCUSSION – LEASE BUYOUT - BUILDING DEPARTMENT:

The lease for the 2019 Jeep Compass Latitude 4X4, VIN# 3C4NJDBBKT – 709868 from Suresky & Son, 2 Hatfield Lane, Goshen, NY is about to expire. The buyout amount for this vehicle is \$15,317.57 plus tag, and DMV. Discussion followed. Trustee Karl questioned the mileage on the vehicle, the mileage is low considering it is used for the Building Department. He also felt that the buyout price was not a bargain considering the agreed price of \$28,810.00, whereas the actual is over \$31,000.00.

RESOLVED, the Board of Trustees authorizes Mayor Dwyer to purchase the 2019 Jeep Compass Latitude 4X4, VIN# 3C4NJDBBKT – 709868 for the Building Department. The cost of this vehicle will be allocated from budget line A.3620.300, Building Insp. Motor Vehicle.

On a motion by Trustee Behringer, seconded by Trustee Karl

Ayes: Trustees Behringer, Ferraro, Karl and O’Connor

Nays: None

B & B CUCINA 1, LLC DBA LA VERA CUCINA STATE LIQUOR AUTHORITY 30 DAY WAIVER REQUEST:

WHEREAS, B & B Cucina 1, LLC dba La Vera Cucina, located at 43 Hillside Terrace Monroe, NY, has applied for their Liquor License with the New York State Liquor Authority as required by law; and

WHEREAS, the Board of Trustees of the Village of Monroe takes no exception to the approval of the Liquor License and hereby waives its right to a thirty (30) day hold on the license application for B & B Cucina 1, LLC dba La Vera Cucina;

NOW THEREFORE BE IT RESOLVED, the Board of Trustees waive its right to require a thirty (30) day hold on the B & B Cucina 1, LLC dba La Vera Cucina license application.

On a motion by Trustee Behringer, seconded by Trustee Ferraro

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor

Nays: None

AGREEMENT – CORNERSTONE ENGINEERING AND GEOLOGY, PLLC – POND SEDIMENT EVALUATION:

RESOLVED, the Board of Trustees authorizes Mayor Dwyer to sign an agreement with Cornerstone Engineering and Geology, PLLC to prepare the permit applications to obtain the required permits from NYDEC, USACE, and the Village of Monroe for the Millponds dredging project. The permitting will include both the north and south ponds, even though the dredge will be completed during separate seasons. The estimated cost to complete this scope of work is \$58,711.00 and will be allocated from budget line A.7110.4500, Parks Contractual.

On a motion by Trustee Behringer, seconded by Trustee Karl

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor

Nays: None

RESOLUTION – MODIFYING CHAPTER 43 OF THE VILLAGE CODE “VEHICLES AND TRAFFIC” TO PROHIBIT VEHICLE PARKING OR STANDING ON 425 STATE ROUTE 208:

WHEREAS, after consultation with the Chief of Police of the Village of Monroe Police Department, the Board of Trustees determined that vehicles parked or standing in the road or shoulder along the curved portion of State Route 208 from approximately 50 feet north of the entrance of 425 State Route 208 and extending southbound to the intersection of Gilbert Street Extension limit safe sight distance and, therefore, pose a threat to the health and welfare of Village residents and visitors; and

WHEREAS, the Chief of Police of the Village of Monroe having recommended the proposed “no parking or standing” restrictions described herein to the New York State Department of Transportation, the agency having jurisdiction over state roads, and the DOT has agreed that such restrictions would further public safety; and

WHEREAS, upon the adoption of this Resolution the DOT will place “no parking or standing” signage along the relevant section of Route 208; and

WHEREAS, Section 43-9A of the Village Code authorizes the Board of Trustees by duly enacted Resolution to modify the “no parking, no standing” list; and

WHEREAS, because the prohibition of parking on Village Streets is not an “action” under the State Environmental Quality Review Act (“SEQRA”) it is not subject to environmental review.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Monroe hereby authorizes the Chief of Police to submit a copy of this Resolution to the DOT and request that the DOT place “no parking or standing” or similar such restrictive signs along the curved portion of State Route 208 from approximately 50 feet north of the entrance of 425 State Route 208 and extending southbound to the intersection of Gilbert Street Extension.

BE IT FURTHER RESOLVED, that the curved portion of State Route 208 from approximately 50 feet north of the entrance of 425 State Route 208 and extending southbound to the intersection of Gilbert Street Extension shall be added to the “no parking” and “no standing” list maintained by the Village Clerk and shall be enforced by the Village of Monroe Police Department.

On a motion by Trustee Karl, seconded by Trustee O’Connor

Ayes: Trustees Behringer, Ferraro, Karl and O’Connor

Nays: None

MAYOR & TRUSTEE’S REPORT:

Nothing to report.

ATTORNEY’S REPORT:

Nothing to report.

PUBLIC COMMENT: # PRESENT 4 TIME: 8:35PM

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 8:35 PM for discussion of Pending Litigation.

OPEN SESSION:

On a motion by Trustee Behringer, seconded by Trustee Ferraro and carried, the Open Meeting resumed at 10:00 PM.

ADJOURNMENT:

On a motion by Trustee Behringer, seconded by Trustee Ferraro and carried, no further business, the meeting was adjourned at 10:00 PM.

Respectfully Submitted,

Kimberly Zahra
Village Clerk

Tony Cardone

The residents of the Mombasha lake area made a presentation to the Town Board last evening.

Town Board has expressed support for the residents of the Town who border Mombasha lake, no one can assist or be a better gate keeper of the Lake, which they are currently doing. A group of residents met with the Town Board

Section 3 Item 6 – Attorney question- Can the Village board if a party owns a portion of the Lake, prohibit that party from using the lake portion they own to swim, boat, fish, snowmobile, show shoe or any other similar activity? Can a property owner fish from the shore of their property?

If what is stated in section 4..... that the legislative intent is to supersede any provision of any local law, rule or regulation and any provision of the state Village Law or other special law that may be declared inconsistent or in conflict with this local law. **Will NY State Law supersede your laws?**

How will this law if enacted be regulated? Currently it is the residents who have been policing Sharons cove area and tidying up that area of land located in the Town. The Town has also with much assistance from Lyla Proux & her family done regular clean-up at the access point and leading up to the lake. It was also a focus point during Clean Sweep in the spring by the Town.

.A group of residents met with at Town Hall last week and as stated presented to the Monroe Town Board last evening. They Respectfully expressed displeasure of the new law, and thus The Monroe Town Board requests the public hearing remain open until a group can be formed to work through these issues. No Village Board member has expressed an immediate danger of contamination to the Lake, or what the potential contamination is and that leads to my final question.

Based on the statements at the stakeholders meeting, the lack of serious discussion during those meetings with the panel.....**What is the nature of potential contamination from residents use of the Lake that exists?**

October 4, 2022

Honorable Mayor Neil S Dwyer
Village Trustee Debbie Behringer
Village Trustee John Karl III
Village Trustee Martin O'Connor
Village Trustee Andrew Ferraro
Village Clerk Kim Zahra
Village of Monroe
7 Stage Road
Monroe, NY 10950

Dear Mayor Dwyer and Village of Monroe Trustees,

Thank you for all the hard work you are doing for the Village of Monroe. Thank you also for accepting my personal written public comment to the proposed new Village Code Chapter 195 Section 10/Local Law 10 that would replace the Code in effect since 1977 and would eliminate all recreation on Lake Mombasha.

My questions are:

- What prompted you to propose eliminating lake recreation with has been occurring since the 1800's?
- What justification is there for taking away permitted recreation on Mombasha Reservoir?
- Why are you proposing restrictions that are stricter than NYC reservoirs that allow boating and fishing?
- When Village water reports, including 2021 and your consultants reports show no contamination from boating or fishing, why are you proposing to eliminate those activities?
- Do you recognize that residents with property abutting the lake have been good stewards of the lake?
- Do you recognize the extent to which lake abutting residents have protected the lake?

Mombasha Reservoir has been a integral part of my development and my life. I only wrote poetry once before in my life. A few days ago, I sat down and the poem on the next two page came out of me. Thank you for reading it and trying to hear me.

Sincerely yours,

Mariann Bischoff

Need to care for the lake

*What I learned from my dad, my grandpa, my nana, my mom
I learned from the lake, the land and the community that loved and cared for it
Reciprocity
The lake supported our community, it brought us together, kept us together
The lake, the land held me*

*My first visceral knowing
There is something greater than myself that I am a part of, connected with
It holds me in pain, me in joy, me in the mundane, me in ecstasy, me feeling lost & alone*

*Reciprocity
I care for the lake
I didn't have to learn it from scripture, in fact, scripture made sense to me because of the lake
Reciprocity
I notice her waters, her changes,
I remove the garbage left by those who haven't yet remembered,
Reciprocity
I teach others:
Listen, what do you hear
Look, what do you see
Sniff, what scents do you smell
Feel the physical and metaphysical enter you
Reciprocity, what gifts do you offer*

*I learned responsibility
I learned interconnection
Words came later
Now some words that depict some of what I learned from my dad, my grandpa, my nana, my mom, the lake, the land:*

Today we have gathered, and we see that the cycles of life continue. We have been given the duty to live in balance and harmony with each other and all living things.

*So now, we bring our minds together as one
as we give greetings and thanks to each other as people.*

Now our minds are one.

We are all thankful to our Mother, the Earth, for she gives us all that we need for life. She supports our feet as we walk about upon her. It gives us joy that she continues to care for us as she has from the beginning of time.

To our mother, we send greetings and thanks.

Now our minds are one.

We give thanks to all the waters of the world for quenching our thirst and providing us with strength. Water is life. We know its power in many forms- waterfalls and rain, mists and streams, lakes and oceans.

With one mind, we send greetings and thanks to the spirit of Water.

Now our minds are one.

Gratitude begets responsibility

I offer the skills, love and peacefulness my community's stewardship of the lake has given me

In humility, kinship and connection, I offer

I offer my continued stewardship for the lake and its community

- mariann (kolb) bischoff

And thank you to the Haudenosaunee for their Thanksgiving address, part of which I borrowed here; all of which nourishes me. And thank you to Robin Wall Kimmerer who, in her collection of essays Braiding Sweetgrass, offered me the word 'reciprocity' to describe and deepen what I already knew.

Kim Zahra

From: Larry O'Neill <larryoneill62@gmail.com>
Sent: Tuesday, October 4, 2022 7:38 PM
To: Kim Zahra
Cc: Mariann Bischoff
Subject: O'Neill public comments from 10/4 Village Board meeting

Larry O'Neill
8 Reilly Rd.
Town of Monroe

The lakefront residents of Mombasha want to work collaboratively with the Town and Village on this matter. We are the ecosystem of the lake.

We appreciate the paving of Reilly Rd., as a first step towards working together with Town residents who own lakefront property on Mombasha

While the outcome of this action by the Village was positive It was done with little/no communication in advance.

A consistent theme here, a lack of collaboration.

In various forums since 2019, the lakefront residents have offered multiple suggestions to assist the Village in its pursuit of a clean and efficient potable water delivery system:

1. Work with the DPW to have organized Invasive Pulling events in coordination with the Village
2. Have the DEC provide education to lakefront residents on how to be even better stewards of the lake than we do today.
3. Have lakefront residents perform water sample testing and recording of fishing statistics to report to the Village for ongoing monitoring of the health of the lake
4. Have the lakefront residents provide periodic patrols and report any noted violations.
5. This saves the scarce Village resources for other projects and provides the service for free.
6. Actually set up a process for permitting, restricted to lakefront residents.

All of these suggestions aim to prioritize the needs of the Village, while also preserving the interests of the lakefront residents.

We seek dialogue with the Village to achieve our mutual goals.

These proposals have been made and they can be seen as our commitment to work with the Village and to engage in ongoing dialogue.

We welcome any suggestions to come from the Village Board to this end.

A unilateral decision to move forward the proposed change of Village local law Negatively affect Town residents property values, and the conditions under which we bought or built our homes.

We implore each of you to consider the benefits of a collaborative solution and to rescind the proposed change of village local law.

