

**PUBLIC HEARING 1.19.21 – 6:45 PM
INTRODUCTORY LOCAL LAW #1 OF 2021
“OVERRIDE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW 3-C”**

Due to the COVID-19 pandemic and Governor Cuomo’s Executive Order No. 202.1, a Public Hearing was held on Tuesday January 19, 2021 at 6:45PM via ZOOM videoconferencing, a cloud based platform for video and audio conferencing. Although there was no physical meeting location, the public hearing was deemed to be conducted in the Boardroom of the Village Hall, 7 Stage Road Monroe, NY. All Board Members and members of the public were able to attend participating in the Meeting by videoconferencing in via the web link or telephone number provided by Village Clerk Baxter. The Public Hearing was held to review a proposed Local Law entitled “Override Tax Levy Limit Established by General Municipal Law 3-C.” The purpose of this local law is to allow the Village of Monroe to adopt a budget for the fiscal year commencing June 1, 2021 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law Section 3-C.

**Present: Mayor Dwyer, Trustees Alley, Behringer, Houle and Karl
Also present: Attorney Terhune, Village Clerk Baxter, Deputy Clerk Zahra and Water Plant Operator Mabee**

On a motion by Trustee Behringer, seconded by Trustee Karl, and carried, the public hearing was opened at 6:45 PM.

There were 4 people from the public present for the public hearings. There was no written correspondence received. The public hearing was left open for 5 minutes.

Attorney Terhune provided a brief explanation of the proposed local law to those that were in attendance and that it is defined by a certain percentage of the total assessed value that the Village cannot exceed without this local law. As a precaution, the local municipality adopts this local law that allows them to exceed that tax cap and if the municipality ends up not exceeding said tax cap, then the municipality simply rescinds the local law.

With no further comments or questions, on a motion by Trustee Houle, seconded by Trustee Behringer and carried, the public hearing was closed at 6:50 PM.

**PUBLIC HEARING 1.19.21 – 6:50 PM
INTRODUCTORY LOCAL LAW #2 OF 2021
“ADJUSTING THE TERMS OF THE ZONING BOARD OF APPEALS MEMBERS AND
ALTERNATES TO CORRESPOND TO THE VILLAGE’S OFFICIAL YEAR”**

Due to the COVID-19 pandemic and Governor Cuomo’s Executive Order No. 202.1, a Public Hearing was held on Tuesday January 19, 2021 at 6:50PM via ZOOM videoconferencing, a cloud based platform for video and audio conferencing. Although there was no physical meeting location, the public hearing was deemed to be conducted in the Boardroom of the Village Hall, 7 Stage Road Monroe, NY. All Board Members and members of the public were able to attend participating in the Meeting by videoconferencing in via the web link or telephone number provided by Village Clerk Baxter. The Public Hearing was held to review a proposed Local Law entitled “Adjusting the Terms of the Zoning Board of Appeals Members and Alternates to Correspond to the Village’s Official Year.” The purpose of this local law is to modify the terms of the Village Zoning Board of Appeals to correspond to the Village of Monroe’s official year.

**Present: Mayor Dwyer, Trustees Alley, Behringer, Houle and Karl
Also present: Attorney Terhune, Village Clerk Baxter, Deputy Clerk Zahra and Water Plant Operator Mabee**

On a motion by Trustee Alley, seconded by Trustee Houle, and carried, the public hearing was opened at 6:50 PM.

There were 5 people from the public present for the public hearings. There was no written correspondence received. The public hearing was left open for 5 minutes.

Attorney Terhune explained that this local law is similar to the one the Board passed to modify the terms of the members of the Planning Board so that the terms coincide with the Village’s official year. Attorney Terhune stated that any member or alternate’s term that end say in December, will be considered a holdover until March 31st of the following year until all members terms are aligned with the Village’s fiscal year.

With no further comments or questions, on a motion by Trustee Behringer, seconded by Trustee Karl and carried, the public hearing was closed at 6:56 PM.

**BOARD OF TRUSTEES MEETING
TUESDAY, JANUARY 19, 2021
(www.villageofmonroe.org)**

Due to the COVID-19 pandemic and Governor Cuomo's Executive Order No. 202.1, the second of the bi-monthly meetings of the Board of Trustees was held on Tuesday, January 19, 2021 beginning at 7:00PM via ZOOM videoconferencing. Although there was no physical meeting location, the meeting was deemed to be conducted in the Boardroom of the Village Hall, 7 Stage Road Monroe, NY. Mayor Neil Dwyer called the meeting to order and led in the pledge to the flag.

Present: Mayor Dwyer; Trustees Alley, Behringer Houle and Karl
Also present: Attorney Terhune, Village Clerk Baxter and Deputy Clerk Zahra, Police Chief Guzman, Treasurer Murray, Building Inspector Cocks and Water Plant Operator Mabee

MOTION TO OPEN MEETING:

On a motion by Trustee Houle seconded by Trustee Behringer, the January 19, 2021 Meeting of the Board of Trustees was opened at 7:00PM.

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

MINUTE APPROVAL: DECEMBER 9th 2020 COVID PROTOCOLS WORKSHOP:

Trustee Houle commented that the way that the minutes currently read it implies that the protocols are being put into place to open Village Hall to the public and that is not the case, but reiterated that the coronavirus protocols being discussed in no way implies that Village Hall will be open to the public and asked the minutes to reflect that. Village Clerk Baxter noted the correction. On a motion by Trustee Alley seconded by Trustee Karl, the Minutes of the December 9th 2020 COVID Workshop were amended to include the correction and approved.

