

**PUBLIC HEARING 2 2 16**  
**PROPOSED LOCAL LAW**  
**“AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF LIMIT**  
**ESTABLISHED IN GENERAL MUNICIPAL LAW 3-c”**

A Public Hearing was held on Tuesday, February 2, 2016 at 6:30 PM in the boardroom of the Village Hall, 7 Stage Road, Monroe, NY on a proposed Local Law entitled “A Local Law Authorizing a Property Tax Levy in excess of the limit established by General Municipal Law 3-c.” The purpose of this proposed Local Law is to allow the Village to override the limit on the amount of real property taxes that may be levied by the Village of Monroe pursuant to General Municipal Law Section 3-c, and to allow the Village of Monroe to adopt a village budget for (a) village purposes and (b) any other special or improvement district governed by the Board of Trustees for fiscal year 2017 (6/1/16-5/31/17) that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law 3-c. This local law, if adopted, will relieve the Village of the prohibition against increasing a tax levy by more than 2% as imposed by General Municipal Law 3-c. As the Village relies upon the assessments of the Town of Monroe and therefore cannot anticipate the impact of resolutions of tax certiorari matters or other unanticipated expenses the restrictions of General Municipal Law would potentially impose a great hardship upon the Village or require borrowing otherwise deemed unnecessary.

**Present:** Mayor Purcell; Trustee Gormley, Conklin and Chan

**Also present:** Village Clerk Carey

**Absent:** Trustee Dwyer

There was no one from the public present for the Public Hearing. There was no written correspondence received. The Public Hearing was left open for 15 minutes.

On a motion by Trustee Conklin seconded by Trustee Gormley and carried, the Public Hearing was closed at 6:45 PM.

**BOARD OF TRUSTEES MEETING**  
**TUESDAY, FEBRUARY 2, 2016**

The second monthly meeting of the Board of Trustees was held on Tuesday, February 2, 2016 at 7 PM in the Boardroom of the Village Hall, 7 Stage Road, Monroe, NY. Mayor James Purcell called the meeting to order and led in the pledge to the flag. Emergency exits were announced.

**Present:** Mayor Purcell; Trustees Gormley, Conklin, Dwyer and Chan

**Also present:** Village Attorney Bonacic and Village Clerk Carey

**Absent:** Trustee Dwyer

**MINUTE APPROVAL: JANUARY 5<sup>TH</sup> AND 19<sup>TH</sup>**

On a motion by Trustee Conklin seconded by Trustee Gormley, the Minutes of the January 5<sup>th</sup> and January 19<sup>th</sup>, 2016 Minutes were approved.

**Ayes:** Trustees Conklin, Gormley and Chan

**Nays:** None

**BUDGETARY TRANSFER / MODIFICATIONS:**

On a motion by Trustee Chan seconded by Trustee Conklin, 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:

<b>FROM:</b>	<b>TO:</b>	
A2715 Donations	A7110.422 Flowers & Trees	\$ 500.00
	<b>Budget Modifications</b>	
A2660	A3120.135 PD O/T Grants	644.00
	<b>Capital Reserve</b>	
	A9950.950 VH Renovation Rsv	\$1,900.00

**VILLAGE ELECTION 3/15/16 – POLL WORKERS / INSPECTORS / VOTING MACHINE TECHNICIAN:**

Motion made by Trustee Gormley seconded by Trustee Chan, the following resolution was adopted:

**RESOLVED**, the Board of Trustees hereby appoint the following certified County approved workers to serve as Poll Workers and Inspectors for the March 15, 2016 Village Election. Compensation for the Chairman is \$150. Poll Workers and Inspector \$125 each.

