

BOARD OF TRUSTEES MEETING
WEDNESDAY, AUGUST 23, 2017
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The August Meeting of the Board of Trustees was held on Wednesday, August 23, 2017 at 7:00 PM in the upstairs Boardroom of the Village Hall, 7 Stage Road, Monroe, New York. Mayor James Purcell called the meeting to order and led in the pledge to the flag. Emergency exits were announced.

Present: Mayor Purcell; Trustees Conklin, Behringer, Dwyer and Chan
Also present: Village Clerk Baxter, Deputy Clerk Zahra, Building Inspector Cocks, Police Chief Conklin, Treasurer Murray, DPW Supervisor Linderman and Water Plant Operator Mabee.
Absent: Attorney Bonacic

MINUTE APPROVAL: JULY 18th 2017:

On a motion by Trustee Conklin seconded by Trustee Behringer, the Minutes of the July 18th Meeting was approved.

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

BUDGETARY TRANSFERS / MODIFICATIONS:

On a motion by Trustee Conklin seconded by Trustee Dwyer, 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
Budget Modifications				
A.2705	Donations	A.3120.410	PD General Expense	800.00
A.2705	Donations	A.7110.422	Parks Flowers & Trees	200.00

PD SURPLUS – 2009 DODGE DURANGO – SELL THROUGH GOVDEALS.COM:

On a motion by Trustee Dwyer, seconded by Trustee Behringer, 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 Conklin 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:

2009 Dodge Durango VIN #1D8H38PX9F712480

Chief Conklin will determine at time of sale which account the proceeds will be deposited into.

Mayor Purcell asked Chief Conklin to confirm that the vehicle had already been sold on govdeals.com. Chief Conklin stated that due to the postponement of the August Board of Trustees Meeting that the vehicle in question has already been sold at auction at the price of \$4,000.00

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

HUDSON VALLEY WATERWORKS SUMMER CONFERENCE - WATER DEPT PERSONNEL:

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

RESOLVED, due to the timing of the July and August Board Meetings there was no time to request permission from the Board prior to the Conference taking place. Training hours are required for water licenses. Verbal authorization was given and the matter referred to the Board for official action as follows:

RESOLVED, the Board of Trustees approved the attendance of Water Department personnel Ernie Mabee, Will Ostrowski, Jaime Prince and Mike Hipsman at the Summer Hudson Valley Waterworks Conference which was held on August 9, 2017 from 8:00 AM – 2:30 PM at a cost of \$30 per Operator, totaling \$120.00. Water certificates and 5.0 Department of Health contact hours were awarded upon completion. Fees and mileage reimbursement will be charged to budget line F.8330.472 Purification Education.

Ayes: Trustees Conklin, Behringer, Dwyer and Chan

Nays: None

COMPLETION OF PROBATIONARY PERIOD: SERGEANT LEE:

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

RESOLVED, having completed the required probationary term required by Orange County Human Resources, Sergeant David H. Lee is hereby given permanent status for civil service requirements. An updated MSD 426-B will be submitted.

Ayes: Trustees Conklin, Behringer, Dwyer and Chan

Nays: None

RE-ASSIGNMENT OF POLICE OFFICER- DETECTIVE TO PATROL -KYLE MAHONEY:

In a memo from Chief Conklin, he requested that the Board of Trustees re-assign Police Officer Kyle Mahoney from Detective back to patrol effective September 1, 2017 with a salary readjustment to the Fifth (5th) year Police Officer Step. Discussion followed.

Trustee Dwyer stated that the Department had done an analysis and it determined that more manpower was needed on patrol and that this move would be the best use of their resources at this time. On a motion by Trustee Dwyer, seconded by Trustee Conklin, it was:

RESOLVED, the Board of Trustees accepted Chief Conklin's recommendation and approved the reassignment of Police Officer Kyle Mahoney from Detective back to patrol effective September 1, 2017 with a salary readjustment to Fifth (5th) year Police Officer Step.

Ayes: Trustees Conklin, Behringer, Dwyer and Chan

Nays: None

SALE OF SURPLUS MISC. DPW EQUIPMENT THROUGH AUCTIONS INTERNATIONAL:

In a memo to the Board of Trustees, Highway Supervisor Linderman requested that the following equipment be listed as surplus and be placed for sale through Auctions International:

1. 2012 John Deere 6330 Tractor with Snow Blower and Diamond Boom Mower
2. 2009 Caterpillar 420E Backhoe
3. 2008 Ford Ranger Pickup Truck

4. **1,000 Gallon Tank with pump & spraybar and a 5,000 Gallon Bulk Tank for salt brine**

Trustee Dwyer expressed his concern about getting top dollar value of these items when sold at auction and also suggested getting back with John Deere due to the uniqueness of this piece of equipment and investigate our legal recourse is rather than putting this out to auction.