Larry ONeill

Sent from my iPhone

Kim Zahra

From: Neil Dwyer
Sent: Monday, October 3, 2022 2:47 PM
To: Kim Zahra
Subject: FW: Table vote 95 mombasha lake

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Allison Priest <alleycatt688@gmail.com>
Date: 9/29/22 7:56 AM (GMT-05:00)
To: Mayor Dwyer <mayor.dwyer@villageofmonroe.org>
Subject: Table vote 95 mombasha lake

Dear Neil,

I Allison Priest and my family have lived on 24 Lakeview Dr. for over 50 years. I grew up as a child visiting my grandmother in the house I currently live in. We have always taken care of respected and loved lake. My grandmother taught me the beauty of nature and all of the creatures that live in this beautiful surroundings. Above and below the water. It is truly a jewel in the rift. It was so important to keep this jewel in our family that I kept this house in the family after her death to raise my children and their children and so on. Please table to vote so we have a chance to get together with you like we originally planned and come up with a solution that meets everybody's needs. The amount of boats that I see on this lake are minimal . The community that surrounds the lake right now has shown how much they love and care about it. I have since 2017 been pulling weeds. When o realizes the problem was getting out of control I came to the village meetings. I spoke, showed pictures and asked for help. I would go out on my kayak and pull the weeds in front of my house by hand. I have been to multiple meetings asking for help to clean up the lake and with Annettes help and prisms help we finally were able to get the harvester. We have done our part as good neighbors to try to keep the health of the lake the number one priority. We would like to continue to do this. I hope you take into consideration the possibilities of people selling and others who have no history moving in and having no respect for the lake. It is Crucial that we surround the lake with people that love it and have its best interest in mind. That is us the gate keepers of lake Mombasha You already have the best watch tower and it cost you nothing but being good neighbors to one another. With our help we can continue with prisms suggestions on how to keep the lake clean as a team and also keep trespassers off of the lake. Keep our animals safe and drinking water healthy. Thank you for your time.

Respectfully, Allison Priest

October 4, 2022

Good evening Mayor Dwyer, Board of Trustees and Counsel Terhune,

I am Fred Wiebke. I am a resident of Camp Comfort on the shores of Lake Mombasha.

I have attended all of the Village of Monroe and Town of Monroe public hearings and workshops that address the topic of Lake Mombasha recreational use.

In addition, I have written two letters to the Mayor, Board and Village Attorney.

I have also sent a letter to the Village of Monroe Justices, The Honorable Justice Strauss and Honorable Justice Rosario.

Our neighboring Village of Tuxedo Park also has a reservoir known as Tuxedo Lake used for their residents drinking water.

The main difference between Lake Mombasha and Tuxedo Lake is that the Village of Tuxedo Park Local Law allows for..... “the owners of record of property adjoining the shoreline of Tuxedo Lake are permitted to place boats in and on Tuxedo Lake” as provided in Tuxedo Park Local Law Chapter 65-2G - Rules and Regulations applicable to Tuxedo Lake.

I am just one of the many lakeside residents on Lake Mombasha who ask the Village of Monroe to re-examine the Local Law modification of Chapter 195 which seeks to eliminate all forms of recreation on the lake.

Please consider the historic tradition of boating on Mombasha Lake, a tradition that has existed for well over 100 years, just as the lakeside residents on Tuxedo Lake continue to enjoy.

**Respectfully submitted
Fred Wiebke**

**Nettie-Fred Cooperative Corporation
(Camp Comfort) 40 Water Plant Road, Monroe, NY 10950**

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Village of Tuxedo Park, NY / Part II, General Legislation

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Chapter 65 Lakes and Ponds

New Laws

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Title	Adopted	Subject	Affects
L.L. No. 1-2021		Lakes and Ponds Amendment	Ch 65
L.L. No. 3-2011	2011-09-07	Lakes and Ponds Amendment	Ch 65

[HISTORY: Adopted by the Board of Trustees of the Village of Tuxedo Park 6-23-2008 by L.L. No. 3-2008.]

[1]

Amendments noted where applicable.]

GENERAL REFERENCES

Landing of aircraft on lakes — See Ch. 27.

Flood damage prevention — See Ch. 55.

Storage tanks near lakes or ponds — See Ch. 87.

Water — Ch. 97.

[1]

Editor's Note: This local law also repealed former Ch. 65, Lakes and Ponds, adopted 9-18-1991 by L.L. No. 1-1991, as amended.

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New Laws



Title	Adopted	Subject	Affects
L.L. No. 1-2021		Lakes and Ponds Amendment	Ch 65
L.L. No. 3-2011	2011-09-07	Lakes and Ponds Amendment	Ch 65

[HISTORY: Adopted by the Board of Trustees of the Village of Tuxedo Park 6-23-2008 by L.L. No. 3-2008. ^[1] Amendments noted where applicable.]

GENERAL REFERENCES

Landing of aircraft on lakes — See Ch. 27.

Flood damage prevention — See Ch. 55.

Storage tanks near lakes or ponds — See Ch. 87.

Water — Ch. 97.

[1] *Editor's Note: This local law also repealed former Ch. 65, Lakes and Ponds, adopted 9-18-1991 by L.L. No. 1-1991, as amended.*

§ 65-1 Legislative findings.

- A. The bodies of water within the Village of Tuxedo Park known as "Tuxedo Lake," "Pond No. 3" and "Wee Wah Lake" (herein the "lakes") are owned by the Village of Tuxedo Park. Tuxedo Lake is the primary source of domestic water supply for the residents of said Village, as well as the residents of the area within the Town of Tuxedo commonly referred to as "the hamlet." In the event of a water shortage, Pond No. 3 and Wee Wah Lake may, with proper treatment, be used to supplement the water supply from Tuxedo Lake. Adequate and suitable water for water supply, for domestic and other uses, is essential to the health, safety and welfare of the residents of the Village of Tuxedo Park and those residents of the Town of Tuxedo who receive their water supply from said Village. The unreasonable, uncontrolled and unnecessary interference with and disturbance of these bodies of water could create hazards to the health, safety and welfare of the persons who are dependent upon these bodies of water for domestic water-supply purposes.
- B. The Village of Tuxedo Park has granted certain privileges to the following three organizations: the Wee Wah Fishing Club, with privileges relating to the use of Wee Wah Lake for fishing purposes in exchange for certain responsibilities to be performed by said club, including the stocking of said lake with fish; the Wee Wah Beach Club in respect to swimming in Wee Wah Lake in exchange for certain responsibilities to be performed by said club, including the supervision of swimming in Wee Wah Lake; and the Village Boat Club, with privileges relating to boating on Tuxedo Lake in exchange for certain responsibilities relating to the maintenance of docking facilities. Eligibility requirements for membership in the organizations are specified by the Village in its respective grants of privilege to each organization, as amended from time to time.
- C. The Board of Trustees of the Village of Tuxedo Park, therefore, determines that provision be made for the regulation and supervision of activities that would damage or otherwise adversely affect the waters of Tuxedo Lake, Pond No. 3 and Wee Wah Lake.

§ 65-2 Rules and regulations applicable to Tuxedo Lake.

The following rules and regulations shall apply to the use of the body of water within the Village known as "Tuxedo Lake":

- A. No person shall bathe, swim, wade or otherwise immerse himself or herself in the waters of Tuxedo Lake.
- B. No person shall place, install or otherwise erect any permanent dock, permanent offshore floating platform, boathouse or similar structure on or in the waters or shoreline of Tuxedo Lake unless such structure was in existence in the same location prior to February 20, 1987. An inventory of such structures shall be on file with the Village Building Inspector for record. In creating such inventory, the Village Building Inspector will first record all permanent structures in existence on June 30, 2008. For a structure not in existence on June 30, 2008, to be included in such inventory, prior to June 30, 2009, a property owner must provide evidence to the Village Building Inspector demonstrating that such a structure was in existence prior to February 20, 1987. If a structure has not been so identified to the Village Building Inspector by June 30, 2009, or was not legally in existence on June 30, 2008, it may not subsequently be rebuilt.
- C. No person shall place, install, rebuild or otherwise erect a nonpermanent structure on Tuxedo Lake unless such structure was legally deployable on Tuxedo Lake on June 30, 2008, or unless such structure is otherwise in compliance with this chapter. An inventory of such structures on June 30, 2008, shall be made and maintained on file with the Building Inspector. An owner of property abutting Tuxedo Lake may place, install or otherwise erect one seasonal, floating or otherwise nonpermanent structure that complies with the requirements of this chapter. Any such nonpermanent structure must be securely attached to the shore, and be limited in size so that it has a lakefront length

of not more than 10 feet and does not extend into the lake more than six feet (exclusive of any bridging mechanism described in this subsection). Structures may be attached directly to the shore or may be attached to the shore by a nonpermanent bridging mechanism that itself is not more than four feet wide and does not extend into the lake more than five feet. No person may own or maintain more than one such structure on each property owned by such person.

- D. No rebuilding as authorized by Subsection **B**, above, or installation of a nonpermanent structure as authorized by Subsection **C** above, shall take place unless a permit therefor has been approved by the Board of Trustees and issued in the name of the Board by the Village Clerk. The Board of Trustees shall issue such permit if the structure complies with the requirements of this § **65-2**; the applicant has demonstrated to the satisfaction of the Board of Trustees that the construction or rebuilding will not endanger the water supply or otherwise be detrimental to the Village's environment; and the applicant has obtained approvals of any other board that may be required under the Village Law. For all purposes, including the issuance of permits under this subsection, the provisions of § **65-2B** and **C** shall not apply to the Tuxedo Club or the Village Boat Club, which shall instead be subject to § **65-2E**.
- E. The Tuxedo Club and the Village Boat Club are restricted from expanding the square footage or number of permanent and seasonal docks, or the number of moorings, beyond the facilities approved by the Board of Trustees prior to June 30, 2008, or such later date as the Board of Trustees designates as the date for the Board to make a final approval of the facilities available to each of the Tuxedo Club and the Village Boat Club under this § **65-2**, except that the number of moorings may be increased as provided in this § **65-2E**. Moorings may only be used for sailboats. A record of approvals applicable to such facilities in effect at that date shall be maintained in the Village Office by the Village Building Inspector. This record shall include the permit, the approved plan of dock configuration (which shall describe the approved arrangement and square footage of the docks), the exact placement of moorings, and photographs of the existing condition at the time of the approval. No alteration of the configuration of the approved docks or relocation of the approved moorings shall be made unless approved by resolution of the Board of Trustees. In addition, upon application to the Board of Trustees by the Tuxedo Club or the Village Boat Club, the number of moorings available to either such organization may be increased above the number specified by the Board of Trustees pursuant to this subsection. Approval of any such increase will be effective for a period of up to one year upon the terms approved by resolution of the Board of Trustees, which may upon application renew the approval in subsequent years.
- F. No person shall place more than one pontoon boat on Tuxedo Lake. The provisions of this § **65-2F** shall not apply to the Tuxedo Club or to the Village Boat Club.
- G. Only the following persons are permitted to place boats in and on Tuxedo Lake:
 - (1) The owners of record of property adjoining the shoreline of Tuxedo Lake.
 - (2) The Tuxedo Club and the Village Boat Club and their respective members.
 - (3) Officers, employees and duly designated agents of the Village, but only for the purpose of carrying out their official duties as such officers, employees and agents.
- H. In situations where the Superintendent of Public Works or the Chief of Police determines that corrective measures must be taken to eliminate extreme algae growth in Tuxedo Lake, or for environmental, safety or health reasons, the Superintendent or Chief of Police may authorize the use of a boat powered by means other than electricity, sails or oars on the waters of Tuxedo Lake for the purpose of undertaking such corrective measures.
- I. No person owning or harboring a domestic animal shall permit or allow such animal to enter the waters of Tuxedo Lake.
- J. Ice skating on Tuxedo Lake is prohibited.

§ 65-3 Permit required for boats on lakes.

- A. No person authorized within this chapter to place a boat in or on the waters of any of the three lakes shall place a boat in or on the waters of any of the three lakes unless a permit therefor shall have been issued by the Village Clerk. Applications for a permit shall be made by the owner of a boat upon a form to be prescribed and furnished by the Village Clerk. Such form shall require a certification from the owner that the owner will comply with procedures approved by the Village for the cleaning of all boats placed in any of the lakes. A fee in an amount set by resolution of the Board of Trustees shall be paid to the Village by the applicant for a permit at the time the application is submitted. Such fee shall be refunded to the applicant in the event that a permit is not issued. The Village Clerk shall maintain a register of all such permits, which will include the name, address and telephone number of each permit holder and a description of the holder's boat, including length, color, make, purchase date and the date on which the boat was first put into or on any of the lakes.
- B. No permit shall be issued hereunder unless the boat conforms to the requirements and regulations contained in this chapter.
- C. Any permit issued hereunder shall be issued in duplicate, and the person to whom such permit is issued shall affix the same on both sides of the boat, near the bow, in a location where the permit will be visible at all times. Such permit shall be displayed whenever a boat is in or on the waters of the lakes.
- D. All permits issued hereunder must be renewed annually. The Board of Trustees, in its discretion, may revoke or deny renewal of the permit of a holder who it determines has repeatedly violated Village laws or the provisions of this Code in connection with the use of the boat to which the permit relates.
- E. Any boat owned or operated by the Village or by any department thereof shall be required to obtain a permit but shall

not be subject to any licensing or other fee.