**Poll Workers:**

Joan B. Norris, 3 Stahl Way, Monroe, NY  
Ronald Rendano, 40 Woodcock Rd, Monroe, NY

**Inspectors:**

Sandra P Keltai, 7 Conklin Ct., Monroe, NY  
Francis M. Beams, 241 North Main St.  
Arlene Maher, 69 Lois Lane, Monroe, NY  
Paul Dreyfuss, 58 W Jeanbo Rd, Monroe, NY

**Alternate:**

Geraldine DeAngelis, 275 North Main St., Monroe, NY

**Ayes:** Trustees Gormley, Chan and Mayor Purcell  
**Nays:** None  
**Abstain:** Trustee Conklin

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

**RESOLVED**, the Board of Trustees engage the services of County Certified Voting Machine Field Technician Eileen Hand, 13 Railroad Ave., Chester, NY 10918 at the compensation of \$20/hour to assist with the March 15, 2016 Village Election.

**Ayes:** Trustees Gormley, Chan and Mayor Purcell  
**Nays:** None  
**Abstain:** Trustee Conklin

**NY ASSOCIATION OF TOWNS 3-DAY TRAINING CONFERENCE IN MANHATTAN ;**

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

**RESOLVED**, the Board approved the attendance of Planning Board Chairman Parise, Assistant Building Inspector Cocks and Planning / Zoning Sec'y Proulx at the NY Association of Towns Training Conference February 14 – 17, 2016 in Manhattan, NY, a three day conference offering lectures, classes and training on Planning and Zoning as well as Code Enforcement related to Planning and Zoning issues. The total cost is \$2,625 allocated as

follows: A3620.472 Bldg Dept. Education \$1750 and A8025.472 Planning Board Education \$875. All credits will go toward the mandatory yearly Planning Board Member Credits and CEO credits for certification. It is further

**RESOLVED**, that the Board approved Acting Justice Lezak and one Court Clerk attendance at the NYS Association of Towns meeting in NYC for training sessions provided for free by the NYS Office of Justice Court Support. Judge Lezak will attend on Monday, February 15, 2016 and Tuesday, February 16, 2016 and one Court Clerk will attend on Tuesday, February 16, 2016. Cost of travel and meals to be appropriated from budget line A1110.472 Court Ed.

**Ayes:** Trustees Conklin, Gormley and Chan

**Nays:** None

**CAPITAL RESERVE FUND - PD VEHICLE / EQUIPMENT RESERVE:**

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

**RESOLVED**, THAT PURSUANT TO Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the “Village of Monroe Police Department Capital Reserve Fund” (hereinafter “Reserve Fund”). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of a type of equipment. The type of equipment to be financed from the Reserve Fund is the acquisition of equipment and vehicles to be used by the Village of Monroe Police Department.

The Chief Fiscal Officer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Chief Fiscal Officer may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Village Board. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Chief Fiscal Officer shall account for the Reserve Fund in a manner which maintains the separate identity of the cash and investments of the Reserve Fund.

Except as otherwise provided by section 6-c of the General Municipal Law, expenditures from this reserve fund shall be made only for the purpose for which the Reserve Fund was established. No expenditure shall be made from this Reserve Fund without the approval of the Village Board and without such additional actions or proceedings as may be required by section 6-c of the GML, including a permissive referendum if required by subdivision 4 of section 6-c.

**FURTHER**, that the chief fiscal officer is authorized to deposit to this reserve fund, any monies privately donated to the Village for the specific purpose of purchase of police equipment.

**FURTHER**, expenditure from this reserve is subject to permissive referendum only if the authorization to issue obligations for the same purpose would be subject to a permissive or mandatory referendum 6-c (8).

**Ayes:** Conklin, Gormley and Chan

**Nays:** None

**LOCAL LAW #1 OF 2016 AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW 3-c:**

On a motion by Trustee Conklin seconded by Trustee Gormley, with all in favor it was:

**RESOLVED**, the Board of Trustees does hereby adopt Local Law #1 of 2016, “authorizing a property tax levy in excess of the limit established by General Municipal Law 3-c. The purpose of this Local Law is to allow the Village to override the limit on the amount of real property taxes that may be levied by the Village of Monroe pursuant to General Municipal Law 3-c, and to allow the Village of Monroe to adopt a budget for (a) village purposes and (b) any other special or improvement district governed by the Board of Trustees for the fiscal year 2017 that requires a real property tax levy in excess of the “tax levy limit” as defined by GML 3-c. This Local Law shall take effect upon filing with the Secretary of State.