Highway Supervisor Linderman stated that since 5 years has passed, the warranty is no longer valid and the Village should have acted when it first stopped working or turned it over to our Attorney at that time. He continued that the Town of Monroe has the same tractor with a mid-mount as well and they have problems with it. Trustee Conklin asked how long the Village owned this piece of equipment and Highway Supervisor Linderman stated 5 years. Trustee Conklin commented that she doesn't think that we will get anywhere with it, and Highway Supervisor Linderman continued that the tractor is worth a lot of money and we could get back something for it and then be able to pick up a piece of equipment that they would use every day. Trustee Dwyer stated that he believed that when something is declared surplus through an organization like this, it's a whole sale. This item is worth a lot of money at a retail price, so if the Village is able to legally, use this as a trade in toward something new, or give it to someone who can use it at that dollar value and not to some wholesaler. Supervisor Linderman stated that he looked in to that and we wouldn't get anything on a trade it for what it's worth and he believes that the Village will get more at Auctions International. He also stated that we can put a cap on the item and that if the cap is not met at the bidding, then the Village doesn't have to accept the bid. Trustee Dwyer asked if we had the value of that item in writing, and Supervisor Linderman stated that at this time he did not. Trustee Dwyer suggested that the Village determine what the fair market value of this item is and see what the market will bear, establish what type of reserve we can place on that item, and put it all back on the agenda for the next meeting.

Treasurer Murray asked if the 2008 Ford Ranger was mechanically sound so it could be possibly be used by the Buildings Department. Supervisor Linderman stated that it was mechanically sound but with a small cab and not in really good shape.

The Board agreed to researching the 2012 John Deere tractor further, placing a reserve on it and then putting all the items listed out to auction, and tabled this matter for further discussion at a future Board Meeting.

REQUEST TO PURCHASE / HIGHWAY DEPT / TAIL SWING EXCAVATOR:

In a memo from Highway Supervisor Linderman he is requesting approval from the Board of Trustees to purchase a Kubota KX 080-4 Tight Tail Swing Excavator from the NYS Bid List in the amount of \$120,010.98. This new Swing Excavator will replace the Village's old road mower and one of the Village's backhoes. Treasurer Murray has confirmed that the funds are currently available in the Highway Equipment Reserve Account A9950.9000. The monies generated from the sale of the Highway surplus equipment should cover the cost of the purchase of this piece of equipment and replenish the Highway Equipment Reserve Account. Discussion followed.

Trustee Dwyer stated that he understands the goal is to get better use of the Village's equipment. He acknowledged that Supervisor Linderman inherited the equipment he is currently using, but when we are talking about having the monies to cover it, he wants to know if this equipment was budgeted for. Supervisor Linderman stated that it was not. Treasurer Murray commented that what Supervisor Linderman is referring to is a separate account established for the Highway Equipment Reserve. Trustee Dwyer expressed concern over the money coming out if this account will shortchanging the Village down the road for something else. Supervisor Linderman stated that he does not foresee the Village needing another truck for at least 5 years.

Trustee Chan asked if we are putting a cap on the surplus stuff to sell at bid and we decide not to accept the bid, where will the rest of the money come from to cover the cost of this new piece of equipment. Mayor Purcell asked Treasurer Murray what the Village

currently holds in the reserve account at this time and she confirmed it was approximately \$134,000 plus there is more to be budgeted into the reserve account. Trustee Chan stated that as long as the Village has the money to cover it, he is fine with its purchase. On a motion by Trustee Conklin, seconded by Trustee Behringer, it was:

RESOLVED, the Board of Trustees approved the request of Highway Supervisor Linderman to purchase a Kubota KX 080-4 Tight Tail Swing Excavator from the NYS Bid List in the amount of \$120,010.98 using funds currently available in the Highway Equipment Reserve Account A9950.9000.

Ayes: Trustees Conklin, Behringer, Dwyer and Chan

Nays: None

PUBLIC HEARING SCHEDULING – PROPOSED LOCAL LAW TO AMEND CHAPTER 155 OF THE VILLAGE CODE “PEDDLING & SOLICITING”:

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

RESOLVED, the Board of Trustees does hereby authorize a Public Hearing to be scheduled on Tuesday, September 19, 2017 at 6:30 PM, on a proposed Local Law entitled “A Local Law Amending Chapter 155 (“Peddling and Soliciting”) of the Code of the Village of Monroe to provide that, unless otherwise authorized, permitted, or exempted pursuant to the terms and provisions of the law, the practice of being in and upon a private residence within the Village by solicitors, for the purpose of home solicitation sales or to provide goods or services, is prohibited and is punishable as set forth in the Code.

There is a listing of additional prohibited actions, including that no person shall promote, influence, or attempt to promote or influence a property owner, occupant, or tenant to list for sale, sell, or remove from a lease real property by referring to race, color, sexual orientation, ethnicity, or religious affiliation of neighbors, prospective buyers or other occupants or prospective occupants of real property.