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

MINUTE APPROVAL: DECEMBER 15th 2020 BOARD MEETING:

On a motion by Trustee Houle seconded by Trustee Behringer, the Minutes of the December 15th 2020 Board Meeting were approved.

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

MINUTE APPROVAL: JANUARY 5th 2021 BOARD MEETING:

Trustee Alley stated that she wasn't there for this meeting but inquired about the asphalt cracker sealer and whether the Board was continuing with the full purchase amount and not leasing it as previously discussed. Mayor Dwyer replied at the last Board Meeting the Board agreed to the purchase of the equipment and Trustee Karl agreed that by purchasing it, it would save the Village \$3,400 in interest. Mayor Dwyer replied that they just found financing for less than a penny that would result in costing the Village about \$200 a year to finance the equipment but Trustee Karl interjected that the Board discussed it at the last meeting to purchase it and Mayor Dwyer agreed and stated that he didn't want to talk about it out of session. On a motion by Trustee Karl seconded by Trustee Behringer, the Minutes of the December 15th 2020 Board Meeting were approved.

Ayes: Mayor Dwyer, Trustees Behringer and Karl
Nays: None
Abstain: Trustees Alley and Houle

BUDGETARY TRANSFERS / MODIFICATIONS:

On a motion by Trustee Alley, seconded by Trustee Karl, and carried, it was:

RESOLVED, the Board of Trustees authorized the Treasurer to make the following fund transfers / modifications to balance the budget:

From:	Description	To:	Description	Amount	
			None		
Budget Modifications					
A.2260	Police Services	A.3120.135	PD OT / Grants	292.16	Raise Revenue/Expense lines re OT Grant
A.2706	Local Grants	A.1110.410	Court General Expense	131.99	Raise Revenue/Expense lines re COVID grant
A.2706	Local Grants	A.1110.411	Court Office Supplies	210.95	Raise Revenue/Expense lines re COVID grant
A.2706	Local Grants	A.1620.410	VH General Expense	975.00	Raise Revenue/Expense lines re COVID grant

COMPLETION OF PROBATIONARY PERIOD: POLICE OFFICERS R. COMPASSO & D. GOMAS:

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

RESOLVED, having completed the required probationary term required by Orange County Human Resources, the following employees are hereby given permanent status for civil service requirements:

Robert L. Compasso, Police Officer, effective 12/30/2020

Dennis C. Gomas, Police Officer, effective 1/6/2021

An updated MSD 426-B will be submitted to Orange County Human Resources as required.

Ayes: Trustees Alley, Behringer, Houle and Karl

Nays: None

PD SURPLUS – 2006 CHEVROLET TAHOE -SELL THROUGH GOVDEALS.COM:

Trustee Karl questioned why Auctions International wasn't being used to surplus Village vehicles and Mayor Dwyer replied that he wasn't sure and asked Police Chief Guzman to explain. Treasurer Murray interjected and stated that the Village has used Auctions International in the past and Police Chief Guzman replied that they have used govdeals.com for the auction of their last 2 or 3 vehicles. He added that this company is something that they could look into for future sales, and research both venues to see which offers a better deal, but that govdeals.com is the one that they are most familiar with. Trustee Alley agreed that they should move forward with govdeals.com and going forward look into which one offers the best deal. On a motion by Trustee Behringer, seconded by Trustee Houle, it was:

WHEREAS, State Law requires equipment no longer needed by a municipality be sold at fair market value after declaring it surplus and no longer needed.

NOW, THEREFORE, BE IT RESOLVED, the Board of Trustees accepted the recommendation of Police Chief Guzman and declared the following equipment surplus to the needs of the Village and authorize it to be auctioned through govdeals.com, of East Greenbush, NY, to the highest bidder:

2006 Chevrolet Tahoe VIN #1GNEK13Z26R144144

Ayes: Trustees Alley, Behringer, Houle and Karl

Nays: None

POLICE PROMOTION: DANIEL E. LINDELL, DETECTIVE:

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

RESOLVED, the Board of Trustees accepted the recommendation of Police Chief Guzman and approved the promotion of Police Officer Daniel E. Lindell to the position of Detective effective January 28, 2021 with a starting salary of \$102,764.00 as per the Agreement between the Village of Monroe and the Monroe Police Benevolent Association. The necessary MSD 426-B will be submitted to Orange County Department of Human Resources.

Detective Lindell was present on the call and congratulated by the Board on his promotion.

Ayes: Trustees Alley, Behringer, Houle and Karl

Nays: None

ADOPTION OF LOCAL LAW #1 OF 2021 - TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW SECTION 3-C:

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

WHEREAS, the Village Board of the Village of Monroe, New York (“Village Board”) duly noticed a public hearing held on January 19, 2021; and

WHEREAS, the Village Board solicited public comment during said public hearing on January 19, 2021; and

WHEREAS, the purpose of this Local Law is to authorize the Village Board to override the limit on the amount of real property taxes that may be levied by the Village and to further allow the Village Board to adopt a budget for the fiscal year commencing on June 1, 2021 that requires a real property tax levy in excess of the tax levy limit in accordance with General Municipal Law § 3-C.

NOW, THEREFORE, BE IT RESOLVED that:

1. The above “WHEREAS” paragraphs are incorporated herein by reference.
2. The Local Law Authorizing A Property Tax Levy In Excess of The Limit Established in General Municipal Law § 3-C as attached hereto as Schedule “A” be and hereby is adopted as Local Law No. 1 of 2021 of the Village of Monroe on January 19, 2021.
3. The Village Board hereby directs the Village Clerk to take all steps to process and file said Local Law.
4. This Resolution shall be effective immediately.

