

**BOARD OF TRUSTEES MEETING  
WEDNESDAY MAY 3<sup>rd</sup>, 2107 @ 7 PM  
([www.villageofmonroe.org](http://www.villageofmonroe.org))**

**Due to a scheduling conflict, the first monthly meeting of the Village of Monroe Board of Trustees was held Wednesday May 3<sup>rd</sup>, 2017 at 7:00 PM in the upstairs Boardroom of the Village Hall, 7 Stage Road, Monroe, NY. Mayor Purcell led in the pledge to the flag and called the meeting to order. Emergency exits were announced.**

**Present: Mayor Purcell; Trustees Chan, Dwyer, and Behringer**

**Also present: Attorney Bonacic, Village Clerk Baxter, Deputy Clerk Zahra, Building Inspector Cocks, Village Engineer John O'Rourke, Kelly Naughton, Esq., and Planner Kristen O'Donnell (Lanc & Tully).**

**Absent: Trustee Conklin (illness)**

**MINUTE APPROVAL: ORGANIZATIONAL MEETING APRIL 3<sup>rd</sup>, MEETINGS OF 4<sup>th</sup>, 18<sup>th</sup>**

**On a motion by Trustee Dwyer seconded by Trustee Chan, the Minutes of the Annual Organization Meeting of April 3<sup>rd</sup> and the April 4<sup>th</sup> and 18<sup>th</sup>, 2017 Meetings were approved.**

**Ayes: Trustees Behringer, Dwyer and Chan**

**Nays: None**

**BUDGETARY TRANSFERS / MODIFICATIONS:**

**On a motion by Trustee Chan seconded by Trustee Behringer, with all in favor, 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	
A.9950.900	Transfers Hwy Equip Rsv	A.7110.250	Parks Other Equipment	4,319.00	Transfer portion of Buffalo snow storm reimbursement towards mower
A.9950.900	Transfers Hwy Equip Rsv	A.7110.250	Parks Other Equipment	8,090.00	Transfer portion of budgeted transfer towards trees/ landscaping
<b>Budget Modifications</b>					
A.1560	Safety Inspection Fees	A.1440.450	Engineering Contractual	5,669.23	Raise Revenue/Expense lines re safety inspection fees collected re engineering
A.2115	Planning Board Fees	A.8025.450	Plan Bd Engineer Contract	5,871.41	Raise Revenue/Expense lines re planning board fees collected/engineer contractual
A.2665	Sales of Equipment	A.3120.410	PD General Expense	458.93	Raise Revenue/Expense lines re sale of equipment towards general expense
A.2260	Police Services	A.3120.412	PD Uniforms	402.58	Raise Revenue/Expense lines re DOJ grant for protective vest
A.2260	Police Services	A.3120.135	PD OT Grants	262.64	Raise Revenue/Expense lines re grant / overtime

**Trustee Dwyer inquired what the total amount was that the Village received from the Buffalo storm aid, and why the monies were being transferred from Highway Equipment Reserves. Mayor Purcell stated that he would collect that information from Treasurer Murray and report back to him.**

**EVENT APPLICATION AMENDMENT TO INCLUDE COST REIMBURSEMENT CLAUSE CONTINUED: (See Minutes 4/18/17, Pg. 159)**

**Following the April 18<sup>th</sup> Meeting, Attorney Bonacic was asked to review the existing event application and include a clause requiring an event applicant to reimburse the Village of Monroe, at the discretion of the Board of Trustee's, the costs of increased police protection, public safety oversight and public works facilitation, including any additional equipment to adequately and safely control and protect the persons attending the event, the event area and traffic in and around the area and any additional necessary staffing. If the Board of Trustees requires reimbursement, such amounts will be provided to the applicant upon receipt of the costs from the Chief of Police, Highway Supervisor and/or Fire Chief, prior to the approval of the events application.**

Mayor Purcell suggested tabling this matter until Trustee Conklin could be present. Trustee Chan requested that the total amount of money spent by both the Police and Public Works Departments for additional services provided outside of Village sponsored events could be provided prior to the next meeting.