§ 65-4 Rules and regulations applicable to Wee Wah Lake.

The following rules and regulations shall apply to the use of the body of water within the Village known as "Wee Wah Lake."

- A. No person may fish in or on the waters of Wee Wah Lake unless he or she is a member or an accompanied guest of a member of the Wee Wah Fishing Club or is a resident or nonresident property owner or an accompanied guest of a resident or nonresident property owner of the Village.
- B. No person shall bathe, swim, wade or otherwise immerse himself or herself in the waters of Wee Wah Lake, unless he or she is a member or guest of a member of the Wee Wah Beach Club or the owner of property that adjoins the waterline of Wee Wah Lake or the guest of such property owner.
- C. Residents of the Village (and nonresident property owners) may launch and retrieve boats for use on Wee Wah Lake in accordance with regulations posted by the Village.
- D. No person shall operate, allow or otherwise permit a boat owned by him or her or under his or her control to enter in the areas of Wee Wah Lake which have been designated by the Wee Wah Beach Club as swimming areas. The prohibition contained in this subsection shall not apply to boats operated by or under the direct control or supervision of the Department of Public Works or the Police Department.
- E. No person shall place, install, rebuild or otherwise erect any permanent dock, permanent offshore floating platform, boathouse or similar structure on or in the waters or shoreline of Wee Wah Lake unless such structure was in existence in the same location prior to February 20, 1987. Notwithstanding the preceding sentence, the concrete permanent structure used by the Wee Wah Beach Club shall be permitted to remain. An inventory of such structures shall be on file with the Village Building Inspector for record. In creating such inventory, the Village Building Inspector will first record all permanent structures in existence on June 30, 2008. For a structure not in existence on June 30, 2008, to be included in such inventory, prior to June 30, 2009, a property owner must provide evidence to the Village Building Inspector demonstrating that such a structure was in existence prior to February 20, 1987. If a structure has not been so identified to the Village Building Inspector by June 30, 2009, or was not legally in existence on June 30, 2008, it may not subsequently be rebuilt.
- F. No person shall place, install or otherwise erect a nonpermanent structure on Wee Wah Lake unless such structure was legally in existence on June 30, 2008, or unless such structure is otherwise in compliance with this chapter. An inventory of such structures on June 30, 2008, shall be made and maintained on file with the Building Inspector. An owner of property abutting Wee Wah Lake may place, install or otherwise erect one seasonal, floating or otherwise nonpermanent structure that complies with the requirements of this chapter. Any such nonpermanent structure must be securely attached to the shore, and be limited in size so that it has a lakefront length of not more than 10 feet and does not extend into the lake more than six feet (exclusive of any bridging mechanism described in this subsection). Structures may be attached directly to the shore or may be attached to the shore by a nonpermanent bridging mechanism that itself is not more than four feet wide and does not extend into the lake more than five feet. No person may own or maintain more than one such structure.
- G. No rebuilding as authorized by Subsection E above, or installation of a nonpermanent structure as authorized by Subsection F above, shall take place unless a permit therefor has been approved by the Board of Trustees and issued in the name of the Board by the Village Clerk. The Board of Trustees shall issue such permit if the structure complies with the requirements of this § 65-4, the applicant has demonstrated to the satisfaction of the Board of Trustees that the construction or rebuilding will not endanger the water supply or otherwise be detrimental to the Village's environment, and the applicant has obtained approvals of any other board that may be required under the Village Law.
- H. No person shall skate on the frozen surface of Wee Wah Lake, except in areas designated by the Board of Trustees and at such times as the Village Police Department has posted appropriate notice that such activity is permitted.
- I. No person owning or harboring a domestic animal shall permit or allow such animal to enter the waters of Wee Wah Lake.
- J. The Village hereby reserves to itself the authority to promulgate rules and regulations to carry forth the intent of Subsections A and C of this § 65-4, including the authority to limit the age of those who may engage in such activities on an unsupervised basis and the times of the year and times of the day when such activities may be carried out.

§ 65-5 Rules and regulations applicable to Pond No. 3.

The following rules and regulations shall apply to the use of the body of water in the Village known as "Pond No. 3":

- A. No person shall place, install, rebuild or otherwise erect any permanent dock, permanent offshore floating platform, boathouse or similar structure on or in the waters or shoreline of Pond No. 3 unless such structure was in existence in the same location prior to February 20, 1987. An inventory of such structures shall be on file with the Village Building Inspector for record. In creating such inventory, the Village Building Inspector will first record all permanent structures in existence on June 30, 2008. For a structure not in existence on June 30, 2008, to be included in such inventory, prior to June 30, 2009, a property owner must provide evidence to the Village Building Inspector demonstrating that such a structure was in existence prior to February 20, 1987. If a structure has not been so identified to the Village Building Inspector by June 30, 2009, or was not legally in existence on June 30, 2008, it may not subsequently be rebuilt.
- B. No person shall place, install or otherwise erect a nonpermanent structure on Pond No. 3 unless such structure was

legally in existence on June 30, 2008, or unless such structure is otherwise in compliance with this chapter. An inventory of such structures on June 30, 2008, shall be made and maintained on file with the Building Inspector. An owner of property abutting Pond No. 3 may place, install or otherwise erect one seasonal, floating or otherwise nonpermanent structure that complies with the requirements of this chapter. Any such nonpermanent structure must be securely attached to the shore, and be limited in size so that it has a lakefront length of not more than 10 feet and does not extend into the lake more than six feet (exclusive of any bridging mechanism described in this subsection). Structures may be attached directly to the shore or may be attached to the shore by a nonpermanent bridging mechanism that itself is not more than four feet wide and does not extend into the lake more than five feet. No person may own or maintain more than one such structure.

- C. No rebuilding as authorized by Subsection **A**, above, or installation of a nonpermanent structure as authorized by Subsection **B**, above, shall take place unless a permit therefor has been approved by the Board of Trustees and issued in the name of the Board by the Village Clerk. The Board of Trustees shall issue such permit if the structure complies with the requirements of this § 65-5, the applicant has demonstrated to the satisfaction of the Board of Trustees that the construction or rebuilding will not endanger the water supply or otherwise be detrimental to the Village's environment, and the applicant has obtained approvals of any other board that may be required under the Village Law.
- D. No person shall bathe, swim, wade or otherwise immerse himself or herself in the waters of Pond No. 3 unless he or she is the owner of property that adjoins the waterline of Pond No. 3 or the guest of such property owner.
- E. No person shall skate on the frozen surface of Pond No. 3 except in areas designated by the Board of Trustees and at such time as the Police Department has posted appropriate notices that such activity is permitted.
- F. No person owning or harboring a domestic animal shall permit or allow such animal to enter the waters of Pond No. 3.

§ 65-6 Rules and regulations for all lakes and ponds.

The following rules and regulations shall apply to the use of the three bodies of water in the Village referred to as the lakes in this chapter:

- A. No motor vehicles, as that term is defined in the Vehicle and Traffic Law of the State of New York, shall be parked or left standing on any of the streets of the Village surrounding any of said lakes, except with the written permission of the Board of Trustees or the Chief of Police. Notwithstanding the definition of the term "motor vehicle" contained in the Vehicle and Traffic Law of the State of New York, the term "motor vehicle," as used in this chapter, shall also include a snowmobile, a boat trailer and other recreational vehicle not specifically defined under the Vehicle and Traffic Law of the State of New York, but shall not include fire and police vehicles and vehicles of the Department of Public Works.
- B. Access to any of said lakes for the purposes permitted in this chapter shall be from such locations as have been designated in this chapter. The Board of Trustees may, from time to time, designate additional locations from which persons may have access to any of said lakes for the purposes permitted in this chapter. Notwithstanding the foregoing, the owners and lessees of property adjoining the shoreline of said lakes and their guests, members and invitees shall have access to any of said lakes from such property for purposes permitted in this chapter.
- C. Any person operating or riding as a passenger in any boat on the waters of any of said lakes must, at all times, conform to the safety regulations promulgated by the United States Coast Guard.
- D. This chapter shall not relieve any person from complying with any rule, regulation or law of the State of New York requiring a person to obtain a license before fishing on any of said lakes.
- E. No person shall deposit garbage, refuse, putrescible matter or any other matter that pollutes water in any of said lakes.
- F. No boats that have been treated or otherwise surfaced with antifouling or toxic bottom paints shall be placed in the waters of any of said lakes. The term "antifouling or toxic bottom paints" shall mean paints containing cuprous oxide, tributyltin fluoride or similar compounds.
- G. No person shall place a boat, trailer or dock in any of the lakes unless such boat, trailer or dock has been steam-cleaned or cleaned by other measures approved by the Village in accordance with procedures approved by the Village prior to the time it is initially placed in one of the lakes and at such times thereafter as may be required by rules adopted by the Board of Trustees. Cleaning shall take place at a site that does not drain into one of the lakes. A certificate of compliance with this procedure for each boat must be recorded by the Department of Public Works and filed with the Village Clerk.
- H. No person shall place any boat that is greater than 20 feet in length overall in or on the waters of any of said lakes unless the boat is an antique electric boat built prior to 1936 and under 30 feet in length. This subsection shall not apply, however, to any boat that is greater than 20 feet in length overall which was in service on any of said lakes prior to February 20, 1987. No person shall replace any such boat with another boat greater than 20 feet in length.
- I. No person hereinafter authorized shall place a boat in or on the waters of the lakes, other than a boat powered by electricity, sails or oars. Any such boat shall be subject to the permit provisions contained in § 65-3 hereof.
- J. No person shall place any pontoon boat on Wee Wah Lake or Pond No. 3. No homeowner or other person shall place more than one pontoon boat on Tuxedo Lake. No homeowner or other person shall place more than a total of three boats of any kind on the lakes, or at any dock, offshore float, floating platform or other similar structure owned by such a person, or permit any other person to moor or maintain a boat at such a structure. The provisions of this § 65-6J shall not apply to the Tuxedo Club or to the Village Boat Club.

- K. No club, organization or other person shall stock any of the lakes with fish without prior written consent from the Board of Trustees.
- L. No ice fishing is permitted on any of the lakes without prior written consent of the Village and prior written consent of the New York State Department of Environmental Conservation.
- M. The Board of Trustees shall annually appoint one or two individuals to act as Lake Wardens for one-year terms. Such persons shall have such qualifications and duties as are prescribed by the Board of Trustees.

§ 65-7 Prohibited uses and activities.

- A. All uses and activities in or upon the waters of the lakes, except as permitted in this chapter, are prohibited.
- B. Except as otherwise permitted by law or by the Board of Trustees, no person shall fill any portion of a shoreline or construct or erect a bulkhead or retaining wall or encroach in any way upon the waters or land beneath the waters of the lakes and ponds.

§ 65-8 Use of approved fertilizers; ban on use of designated chemicals.

- A. In order to protect the lakes from damage, the Board of Trustees may, by resolution, publish a list of approved fertilizer products that may be used in the Village. The Board of Trustees may also, by resolution, publish a list of chemicals that may not be used in the Village in light of their potential adverse effects on the lakes.
- B. The Board of Trustees shall update the lists described in Subsection A not less frequently than annually and shall publish an annual report on the quality of the water in the lakes for drinking purposes.

§ 65-9 State regulations not affected.

The rules and regulations herein contained shall be in addition to and shall not be deemed to supersede the watershed regulations heretofore promulgated by the Commissioner of Health of the State of New York applicable to the lakes, as set forth in § 133.13 of Title 10 of the New York Compilation of Codes, Rules and Regulations (10 NYCRR 133.13).

§ 65-10 Penalties for offenses.

- A. Any person who violates any of the provisions of this chapter shall be deemed to have committed a violation pursuant to the Penal Law of the State of New York punishable as provided in § 1-12 of Chapter 1, General Provisions.
- B. In addition to the above penalty, the Board of Trustees may revoke the permit or any privilege issued or granted to any person pursuant to this chapter who violates any of the provisions of this chapter or any of the terms or conditions of any such permit.