Ayes: Trustees Alley, Behringer, Houle and Karl

Nays: None

**LOCAL LAW No. 1 of 2021
Village of Monroe, County of Orange**

A Local Law to override the tax levy limit established by General Municipal Law 3-c.

Section 1. Legislative Intent

It is the intent of this Local Law to allow the Village of Monroe to adopt a budget for the fiscal year commencing June 1, 2021 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law Section 3-c.

Section 2. Authority

This Local Law is adopted pursuant to subdivision 5 of General Municipal Law Section 3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Board of Trustees of the Village of Monroe, County of Orange, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2021 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law Section 3- c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgement shall not affect, impair, or invalidate the remainder of this Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgement or order shall be rendered.

Section 5. Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.

ADOPTION OF LOCAL LAW #2 OF 2021 - ADJUSTING THE TERMS OF ZONING BOARD OF APPEALS MEMBERS AND ALTERNATES TO CORRESPOND TO THE VILLAGE'S OFFICIAL YEAR:

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

WHEREAS, an introductory Local Law, titled "ADJUSTING THE TERMS OF ZONING BOARD OF APPEALS MEMBERS AND ALTERNATES TO CORRESPOND TO THE VILLAGE'S OFFICIAL YEAR," was introduced before the Board of Trustees of the Village of Monroe on January 5, 2021; and

WHEREAS, a duly published and posted hearing was held on said Local Law on January 19, 2021, whereat public discussion was heard concerning the merits of said Local Law and after hearing from all those present wishing to speak and acknowledging that no written comments had been received, the Board of Trustees declared the public hearing closed on January 19, 2021; and

WHEREAS, the Board of Trustees determined that this is a Type II Action under the State Environmental Quality Review Act (SEQRA), requiring no further SEQRA action.

NOW THEREFORE, BE IT RESOLVED that the introductory Local Law, titled "ADJUSTING THE TERMS OF ZONING BOARD OF APPEALS MEMBERS AND ALTERNATES TO CORRESPOND TO THE VILLAGE'S OFFICIAL YEAR," is hereby adopted by the Board of Trustees of the Village of Monroe on January 19, 2021, as Local Law No. 2 of 2021 of the Village of Monroe.

Ayes: Trustees Alley, Behringer, Houle and Karl

Nays: None

Attorney Terhune requested that Village Clerk Baxter adjust the terms of office on the Village roster and distribute to the members of the Zoning Board of Appeals and its alternates.

**LOCAL LAW No. 2 of 2021
Village of Monroe, County of Orange**

A Local Law Adjusting the Terms of the Zoning Board of Appeals Members and Alternates to Correspond to the Village's Official Year

BE IT ENACTED by the Village Board of Trustees of the Village of Monroe, County of Orange, State of New York, as follows:

Section 1. Legislative Findings, Purpose and intent.

The Village Board of Trustees finds and determines that the public interest would be served modifying the terms of the Village Zoning Board of Appeals to correspond to the Village of Monroe's official year.

Section 2. Authority.

This local law is enacted by the Village Board of Trustees of the Village of Monroe pursuant to its authority to adopt local laws under the New York State Constitution, Article IX, Section 10 of the Municipal Home Rule Law, and Section 7-718(6) of Village Law.

Section 3. Chapter 57, titled, "Zoning Board of Appeals," of the Code of the Village of Monroe is hereby amended as follows:

Subsection A, titled "Creation," of Section 57.1, titled, "Creation, appointment and organization," shall be amended by adding the following two paragraphs:

1. Terms of members first appointed. In the creation of a new board of appeals, or the reestablishment of terms of an existing board, the appointment of members to the board shall be for a term of five years so fixed that one member's term shall expire at the end of the Village's official year in which such members were initially appointed. The remaining members' terms shall be so fixed that one member's term shall expire at the end of each official year thereafter. At the expiration of each original member's appointment, the replacement member shall be appointed by the board of trustees for a term which shall be equal in years to the number of members of the board.

2. Terms of members now in office. Members now holding office for terms which do not expire at the end of the village official year shall, upon the expiration of their term, hold office until the end of the Village's official year and their successors shall then be appointed for terms which shall be for a term of five years.

Section C, titled "Term of office," of Section 57.2, titled, "Alternate members," shall be deleted in its entirety and replaced with the following:

C. Term of office. The term of each alternate member shall be for a term of five years so fixed that one member's term shall expire at the end of the Village's official year in which such members were initially appointed. Alternates now holding office for terms which do not expire at the end of the village official year shall, upon the expiration of their term, hold office until the end of the Village's official year and their successors shall then be appointed for terms which shall be for a term of five years.

Section 4. Supersession, of Inconsistent Laws, if any. The Village Board of Trustees hereby declares its legislative intent 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. The courts are specifically requested to take notice of this legislative intent and apply such intent in the event the Village has failed to specify any provision of law that may require supersession. The Village Board hereby declares that it would have enacted this local law and superseded such provision had it been apparent.

Section 5. Severability.

If any section, part or provision of this local law or the application thereof to any person, property or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the section, part, provision or application directly and expressly adjudged invalid and shall not affect or impair the validity of the remainder of this local law or the application thereof.

Section 6. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.

