

**PUBLIC HEARING
TUESDAY, OCTOBER 4, 2016
INTRODUCTORY LOCAL LAW
VEHICLE & TRAFFIC AMENDMENT – 43-4 (E)**

A Public Hearing was held in the boardroom of the Village Hall, 7 Stage Road, Monroe, NY at 6:45 PM to consider adoption of a Local Law to amend Chapter 43-4 (E) Commercial motor vehicles prohibited on designated streets by modifying the language contained in subsection E to read “the provision contained in the instant section shall not apply to commercial motor vehicles making local deliveries on said streets”.

Present: Mayor Purcell, Trustees Conklin, Dwyer, Behringer and Chan
Also present: Village Clerk Carey, Deputy Clerk Baxter, Police Chief Conklin and DPW Supervisor John Linderman

2 people were present at public hearing. There was no written correspondence received. Mayor Purcell opened the Public Hearing for comment or questions. There were no questions or comments.

On a motion by Trustee Conklin seconded by Trustee Chan, and carried, the Public Hearing was closed at 6:55 PM.

**BOARD OF TRUSTEES MEETING
TUESDAY, OCTOBER 4, 2016
(www.villageofmonroe.org)**

The first of the bi-monthly meetings of the Board of Trustees was held on Tuesday, October 4, 2016 at 7 PM in the 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 Conklin, Dwyer, Behringer, and Chan
Also present: Attorney Bonacic, Village Clerk Carey, Deputy Clerk Baxter, Police Chief Conklin and DPW Supervisor John Linderman.

MINUTE APPROVAL: SEPTEMBER 6th AND SEPTEMBER 20th

On a motion by Trustee Conklin seconded by Trustee Dwyer, with all in favor, the Minutes of the September 6th and September 20th Meetings were approved.

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

PD ANNUAL ELEVATOR MAINTENANCE RENEWAL – KONE ELEVATOR:

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

RESOLVED, the Board of Trustees approved the Police Department’s service maintenance agreement with Kone Elevators for the period 9/1/16 to 8/31/17 at a budgeted cost of \$2,555.45 allocated from budget line A3120.450. Contract #N40081224, Invoice 949406859Customer# N238178.

Trustee Chan posed the question regarding other proposals in the past and Chief Conklin said before he became Chief he recalled that they had searched for other companies but Kone was the cheapest and we have continued with them since.

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

DPW IBEW LONGEVITY / ANNIVERSARY SALARY INCREASE / LARRY GIUDICE HEO:

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

RESOLVED, in accordance with IBEW LOCAL 363 Agreement, effective 11/4/16, HEO Larry Giudice will receive a salary increase to \$34.86/hour having completed 20 years of service.

Ayes: Trustees Conklin, Dwyer, Behringer and Chan

Nays: None

CHANGE ORDER: ADDITIONAL DRAINAGE CULVERT REPLACEMENT WORK/ NANNINI & CALLAHAN EXCAVATING:

(See Minutes page 51 9/20/16)

At the September 20, 2016 meeting, Mayor Purcell was to speak to Lanc & Tully regarding change order and to get clarification on where the pipe was relocated to on Gilbert St. In a letter from Village Engineer O'Rourke P.E., to said response, he states that a driveway culvert just upstream of the newly replaced culvert within the right-of-way was collapsed and contributed to the existing drainage problems in and around that area. Authorization was given by Village of Monroe DPW to relocate and reuse the culvert pipe from Clarke Street to Gilbert Street for modification and improvement to the Gilbert Street drainage facilities just north of the existing post office.

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

RESOLVED, the Board approved a Change Order to the Clark Street Culvert Replacement for additional drainage culvert preplacement work on Gilbert Street (adaptive reuse of culvert pipe from Clarke Street installed on Gilbert Street) in the amount of \$14,307.

Ayes: Trustees Conklin, Dwyer, Behringer and Chan

Nays: None

Trustee Dwyer commented that he felt that the Department Head should have gotten prior approval from the Board before the start of the ad work order since the additional work represented 33% of original contract. Therefore, he felt that should have been a red flag, and this should have been called to the Board's attention. Mayor Purcell proposed the possibility that in the future Department Heads report back to their Board liaison of any pending projects for Board approval before moving forward, that that would be something for the Board to decide. Mayor Purcell acknowledged that the cart may have been put before the horse, but that the work was done to ensure that the water ran clearly and would get it off Gilbert Street, and stop it from flooding out. Trustee Chan asked for clarification on what we would be doing going forward, and Mayor Purcell reiterated that the Liaisons will have to be in touch with Department Heads on all the projects that are going on and that anything that is going to be outside of the scope of the normal budget will be presented to the Board in a memo prior to the work being done.