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Title: Section 133.13 - Village of Tuxedo Park

133.13 Village of Tuxedo Park. (a) Application. The following rules and regulations enacted under the authority of article 11 of the Public Health Law, and of the whole thereof, as last amended by chapter 879 of the Laws of 1953, shall apply to Tuxedo Lake, Pond No. 3 and Wee Wah and its tributaries which now serve or which may be developed in the future to service as sources of the public water supply of the Village of Tuxedo Park and the hamlet of Tuxedo and to all watercourses tributary thereto or ultimately discharging into said reservoirs.

(b) Definitions. (1) The term water supply means the public water supply of the Village of Tuxedo Park and the hamlet of Tuxedo.

(2) The term either lake whenever used in this section is intended to mean the above-mentioned Tuxedo Lake, Pond No. 3 and Wee Wah and means said body of water serving as the source of the water supply of the Village of Tuxedo Park and the hamlet of Tuxedo.

(3) The term watercourse means every spring, pond (other than reservoirs), stream, marsh or channel of any kind, including ditches, gutters or artificial underdrains, the waters of which may flow into this water supply.

(4) The linear distance of a structure or object from a reservoir or watercourse is the shortest horizontal distance from the nearest point of the structure or object to the high-water mark of a reservoir or to the edge, margin or precipitous bank forming the ordinary high-water mark of such watercourse.

(5) The term human excreta means feces, urine and other excretions, commonly disposed of by the so-called dry system as typified by the ordinary privy.

(6) The term sewage means waste liquids containing human excreta and decomposing matter flowing in or from a drainage system or sewer.

(c) Human excreta. (1) No human excreta shall be deposited, thrown or placed or allowed to escape into either lake or any watercourse.

(2) No human excreta shall be placed or spread upon the surface of the ground at any point on the watershed of the water supply.

(3) No human excreta shall be buried in the soil on the watershed of the water supply.

(4) No privy or receptacle of any kind for the storage or deposit of human excreta shall be constructed, placed, maintained or shall be allowed to remain with its nearest point less than 250 feet, horizontal measurement, from the high-water mark on either lake or from the edge, margin or precipitous bank of any watercourse of the Tuxedo water supply, except a properly constructed and operated sewage disposal plant, as hereinafter set forth in paragraph (d)(1) of this section; provided, however, that the property on which the privy or receptacle is built or is to be built is so located, bounded or otherwise placed that the distances above named can be obtained within the limits of such property.

(5) Every privy or receptacle of any kind for the storage or deposit of human excreta, built or to be built on property which is so located, bounded or otherwise placed that the distances named in paragraph (4) of this subdivision cannot be obtained, shall be placed as far as possible from any reservoir or watercourse and especially constructed of masonry, concrete or metal to form a watertight receptacle from which no outward percolation can take place. Where removable watertight containers are provided they shall be located as far as practicable from any reservoir or watercourse. All privies or receptacles referred to in this paragraph shall be constructed or installed only with the approval and under the supervision of the board of trustees of the Village of Tuxedo Park and in such manner as effectually to prevent any pollution of the public water supply.

(6) Every privy, privy vault, pit, cesspool or other receptacle or place used for the temporary storage of human excreta, which is constructed, located or maintained within the aforesaid limit of 250 feet, horizontal measurement, of the high-water mark of either lake or watercourse, from which privy or other receptacle the excreta are not at once removed automatically by means of suitable watertight pipes or conduits to some proper place of ultimate disposal, shall be arranged in such manner that all such excreta shall be received temporarily in suitable vessels or receptacles which shall at all times be maintained in an absolutely watertight condition and which shall be emptied when filled within six inches of the top and which will permit of convenient removal to some place of ultimate disposal as hereinafter set forth.

(7) The excreta collected in the aforesaid receptacles shall be removed and the receptacles thoroughly cleansed and deodorized as often as may be found necessary in order to maintain the privy in proper sanitary condition and to effectually prevent any overflow upon the soil or upon the foundations or floor of the privy. In effecting this removal the utmost care shall be exercised that none of the contents be allowed to escape while being transferred from the privy to the place of disposal hereinafter specified and that the contents, while being transferred from the privy to the place of disposal, shall be thoroughly covered and that the least possible annoyance and inconvenience be caused to occupants of the premises and the adjacent premises. (8) Whenever, in the opinion of the State Commissioner of Health, excremental matter from the aforesaid privy, receptacle, trench or place of disposal may be washed over the surface of the ground or through the soil in an imperfectly purified condition into any reservoir or watercourse, the said privy, receptacle, trench or place of disposal shall be removed, after due notice to the owner thereof, to such places as shall be considered safe and proper by the State Commissioner of Health. HEALTH

(d) Sewage, wastes, garbage. (1) No sewage shall be discharged or allowed to flow into the lake or any watercourse nor deposited beneath the surface of the ground within 250 feet, horizontal measurement, from the high-water mark of either lake or from the edge, margin or precipitous bank of any watercourse of the Tuxedo water supply except into watertight receptacles, the contents of which shall be disposed of as provided for by paragraph (c)(7) of this section. If such watertight receptacles are used, they shall not be located within 250 feet of the watercourse; provided, however, when the property on which the receptacle is built or to be built is so located, bounded or otherwise placed that the distances above named can be obtained within the limits of the property. In such case, the watertight receptacle shall be constructed and maintained as provided for in paragraph (c)(5) of this section. These restrictions and limiting distances shall not apply to sewage treatment plants installed under and in accordance with plans which first have been submitted to and approved by the State Commissioner of Health.

(2) No bath water, sink or laundry wastes or polluted liquid of any kind, except the effluent from a properly constructed and operated sewage treatment plant as hereinbefore provided by paragraph (1) of this subdivision, shall be discharged or allowed to flow into the lake or any watercourse nor be deposited on or beneath the surface of the ground within 250 feet of the watercourse.

(3) No garbage, refuse, putrescible matter, decayed fruits or vegetables, dead animals or parts thereof or any other matter that pollutes water shall be deposited in the lake or watercourse nor on or beneath the surface of the ground within 250 feet of the watercourse nor in such manner that it can be washed by rain, melting snow or otherwise over the surface or through the ground into any reservoir or watercourse.

(e) Bathing. No person or persons shall bathe or swim or be allowed to bathe or swim in Tuxedo Lake.

(f) Animals. (1) No animal or poultry shall be allowed to stand, wade, wallow or swim nor to be washed or watered in either lake or any tributary and no watering place shall be maintained in such a way as to pollute any watercourse with excremental matter.



(2) No stable for cattle or horses, barnyard, hogpen, poultry house and yard, hitching place or standing place for horses or other animals, manure pile or compost heap shall be located, placed, maintained or allowed to remain with the nearest point less than 250 feet, horizontal measurement, from the high-water mark of either lake nor less than 250 feet, horizontal measurement, from the edge, margin or precipitous bank of any watercourse of the Tuxedo water supply, unless such stable for cattle or horses, hogpen or poultry house shall have cemented watertight floors connected with the sewers and in which all manure shall be temporarily kept in covered cemented pits or compartments, draining into sewers, and protected from the wash of surface water, and unless such barnyard, poultry yard, hitching place or standing place for horses or other animals shall be paved with cemented watertight material, protected from the wash of roof water and surface water, and connected with the sewers.

(g) General clause. In addition to observing the foregoing requirements, all persons living on or visiting the watershed shall refrain from any act, though not heretofore specified, which may result in contamination of any portion of the water supply.

(h) Inspections. The board of trustees of the Village of Tuxedo Park or such other person or persons as may be charged with the maintenance or supervision of the water supply or the duly appointed representative of the village shall make regular and thorough inspections of the lake, watercourse and watersheds tributary theretofore for the purpose of ascertaining whether the above rules and regulations are being complied with, and it shall be the duty of said board of trustees to cause copies of any rules and regulations violated to be served upon the persons violating the same, together with notices of such violations. If such persons served do not immediately comply with the rules and regulations, it shall be the further duty of said board of trustees to promptly notify the State Commissioner of Health of such violations. The board of trustees shall report to the State Commissioner of Health in writing annually, on the first day of January, the results of the regular inspections made during the preceding year, stating the number of inspections which have been made, the number of violations found, the number of notices served and the general condition of the watershed at the time of the last inspection. (f) Penalty. In accordance with section 1103 of chapter 45 of the Consolidated Laws (Public Health Law), as amended by chapter 879 of the Laws of 1953, the penalty for each and every violation of or noncompliance with any of these rules and regulations which relate to a permanent source or act of contamination is hereby fixed at \$100.

Volume

VOLUME B (Title 10)

 Outline  [up \(/volume-b-title-10/450815282/villages\)](/volume-b-title-10/450815282/villages)

New York Codes, Rules and Regulations

Search Title 10 (/search-title-10)

Search Title 18 (/search-title-18)

Proposed Rule Making (/regulations/proposed-rule-making)

Emergency Regulations (/regulations/emergency)

Recently Adopted Regulations (/regulations/recently-adopted)

Three, Five, Ten and Fifteen Year Regulation Review (/regulations/five-ten-fifteen-review)

Mayor Dwyer and distinguished members of the Monroe Village Board.

Thank you for allowing us to present our thoughts concerning the Village of Monroe's attempt to remove the current rule regarding use of the Lake Mombasha reservoir for boating and fishing.

I am Dr. Stefan Chevalier, member of the Nettie Fred Cooperative Corporation and its president. I have grown up with Lake Mombasha being an essential part of being in the "country" as I am a transplant from Queens.

I attended the several meetings for both the village and the town to educate myself in the workings of municipal government. I can see that it is a challenge to be a member of either board.

I would like to address my comments regarding use of Lake Mombasha reservoir building on Mr.

O'Neill's and others comments. Lake residents are a volunteer security force making sure that the lake remains a viable source of water for the Village of Monroe. In fact, lake residents have been doing this

for generations. It would be extremely difficult for the Village to manage the security of the lake on a

24/7 basis as well as the lake residents. We are living 24/7 at the lake. Indeed, the village should

encourage lake residents to be on the lake keeping our eyes and ears open for any signs, evidence of

potential contamination and interlopers on the lake. After 9/11 we were told, "See something, say

Something", we go beyond that and "Do something". I can assure you that all lake residents that fish

offshore or boat are always observing the health of the lake, removing trash, looking for signs of

potential contamination and watching for trespassers. At the north end of the lake several of the Nettie

Fred family embarked on an effort to combat the water chestnut problem by hand removal as

recommended by the DEC, we have been doing this several years before the Village began the harvester

program. We saw the problem and "Did Something." We are the security of the lake.

At the last Village of Monroe meeting a member of the Village proceeded to debase lake residents calling us selfish for wanting to use the lake for recreational purposes (which has been going on since the 1800's). The thought was that recreational use of the lake by an extremely limited population was causing contamination to the end user, the citizens of the village who were getting water from the lake. Well, here is a mason jar of Lake Mombasha water. Everyone here is welcomed to try it. "Pure" lake water. Of course, this water contains many organic contaminants, from aquatic flora, fish, and their excrement, decaying organic material, run off from the land, goose, deer, beaver, etc. excrement, oil/fuel from the harvesters. I would be hesitant in drink this water. But once processed at the water treatment plant and adequately tested the water becomes potable. Lake residents are heavily invested in making sure that the lake does not become contaminated as we get water directly from the source of the lake. We know that Lake Mombasha is fed by natural springs under the lake which come from the underlying aquifer. Every house around the lake has a well tapping into that aquifer. In essence lake residents are the first line of defense and alarm if our water becomes contaminated most likely from sources that affect the aquifer. We do not have access to treated water. Nettie Fred tests our water every spring when we start up our well pump and we can provide a measurement of potential aquifer problems.

From my view the lake is at the lowest level that I have ever seen. There are two potential causes, the drought conditions of this summer and the drawing of 1.2 million gallons of water daily from the lake. Lack of rain keeps the aquifer from regenerating, unfortunately we cannot control the weather. I do not know how many people from the Town of Monroe will be affected by low aquifer issues. Water is life. Without water, life on this unique planet would never have developed and if water is not available life would cease to exist.

In conclusion, lake residents are the best 24/7 volunteer security force for the protection of the lake.