This matter was tabled until the May 16, 2017 Meeting.

**SOUTH ORANGE FAMILY YMCA 5K COLOR RUN 7/15/17 – AMENDED COURSE ROUTE:**  
(See Minutes 2/15/17, Pg. 116)

Due to the pending Route 208 Bridge and Heritage Trail closure, the previously approved course route for the South Orange Family YMCA 5K color run being held on Saturday, July 15, 2107 needed to be adjusted. Wellness Director Michele Bernieri met with Administrative Sergeant Amatetti who assisted in determining a new course route which will now utilize the walking paths around Crane Park and a portion of the Millpond Parkway Commuter parking lot. Millpond Parkway will be closed from the commuter lot to the intersection of Rt. 17M from 6 AM to 12 PM. This request includes approval for setup the evening before on 7/14/17 and will include tents, tables, and portable toilets. Removal of all trash from the event will be handled by YMCA staff and taken back to their dumpsters. On a motion by Trustee Behringer, seconded by Trustee Chan, it was:

RESOVLED, the Board of Trustees approved the revised course route submitted and outlined above by the South Orange Family YMCA for their annual 5K Color Run to be held on Saturday, July 15, 2017 from 6 AM to 12PM.

Ayes: Trustees Behringer, Dwyer and Chan

Nays: None

**4<sup>th</sup> ANNUAL DECLARATION DAY 5K RACE – CITY VIEW PROMOTIONS 7/3/17 10AM-11AM- CONTINUED:** (See Minutes 4/18/17, Pg. 159)

Due to a discussion over possible fee schedules that took place during Executive Session at the April 18, 2017 Meeting, the application submitted by City View Promotions their 4<sup>th</sup> Annual Declaration Day 5K Run was tabled. This event, to be held on Monday, July 3, 2017 from 10 – 11 AM, is contingent upon their approval of the NYS DOT 33-B permit. The purpose of this event is to foster community spirit, support local businesses and raise money for their event sponsor – Safe Homes of Orange County.

Due to the absence of Trustee Conklin, this matter was tabled until the May 16, 2017 Meeting.

**EXTENDING THE MORATORIUM ON CERTAIN PERMITS, CERTIFICATES OF OCCUPANCY AND APPROVALS FOR RESIDENTIAL DEVELOPMENT:**

WHEREAS, the purpose of Local Law 3 of 2016 was to protect the public health, safety and welfare of the residents of the Village of Monroe and to maintain the *status quo* of certain residential development in the Village while the Board of Trustees completes its comprehensive zoning review, including the adoption of zoning regulations; and

WHEREAS, the Board of Trustees found that appropriate measures needed be taken to secure a temporary reasonable halt on certain residential permits, certificates of occupancy and approvals for development within the SR 10 and SR 20 zoning districts during such review; and

WHEREAS, without the temporary halt, there remains the potential that certain primary residential uses could be located in areas within the Village which would be unsuitable or incompatible with the decisions by the Board of Trustees in finalizing its Comprehensive Plan and zoning regulations;

WHEREAS, the potential for such unsuitable and incompatible residential uses would have materially adverse and irreversible impacts on the Village; and

WHEREAS, Local Law 3 of 2016 expires on May 3, 2017; and

WHEREAS, the Board of Trustees desires to maintain the temporary halt that has been put into place by the moratorium until such time as the Board finalizes its Comprehensive Plan and Zoning Code amendments.

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

**RESOLVED** by the Board of Trustees of the Village of Monroe that the Board of Trustees hereby extends the moratorium on certain permits, certificates of occupancy and approvals for residential development instituted by Local Law 3 of 2016 for an additional period from the date of its scheduled expiration, resulting in an expiration date of May 23, 2017, or until the effective date of the applicable local laws, whichever first occurs.