**LOCAL LAW #1 OF 2016  
TAX LEVY OVERRIDE**

**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, 2016 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, 2016 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.**

**MODIFICATION OF EXISTING BOND – SMITH FARM (GILBERT STREET MILL POND PKWY INTERCEPTOR SEWER BYPASS REQUIRED: See Minutes page 282**

**Mayor Purcell referred to information he gave to the Board concerning the Sewer Interceptor Bypass. The design and specifications given to the Board following Mayor Purcell’s meeting with Peter Hammond, Deputy Commissioner Orange County Environmental Facilities and Service. As this project moves forward our consultants will make sure everything is adhered to according to the plan. On a motion by Trustee Chan seconded by Trustee Gormley, it was:**

**RESOLVED, the Board of Trustees accepted the recommendation of John O’Rourke, P.E., Lanc & Tully Engineering, and accept the contractor’s confirmation that the bond and escrow currently in place with the Village can be utilized for the offsite improvements to the existing sewer collection system owned and operated by Orange County Sewer System No. 1 as required by the County as a condition of their approval of the Smith Farm sewer connection to the collection system and involves a parallel pipe running through Millpond Parkway. (LOC 00101078 Sterling Bank 10/7/15 / expiration 3/24/17)**

**Trustee Conklin asked that since Trustee Dwyer is not present tonight due to a death in the family, that this matter be tabled to the February 16<sup>th</sup> Meeting. Trustee Chan stated that we tabled this matter at our last meeting to get a response back from the County on why they were installing the pipe in their easement. Mayor Purcell responded that OCSD#1 Deputy Commissioner Hammond did respond to the Village with a letter and that he had a meeting to discuss the matter. Mayor Purcell gave the Board more information about the project for their review from both OCSD#1 and the Village Engineer. Mayor Purcell said that since he and Trustee Dwyer have had discussions on this matter and Trustee Dwyer had met with our Engineer and DPW Superintendent and did not call to ask that the matter be tabled, that the Board move forward with the resolution on the floor. Mayor Purcell said easements are created for utilities through communities. At the end of the day when you own an easement you have the right to do any work required. This is a County easement and the project is**

within their easement. Trustee Conklin asked Attorney Bonacic if OCSD#1 had that right and he said yes. She also asked if OCSD#1 could sue the Village and he said yes. Mayor Purcell said the County has someone who will pay for the work instead of the Orange County Sewer District #1 rate payers. They did look at other options. They were more expensive. This project has been on the schedule for a long time and stems from the DEC. For storm sewer this is an issue and has been for a long time and DEC says you have to fix it. The Board has a list of all the precautions being taken in Crane Park and all the issues Trustee Dwyer discussed were addressed. The County is exercising their right to do the work in their easement.