Keeping the lake secure protects our, the Villages and the Towns water source. The Village of Monroe should encourage lake residents to fish which monitors the health of the aquatic life and boat to be ever vigilant in observing abnormalities around the lake. We live the see something, say something request but go beyond by doing something.

Our request

Keep the law as is on the books. Use of lake Mombasha Reservoir for boating and fishing with proper village registration. With the following modifications:

Village officials and lake residents are only eligible to register for boating and fishing.

Adopt the NYS DEC rules and guidelines for boats on a reservoir

Fishing along with village registration also requires NYS fishing license

Place the law and modifications to be in place for two years at which point the issue can be reviewed for Permanence.

Many thanks.

October 3, 2022

Honorable Mayor Neil S. Dwyer, Trustee Debbie Behringer, Trustee Andrew Ferraro, Trustee John Karl III, and Trustee Martin O'Connor:

I am writing to document my opposition to the Village of Monroe's proposed modification of Chapter 195/Water Code and request that another meeting be scheduled to review additional information and recommendations that were not discussed in the previous meetings.

In addition, I have 3 questions that I would like to be answered since they seem to conflict with the information and recommendations provided in the previous meetings:

1. The Barton and Loguidice report, the Orange County Water Master Plan and the Village of Monroe's 2021 Annual Drinking Water Report all indicate that the potential for drinking water contamination by the reservoir bordering properties is low to negligible. Question # 1/ Please provide the documentation that supports the Village Board of Trustees findings that have determined that access to the lake by the adjacent property owners has or will "introduce a risk of contamination to the Village water supply".
2. The Barton and Loguidice Report / "Vision" recommends an engaged and knowledgeable local community to support source water from contamination. The Orange County Water Master Plan/Reservoirs states; "There appears to be a need to reconcile Town planning efforts with source water protection initiatives both within Towns as well as across town boundaries". The Orange County recommended 'model' Reservoir Lake Management Plan program is the: Village of Tuxedo Park in partnership with the Town of Tuxedo. Question #2/ Has The Village Board of Trustees reviewed the Orange County's recommended Town/Village Tuxedo's recommended model Reservoir/Lake Management Plan program, and If so, do they recognize the role that lake residents have in protecting the lake from contaminants?
3. The Town of Monroe residents who's property adjoins Lake Mombasha sent a letter to the Village Board of Trustees on September 19, 2022. This letter indicates the efforts lakeside residents (we consider ourselves as, 'Mombasha Reservoir Preservation Association') have been making to protect the reservoir from contamination. Question #3/ Will the Village Board of Trustees consider additional meetings with the group of Mombasha Lake property owners to further explore how our cooperative efforts with the Village of Monroe, will continue to insure the safety and quality of the water.

Respectfully yours,

Brannin Russell
12 Lakeview Drive
Monroe, N.Y. 10950

Kim Zahra

From: Neil Dwyer
Sent: Monday, October 3, 2022 2:49 PM
To: Kim Zahra
Subject: FW: Modification of Chapter 195 of the Village Code "Water" to protect the Mombasha Reservoir from contamination

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: jjfahner@optimum.net
Date: 9/30/22 3:38 PM (GMT-05:00)
To: Mayor Dwyer <mayor.dwyer@villageofmonroe.org>, Debbie Behringer <trustee.behringer@villageofmonroe.org>, Trustee Andrew Ferraro <trustee.ferraro@villageofmonroe.org>, Trustee Karl <trustee.karl@villageofmonroe.org>, Trustee Martin O'Connor <trustee.o'connor@villageofmonroe.org>
Subject: Modification of Chapter 195 of the Village Code "Water" to protect the Mombasha Reservoir from contamination

I have two questions about the proposed modification of Village Code/Local Law Chapter 195 "Water" to eliminate all recreational use of Lake Mombasha.

1. By what means did you find and determine that the usage of non-motorized boats on the reservoir would "introduce a level of risk of contamination to the Village's water supply that needlessly jeopardizes the health and safety of Village residents..."?
2. What evidence do you have to support your belief that non-motorized boats on the reservoir would "introduce a level of risk of contamination to the Village's water supply that needlessly jeopardizes the health and safety of Village residents..."?

John Fahner

68 Water Plant Road

Monroe NY 10950

Village of Monroe, NY
7 Stage Rd.
Monroe, NY 10950

41 Oxford Rd.
Manhasset, NY 11030
Sept. 26, 2022

Re: Proposed change to Village
Code 195 Water
To Whom It May Concern :

I was first introduced to Lake Mombasha as a child, almost 80 years ago. Some time later, my parents and my in-laws bought cottages on the property now called The Nettie-Fred Cooperative Corporation which borders the lake.

Today, my daughter, Mariann Bischoff, my son, Martin Bischoff and a granddaughter, Jenin Bischoff-Hashem own our three family cottages. At Lake Mombasha our children and grandchildre grew up with other boys and girls with whom they are still friends. Several other families have passed their bungalows on to the new generations as well.

The lake has been an important feature in their lives. All families fostered conservation, respecting and caring for the lake, enjoying the property, exploring the islands in the lake, befriending the ducks and ducklings that came to visit, as well as learning about the flora and fauna in the woods nearby. "No pollution" was the rule.

We are happy to know that the lake is not polluted, and that has never been an issue for us,

and we would like to think that that is at least partly because we have always been good neighbors to these sparkling waters.

This makes me question why, at this time, we are dealing with this unnecessary, restrictive proposal. I certainly hope that good sense prevails, and the proposal does not pass.

Please include this letter as a public comment on the issue.

Yours truly,

Anne Marie Bischoff
Anne Marie Bischoff





Nettie-Fred Cooperative Corporation (NFCC)

September 30, 2022

Stefan Chevalier – President
Chris Alwang – Vice president
Jenin Bischoff-Hashem – Secretary
Rita Pennachio– Director
Everette Bierker – Director
Mariann Bischoff – Director
Steve Kundmueller - Director

Dear Mayor Dwyer and Members of the Village of Monroe Board of Trustees:

This is a follow up comment letter regarding proposed local law #9 to modify Chapter 195 of the Village Code to prohibit all forms of recreation on Mombasha Lake.

Many NFCC members and other Mombasha Lake residents attended the September 19th Village of Monroe Drinking Water Source Protection Program meeting and the September 20th Village of Monroe board meeting. Thank you again for allowing us to comment at both meetings and provide you with useful and clarifying information to help you make an informed decision regarding the proposed law. We believe it is an unnecessary change to a law that already prohibits potentially dangerous forms of recreation such as swimming and bathing and allows benign forms such as boating and fishing without the use of a gasoline motor.

At the board meeting we provided you with information clarifying that the law was not substantially changed in 2011 as the board had initially stated but has actually been the same for over 50 years. We believe the current law as stated is sufficient to protect Mombasha Lake from recreation, it just needs to be implemented. A permit system should be created to ensure only residents have access to the lake and that the boats are used only on Mombasha Lake or cleaned prior to arrival. A fee to cover cost of implementation would be warranted to provide a laminated ID for residents and stickers for boats. Regulations requiring boats to stay a minimum distance away from the Village boats addressing the invasive species could be part of the permitting process.

The drinking water meeting by Barton & Loguidice (B&L) provided information on the potential sources of contamination of Lake Mombasha such as emerging contaminants, land use and development patterns, invasive species, and impacts of climate change. Recreation was not studied, and no contaminants have been found to date from recreational use. In fact, the water tests have not shown any contamination problem at all in the water supply. If recreation was considered a potentially significant source of contamination, it would have been studied by the engineering firm. The company identified over 50 potential known contaminant sources within the watershed of Lake Mombasha. They said that 90% are probably closed. It is surprising that the company did not 100% confirm that the sources were closed since this by far represents the highest degree of risk to the Mombasha watershed. Why are we spending time discussing recreation when confirmed spills/leaks/etc. are not known to be 100% resolved.

The formation of an area community lake organization to help protect the lake was suggested by residents. We believe this would be very beneficial to your stated goal of protecting the village water supply. This would also help provide ongoing protection far into the future.

Finally, offers were made by NFCC and area residents to volunteer to join a stakeholder committee to discuss and find common solutions to protecting Lake Mombasha. This would allow us to work collaboratively toward the common goal of protecting the lake. It would also provide you, the board, with a resident perspective.

We will continue to protect the lake as we have for generations.

We appreciate the board listening to all the verbal and written public comments. We know the board promised responses to all the public comments before any vote.

Please table the proposed vote on Chapter 195 that would completely eliminate recreation, and please meet with us to dialogue further on how we can assist the Village in continuing to protect Mombasha Reservoir.

Thanks again for your willingness to hear our concerns.

As this letter was being prepared workers again entered our property, this time with heavy equipment and proceeded to do work in our field. No notification was given to us. There is no reason why notification can't be given when work will be done on our property. Whether in your minds it is not required, it is the respectful and professional thing to do. We have been nothing but professional with the ongoing situation regarding the proposed law. Please act in a courteous and professional manner and desist from entering our property without notification.

Very Truly Yours,

Board of Directors of Nettie-Fred Cooperative Corporation (NFCC)
Stefan Chevalier – President
Chris Alwang – Vice president
Jenin Bischoff-Hashem – Secretary
Rita Pennachio– Director
Everette Bierker – Director
Mariann Bischoff – Director
Steve Kundmueller - Director



Kim Zahra

Mombasha Reservoir

From: Mary Agnes Antonopoulos <ma@viralintegrity.com>
Sent: Monday, October 3, 2022 12:42 PM
To: Mayor Dwyer; Debbie Behringer; Trustee Karl; Trustee Martin O'Connor; Trustee Andrew Ferraro; Kim Zahra
Subject: Re: Reminder: mtg TONIGHT, tomorrow and public comment re: Lake access

Dearest village officials, while I am a resident of the Town of Monroe, the Village has been such an important part of my life. I had a store on Main Street for some time (Serenity Sweets), and have lived here for over 50 years, having lunch at PJs Deli, shopping at Jules Mens' Store, and even Palen's Drugs. (If any of you have a very long history here, you'll know some of those places.)

My life is Monroe - and almost all of my memories include Mombasha Lake. I grew up on West Mombasha Road, and the lake was "around the circle" about one minute away on flying feet. And when I got married, I bought a house adjacent to the water. My back yard ends at the lake.

I am not 100% clear on the changes intended for the lake - we've had a loss in our family, and it's taken up a lot of my energy to navigate it - and I travel for work. Even the most current meeting, tomorrow, falls with me heading out of town for work...

I can't be the only one who's facing the need to catch up on the details here...

So my first question is, can we just give us a little time to understand this?

Is there a reason that some set of statutes or guidelines not updated in decades has to be remodeled in just weeks?

Do we have a report regarding any negative impact by those who live on the lake being engaged with it?

I want to add here that I do not go on the water personally - I just think this needs some time so that we, who live here, can consider the issue. Faced with so many reasons to pack up and live somewhere else, after 50 years, this lake is the #1 reason I stay.

With so much respect, I feel like my family and I should be able to address the issues at larger.

You all have so many issues you're navigating for everyone - can we extend this? Can we give us all some time with it to be part of the revamp you're hoping to achieve?

Mary Agnes Antonopoulos
CEO of Viral Integrity - A "Done For You" (Stealth) Digital Marketing Agency
Kick-A** NYC Copywriter and YouTube / Funnel Strategist

845-238-0018



Client List: Dr. Darin Ingels (Lyme and Chronic Illness), Lloyd Burrell (EMF Expert), Mark Hyman (Copywriter for Broken Brain), Dr. Izabella Wentz (NYT #1), JJ Virgin (4x NYT), Dr. Partha Nandi (Ask Dr. Nandi), Ann Louise Gittleman (4x NYT), Dr. Tom O'Bryan, Dr. William Davis (Wheat Belly), Jordan Belfort (The Wolf of Wall Street), Donna Gates (Founder of Body Ecology), Christine Comaford

Kim Zahra

From: Neil Dwyer
Sent: Monday, October 3, 2022 2:45 PM
To: Kim Zahra
Subject: FW: Mombasha Lake

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Lauren Vasquez <lauren.vasquez10@yahoo.com>
Date: 9/27/22 1:47 PM (GMT-05:00)
To: Mayor Dwyer <mayor.dwyer@villageofmonroe.org>
Subject: Mombasha Lake

Dear Mayor Dwyer,

My name is Lauren Vasquez, and I am a resident of 14 Reilly Road in the Town of Monroe. The backyard of my home sits along the shore of Mombasha Lake.