**Ayes:** Trustees Behringer, Dwyer and Chan

**Nays:** None

**2017 MEMORIAL DAY PARADE: ROAD CLOSURES AND NYS DOT APPROVAL:**

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

**RESOLVED**, the Board of Trustees approved the following parade route for the annual Memorial Day Parade on Sunday, May 28, 2017. The parade is sponsored by the Monroe Veteran's Coalition, VFW Post 8858, American Legion 488 & 1573 and Jewish War Veterans Post 7581.

Formation will start at Smith's Clove Park beginning at 12:15 PM. Step off at 1:30 PM. Parade will proceed onto Spring St. turning left onto Mapes Place through the underpass to the Monroe Volunteer Ambulance Corps Memorial. The Color Guard will present arms, and wreaths shall be placed. Parade will make a right turn at Carpenter Place through downtown Lakes Street. From there the parade will turn left onto Route 17M, and proceed to Veterans Memorial Park. From there proceed to the Monroe Cemetery for formal dedication and disbanding. It is further

**RESOLVED**, that a Certificate of Insurance in the of one million dollars (\$1,000,000.00) naming the Village of Monroe as an additional insured, must be posted with the Village Clerk in advance of the parade. It is further

**RESOLVED**, the Mayor is hereby authorized to submit the Application for Use of State Highway/NYS DOT Property, Route 17M, form 33c, for the Memorial Day Parade's use of Route 17M for the line of March to the Monroe Cemetery. It is further

**RESOLVED**, permission is contingent upon receipt of the required Certificate of Insurance above and an approval from the NYS DOT to use Rt. 17M.

Police Chief Conklin, Monroe Fire District and Monroe Volunteer Ambulance Corp will be copied on the response letter to let them know of road closures.

**Ayes:** Trustees Behringer, Dwyer and Chan

**Nays:** None

**REQUEST FOR TRAVEL APPROVAL – SEI USER GROUP MEETING WITH DMV AND TINA RICHBURG FROM OCA JUNE 16, 2017 – COURT CLERKS:**

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

**RESOLVED**, the Board approved Village Justice Strauss' request to send two court clerks to attend an SEI User Group Meeting with DMV and Tina Richburg from OCA for training sessions on the latest changes in SEI and DMV technology access on June 16, 2017. Cost of travel and meals is to be appropriated from budget line A1110.472 Court Education.

**Ayes:** Trustees Behringer, Dwyer and Chan

**Nays:** None

**OC MUNICIPAL PLANNING FEDERATION WORKSHOP – ZBA MEMBERS MARTUSCELLI & MCCARTHY:**

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

**RESOLVED**, the Board approved the attendance of ZBA members Gerry Martuscelli and Dick McCarthy at the Orange County Municipal Federation Workshop which was held on April 25, 2017 from 7 PM to 9 PM at a cost of \$15 person. The ZBA members indicated their interest in attending this workshop at the ZBA Meeting on April 18<sup>th</sup>, the same night as the second Board of

Trustees meeting in April. Therefore, there was no time to request permission from the Board prior to the workshop taking place. Fees and mileage reimbursement will be charges to A8010.4720.

Ayes: Trustees Behringer, Dwyer and Chan

Nays: None

**NYS RETIREMENT SYSTEM EMPLOYER EDUCATION SEMINAR, CLERK & DEPUTY TREASURER:**

On a motion by Trustee Chan, seconded by Trustee Dwyer, it was:

**RESOLVED**, the Board of Trustees approved the attendance of Village Clerk Baxter and Deputy Treasurer Doherty to attend the one day seminar offered by the NYS Retirement System on Thursday, May 11, 2017 from 9 AM – 3:30 PM. The seminar will cover reporting requirements and procedures valuable for payroll and personnel staff as well as topics such as membership, reporting at time of retirement, post-retirement employment, planning for retirement and Tier 5 & 6 information. The seminar is free and mileage reimbursement will be submitted on a voucher and charged to budget line A.1325.4720.