AUTHORIZATION TO RE-BID AQUATIC WEED HARVESTER – CONTINUED:

(See 11/17/20, 12/15/20 Minutes)

An invitation to bid was advertised and a bid opening was held on January 19, 2021 for an aquatic weed harvester to assist the Village of Monroe Department of Public Works with the weed management in and around the Village. Only one bid was received from Weedoo Boats, 8020 Belvedere Road Ste#1, West Palm Beach, FL 33411, in the amount of \$84,470.34. Because of Village's procurement policy, the Village is required to go out to bid a second time before they can proceed with purchasing the weed harvester from Weedoo Boats. Discussion followed. Trustee Karl shared that there were two components missing from the bid that was submitted to the Village, the bimini cover and the root rake, which were included in the bid specs but not included in the vendors bid. On a motion by Trustee Karl, seconded by Trustee Alley, it was:

RESOLVED, the Board of Trustees authorized the re-bid for one (1) aquatic weed harvester for the Department of Public Works. Village Clerk Baxter is authorized to run the invitation to re-bid in the Times Herald Record, with a bid opening date of February 16, 2021 at 11AM.

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

INTRODUCTION OF LOCAL LAW #3 OF 2021 – MODIFYING CHAPTER 185 OF THE VILLAGE CODE "TOWING":

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

BE IT RESOLVED that an introductory Local Law, titled "MODIFYING CHAPTER 185 OF THE VILLAGE CODE, "TOWING," is hereby introduced by Mayor Dwyer before the Board of Trustees of the Village of Monroe, County of Orange, State of New York; and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed Local Law be laid upon the desk of each member of the Board of Trustees; and

BE IT FURTHER RESOLVED that the Board of Trustees shall hold a public hearing on said proposed local law at the Village Hall, 7 Stage Road, Monroe, New York at 6:45PM on February 2, 2021; and

BE IT FURTHER RESOLVED that the Village Clerk shall publish or cause to be published a public notice in the official newspaper of the Village of Monroe no later than five (5) days prior thereto.

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

Attorney Terhune stated that she had not received any feedback from the Board regarding the proposed local law, and that's ok, but if they are looking to comment on it, they should submit those comments to her right away.

DISCUSSION – GENESIS MEDICAL HEALTH / CARESTIER HEALTH:

Mayor Dwyer shared that Genesis Medical Health is a medical practice that presented an opportunity the Village during the initial outbreak of COVID-19 and asked how they could help. The Village utilized them at the time to come in and test the Monroe Police Department and subsequent to that came back a second time and offered the testing to the rest of the Village employees and Board Members. Mayor Dwyer reached out to them another time with the second spike of COVID and allowed the people working within the Village to get tested.

Mayor Dwyer continued that he began getting phone calls from people who needed help getting testing done and realized that they had an opportunity to work with Genesis Medical to offer people a location. Mayor Dwyer shared that they have a motor home that they could bring into the Village, on the Village's timeline, and offer their services. Mayor Dwyer stated that he asked Trustee Alley to follow up with them regarding the specific details.

Trustee Alley stated that she spoke with Mr. Lebowitz and explained that there are a few things that the Board will need to decide. She explained that they are willing to place the mobile unit wherever the Village would like and open it during times that the Village needs.

Trustee Alley continued that they are a mobile unit and would work by walk-up's only, and would begin working 4 to 5 days after the Board gives them approval. They have requested offering services for 5 days at the beginning and increasing to 6 or 7 days if there is a need for it. Trustee Alley stated that they would be performing PCR tests only as the rapid test have proven to not be accurate enough and expect that the results would be available in 24-48 hours. There is no cost to anyone participating. You can bring your insurance card and they bill it to insurance. If you do not have insurance, they bring their ID and the mobile unit will bill it under the CARES Act. Antibody testing will also be tested.

Trustee Alley stated that the three pieces that they Board needs to resolve should they wish to proceed. What days the unit should be in place? The Board also needs to decide where they want the unit placed and Mr. Lebowitz added that they could do a 6 hour stint, with the mobile unit being in three different locations for two hours each. Trustee Alley shared her opinion that she feels the unit should remain in one single location so people know where it is and not have to search around for it. Trustee Alley also stated because of COVID, she thinks that the Board should waive the event application requirement and they should proceed with approval with a consult by Police Chief Guzman and they are able to verify insurance liability coverage.

Mayor Dwyer asked all Board members to share their thoughts on this community service and all Board members were in agreeance that they should move forward with the opportunity by having the mobile unit located in a one place. Trustee Behringer asked how they would advertise and Trustee Alley replied that it would be word of mouth as well as utilizing the Village's social media platforms and reminded the Board that this service would not be limited to only Village residents. Trustee Karl asked if the mobile unit would be removed every day and whether they would provide their own generator and Mayor Dwyer replied yes to both. Mayor Dwyer stated that the purpose this evening would be to grant them permission to come into the Village and offer their services and suggested them using the smaller of the two commuter parking lots on Millpond Parkway. Mayor Dwyer added that permission would be contingent upon all necessary insurance information be submitted and reviewed by the Village's insurance carrier. Trustee Karl also asked if they would be locked into a contract or could they get out at any time and Mayor Dwyer replied that there will be no contract, that the medical group is simply interested in providing a public service to the community. Mayor Dwyer reiterated that if things seem to not be working out, they can part ways at any time without issue.

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

RESOLVED, the Board of Trustees authorized Genesis Medical Health to offer COVID-19 testing to individuals utilizing their mobile unit which will be parked daily in the Village of Monroe commuter parking lot located on Millpond Parkway. COVID PCR testing will be offered at no cost to the individual, as well as anti-body testing. The mobile unit will be removed from the lot daily. It is further;

RESOLVED, that the event application requirement is waived due to the COVID-19 pandemic and that approval is contingent upon all necessary insurance documents being submitted and approved by the Village's insurance carrier, Marshall & Sterling.

Ayes: Trustees Alley, Behringer, Houle and Karl

Nays: None

MAYOR & TRUSTEE'S REPORT:

Trustee Behringer shared that Police Officer Melissa Berke has successfully completed her Canine Narcotics Phase 1 Training at the Orange County Canine Academy with K9 Keen and is scheduled to begin the canine patrol training phase 2 on March 15, 2021. Trustee Behringer continued that K9 Simba will be retiring on January 26, 2021 and the Monroe Police Department will honor his service to the community with a final walkout scheduled for January 26th at 3:00PM.