NEW BUILDING DEPARTMENT SOFTWARE FINANCING:

At the September 20th, 2016 meeting, Treasurer Murray was asked if the Board chooses financing, is there a penalty for early buyout payment. In a memo to the Board, Treasurer Murray reported that would be a 102% penalty for pre-payment, and the difference between interest paid over a 3 year loan (\$2030.86) and the penalty for pre-payment (\$1366.32) is \$664.54.

Discussion followed. Mayor Purcell again laid out the 3 options for payment. The 3 options include: Option #1 taking a loan out over 3 years Option#2 paying it off early and taking an early payment penalty, or Option #3 paying it in full in next year's budget cycle. All of these options would not effect this year's budget cycle, but the budget of FY2017-2018. Mayor Purcell stated that regardless of how it was paid, it would come from the Village's Contingency Fund, and with the first payment occurring in next year's budget cycle, we could budget accordingly for it.

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

RESOLVED, the Board of Trustees approved paying one lump sum for the new Building Department software, and charging it against the Village's Contingency Fund.

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

RECALLED EQUIPMENT – LASER SIGHTS FOR PD PATROL RIFLES:

EO Tech recalled laser sights for patrol rifles that are on the Police firearm's inventory. The faulty equipment was returned to EO Tech, and they issued a refund in the amount of \$2,304.00. The Police are researching how to proceed with ordering new laser sights.

On a motion by Trustee Dwyer seconded by Trustee Behringer, with all in favor, Treasurer Murray was authorized to deposit the reimbursement (\$2,304.00) into budget line A3120.250, Other Equipment.

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

LOCAL LAW #4 of 2016 VEHICLE & TRAFFIC AMENDMENT 43-4 (E):

SEQRA DETERMINATION:

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

RESOLVED, for the purpose of SEQRA, the Board of Trustees declared the Village of Monroe Lead Agency and classifies adoption of this Local Law a Type II action.

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

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

RESOLVED, the Board of Trustees do hereby adopt Local Law #4 of 2016 amending the Code of the Village of Monroe, Vehicle & Traffic Chapter 43-4 (E), as it regulates commercial motor vehicles prohibited on designated streets by modifying the language contained in Subsection E to read "the provision contained in the instant section shall not apply to commercial motor vehicles making local deliveries on said streets." This Local Law will take effect upon filing with the Secretary of the State.

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

BID AUTHORIZATION – NEW WATER DEPT. VEHICLE WITH TRADE-IN OF 2006 FORD F250 PICKUP-

On a motion by Trustee Chan seconded by Trustee Conklin and carried, it was:

RESOLVED, the Board accepted the request of Chief Plant Operator Mabee and authorized advertising for bids for (1) 2016 or Newer 4X4 Diesel Pickup Truck w/Crew Cab LT or XLT w/Plow, with Trade In of 2006 Ford F250 pickup (VIN#1FTNF21546EC74095). Bid will be advertised on Friday, October 7, 2016 with bid opening on Friday, October 14, 2016. (The Village cannot use State Bid when trading in a vehicle at time of purchase).

Discussion followed. Trustee Dwyer inquired as to why this new truck wouldn't be pulled from a single budget line, rather than split between two? Trustee Chan advised that this truck was not a planned purchase. The plan was that the truck being used by former DPW Superintendent Smith was to go to the Water Department, and that a new truck would be purchased for the Highway Dept. However, this is not what happened. Trustee Dwyer asked if there was a reserved line in the Water Department budget for the purchase of vehicles, Mayor Purcell responded that he was not 100% sure. But at the end of the day, the Water Department needs a truck. We have historically bounced trucks back and forth between Highway and

Water through the years. Going forward we can ensure that we have included a replacement schedule for both Highway and Water for the purchase of vehicles.

Ayes: Trustee Conklin, Dwyer, Behringer and Chan

Nays: None

SOLITUDE LAKE MANAGEMENT – COPPER SULFATE SAMPLING AT MONROE MILL PONDS:

In a memo from SOLitude Lake Management September 26, 2016, the DEC has introduced new restrictions to approve aquatic pesticide permits calling for sediment testing of copper for any permitted lake or pond using copper herbicides or algacides. Only sites that have applied copper products four times in one season, in any 2013, 2014, or 2015 are subject to the testing requirements for 2017 permit submissions. The Millponds will require 14 samples to be collected and analyzed this fall, based on the formula provided by the DEC and the measurements of 825' (length) and 150' (width). Sampling will be conducted during October-December 2016. The cost of the sampling to be done by SOLitude Lake Management is \$4,335.00.

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

RESOLVED, the Board of Trustees approved the contract with SOLitude Lake Management to perform the necessary copper sulfate sampling at the Monroe Mill Ponds in the amount of \$4335.00 during the months of October-December 2016 in order to obtain our 2017 Copper Permit. Contract cost to be allocated from budget line F8330.433.