First, I want to thank you for your efforts to have Water Plant Road paved this week. This is a great gift to all residents of this neighborhood, and we are very grateful.

My husband and two sons moved to Monroe in December of 2013. Living on the lake has become part of the fabric of our family. We have been lucky enough to share in the beauty of the lake for the past nine years, and my children have learned to kayak right in their own back yard. We have made so many special memories, and our children have learned the importance of caring for nature and appreciating the beauty of the world right outside their windows.

I have been troubled by the recent incidents that have occurred on the reservoir. I would like to be part of the solution, and as a lake resident, I believe working together for the common good will benefit all of us.

I would like to lend my support to the following list of suggestions compiled by my neighbors, and I ask you to consider these points as well.

- Maintain Village Code 195 Water as is.
- A citizen group of lake residents could be formed to ensure the Village initiatives for Mombasha reservoir are enacted fully. Perhaps, it could be called something like, "Mombasha Reservoir Preservation Association."
- One water liaison could be selected each from the east and west side of the reservoir to communicate with the residents, relieving Village officials from receiving multiple communications.

- Only issue permits for boating and fishing to residents with property near/abutting the reservoir
- Residents must agree to the wording of the Code in order to receive the permits. They must also provide contact information and agree to work collaboratively with their liaison.
- Use of the reservoir is restricted when the harvesters are working.
- One/two permits per household member of each address with property near the reservoir.
- Permitted users will not use their boat on other lakes without following NYDEC boat cleaning protocols. Liaisons will communicate boat cleaning protocols and assist permitted users with cleaning where needed.
- Residents will not allow guests to bring outside boats on the lake.
- Permitted users will practice water safety.
- Permitted users will not fish without a valid fishing license.
- Permitted users will not leave any garbage around the lake or throw any refuse in the lake.
- Permitted users will clean up any trash they find in or around the lake.
- Permitted users will contribute to at least two annual lake clean up days organized by the two liaisons with permission and direction from the Village.
- Able-bodied permitted users will contribute to consistent removing invasive water chestnuts by hand and other invasive species from shallow areas where the harvesters can't reach on a continued basis per Prism's recommendation.
- Able-bodied permitted users will contribute other lake maintenance efforts as informed by the Village.
- Residents with land abutting the reservoir will protect the reservoir from trespassers. They will tell trespassers to leave and will develop a process with the Village for dealing with trespassers that refuse to leave. They will notice and communicate to the liaison areas where trespassers gain reservoir access and will call the Village authorities if the need arises.
- The two liaisons and interested residents will meet with the Village at least once per year or as requested by the Village to share information and proposals for reservoir improvements.
- The liaisons and permitted residents as well as members of a potential Mombasha Reservoir Preservation Association will work in good faith to preserve the reservoir and support Village efforts to that end.

I thank you for your service to our community and for taking the time to read this. I look forward to working together on this matter.

With gratitude,
 Lauren Vasquez
 14 Reilly Road
 Monroe, NY 10950

Kim Zahra

From: Neil Dwyer
Sent: Monday, October 3, 2022 2:47 PM
To: Kim Zahra
Subject: FW: OPPOSITION OF MODIFICATION OF LOCAL LAW 195 of RECREATIONAL USE ON MOMBASHA LAKE RESERVOIR

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Christine Wiebke <christinewiebke@gmail.com>
Date: 9/29/22 9:19 AM (GMT-05:00)
To: Mayor Dwyer <mayor.dwyer@villageofmonroe.org>
Subject: OPPOSITION OF MODIFICATION OF LOCAL LAW 195 of RECREATIONAL USE ON MOMBASHA LAKE RESERVOIR

The Honorable Mayor Neil S Dwyer
Village of Monroe, New York

Dear Mayor Dwyer,

I am Christine Wiebke, a 44-year seasonal lakeside resident of the Nettie-Fred Cooperative Corporation (Camp Comfort) whose Town of Monroe property abuts with Mombasha Lake.

We have met at Village Hall recently, and my husband, Fred and I were present at your recent September 19th Village Water Workshop and the September 20, 2022 Village Trustees meeting and Hearing.

By now, I am sure that you are aware of the connection that we the residents possess with Mombasha Lake. Its calming pristine waters and mountain views call to us and soothe the soul. We are blessed to enjoy this beautiful slice of heaven with our children, grandchildren and neighbors for decades. Thank you God for this beautiful gift which we cherish!

Your attempting to modify the Village Code to eliminate recreational use on Mombasha Lake is greatly upsetting our peace.

First, the horrible signage on our beautiful trees, then signage blocking our view and now taking away the privilege of a simple kayak or rowboat on the lake.

Something is definitely wrong with this disruptive picture!

The Village of Monroe Water Code regarding recreational use in Mombasha Lake needs to be trashed completely and revised with a new one in its place. It is antiquated and needs some modern day updating.

I highly recommend that you and the Board of Trustees study the Tuxedo Park, NY water code <https://ecode360.com/11135721>

Please apply their resident-friendly recreational use regulations to our lakeside residents with a revision of your water code. Simply put, decals and permits for our kayaks, canoes and row boats, along with an ID card.

We Mombasha Lake Reservoir residents deserve the same recreational usage that the Tuxedo Lake Reservoir residents have enjoyed for probably a century. Please use it as a guideline.

We the residents of the lake are the eyes on the lake constantly. We are the stewards of the lake who care for it. We have enough common sense not to go on the lake when the harvesters and air boats are present.

We always alert our children and grandchildren to also abide. They, too, have been taught to respect the waters of Mombasha Lake from a very young age.

The Village of Monroe Water Department needs only to:

- Undergo lake water testing for the Department of Health as warranted
- Maintain the Water Plant Garage Structure
- Steam clean the Harvester Machines before entry onto the lake
- Clean the lake of invasive weeds (which was lacking for at least 25 years)
- Maintain the water lines in our meadow and the spillway
- Notify the Nettie-Fred Cooperative Corporation Board anytime water department work is to be done on our property - a decent professional request to our community
- Keep the water plant gate locked to keep out trespassers

The ongoing water department personnel constantly chasing all of us off the lake is absurd and a ridiculous nuisance for decades.

I am so tired of it and it is a waste of the tax payers money to buy patrol boats and pay the annual salary and medical benefits of a water cop.

We don't need water department personnel chasing and bullying us off of the lake, and we don't appreciate threats of 6 foot fences being installed around the reservoir!

Do you think for one minute, Mayor Dwyer, that the Tuxedo Park Reservoir residents would put up with this water personnel nonsense? I don't think so!

We residents of Mombasha Lake preserve and care for it. If we see any trespassers that we can't handle, (which is very seldom and very few) we call the local police and have them intervene. As simple as that. We don't need patrolling water cops on Mombasha Lake.

Please let us enjoy these simple pleasures of life without all this water department intervention and please **cancel** this disastrous vote to keep us off the lake.....and revamp the Village recreational use water code.

I hope that you and the Board of Trustees, along with your Village Attorney, Alyse Terhune, will find the time to really study the Tuxedo Park, NY water code and consider it and use it as a new water

recreational use local law for the Village of Monroe.....applying it **only** to all the Mombasha lakefront deeded residents whose homes abut the lake, not the general public.

Let us please work together on this issue.

I really think that the Tuxedo Park, NY (Tuxedo Lake Reservoir) recreational use code is the way to go!

Thank you for all you do, Mayor Dwyer.

With much appreciation from my family and my pleasant and caring neighbors on Mombasha Lake.

Respectively,
Christine Wiebke

Sent from my iPad

Kim Zahra

From: Neil Dwyer
Sent: Monday, October 3, 2022 2:47 PM
To: Kim Zahra
Subject: FW: Village Code/Local Law #9 of Chapter 195 Water

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: John C Smith <cabalumnidrummer@yahoo.com>
Date: 9/29/22 11:55 AM (GMT-05:00)
To: Mayor Dwyer <mayor.dwyer@villageofmonroe.org>, Debbie Behringer <trustee.behringer@villageofmonroe.org>, Trustee Andrew Ferraro <trustee.ferraro@villageofmonroe.org>, Trustee Karl <trustee.karl@villageofmonroe.org>, Trustee Martin O'Connor <trustee.o'connor@villageofmonroe.org>
Subject: Village Code/Local Law #9 of Chapter 195 Water

Dear Mayor Dwyer and Village of Monroe Trustees:

My name is John Smith and my wife Linda and I are members of the Nettie-Fred Cooperative Corporation which occupies land at the northern end of Lake Mombasha. As longtime corporation members, we are extremely concerned about the proposed change to the Village Code regarding recreational use of the lake.

Our family's history at the lake dates back to 1968 when my wife's parents first bought our bungalow and became Nettie-Fred Corporation members. We took ownership in 1974, and have enjoyed countless summers of the beautiful lake with our three children since 1977. Our time is spent mostly relaxing in the quiet atmosphere, away from the noise and pollution of the city.

We have always been mindful of the fact that Lake Mombasha is a reservoir. As such, we have been respectful and careful to safeguard it while enjoying its beauty. We have always acted responsibly by never using chemicals of any kind on the land or lawn near the lake. We have a holding tank rather than a septic tank for waste water that is pumped professionally to prevent pollution.

The members of the corporation are not just occasional visitors. These are "second homes" that members enjoy for several months each year. As members of the community, we attend the churches, shop in the local stores, support the local economy, and have a vested interest in preserving the lake. We consider ourselves caretakers of our section. We are vigilant to keep outside intruders from accessing the lake through our property. Corporation members also work to remove weeds and invasive growth

that threaten the lake. It is in our best interest to protect the lake and its natural beauty.

We hope you will not eliminate all recreational use of Lake Mombasha. We believe that some consideration for the longtime members of the Nettie-Fred Corporation would not only be appreciated by the members, but would actually benefit the town and the village.

We ask respectfully that you will table the vote on this issue to give more time for discussion as to how we can all work together for all the residents involved.

Sincerely,

John and Linda Smith
74 Water Plant Road
Monroe, NY
Members, Nettie-Fred Cooperative Corporation

Kim Zahra

From: Neil Dwyer
Sent: Monday, October 3, 2022 2:48 PM
To: Kim Zahra
Subject: FW: Lake Mombasha

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Theresia Schatz <theresia.schatz@outlook.com>
Date: 9/29/22 4:34 PM (GMT-05:00)
To: Mayor Dwyer <mayor.dwyer@villageofmonroe.org>, Debbie Behringer <trustee.behringer@villageofmonroe.org>, Trustee Andrew Ferraro <trustee.ferraro@villageofmonroe.org>, Trustee Karl <trustee.karl@villageofmonroe.org>, Trustee Martin O'Connor <trustee.o'connor@villageofmonroe.org>
Cc: mariannbischoff@gmail.com
Subject: Lake Mombasha

Dear Mayor Dwyer and Trustees:

My family and I have been members of the Nettie-Fred Cooperative Corporation (Camp Comfort) community on Lake Mombasha for over 50 years. My parents purchased a lakeside bungalow to bring their 4 daughters to a place of quiet and joyful refuge from our home in NYC, where we spent many wonderful summers. My sisters and I with my family continue to come up and enjoy the beauty of this amazing paradise. I have since moved to Maryland, but now we drive a much longer distance to spend time here. We have all invested much time and effort in maintaining our summer bungalows, all while enjoying the beautiful views and recreation at Lake Mombasha. We have always been very mindful of the reservoir status of the lake and have limited our recreation to occasional non-motorized boating and kayaking. We also maintain that the camp and its surrounds are private property and always try to ensure to keep trespassers away and off the lake from our property surrounding the northern part of the lake.

I truly hope the town of Monroe and its residents understand that they could not get any better stewards of the Lake than the members of this longstanding community and express our desire to continue to enjoy the beauty of Lake Mombasha. I urge you to please table the pending upcoming vote to give time for the Village and the Lake residents to discuss together what we can do for the best interest of the Lake. Therefore, please do not vote to adopt

modification of Village Code/Local Law Chapter 195 Water to eliminate all recreational use of Lake Mombasha on October 4th.