Trustee Behringer noted that K9 Simba has assisted in numerous drug arrests and investigations, building searches, suspect apprehensions and searches for missing or warranted persons. Trustee Behringer thanked Police Officer Gaylor and K9 Simba for their service to the community and wished Police Officer Berke and K9 Keen best wishes.

Mayor Dwyer shared that the canine program started under Mayor Purcell when he was a Trustee on the Board, a program that was very well received, which the Village also received some grant money that helped with the expense of getting the program started. Former Mayor Purcell was also on the call and stated that it was a nice addition to the Department and it was like having another officer on the job. Police Chief Guzman stated the K9 Simba has served with the Monroe Police Department since 2014 and requires a great deal of patience and commitment. Police Chief Guzman thanked K9 Simba on a job well done in his service with the Village of Monroe PD.

Trustee Houle shared that the former Farmer's Market Manager, Tony Romangino, has retired to South Carolina, and that Javajo's owner, Tyler Sloboda, has expressed an interest in taking it over with the help of the Chamber of Commerce. She looks forward to ushering the Farmer's Market onto the next set of hands.

Trustee Karl asked Mayor Dwyer about the backhoe issue with Smith's Clove Park. Mayor Dwyer replied that he became aware of a backhoe being used by Smith's Clove Park that was given to them by the Village of Monroe Board of Trustees in 2015. Mayor Dwyer continued that he became aware that the backhoe was being declared surplus by the Park Commission at their December 2020 meeting and asked them to put it on hold and allow him to do some research as he believed that it was still on the Village's insurance and might be still owned by the Village. They agreed to his request.

Mayor Dwyer continued that he reached out to the Village's insurance carrier, Marshall & Sterling, and found out that it was in fact still on the Village's inventory and had Deputy Clerk Zahra pull the rescinding of a resolution and the further resolution giving use to Smith's Clove Park. He presented this information to the Park Commission, they considered giving it back to the Village given the good relationship between them. The item was declared surplus and they received a bid of \$18,000 for the backhoe, and that is where it currently stands. Mayor Dwyer added that he advised them that he would bring it up at the prior meeting but had forgotten, and asked the Board if they had any questions for him regarding the matter.

Trustee Alley asked if the title was ever transferred to the Park and Mayor Dwyer replied that the title wasn't transferred, that the Board passed a resolution but he didn't have it in front of him to reference it. Trustee Karl replied that he had it and Mayor Dwyer asked him to read it. Trustee Karl stated that the resolution was dated 11/17/15, and read as follows:

SALE OF SURPLUS EQUIPMENT THROUGH AUCTIONS INTERNATIONAL – CASE LOADER & BACKHOE:

On a motion by Trustee Gormley seconded by Trustee Chan, the following resolution was adopted:

WHEREAS, in accordance with State Law requirements that equipment no longer needed by the municipality be sold at fair market value, it was:

RESOLVED, the following Department of Public Works equipment is declared surplus to the needs of the Village of Monroe: Case Loader ID# JFF0137314 Backhoe ID JJGO304551

It is further RESOLVED, the Board directs that this equipment be placed for sale through Auctions International and sold to the highest bidder. Upon its sale, it is hereby authorized that this equipment be removed from inventory and Marshall & Sterling Insurance be notified. It is further

RESOLVED, funds received from the sale shall be placed in the Highway Equipment Reserve Account A9950.9000.

Ayes: Trustees Gormley, Dwyer and Chan

Nays: None

Trustee Karl also stated that the December 1, 2015 meeting the Board rescinded a portion of the 11/17/15 resolution that pertained to the backhoe and authorized the transfer of the backhoe to the Monroe Joint Parks for the use in Smith's Clove Park. Trustee Karl added that the gentleman who had the highest bid is waiting for the equipment and confirmed that the intention of the Park's Commission to sell this piece of equipment is because they need to purchase something a little smaller and more maneuverable for use in the park. The proceeds from this would go towards offsetting the purchase of new equipment. Trustee Karl also added that past practices has always been when the Village has transferred equipment over to the Park, once they were done with it, they would sell it and the money would go into their reserve accounts for when they needed to purchase new equipment. Trustee Karl continued that he went to the park and looked at the equipment and it is 22-23 years old. There are some hydraulic leaks and it is his opinion to allow the Parks Commission to award it to the highest bidder and offset the funds to purchase what they need for Smith's Clove Park. Trustee Alley asked what the approximate value of a piece of equipment like this and Trustee Karl reiterated that the park received a bid of \$18,000, which surprised him, but this time of year equipment like this moves if you are in the snow removal business. Trustee Alley asked if it was common practice to take Village equipment of value and transfer to the Park? Trustee Karl replied that they have done it in the past.

Mayor Dwyer stated that this is what drove him. It was equipment on Village insurance and it is a Village asset and added that he may have misinterpreted what the word "transfer" means. It didn't say sold, it didn't say it was titled over. He assumed that it was just for their use and he was protecting their asset, it was as simple as that.

Trustee Behringer asked if Mayor Dwyer thought that they were just lending it to them and Mayor Dwyer replied that he did, maybe he didn't appreciate that language, in those terms, in that environment, but he believed that it was on our insurance that the Village was paying for. He didn't think they should surplus it out and the Village not receiving those funds for it.