Discussion followed. Trustee Chan acknowledges that if this is something that we now need to do, we need to make sure that it is included in the budget going forward to account for it.

Ayes: Trustee Conklin, Dwyer, Behringer and Chan

Nays: None

SCARECROW LIGHT POLE DECORATING 10/15/16 BY MONROE GARDEN CLUB & GIRL SCOUTS AND BOY SCOUTS:

The local Girl Scout and Boy Scout troops in conjunction with the MW Garden Club have been displaying fall decorations on the 22 light poles in the downtown for the past four years. Decorations consist of corn stalks and scarecrows designed by the Girl Scouts. The scheduled date for decorating is Saturday, October 15th beginning at 10:30 AM. On a motion by Trustee Conklin seconded by Trustee Dwyer, it was:

RESOLVED, the Board of Trustees approved the request of the Monroe Garden Club to decorate the light poles in the downtown with scarecrows for fall. Cornstalks, zip ties and ribbons for poles will be allocated from budget line A7110.422 or A5182.438, and shall not exceed \$230.

Ayes: Trustees Conklin, Dwyer, Behringer and Chan

Nays: None

SACRED HEART CHURCH HOLY NAME SOCIETY CHRISTMAS NATIVITY:

On a motion by Trustee Conklin seconded by Trustee Behringer, and carried, it was:

RESOLVED, the Board of Trustees approved, contingent upon receipt of certificate of insurance, the request of Sacred Heart Church Holy Name Society to provide a Christmas Nativity display in Crane Park for the Christmas Holiday. Coordination will be made with DPW Supervisor Linderman.

Ayes: Trustees Conklin, Dwyer, Behringer and Chan

Nays: None

26th ANNUAL TURKEY TROT RACE 11/26/16 FROM 9:00-10:00 AM:

On a motion by Trustee Chan seconded by Trustee Conklin, it was unanimously:

RESOLVED, contingent upon State of NY Department of Transportation's approval for use of roads, the Board of Trustees approved the Monroe Joint Park Commission's request to use the following roads for their 26th Annual Turkey Trot Race on Saturday, November 26, 2016, from 9AM – 10AM:

Starting on Smith's Clove Park, right onto Spring Street, left onto Mapes Place, left onto Carpenter Place, right onto Maple Ave., cross Stage Road to Millpond Parkway, up to Airplane Park, right onto Route 17M/Route 208, cross North Main Street to Schunnemunk Street, around to Forest Avenue, down to Franklin Avenue, to Spring Street making left and returning to Smith's Clove Park. The race will run from 9:00 – 10:00 AM. The event will be coordinated with the Monroe Police Dept.

Marshall and Sterling will be notified to include this event to the Village's insurance as a community event.

Ayes: Trustees Conklin, Dwyer, Behringer and Chan

Nays: None

MAYOR'S COMMENTS:

Mayor Purcell provided an update on the TAP Grant application. All pre-application paperwork has been submitted with a 1:00 PM conference call scheduled for Wednesday, 10/5/16.

Mayor Purcell also took a moment to thank the Orange County Volunteer Fireman's Association Committee and to commend them on doing a wonderful job with the parade on 9/24/16. They held true to everything they said they were going to do in regards to trophy's and safety. He also wanted to extend his gratitude to the Monroe Police Department, Monroe Fire District, Monroe Ambulance Corp. and all those volunteers who were here that day and made that day special. Mayor Purcell said he was very proud to show off the Village the day of the parade to the other municipalities. He had the opportunity to speak with some of the Chiefs and met a lot of the Volunteers after the parade and received compliments on the great job done by everyone.

Mayor Purcell also extended his gratitude to John Karl, Parade Committee Chairman, from the Monroe Fire District, for the great work that was done.

Trustee Conklin also took a moment to acknowledge and apologize for the "brow beating" that she gave Mr. Karl at the prior meeting about the alcoholic beverage off premise license. She admits that she tried to make her point a little too aggressively and wanted to publicly offer her apology to him for it, as well as acknowledge that it was a great event.

Trustee Dwyer provided an update on the school zone beacons that are being installed on North Main Street. All the components have been delivered and installation has begun. There are a few pieces to the installation puzzle that are still being worked out but things are moving along nicely.

PUBLIC COMMENT

PRESENT 5

TIME: 7:33PM

John Karl commented he had two things to address. The first being is the Village treating Mombasha Lake with copper sulfate? Mayor Purcell was unsure and said he would speak with Ernie about it. Mr. Karl feels that it looks neglected and the whole southern tip is being choked out by lily pads. Trustee Chan said he will look into it.

His second concern is what is happening across the street from the Roscoe Smith house? The streets are lined on both sides with minivan livery cabs, 3 on each side. Mayor Purcell asked Police Chief Conklin to look into it and report back.