Ayes: Trustees Behringer, Dwyer and Chan

Nays: None

**BUILDING DEPARTMENT PERMIT PENALTY WAIVER REQUEST – 27 SALVATORE COURT:**

In a letter to the Board of Trustees, property owners Gladys and Duvan Ramirez have requested a penalty waiver for their basement which had been finished prior to their purchase of the unit in 2007. While inquiring with the Building Department regarding the installation of egress windows, the homeowners discovered that there was no permit on file for the basement. During their discussion with the Building Department Secretary, they learned that the property had been transferred six times without any mention of a finished basement, yet the property was advertised as the unit having a full, finished basement. Mr. and Mrs. Ramirez provided copies of letters issued by the former Building Inspector documenting no open violations dating back to 1996 as well as the ARC Realty advertisement listing the full finished basement for the Board to review. Discussion followed.

Trustee Chan inquired as to how much the waiver amount is. Mayor Purcell stated that the waiver would be three times the amount. Building Inspector Cocks reiterated that it was three times the amount, but that the amount had not yet been provided and that it was the penalty that the residents are looking to have waived. Building Inspector Cocks continued that was it .75 cents per sq. foot times three, and that Mr. & Mrs. Ramirez are looking to have the “times three” waived.

Trustee Dwyer asked Building Inspector Cocks to verify that the residents still would have to ensure that all their documents were complaint prior to the sale of their property.

Building Inspector Cocks stated that the Board should understand that the while Building Department does do on sight inspections, they do not go into the houses, so they would not know if a basement is finished, advertised that way or not, it makes no difference.

Trustee Dwyer asked Inspector Cocks if prior to the sale they would need a CO for the finished basement. Building Inspector Cocks stated that they would. On a motion by Trustee Dwyer, seconded by Trustee Chan, it was:

**REOLVED**, the Board of Trustees accepted the request of Gladys and Duvan Ramirez, owners of 27 Salvatore Court, for the waiver of penalty fee for their unit’s finished basement that was finished prior to their purchase of the property in 2007.

Ayes: Trustees Conklin, Behringer, Dwyer and Chan

Nays: None

**MAYOR’S REPORT:**

Mayor Purcell advised the Board that he would be setting up some workshops to review Village finances and various projects happening in and around the Village, including the work downtown, as well as updating them on the TAP Grant.

Resident Kristine Moehrle of 47 Half Hollow Turn advised the Board that there is an ongoing problem in her development with unwanted soliciting of a particular group of realtors and buyers who are taunting residents in the Wingate Woods area over the selling and buying of their homes, although they are not on the market for sale. She stated that they are approached as they walking around their neighborhood, gardening in their yard, and collecting their mail. Residents are being approached and asked if they are interested in selling their homes, and when they respond no, they are told that they will sell eventually and will suffer economic ruin if they choose to stay. Mrs. Moehrle requested that the Board look into whatever laws exist that prevent such illegal solicitation, otherwise known as the "Block Busting" laws. She also requested that Mayor Purcell reach out to the Village Leaders of Kiryas Joel and request that this behavior be curtailed as well as speaking with our local Law Enforcement Agency to begin educating these individuals on their illegal actions.

Resident John Karl also agreed that there is a problem in his neighborhood of Wingate Woods. He stated that there are 3 vehicles in particular that are around mostly during the day, waiting for the mail trucks, and then approaching residents when they leave their homes to retrieve their mail. He also commented that they are around on Sundays when people are outside working in their yards. He agreed that it is definitely a major problem in his development as well as in Spring View Heights. He also inquired about an article he had read in Monday's edition of the Times Herald Record regarding monies for the Village of Monroe that was redirected to other municipalities. Mayor Purcell clarified that the article was referencing TIPS monies that the County was sitting on for many years that was going to be used on North Main and Rt. 208 to reconfigure those areas, and the State pulled it from the Village of Monroe to be used in Goshen. It was State money for State project work that the State never followed through with.