Trustee Karl interjected and stated that he spoke with Treasurer Murray today regarding the insurance, and the Village pays the liability insurance on Smith's Clove Park because it is Village owned property and the Town of Monroe picks up any other additional insurance. Trustee Houle interjected and stated that to her knowledge after going over the insurance with Village Insurance Agent Greg Townsend, the Village insures the buildings in the park and anyone going into the park should they injure themselves. As far as equipment and the backhoe, and she went over all the inland marine equipment and looking at each piece with Highway HEO Giudice and asked if the Village was certain that the backhoe that was on the inventory list was the backhoe that was at Smith's Clove Park? Trustee Karl replied that he received a list of equipment from Treasurer Murray and he went through it and it doesn't show the backhoe.

Mayor Dwyer stated that the list Trustee Karl had come from Treasurer Murray and asked Treasurer Murray where that list came from. Treasurer Murray replied that it was from Trustee Houle and Trustee Houle stated that she went over every piece of equipment that was on the list given to her from Greg Townsend that was on the Village's insurance policy and made sure that the Village had each one of those things. Trustee Houle continued that anything that was on the list that they no longer had, she had Lydia Negrón from Marshall & Sterling, remove it from their policy. The list is current. Trustee Houle also stated that she developed a binder in Village Hall that includes the title, registration and some bills of sale for inland marine equipment.

Mayor Dwyer stated that he called Greg Townsend and provided him with the serial number of the backhoe that was listed in the surplus resolution and Mr. Townsend confirmed that it was on their policy. Mr. Townsend could be wrong, but he wouldn't go through what he was doing if he believed that. Mayor Dwyer stated that they could table it so they could look into it further or make a decision. Mayor Dwyer also asked Attorney Terhune to suggest what the word transfer means. Attorney Terhune replied that when a word is not defined within the scope of a contract, it assumes its ordinary meaning, and she confirmed that the definition of transfer was "to convey from one person to another." They could argue about the meaning of transfer, but the decision the Board really must make is that are they going to relinquish any value of this piece of equipment to the Park or not. Mayor Dwyer replied that for him, it was more about the asset than the value of the item but posed to the Board how they wished to proceed. On a motion by Trustee Karl, seconded by Trustee Houle, it was:

RESOLVED, the Board of Trustees hereby relinquish ownership of the backhoe (*ID JJGO304551*) that was transferred to Smith's Clove Park via Board resolution dated 11/17/15, so that the Park Commission may move forward with the surplus of said backhoe and utilize the monies from that sale towards the purchase of a new piece of equipment.

Ayes: Trustees Alley, Behringer, Houle and Karl
Nays: Mayor Dwyer

Mayor Dwyer asked Village Clerk Baxter to send a letter to the Park Commission notifying them of the resolution and confirm its removal from inventory.

Attorney Terhune added that going forward the Board should be extremely clear in its resolution as to what its intent is. Mayor Dwyer agreed.

PUBLIC COMMENT: # PRESENT 12 TIME: 8:05 PM

Town Supervisor Cardone wished the Board a Happy New Year and inquired as to the status of the request that was made of the Village to offer the Town reduced water rates for Town owned buildings within Village boundaries. Mayor Dwyer replied that the Board has not come to any conclusion and although the Board has discussed it, there has not yet been a formal resolution. Attorney Terhune interjected and stated the Board has discussed it but has not determined what those rates should be. She continued that she has advised the Board that there are many options and suggested that perhaps two members of the Board form a committee and review the rates and then make a rate proposal to the Board. Mayor Dwyer suggested that since Trustee Karl is liaison to the Water Department he should be on the committee and Trustee Karl agreed. Trustee Houle volunteered to assist. Trustee Karl asked for clarification that they were only reviewing the rates for this particular request and Mayor Dwyer replied that was correct.

Resident Tim Mitts offered to the Board the use of Rest Haven for testing location if it makes it easier. Mr. Mitts continued by asking for clarification on event protocols in 2021, as he has had conversations already regarding the annual Girl Scouts event that is held on his property. Mayor Dwyer replied that 60 days is the normal request timeline for submittal but asked Counsel for input. Attorney Terhune replied that she did not have the current restrictions on gatherings from the NYS Department of Health. Mr. Mitts stated that he just wanted to get an idea as to where everything may stand in March. Trustee Alley interjected and stated that in the past they have been approving things but they don't know what the future situation will be, so people need to realize that they could be called a week before and told their event needs to be cancelled. Trustee Alley stated that this is what she believes needs to be done in order to move forward, and she is sure that the Girl Scouts are aware of that. Trustee Alley suggested that he move forward with the event and get the application in, but know that based on the County regulations at that time, it may be something that needs to be cancelled.

Mr. Mitts shared with the Board that the NYS Department of Health has moved forward with their application and thanked Building Inspector Cocks for working with him to close out all matters.

Resident Lorraine Loening thanked the Board for moving forward with the Police Reform presentation and making it happen. Ms. Loening continued and requested that the Board of Trustees prepare a resolution condemning the insurrection that took place at the US Capitol Building on 1/6/21. She stated that she has heard very little from local Boards condemning the disgraceful action and feels it's important that the resident's know that their local government is pro-democracy. Mayor Dwyer replied that violence is violence and is always an issue. One of the biggest challenges of local government is that they have very little opportunity to make things happen at the Federal level. State wide is probably the same. But locally they get to have some really cool things going on and get to do some great things. Mayor Dwyer continued that he believes that he and the Board ethically and morally do things with the Village's best interest in mind and to that end he thinks that they do a good job and move things forward. Mayor Dwyer stated that by him writing a letter or the Board passing a resolution condemning the actions on what happened in Washington D.C. puts them in another plane that he doesn't want to be in. He would rather focus on energizing the Board to get things done here and that is where his focus is.