**Ayes:** Trustees Gormley, Chan and Mayor Purcell

**Nays:** Trustee Conklin

**GATEWAY PLAZA WATER ACCOUNTS 88 AND 388 – PENALTY / INTEREST WAIVER REQUEST: see minutes page 281**

Attorney Bonacic advised he spoke to Attorney Greenberg following the January 19<sup>th</sup> Meeting to let him know the Board discussed his letter of 12/23/15 and that both of the proposals he presented were rejected. Attorney Greenberg was also informed that DPW Supt. Smith was told by the property owner that he was willing to pay the whole amount if the accruing penalties were waived for January 2016. In light of that, the Board would be taking up the matter tonight and if the bill was not paid in full or if there was no communication, the Board would move forward as DPW Supt. Smith has done in the past, notify the property owner advising that water will be suspended unless the bill is paid. Attorney Bonacic spoke to Supt. Smith yesterday who advised there has been no communication from anyone and Attorney Bonacic has not had a returned phone call from Attorney Greenberg. He was advised their proposal from 12/23/15 was rejected and DPW Supt. Smith, as of tomorrow, will proceed with a course of advising the property owner after which the properties water will be shut-off. The property owner was present. He said apparently there was a misunderstanding between himself and Attorney Greenberg. Mr. Taub (property owner) said he did attempt to call Supt. Smith the other day and was unable to reach him. He was not aware of a formal proposal from Attorney Greenberg. Mr. Taub said it has been a hardship for him due to tenants not paying their rent. He was barely able to make it. He asked whether there was anyway the Board would consider his paying the principal balance in full and the Board's waiving the interest from December forward? Mr. Taub said he made a good faith payment of \$9,000 in December. Mayor Purcell said tenant's not paying is not a hardship. Tenants or not, as the landlord you have the responsibility to pay the bill. The bill has not been paid since 2013. You are going back almost 3 years. \$30,079.81 is owed. Attorney Bonacic reiterated that the proposal submitted by Attorney Greenberg acknowledged that \$9,000 had been paid. Mr. Greenberg proposed one of two alternatives, waive all penalties and interest and the balance would be paid or allow \$2,500/month to be paid until all the arrears was paid in full. Discussion took place and at that rate it would be over a year for the bill to be paid. DPW Supt. Smith indicated he had a conversation with Mr. Taub before the letter was received and he agreed to pay all that was owed and asked that the January 2016 penalties be waived, which amounted to \$3,000. Mr. Taub was willing to pay approximately \$27,000 if we would waive the 2016 penalties. The next morning Attorney Bonacic spoke with Attorney Greenberg, advised him very clearly that the two alternate requests were denied. Also, the conversation Mr. Taub had with DPW Supt. Smith that he was willing to pay \$27,000. So the two proposals given to the Board were strictly out of hand when Mr. Taub was willing to pay \$27,000. Attorney Greenberg was told the matter would be taken up tonight. If there was not a proposal by tonight, the Village would move with terminating the water to the property. He indicated he understood and the call ended. Attorney Bonacic spoke to DPW Supt. Smith twice since then and he indicated he has heard from no one. Mr. Taub asked if the Board would waive the penalty. Attorney Bonacic said Mr. Taub's attorney was told the proposal was rejected and to come back and ask the same thing is wasting everyone's time. Mayor Purcell said his opinion is that we want the bills paid in full as-soon-as-possible or the water will be shut off. Mr. Taub asked if there was an installment plan that could be done. Mayor Purcell said there is no information that has come before the Board for a payment plan. The Board needs information in order to make a decision. The Board originally gave a deadline of January 31<sup>st</sup> to pay or water would be shut off. Mr. Smith came with the proposal, the Board held off action until tonight assuming they would hear from Mr. Greenberg and if not, the Board gave until February 12<sup>th</sup> for the bill to be paid. There hasn't been any proposal provided that is acceptable. The Board meets again on February 16<sup>th</sup>. Mr. Smith will be advised that unless there is a resolution the Board can take up and accept at the 2/16/16 Meeting, the water for accounts 88 and 388 will be shut-off no later than February 19, 2016

**WALK MS ORANGE COUNTY: 4/16/16 SETUP /4/17/16**

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

**RESOLVED**, the Board of Trustees approve the request of the National Multiple Sclerosis Society, New York, Abby Grasso, Logistics Specialist, 733 Third Ave., Third Floor, New York, NY 10017, to use the commuter Parking Lot on Mill Pond Parkway and the Crane Park walking path to host their annual 1.5 - 3 mile walk on Sunday, April 17, 2016 from 4 AM to 3 PM. Approval was given for setup on 4/17 from 3-9 PM. Setup will include tents, tables, portable toilets, dumpster and a bouncy house. The event will be supervised by the Police Department and DPW Supt. Smith. Proof that the participation registration form includes a waiver of liability must be provided to the Village Clerk no later than one week prior to the event.