Tim Mitts asked for clarification on the request he made to the Board of Trustees to have the application money, along with the necessary postage fees he paid to the Zoning Board of Appeals refunded to him. Mayor Purcell stated that he reviewed his request with Paul Baum, Chairperson of the ZBA Board, and that while his application was delayed due to the implementation of the moratorium, his application was not denied, therefore, once the moratorium was lifted, he would be able to resubmit his application for review and may only have to pay any additional postage fees that may occur.

Mr. Mitts also advised the Board of recent updates at the Rest Haven property. The American Foundation of the Blind has added to its blog a mention of the Rest Haven property that has gone out to over 100,000 subscribers. The website Rest Haven has now had up to 15,000 hits since being started. Mr. Mitts also stated that they offered and got approval from the Monroe Woodbury School District to open the house up for pictures to the members of the Junior and Senior proms this year. It is the first time in 114 years that the house has ever been open to the public. He also advised that over the next couple of months, work will begin on the outside of the property, as well as the outside of the building.

Mr. Mitts stated that the American Foundation of the Blind they informed him that they recently found boxes containing information regarding Rest Haven that they will be turning over to him in June. He stated that in those boxes there are documents that date back to 1923 that mention the property and he plans to also display them inside the house for the public. Lastly, Mr. Mitts advised that he has been working closing with Jim Nelson, Town Historian, on putting together a 15-20 minute documentary on the property that he hopes to be able to show at TMACC Building (Monroe Movie Theatre).

Carol Ferrara, resident of Wingate Woods, stated to the Board that she too has had encountered members of the Hasidim community just parking their cars in the middle of the streets in and around the development. She herself had approached them on occasion and asked what they were doing, and she was told that they were working. Mrs. Ferrara stated that residents should not be harassed or intimidated in their own neighborhood.

Resident Mike Andersen asked the Board if the rumor he heard about a change in zoning to allow for high density housing was true. Mayor Purcell stated that the rumor was incorrect. He stated that there were some changes in some areas to allow for URM, or Urban Residential Multi-Family, and this is to ensure that we meet the criteria for affordable housing. In fact, over the last few meetings, the Board has minimized this quite a bit after consulting with the Planners and the Attorney's. They have had it quite restrictive in order to protect the integrity of the Village while abiding by the rule of law and keeping the Village out of litigation. When asked where these areas are, Mayor Purcell clarified that they are located by the Monroe Country Club, the trailer park

and the area by the old textile plant. Mayor Purcell also stated that no one can build a building over 34 feet tall.

Resident Tony Leone advised the Board that he also has been approached on a few occasions to sell his home as well. Mr. Leone stated that it is the threats that they will sell eventually that is what bothered him the most. He continued that he has begun to see a pattern in his area that the minute a home goes up for sale, it is sold immediately, and then within 60 days there is another sign that goes up stating that the home is available for rent. He stated that some research that he has done shows that a homeowner must file for a special permit with the Village of Monroe if they choose to rent that property. He inquired if that information was foil-able. Building Inspectors Cocks stated that the County is currently approximately 6 months behind in providing that information to the Village of who owns a particular property. Inspector Cocks continued that they welcome any information that they receive indicating that a property is a rental, it allows them to send out a canvas letter and the landlord comes in and registers. Inspector Cocks stated that they do not know if a property is being rented, it is very difficult, and they are not allowed to go into people's homes. Once they are given that information, they follow up it with a letter.

Mike Andersen asked if there were any laws which require LLC's to identify who the real owners are. Mayor Purcell indicated that there was not.

Mayor Purcell stated that this is the first time that the Village Board is hearing of this issue. The Village cannot react to something until it is brought to them whether it is through the Clerk, the Board, through letters, etc. If we are provided information, then we can act. We are aware that this is going on in Orange and Rockland counties, in areas that they never thought it would happen. Mayor Purcell thanked the public for bringing it to their attention and they would look into it immediately. Mayor Purcell also stated that the Village has a solicitation law. Anyone who is looking to solicit anything, they must register with the Village Clerk. If someone comes to your door, you can ask them for identification, and if they have a permit to solicit; and if they don't, you call the Monroe PD immediately and they will remove them from the premises immediately. This will force them to come to the Clerk and fill out an application. When someone comes to your property and harasses you, do not be afraid to call the Monroe PD. That is what they are there for, and they know what they can and cannot do. They are our first line of defense.