Sincerely,

Sia

Theresia Schatz Gelling and Michael Gelling
#58 Water Plant Road, Monroe, NY 10950

9520 Falls Bridge Lane, Potomac, MD 20854

Theresia.schatz@outlook.com

(917) 716-7546

Kim Zahra

From: Neil Dwyer
Sent: Monday, October 3, 2022 2:49 PM
To: Kim Zahra
Subject: FW: Water code

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Steven Kundmueller <stkundmueller@gmail.com>
Date: 9/30/22 2:02 PM (GMT-05:00)
To: Mayor Dwyer <mayor.dwyer@villageofmonroe.org>, Debbie Behringer <trustee.behringer@villageofmonroe.org>, Trustee Martin O'Connor <trustee.o'connor@villageofmonroe.org>, Trustee Andrew Ferraro <trustee.ferraro@villageofmonroe.org>
Subject: Water code

Regarding modification of chapter 195 of village code "water".

Simply , dear neighbors, As you have not found any harm that non gas powered boats introduce any level of contamination to the village drinking water supply. Let's make the world a better place. Vote this bill down and quit arguing. Thank you for your consideration. SK.

Kim Zahra

From: Neil Dwyer
Sent: Monday, October 3, 2022 2:50 PM
To: Kim Zahra
Subject: FW: MODIFICATION OF CHAPTER 195 OF THE VILLAGE CODE TO PROTECT MOMBASHA RESERVOIR

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Frederick Wiebke <fishonfred52@gmail.com>
Date: 10/1/22 8:38 AM (GMT-05:00)
To: Mayor Dwyer <mayor.dwyer@villageofmonroe.org>, Debbie Behringer <trustee.behringer@villageofmonroe.org>, Trustee Karl <trustee.karl@villageofmonroe.org>, Trustee Martin O'Connor <trustee.o'connor@villageofmonroe.org>, Trustee Andrew Ferraro <trustee.ferraro@villageofmonroe.org>
Subject: MODIFICATION OF CHAPTER 195 OF THE VILLAGE CODE TO PROTECT MOMBASHA RESERVOIR

Dear Honorable Mayor Neil S Dwyer, Village of Monroe Trustees, Village Attorney Alyse Terhune, Village Justice Honorable Forrest Strauss and Associate Village Justice Honorable Yvette A Rosario,

I am Frederick Wiebke, (mailing address) 40 Water Plant Road, Monroe, NY 10950 and a member of the Nettie-Fred Cooperative Corporation (Camp Comfort).

This is the second letter that I am writing to the Village of Monroe concerning their potential vote for Modification of Chapter 195 of the Village Code "water" to protect the Mombasha Reservoir from contamination.

According to the Village's public notice of the September 20th public hearing, "The Village Board of Trustees finds and determines that access to and recreational use of Mombasha Reservoir, the Village's Drinking Water, introduces a level of risk of contamination to the Village's water supply that needlessly jeopardizes the health and safety of Village residents and all others who depend on Mombasha Reservoir for safe drinking water."

At the Village of Monroe workshop at Monroe Town Hall on September 19, 2022, the two water source experts from Barton and Loguidice clearly explained that there is no contamination threat from the recreational boating that has been enjoyed for decades by the residents whose property abuts Mombasha Reservoir.

How did the Village Trustees "find and determine" that such boating activities are a threat, when the science provided by the experts finds that no such threat exists?

We, the Nettie-Fred Cooperative Corporation (Camp Comfort) have boated recreationally for over 60 years without contaminating the pristine waters in any way. People in Camp Comfort have participated in these recreational activities for over 100 years. It is an historically established tradition on the lake.

As a matter of fact, another local lake Tuxedo Lake (Reservoir) in Tuxedo Park has been traditionally used for recreation. Tuxedo Lake is also used as a public water supply for the residents of Tuxedo Park, NY.

Their Local Law provides for “The owners of record of property adjoining the shoreline of Tuxedo Lake are permitted to place boats in and on Tuxedo Lake.”

I ask all within the Village of Monroe government - “Why can’t the property owners adjoining Mombasha Lake also place boats in and on Mombasha Lake?”

In conclusion, let me add that the property owners who are adjacent to Mombasha Lake are well aware that clean water is essential to the health, safety and welfare of the Village residents. In no way do we want to jeopardize the quality of this precious resource.

We, the residents surrounding Mombasha Reservoir are asking the Mayor, Trustees and Council to remain open to additional dialogue. Let us please find a way together to make this happen.

**Respectfully submitted,
Frederick Wiebke**

Sent from my iPad

Kim Zahra

From: Neil Dwyer
Sent: Monday, October 3, 2022 2:50 PM
To: Kim Zahra
Subject: FW: Modification of chapter 195 of the village code- Boating and recreation on Lake Mombasa

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: grace versaci <redsmiles@hotmail.com>
Date: 10/1/22 6:27 PM (GMT-05:00)
To: Mayor Dwyer <mayor.dwyer@villageofmonroe.org>
Subject: Re: Modification of chapter 195 of the village code- Boating and recreation on Lake Mombasa

Honorable Mayor Neal Dwyer

My name is Grace Versaci I've been living on Lake Mombasha for almost 50 years, I do have a kayak and a boat and I'm happy to say they never leave the lake. I have one question regarding this issue on Lake Mombasha, why are you doing this to the residents? You're own consultants found that the lake is not contaminated from the residents but from the streets and the silt that's coming down to the lake on the west side. Your residents LOVE our Lake Mombasa they take care of our lake. We are willing to work with you in trying to mitigate these issues but by banning us is not going to solve your issues or anything else. Mayor as a former Girl Scout to a former Boy Scout leader you know nature talks to the people and our residents live and love nature. In closing I have a quote "The clear lesson I learned is that you need to listen, to have a good ear and good eye, to hear, to see what the client is asking of you and to meet or exceed their expectations", Neal Dwyer. Thank you Mayor Dwyer for your time and I'd appreciate you voting against the "modification to chapter 195" not for me but for future generations.

Thanks
Grace Versaci

Sent from my iPhone

Kim Zahra

From: Neil Dwyer
Sent: Monday, October 3, 2022 2:51 PM
To: Kim Zahra
Subject: FW: Mombasha Lake

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Tamara Miller-Kammerer <tmillerkammerer@gmail.com>
Date: 10/3/22 12:35 PM (GMT-05:00)
To: Mayor Dwyer <mayor.dwyer@villageofmonroe.org>
Subject: Mombasha Lake

Good afternoon Mayor Dwyer,

I am a resident on Mombasha Lake and was present at the meeting yourself and Trustee Karl attended at the Mombasha Firehouse on lake health, invasive species, etc.

As a result of that meeting and your contributions, I was hopeful there would be an improvement in the lake's condition and reduction of water chestnuts, Lilly pads, etc.

I am still hopeful, that we can work together to get back to that place and work collaboratively, to ensure the Village residents have safe drinking water and the Mombasha Lake residents can continue to enjoy recreational activities, according to any established guidelines that are developed.

Thank you for your leadership and service to the Village of Monroe and those of us on Mombasha Lake.

Respectfully, Tamara Miller-Kammerer
74 West Mombasha Rd.

--

Tamara Miller-Kammerer
74 West Mombasha Road
Monroe, NY 10950

Kim Zahra

From: Neil Dwyer
Sent: Monday, October 3, 2022 2:37 PM
To: Kim Zahra
Subject: FW: Hello!

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Marty Bischoff <marty.bischoff@yahoo.com>
Date: 9/20/22 1:45 PM (GMT-05:00)
To: Mayor Dwyer <mayor.dwyer@villageofmonroe.org>
Subject: Hello!

Dear Neil,

Spoke at length with my cousin Mariann who extended regards from you! It was so wonderful to not only be remembered fondly, but to also share some background in Monroe. I did graduate West Point and served in Iraq and Afghanistan. I live in NJ now but find myself often in the area particularly at the Harriman VFW and Camp Comfort. I think I remember meeting you with something regarding my Dad and an association with Burke. Perhaps I could stop by and say hello during my next visit, I would like that!

Mariann also mentioned that she was speaking to you in regards to some issues at Camp Comfort, though I no longer own a bungalow there I so enjoy visiting that place! For as long as I can remember (getting difficult these days!) we were blessed with things to do on the lake. I understand there were some issues recently, but they seem to be resolving. If postponing any final decisions is possible, may I respectfully request that consideration. I firmly believe that the positive relationship that has existed for literally decades between the Camp and Monroe can be maintained.

Thank you again for the kind words, that really meant a lot. I do hope that a quick visit happens!

Best regards,
Marty

Sent from my iPad

Kim Zahra

From: estrysko@aol.com
Sent: Monday, October 3, 2022 3:41 PM
To: Kim Zahra
Subject: Regarding Lake Mombasha

October 3, 2022

Dear Village Clerk Kim Zahra;

I am writing regarding Mombasha Lake, a Reservoir. I am a resident within the Nettie-Fred Cooperative Corporation, Camp Comfort.

When my husband brought me to Camp Comfort, I just stood there. What a beautiful site. I, we all, enjoy the beauty God gave us. We too, want to preserve and continue to take care of it.

Watching the boats and kayaks go by is a soothing feeling. But it does not stop there. Have you ever been on a boat, no motor, and just look around, from a water view, the beauty is even more enriching. Or even at sunrise or sunset, on the water, its magnificent. There are no words in the dictionary to describe the beauty.

We know the importance of protecting, and we protect it every day. We watch for intruders, and keep the grounds clean, and be alert of any animals that are in the area.

Please don't take this privilege we have enjoyed for some many years. Let us work together. Thank you.

Elizabeth & Raymond Stryko
Camp Comfort, NFCC

Kim Zahra

From: Neil Dwyer
Sent: Monday, October 3, 2022 2:38 PM
To: Kim Zahra
Subject: FW: Recreational boating and Recreational fishing permits

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Larry O'Neill <larryoneill62@gmail.com>
Date: 9/21/22 3:30 PM (GMT-05:00)
To: Trustee O'Connor <trustee.oconnor@villageofmonroe.org>, Trustee Karl <trustee.karl@villageofmonroe.org>, Mayor Dwyer <mayor.dwyer@villageofmonroe.org>
Subject: Fwd: Recreational boating and Recreational fishing permits

Resending

Sent from my iPhone

Begin forwarded message:

From: Larry O'Neill <larryoneill62@gmail.com>
Date: September 21, 2022 at 9:24:38 AM EDT
To: mayor.dwyer@villageofmonroe.org, trustee.behringer@villageofmonroe.org, trustee.oconnor@villageofmonroe.org, trustee.ferraro@villageofmonroe.org, trustee.karl@villageofmonroe.org
Cc: Tony Cardone <tcardone@monroeny.org>, Christine O'Neill-Fox <crsfox35@aol.com>
Subject: Recreational boating and Recreational fishing permits

Your Honor and Trustees,

At yesterday's public hearing regarding rescinding the ability for Lake Mombasha reservoir to be used for restricted recreational activities, I shared for the record that I attempted to obtain a recreational boating permit and a recreational fishing permit.

I was rebuffed, stating that "No permits are being issued for recreation on Mombasha Lake."

For the public record, and as the public comment period is still open, I wish to submit the following questions:

"What is the reason for not issuing ANY permits for recreational activity on Lake Mombasha?"

"When can we expect the processing of permit applications to resume?"

"Is there a reason that you aren't even accepting the applications, even if you don't issue permits?"

"Is there actually an application for this type of Village issued permits?"

because I haven't found one on the Village website.

I will send more as I think of them.

Thanks,

Larry ONeill
914-850-5093
8 Reilly Rd.
Monroe, NY 10950

Sent from my iPhone

Kim Zahra

From: Neil Dwyer
Sent: Monday, October 3, 2022 2:47 PM
To: Kim Zahra
Subject: FW: Recreational boating and Recreational fishing permits

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Larry O'Neill <larryoneill62@gmail.com>
Date: 9/28/22 8:40 PM (GMT-05:00)
To: Larry O'Neill <larryoneill62@gmail.com>
Cc: Trustee O'Connor <trustee.oconnor@villageofmonroe.org>, Trustee Karl <trustee.karl@villageofmonroe.org>, Mayor Dwyer <mayor.dwyer@villageofmonroe.org>, Mariann Bischoff <mariannbischoff@gmail.com>, Tony Cardone <tcardone@monroeny.org>
Subject: Re: Recreational boating and Recreational fishing permits

At the Village Board meeting on 9/19 while holding the public hearing on recreational use of Mombasha lake we were told to submit any questions that we have to the Village Trustees.

We were also told that no questions would be answered at that meeting but would be addressed later.

I submitted this question below 1 week ago, and have not received any response.

Can I expect a response before the next Village Trustees meeting on 10/4?

More specifically, will I receive an answer to these questions before a vote is taken on the matter?