Liz Walsh , North Main St. resident commented that she is still concerned with the large truck presence on North Main St. Her concern is that either the law wasn't written well or that the fine issued isn't strong enough to deter trucks from driving on that road. Mayor Purcell indicated that the law was written specifically to no truck traffic over 11 tons, yet Ms. Walsh still questions why it's not working. She knows it's not cost effective to have one cop sitting on North Main all day, but something needs to be done. She referenced the truck law in

Maybrook, NY which also has a major trucking company in its Village, yet they are able to enforce the truck traffic on their Village roads. Signage is clearly posted and the fines are very specific and visible at \$4000.00.

Chief Conklin interjected. He indicated that in the short period of time that the signs have been posted, 42 tickets had been written. But once the signs came down, they had to back off. Since the issue has been resolved tonight, the signs can go back up. Liz Walsh interjected "So the law was written incorrectly?" Mayor Purcell clarified with the resolution tonight, they can begin enforcing again. Chief Conklin also mentions that he has spoken to the police in Maybrook, and while their law and signage is very specific, it does not apply to Rt. 208. Ms. Walsh questions then why is it posted right at the beginning of Rt. 208? Chief Conklin said it is simply a warning in posting that signage in hopes to deter traffic. The law only applies to the Village streets, not the state highway. Ms. Walsh also raised the concern that when certain roads are closed in and around Monroe, that there is also a high truck presence on Pine Tree Road and that we should consider posting on that road.

Her second inquiry is regarding what you have to do to hang a shingle to become a Suboxone distributor? Mayor Purcell asked for clarification? Ms. Walsh said that there is a business on Rt.17M, "Exodus", a physical therapy place, which is administering Suboxone, a drug like methadone to treat heroin addiction. She wants to know what type of approval has to be gotten to open this type of business, or can anyone just open up a clinic? Her concern isn't the clinic itself, but the problems that come along with these types of places. Mayor Purcell states that the need to receive approval from the building department to obtain the specific permits is needed. But that the actual dispensing of medication is regulated by the State of New York. He also mentions that it needs to be handled very carefully so as not to be discriminatory to these types of situations. Her concern is that these drugs not be given out without some sort of therapeutic environment. It is destructive to the individual and the community where the office is. Mayor Purcell stated we will have to look to see if they are within the rule of law, and follow up with Counsel, and the Building Dept. They would have had to come to the Building Department to obtain a permit to open a business in that building.

Mayor Purcell acknowledged that he received a letter from Mr. Said Atiq regarding the moratorium waiver request and that the Board will discuss it in Executive Session, but asks him to briefly summarize for the rest of the Board what his request is about. Mr. Atiq stated he purchased this property (52 Peterbush Drive) in foreclosure with the hopes of doing a full renovation to the home. He had made multiple trips into the Building Dept. inquiring into procedures for permit applications and plans for this property. When asked if there would be any problems with proceeding with this project, he was advised there would be none. After planning and preparation, including paying an architect to draw up plans, he was then informed of the Moratorium that was put into effect June 2016, putting a halt to his plans to begin construction this past summer.

He is requesting a waiver to the Moratorium claiming financial hardship. He is currently paying for two homes, rent where they currently reside and the mortgage on the home on Peterbush Drive. In addition, they will need to begin paying for heat on this property to avoid further damage to its structure once winter begins. Mayor Purcell indicated that the Moratorium was already in place at the time that he purchased this home and that while he feels that he may have been misled, he feels that the moratorium will be lifted by the end of November, and that they will be able to apply for their permits and continue with their renovation plans.

EXECUTIVE SESSION:

On a motion by Trustee Conklin seconded by Trustee Behringer, and carried, following a 5 minute recess, the Board convened in Executive Session at 7:45PM for discussion of personnel.

Respectfully Submitted,

Ann-Margret Baxter
Deputy Clerk

Open Session following Executive Session Minutes taken by Mayor Purcell.

OPEN SESSION: On a motion by Trustee Chan seconded by Trustee Conklin and carried, the Open Meeting resumed at 8:45 PM.

RESIGNATION: NOELLE C. SEMAN, DPW CLERICAL CLERK:

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

RESOLVED, the Board of Trustees accepted with regret the resignation of Noelle C. Seman, DPW Clerk effective 10/17/16. The Board thanked Noelle for her 4 years with the Village and wished her well in her new position. With said resignation and pending vacancy, the Board further resolved to publish for a new hire, with a job title that has yet to be determined.

Ayes: Trustees Chan, Behringer, Dwyer and Conklin

Nays: None

ADJOURNMENT:

On a motion by Trustee Conklin seconded by Trustee Dwyer and carried, no further business, the meeting was adjourned at 8:50 PM.