Resident John Karl stated that he wasn't aware of anyone actually knocking on peoples doors, they wait in the street and follow the mails trucks around and wait for people to come outside. Mayor Purcell advised that if people are being made to feel uncomfortable they should call the Police and they will handle the matter. That is their job.

Mayor Purcell stated that they will begin looking into the Blockbusting laws that are currently in place in other municipalities. He told the public not to be afraid to bring their concerns to the Board, that is what they are here for. Remember to call the Police Department as well.

Resident Carol Ferrara indicated that about a year ago their street was resurfaced. Since then, there is some kind of drain pipe in a small indentation or hole in the street that fills up whenever there is inclement weather, making a dangerous situation and she herself has already tripped over it. Mayor Purcell stated that Trustee Behringer, liaison to the Highway Department, would address the issue and have it remedied.

Trustee Behringer asked if there are days during the week that are worse than others. Mr. Karl stated that on Sundays they just drive around the neighborhood. During the week, they follow the mail trucks and when people come out to get their mail, they swarm around like bees.

Mayor Purcell stated once again that if you ever feel unsafe anywhere around the Village, you are to call Monroe PD and let them do their job.

Resident Duvan Ramirez of Timber Hills stated that he too has received written requests to sell his property in the mail. Since he and his wife are looking to sell, they contacted the phone number that was included in the mailer to see what it was about. He stated that they were contacted by realtors who advised them they would be happy to help them sell their property when they were ready.

Resident Chris Moehrle suggested that an article be placed in The Photo News informing the public as to what is going on. It is about getting the word out there. Mayor Purcell deferred to Attorney Bonacic, who stated that it is one thing for a resident to contact a reporter if they choose to do a story. Attorney Bonacic stated that was the more advisable path than the Board of Trustees to put out a blanket statement to a reporter. He advises against that. Mayor Purcell stated that the Village has to be careful about a harassment lawsuit as well.

**Trustee Dwyer stated that if Mr. Moehrle wanted to reach out to The Photo News, he could speak with Bob Quinn, who is the Editor. Trustee Dwyer also stated that at any time, anyone could go onto the Village website and reach any one of the Trustees through their email.**

**Resident Jim Rogers asked Mayor Purcell what the Monroe Country Club is zoned. Mayor Purcell stated it is zoned Village Recreation. It is 50 acres of property, and is staying as is.**

**Resident Mike Andersen also stated to the Board that Channel 12 News is no longer local, it is now based out of Long Island. They are really no longer covering a lot of local stories. Trustee Dwyer again stated that the residents need to let the Board know their concerns, good or bad, and let them respond to them. Trustee Dwyer doesn't mind them holding his hand in the fire. If it means going across the street to the Police Department and ask for assistance, calling counsel, whatever it may be.**

**EXECUTIVE SESSION:**

**On a motion by Trustee Chan, seconded by Trustee Dwyer, with all in favor, the meeting was closed at 7:45 PM. Following a 5-minute recess, the Board convened in Executive Session for discussion of Attorney/Client Privilege.**

**Respectfully Submitted,**

**Ann-Margret Baxter  
Village Clerk**

**Executive Session Minutes compiled by Mayor Purcell.**

**OPEN SESSION: on a motion by Trustee Chan seconded by Trustee Behringer and carried, the Open Meeting resumed at 8:55 PM.**

**ADJOURNMENT:**

**On a motion by Trustee Dwyer, seconded by Trustee Chan and carried, no further business, the meeting was adjourned at 9:55 PM.**

**Ayes: Trustees Chan, Behringer, Dwyer and Conklin  
Nays: None**