Resident Robert Zilinski wished the Board a Happy New Year and thanked the Board for all their hard work. Mr. Zilinski commented on the recent infrastructure work that was being done on Freeland Street and Dorothy Drive and asked Mayor Dwyer if he knew what it was. Mayor Dwyer replied that he became aware of the work being done behind Dorothy Drive by Trustee Karl, and neither of them were aware of what was going on. Mayor Dwyer continued that he had a conversation with County Legislator Touhy and they all started putting the different pieces together and were able to determine that there is an upgrade to an existing sewer line that is in a sewer easement that Orange County Sewer District has on Village property. Mayor Dwyer stated that he was told that a private developer has paid for all the infrastructure work at no cost to the rate payer and it is being done under the guidance and oversight of Orange County Sewer District's Staff and Engineers.

Mayor Dwyer continued that he has asked for a meeting and documentation from them on the entire project. The Village of Monroe was not given the opportunity to weigh in on the project development and although they have the right to be there because of the easement, information is really important and

it would be helpful to have that information to be able to convey that to the public. They were not contacted about this project, and the Village of Monroe is not listed as an additional insured, which he believes that they should be. The Village is working on a full oversight of what has happened to date. Mr. Zilinski thanked Mayor Dwyer for the information and asked that more information be shared as he gets it, like he has in the past.

Former Mayor Jim Purcell stated that to be clear on the backhoe that was discussed earlier in the meeting, it was a transfer of equipment to the Park permanently. Mr. Purcell continued that Mayor Dwyer was not present at the meeting when the transfer was made, but that was the intent for them to have it. The Village did carry insurance for them on the liability side and it wasn't an issue leaving in on the Village insurance because they were saving the Park money. It was an asset that was going to be reassigned to a new owner.

Mr. Purcell continued that while he was Mayor, the Village used Auctions International, which they became aware of through former DPW Superintendent Brian Smith. The main reason they used them was because they got full bid price on whatever they were trying to sell and it never cost the Village a penny. The whole Village used them as well, DPW, Water and the Police Department.

Mr. Purcell suggested offering the COVID testing at the Town Hall parking lot. They have ample parking and wouldn't have to worry about the spillover onto Millpond Parkway. It would be a great spot since its open to everyone and would be a lot easier for everyone. Mr. Purcell thanked the Board for the great idea and for something that would benefit the entire community.

EXECUTIVE SESSION:

On a motion by Trustee Behringer, seconded by Trustee Houle, and carried, following a 5-minute recess, the Board convened in Executive Session at 8:31PM for discussion of Attorney Client and pending litigation.

Executive Session Minutes compiled by Mayor Dwyer.

OPEN SESSION: on a motion by Trustee Alley, seconded by Trustee Behringer and carried, the Open Meeting resumed at 9:42PM.

DISCUSSION – WATER RATES FOR TOWN OWNED BUILDINGS- CONTINUED:

(See 12/1/20 Minutes)

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

WHEREAS, Town of Monroe Supervisor Cardone requested a reduction in the water rate for Village water supplied to Town-owned properties located outside of Village boundaries; and

WHEREAS, the Village Board of Trustees considered the Supervisor's request and determined that the current water rates charged to all water users, including those outside of Village boundaries, reflect the necessary rate to maintain a safe water supply; and

WHEREAS, the reduction of water rates to one class of user will likely cause an increase to the water rates of another class of user; and

WHEREAS, the Board of Trustees is currently reviewing all water rates and is not at this time prepared to make any changes to the existing rates.

THEREFORE, BE IT RESOLVED, that there will be no change to the current rate schedule for water users, including municipal water users that own property outside of Village boundaries.

Ayes: Trustees Alley, Behringer, Houle and Karl

Nays: None

ADJOURNMENT:

On a motion by Trustee Karl, seconded by Trustee Behringer and carried, no further business, the meeting was adjourned at 9:49 PM.

Respectfully Submitted,

Ann-Margret Baxter
Village Clerk

MONTHLY REPORTS:

Trustee Karl asked Water Plant Operator Mabee about the water main break on Holland Road and whether the hydrant was replaced or repaired. Water Plant Operator Mabee replied that the hydrant was replaced with a new valve which was located approximately 25 feet to the north of where the existing hydrant was located. On a motion by Trustee Houle, seconded by Trustee Behringer, with all in favor, the department monthly reports were accepted and filed.

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

1. Minutes prepared, processed associated correspondence and Legal Notices completed for the December 1st and December 15th Board of Trustees Meetings along with a Village Hall COVID Protocols Workshop on December 9th.
2. Permits issued: Handicap Parking: 6 Garage Sale: 0 Solicitor/Peddling: 0 Road Opening: 0 Blasting Permit: 0 Liquor License: 0 Towing Permits: 0
3. Processed 5 FOIL Requests.
4. Processed 0 Event Applications.
5. Public Hearings Held: 0
6. Closed out mailing machine for month on 12/31.
7. Bi-Weekly payroll worksheets completed and submitted.
8. Collected November water rents.
9. Required paperwork filed with O.C. Department of Human Resources.
10. Declared continuation of State of Emergency on December 21, 2020 to January 21, 2021.
11. Oversee updates and maintenance, of Village Website and Constant Contact. (20 sent)
12. Daily retrieval of messages left during the day and after hours. Forwarded messages and responded as required.
13. Vouchers completed as required. Transmittal of money collected completed and bank deposits done.
14. Scan and email pertinent information to Board and Attorney.
15. Adopted newly updated LGS – 01 Records Retention and Disposal Schedule.