Larry O'Neill
8 Reilly Rd
Monroe, NY
914-850-5093

Sent from my iPhone

On Sep 21, 2022, at 3:30 PM, Larry O'Neill <larryoneill62@gmail.com> wrote:

Resending

Sent from my iPhone

Begin forwarded message:

From: Larry O'Neill <larryoneill62@gmail.com>
Date: September 21, 2022 at 9:24:38 AM EDT
To: mayor.dwyer@villageofmonroe.org, trustee.behringer@villageofmonroe.org,

trustee.oconnor@villageofmonroe.org, trustee.ferraro@villageofmonroe.org,
trustee.karl@villageofmonroe

Cc: Tony Cardone <tcardone@monroeny.org>, Christine ONeill-Fox
<crsfox35@aol.com>

Subject: Recreational boating and Recreational fishing permits

Your Honor and Trustees,

At yesterday's public hearing regarding rescinding the ability for Lake Mombasha reservoir to be used for restricted recreational activities, I shared for the record that I attempted to obtain a recreational boating permit and a recreational fishing permit. I was rebuffed, stating that "No permits are being issued for recreation on Mombasha Lake."

For the public record, and as the public comment period is still open, I wish to submit the following questions:

"What is the reason for not issuing ANY permits for recreational activity on Lake Mombasha?"

"When can we expect the processing of permit applications to resume?"

"Is there a reason that you aren't even accepting the applications, even if you don't issue permits?"

"Is there actually an application for this type of Village issued permits?"
because I haven't found one on the Village website.

I will send more as I think of them.

Thanks,

Larry ONeill
914-850-5093
8 Reilly Rd.
Monroe, NY 10950

Sent from my iPhone

Kim Zahra

From: Martin Bischoff <bischoffmartin@hotmail.com>
Sent: Sunday, October 2, 2022 5:08 PM
To: Mayor Dwyer; Debbie Behringer; Trustee Karl; Trustee Martin O'Connor; Trustee Andrew Ferraro; Kim Zahra
Subject: Lake Mombasha access

Dear Mayor Dwyer and the Village of Monroe Trustees,

I am a member of the Nettie-Fred Cooperative Corporation, the bungalow community located on Lake Mombasha. I have been coming to Nettie-Fred since I was in-utero and grew up with many of the corporation's members, who are among my family's closest friends. My grandparents, parents, sister, cousin, niece and I are, or have been, bungalow owners at Nettie-Fred.

As you consider water security and access to Lake Mombasha at your meeting tomorrow, please consider that my neighbors and I have been dedicated stewards of the lake, doing our part for generations to keep the water pristine. You may note that the invasive weed present in the lake has been virtually eradicated in front of my bungalow at 80 Water Plant Road. and has given way to the lily pads that helped the lake to flourish historically. This is due to diligent, annual weed removal by hand and a strong interest in the long-term health of Lake Mombasha and its surrounding areas.

Others from the Nettie-Fred Cooperative Corporation have shared our support for a mutually beneficial solution to allowing some access to residents that border the lake, while assuring Lake Mombasha remains a healthy water source for the Village of Monroe for millennia to come.

Thank you for your consideration. I am available at this email address or on my cell phone at 516-551-4382.

Sincerely,

Martin Bischoff

Kim Zahra

From: Fred Wiebke <fred.wiebke@gmail.com>
Sent: Tuesday, October 4, 2022 1:37 PM
To: Mayor Dwyer; Debbie Behringer; Trustee Karl; Trustee Martin O'Connor; Trustee Andrew Ferraro; Kim Zahra
Cc: Jill Wiebke; Fred Wiebke
Subject: Access to Mombasha Lake

Dear Honorable Mayor Neil S Dwyer and Board of Trustees,

We represent the Nettie-Fred Cooperative Corporation (Camp Comfort) on Mombasha Lake. Our second seasonal home since 1978 going forward to the present day. Our father and grandparents arrived at the Camp in 1957. A camp in full swing with boating and fishing, and meals together overlooking the pristine beauty of Mombasha Lake and its amazing sunsets. We learned to explore and fish and boat with our parents, Christine and Fred Wiebke, since our toddler years. They taught us the beauty and appreciation of nature, migratory birds, gardening and respect for our neighbors and Mombasha Lake, and now their five grandchildren are being taught the same. To recently learn that the Mayor and Trustees of the Village of Monroe would like to end any recreational use on Mombasha Lake is disheartening and disappointing to all of us. We have never witnessed any member of Camp Comfort, nor our lakeside members attempting to contaminate the lake. We understand that the reservoir's lake quality is excellent. The reason being that, we, as stewards of the lake, are your 24/7 watchful eye. The signage posted on our trees and signage blocking our lake view seems to have been quite an impulsive and not a well-thought-out decision by the Village Water Dept. This is very disturbing to us! We would like them removed please. We urge the Mayor and Board of Trustees to pull this vote and work together with the residents on revamping water regulations that were written one hundred years ago. We want modern, safe, user-friendly language written into local law which allows recreational use for all the residents who live about Mombasha Lake.

Let's work together on an agreeable solution.

Respectfully submitted,

Frederick K Wiebke
Jill Wiebke
Brendan Wiebke
Kyle Wiebke
Evan Wiebke

Fred Wiebke
302-276-4130

To: The Village of Monroe Board

RE: Opposition to amending . (Chapter 195-44 B.(6)(b,c))

Date: October 4, 2022

To the honorable members of the board.

At the last board meeting I included a detailed letter outlining my opposition to the change in the Village code removing any reasonable recreational use of Lake Mombasha by anyone including those who's land borders the lake. We are the stewards of the lake and have been caring for it for over 30 years or longer in many cases. Personally, my house dates back to the 1890s as one of the original fishing / hunting lodges. It has existed in harmony with the lake and has never damaged the water supply and predates the water shed.

I have lived in this house since November 1993 and have been through periods where the village had an enforcement officer (in a motorized rowboat) and periods where the village didn't seem to care and made no enforcement effort. Through all of these times one thing has remained the same, those that live on the border of the lake always took care of the lake.

Key points from previous submission

- The change is not necessary and that the existing statute already has a mechanism to restrict access.
- The Failure of the Village of Monroe public works to create a permitting system is not a reason to do away with ability to create on in the future
- Since no system is in place, it has the same effect as striking the language from the statute while still leaving the window open to adding a permitting system if it can be done safely and equitably
- Other Lakes manage to create an environment where the lake rights can be reasonably and safely managed (Walton Lake, Round Lake, NY City Reservoir) What is different about Mombasha? Where is the public study that proves providing access to 20-30 adjacent houses would damage the lake? Are you just guessing?
- The only study of the lake is a result of the Activism by residents and was not driven by the Village of Monroe. That is because we live on it and we care about it.
- The last and least important of the Villages 6 point plan states that the threat is from runoff and improper management. This statute change does not change the improper management.
 - The Goal of that same point is Outreach to recreational boaters
 - We are here so reach out to us .. don't ban us.

The Existing Rule as codified is already Restrictive and just needs to be properly enforced.

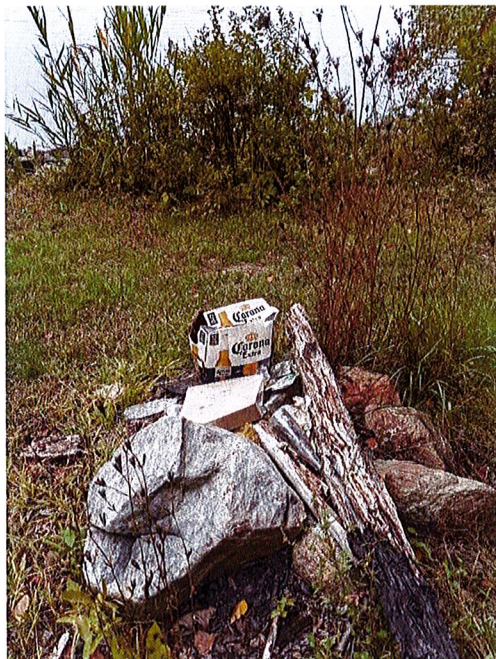
Boating. No gasoline-powered engines will be permitted on Mombasha Reservoir. Launching of boats may only take place at a point designated by the Village of Monroe Department of Public Works Superintendent. A permit must be obtained for boating by the Village of Monroe Department of Public Works Superintendent. Boats must meet standards acceptable to the Village of Monroe Department of Public Works Superintendent.

Our role as stakeholders in the lake is to continue to work in partnership with the village to keep Lake Mombasha safe and clean. You can see from the photo of Sharon's Cove how the seed pods and weeds cut by the Village have built up. I am happy to pull this out, bag it for the village to prevent spread. If you go ahead with banning me from using the lake, then Why Should I help maintain it? Same with the photos of beer and trash that I pulled away from the lake and will go back and pickup when I have a garbage bag on my regular walk. Maybe I should have allowed it

to rot in the lake... not what I want to do but I don't see any of those that drink the water volunteering to clean it up. Let's work together to keep reasonable access and keep the water clean and safe.

Sincerely,

Jim Sussmann
7 Scenic View RD
Monroe, NY 10950 (914) 261-9255



Kim Zahra

From: Damian Colavito <ranger2520@yahoo.com>
Sent: Tuesday, October 4, 2022 4:09 PM
To: Mayor Dwyer; Debbie Behringer; Trustee Karl; Trustee Martin O'Connor; Trustee Andrew Ferraro; Kim Zahra
Subject: Fwd: Public Comment Local Law 10/Village Code 195 - Damian Colavito

Sent from my iPhone

Honorable Mayor Neil S Dwyer
Village Trustee Debbie Behringer
Village Trustee John Karl III
Village Trustee Martin O'Connor
Village Trustee Andrew Ferraro
Village Clerk Kim Zahra
Village of Monroe
7 Stage Road
Monroe, NY 10950

Dear Mayor Dwyer and Village of Monroe Trustees,
Thank you for providing the opportunity for public comment for the proposed change to Village Code 195 Water and for all that you do for the Village of Monroe.

I have lived at 20 Lakeview Drive, Monroe, NY for 29 years. During that time I and my neighbors have removed garbage, thwarted trespassers and removed invasive water chestnuts. The proposed ban on recreational use of the lake would prevent us from continuing our intense stewardship of the lake, as well as our continued enjoyment of the lake. As NY state DEC licensed fishing guide for over 2 decades I am well educated in the healthy wellbeing of lakes and all its inhabitants. I have a legal and moral obligation to have its water quality and overall biology in my best interest. Have always used my knowledge to be a personal steward of lake Mombasha.

My property taxes are one of the highest in my area. The proposed ban on recreational use of the Mombasha Reservoir would reduce the value of my home and likely reduce the property taxes I pay to the Town of Monroe.

I would like to ask:

1. Have you thought through all the negative consequences the proposed change to Village Code 195 Water would have?
2. Do you not value the work Lake Mombasha residents have done to protect the lake, by commissioning PRISM's study and removing invasive species?
3. Why did you not directly notify those who would be affected by the proposed change, including those of us with property abutting the lake?
4. The 2021 Village water report and the consultant report delivered on Sept. 19, 2022 both attest that there are no contaminants from boating or fishing in Lake Mombasha drinking water. Why did you propose this radical change and why did you not respect us enough to notify us?

I appreciate you taking the time to answer my sincere questions.

Please recind the proposed Local Law 10/Village Code 195. Please set up monthly meetings with lake residents to dialogue on how we can work together in the best interest of all.

Sincerely yours,
Damian W. Colavito

Dec Badge no. 3386

20 Lakeview Drive
Monroe, NY 10950

Kim Zahra

From: Helen R <helenr718@gmail.com>
Sent: Tuesday, October 4, 2022 6:12 PM
To: Kim Zahra; Mayor Dwyer; Debbie Behringer; trustee.connor@villageofmonroe.org; Trustee Andrew Ferraro; Trustee Karl
Cc: Loris Rinaldi; mariannbischoff@gmail.com
Subject: Lake Mombasha Public Comment

Esteemed Village Board Of Trustees,

I am writing to respectfully request that the Board rescind the proposed change of village code and law that would ban our recreational access of Mombasha lake.

We, the lakeside residents, have always used the lake responsibly. Moreover, we take pride in doing as much we can to maintain its ecology.

Please explain what specifically has prompted this motion to change a law that has been in effect since 1977?

If there is contamination, is there definitive evidence of its source?

Please understand how much this lake means to us.

Thank you for your time and consideration.

Sincerely,

Helen & Loris Rinaldi