**Ayes:** Trustees Gormley, Conklin and Chan

**Nays:** None

**CHILDREN'S MENTAL HEALTH AWARENESS 5K WALK SPONSORED BY VOICES UNITED 4 CHANGE / DEPARTMENT OF HEALTH (5/7/16 COMMUTER PARKING LOT, MILL POND PKWY)**

Request was received from Anne-Marie Freitas, Outreach Program Coordinator, Voices United 4 Change / Department of Mental Health, Goshen, NY to celebrate National Children's Mental Health Awareness Fundraising. Mrs. Freitas is seeking permission to use commuter lot on Mill Pond Parkway to host walkers at the start and finish of event and the Mill Pond Walking Paths. On a motion by Trustee Conklin seconded by Trustee Gormley, it was:

**RESOLVED**, the Board of Trustees approved the request of Voices United 4 Change / Department of Mental Health, Goshen, NY, Anne-Marie Freitas, Program Coordinator, to use the commuter Parking Lot on Mill Pond Parkway and the Mill Pond Walking Paths to host their "Children's Mental Health Awareness 5K Walk on Saturday, May 7, 2016 from 7:30 AM to 1 PM. Permission is contingent upon proof that the participation registration form includes a waiver of liability and must be provided to the Village Clerk no later than one week prior to the event. The sponsor is required to coordinate their event with the Police Chief or Lieutenant.

**Ayes:** Trustees Gormley, Conklin and Chan

**Nays:** None

**MAYOR'S COMMENTS:**

**Orange County Water Symposium:** Mayor Purcell announced that the Orange County Water Authority will host a water symposium at the Monroe Senior Center on Thursday, February 4<sup>th</sup> at 7 PM. The discussion will be issues in Orange County for water resources and the effects throughout the County. All are welcome.

**Zoning Committee to Meet:** Mayor Purcell announced the Village Zoning Committee will meet to review the planner's recommendations and changes for the *NEW* Zoning regulations being proposed as part of the Comprehensive Plan.

**PUBLIC COMMENT: #PRESENT 3 TIME: 7:45 PM**

Liz Walsh commented that she is on the Library Board and would like to implement, from a public health standpoint, a "Bicycle Helmet Drive" for lower income kids. Trustee Conklin referred Ms. Walsh to the Monroe Police Department. The Police Department do a "Bike Rodeo" every year.

Mike Goldstein commented on the Police Department Capital Reserve Fund. Is this a new fund? Mayor Purcell said yes it was. Mr. Goldstein asked how much are you starting out with? Mayor Purcell answered \$20,000. Mr. Goldstein asked, how were vehicles purchased in the past? Mayor Purcell answered it was a budget item through the Police Department's replacement schedule.

Mr. Goldstein commented on Governor Cuomo's program for "cash infusion into Water and Sewer Infrastructure Improvement Act". According to the article in the newspaper, it is for replacement of aging water systems. At the last meeting of the Board you said you've accomplished most of the projects in the Water Master Plan except for the most expensive one.

What the Governor is proposing would be to redo main pipes. The article said there was \$4 million dollars being allocated. What are our chances of getting 25% through this new program, Mr. Goldstein asked. Mayor Purcell said slim to none. We have infrastructure in the Rye Hill Road corridor we hope to tie in with the Shea Farm Project if the project moves forward. We do apply for every grant possible, Mayor Purcell said. Currently, we are looking at a grant through Senator Larkin's office for infrastructure for \$200,000.

Liz Walsh reported

- that there is traffic and speeding at the Crystal Run Project on Route 17M.
- there is a large hole around a manhole cover at the Gilbert Street Shoprite entrance.

Ms. Walsh asked for an update on North Main Street. Mayor Purcell said that Trustee Conklin is working right now on signage for the cross walks; 2 flashing beacons are planned (bright solar led type lights) and school zone signs. This Board has to set, by resolution, the school zone designation, speed limit and tonnage. We'd like to continue the same tonnage that we have on Schunnemunk and Forest.

**ADJOURNMENT:**

On a motion by Trustee Conklin seconded by Trustee Chan, and carried, no further business the meeting was adjourned at 8 PM.

Respectfully submitted,

Virginia Carey  
Village Clerk