DECEMBER 2020 JUSTICE COURT REPORT:

Total Fines: \$12,789.50 Total Surcharges: \$5,878.00 Total Parking: \$3,825.00
Total Civil Fees: \$220.00 Bail Poundage Collected: \$22.50 Total Bail Forfeited: \$0.00
Total for November: \$222,735.00

Vehicle & Traffic Tickets: 364 Disposed: 126
New Criminal Cases: 42 Disposed: 28 Civil Cases: 1 Disposed: 0
Paid Parking Tickets: 102 Dismissed Traffic Tickets: 19

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

CALLS FOR SERVICE

TOTAL CALLS – 1,461
CASES/CRIMINAL OFFENSE – 236
ARRESTS – 60

TRAFFIC REPORT

TRAFFIC TICKETS – 342
PARKING TICKETS – 100
GAS - \$1,783.63/1212G
MVA – 22

TRAINING

DATAMASTER – Tenaglia / Gatto / Mahoney / Romer / Payton / Grosso / Gayler / Freeman
IMPLICIT BIAS – Tenaglia / Grosso / Gatto / Hansen
EMT - Romer

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

Production: Lake Mombasha: 27,653,804 24,423,953 Gallons LY 2019
Well #4: 4,978,220 3,538,470 Gallons LY 2019

Consumption: 32,632,024 Gallons / 27,962,423 Gallons LY 2019
Water Samples / Testing: Passed
Rainfall: 4.1
Reservoir: full

Miscellaneous:

Mark Outs
2 Reservoir Inspections
Final Water Reads
Daily Equipment Maintenance at Plant and Well
Weekly and Monthly Water Testing to Lab, All Results Good
Replaced Leaking Link Seal on Filter #4
Updated Diamond Maps
Fixed Water Main Break on Holland and Repaired Hydrant
TAM here to Install New Chemical Storage Tanks
Fixed Leaking Lag Quill at Well #4

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

1. Disinfect – buildings – trucks – equipment every day.
2. Garbage removal in Village and around Ponds.
3. Installed Christmas lights.
4. Leaf pickup for 5 days.
5. Break down leaf truck and install plow.
6. Mowed and cleaned two retention ponds on Reynolds Road.
7. Top soiled, seeded, and hayed Mine Road.
8. Cut, chipped, and cleaned up trees on Prospect Street.
9. Cut back trees and brush on the sides of Village roads.
10. Cut fallen trees from storm damage on High Street, Stage Road, and Still Road.
11. Installed new fire hydrant on Holland Road and blacktopped.
12. Repaired water service line on Colony Drive.
13. Repaired watermain break on Moulton Circle and blacktopped.
14. Repaired two mailboxes.
15. Went over chainsaws and woodchipper.
16. Picked up due to storm damage around the Village.
17. Snowplowed one event – Salted three times and plowed three times.
18. Went over snowplows, sanders, and equipment.
19. Uptown clean up and remove snow.
20. Move snow from cul de sacs.
21. Cleaned shop.

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

Building Permits Issued:	38
Rental Inspections Completed:	1*
Title Searches Completed:	31
Violations Issued:	2
Building Permit Inspections Performed:	111
C.O's Issued:	23
Complaint Inspections:	2
Fire Inspections:	0*
Open, active building permits:	308
FOIL Requests:	4

Building Permit Fees:	\$ 21,177.13
Rental Permit Fees:	100.00*
Fire Inspection Fees:	0.00*
Title Search Fees:	<u>3,600.00</u>

Total Collected Fees: **\$ 24,877.13***

Monthly Assessor's Report

Monthly report to FD for Solar

Daily cash deposits to Clerk

Bi Monthly mailing for expired permits

Attendance at Planning Board Meetings, Village Board, and ZBA Meetings

***COVID-19**

MONROE FIRE DISTRICT OFFICERS 2020:

Commissions: John Centofanti, Jason Kalter, Thomas M. Smith Dep. Chair, Thomas P. Sullivan, Ch.

Secretary: Mary Ellen Beams

Treasurer: Richard Goldstein

Chief John Scherne, 1st Ass't Chief Rich Lenahan

DECEMBER 2020 TREASURER'S REPORT SUBMITTED BY CATHERINE MURRAY:

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

Bank interest	616
Util Gross Receipts Tax	21,787
Planning Board Fees	8,330
Rental of Real Property	6,519
Building Permits	24,102
Fines & Forfeited Bail	8,837

SIGNIFICANT ACTIVITY (EXPENDITURES)

Law Contractual	7,158
Law Contractual/Other Atty	14,545
PD Uniform Allowance	5,698
Street Lighting Street	9,282
Sidewalks General Expense	34,004
Parks Contractual	14,840
Police Retirement	469,863
Purification Electricity - Water fund	7,466
Purification Chemicals - Water fund	20,730
Purification Waste Removal - Water fund	5,550
Distribution Contractual - Water fund	8,947
Radio Reads - Water fund	11,985
EFC Bond Principal & Int - Water fund	162,127
State Retirement - General Fund	238,975
- Water Fund	59,744
	46,436
Health Insurance - General Fund	150,802
- Water Fund	16,642
	167,444

STATUS OF FY2021 CONTINGENCY ACCOUNTS

<u>STATUS OF FY2021 CONTINGENCY ACCOUNTS</u>	<u>CURRENT BALANCE</u>
General Fund Appropriation -budgeted \$141,375	141,375
Water Fund Appropriation -budgeted \$25,000	25,000

COMMENTS:

We have completed 6 months of the fiscal year and expenses should be at 58.3%. The expenses are at 56.1% for the General Fund and 64.3% for the Water Fund.

Respectfully submitted,
 Catherine Murray
 Treasurer