People who do wish to solicit must register with the Village and obtain a certificate to do so. A person who wishes to refuse solicitors may display a “No Solicitation” sign on their property and/or may give their name and address to the Village Clerk, and the Clerk will maintain a list of those persons who do not want solicitors to enter upon their property. Each person filing an application for a solicitation license will be given this list.

A copy of the full text of this proposed Local Law is available in the Clerk’s Office.

Ayes: Trustees Conklin, Behringer, Dwyer and Chan

Nays: None

EVENT APPLICATION AMENDMENT TO INCLUDE COST REIMBURSEMENT CLAUSE CONTINUED: (See Minutes 4/18/17, Pg. 159, Minutes 5/3/17, Pg.167)

Following the July 18th, Mayor Purcell requested Attorney Bonacic to review the existing event application as well as the statutes currently in place pertaining to not for profit organizations and revise the addendum requiring an event applicant to possibly reimburse the Village of Monroe, at the discretion of the Board of Trustee’s, the costs for 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.

Due to the absence of Attorney Bonacic, this matter was tabled till the September 5, 2017 Board Meeting.

NYS GOVERNOR TRAFFIC SAFETY COMMITTEE – CHILD PASSENGER SAFETY AWARD:

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

RESOLVED, the Board of Trustees accepted the grant awarded to the Monroe Police Department through the NYS Governor's Traffic Safety Committee for the Child Passenger Safety Program. The grant covers the period of 10/1/17 through 9/30/18 in the amount of \$2,200.

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

NYS GOVERNOR TRAFFIC SAFETY COMMITTEE – POLICE TRAFFIC SERVICES AWARD:

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

RESOLVED, the Board of Trustees accepted the grant awarded to the Monroe Police Department through the NYS Governor's Traffic Safety Committee to participate in the statewide Police Traffic Services Program. The grant covers the period of 10/1/17 through 9/30/18 in the amount of \$5,600.

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

RETIREMENT – POLICE OFFICER JOSEPH P. RYLE:

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

RESOLVED, the Board of Trustees accepted the noticed of retirement letter received from Police Officer Joseph P. Ryle effective August 31, 2017. Officer Ryle began his career in law enforcement in 1997 in Cornwall NY before transferring to the Monroe Police Department in May 2000 and will be retiring after 20 years of dedicated service. The Board expressed their appreciation to Officer Ryle and commends him on a job well done.

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

BOND – CHABAD OF ORANGE COUNTY (TM # 206-6-1.2):

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

RESOLVED, the Board accepted the recommendation of the Planning Board Chairman, Gary Parise, and approved the acceptance of a cash bond or local bank Letter of Credit as surety for Chabad of Orange County's proposed construction cost estimates in the amount of \$786,967.00 for the proposed 11,000 square foot house of worship located on a 6.2 acre lot located on Gilbert Street.

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

TURN THE TOWN TEAL RIBBON CAMPAIGN FOR OVARIAN CANCER:

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

RESOLVED, the Board of Trustees approved the request of volunteer Kathy Colquhoun to tie ribbons on the lampposts in the downtown calling attention to the "Turn the Town Teal" national campaign to create awareness of ovarian cancer. Biodegradable made in the USA ribbons are used and will be displayed from 9/1/17 to 9/30/17. Mrs. Colquhoun will put them up and remove them as she has in the past.

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

AUTHORIZATION FOR VERIZON WIRELESS ALTERATIONS ON BALD HILL CELL TOWER:

The Building Department has received a permit application by Verizon Wireless for alterations to an existing cell tower located on Bald Hill. As part of the Building Department requirements, the property owner must consent to the work before the work can begin and consent is given by the property owner signing off on the permit application. Since Bald Hill is owned by the Village of Monroe, the Village Board must consent to the work and authorize the Mayor to sign the permit application. Discussion followed. Trustee Dwyer asked Building Inspector Cocks to confirm if the modifications being made were on the existing tower. Building Inspector Cocks confirmed that it was. On a motion by Trustee Chan, seconded by Trustee Conklin, it was:

RESOLVED, the Board of Trustees consent to the alterations needed to an existing Verizon Wireless cell tower located on Bald Hill and authorizes Mayor Purcell to sign off on the Building Department permit application.

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

REFUND REQUEST OF TAX PENALTY – 67 FRANK COURT (TM# 239-1-1.-66):

In a letter to the Board of Trustees, Leonard Brown has requested a refund of tax penalties paid for his father's 2017 Village tax bill for the home located at 67 Frank Court. Mr. Brown's father Arnold passed away in February 2017 and he only became aware of the outstanding tax bill in August due to continued issues with mail forwarding with the Post Office. He has since paid the full amount due of \$1,277.59, which includes the penalty fee of \$72.32, which he is currently requesting a refund for due to these extenuating circumstances. On a motion by Trustee Conklin, seconded by Trustee Behringer, it was:

RESOLVED, due to the Real Property Tax Law, the Board of Trustees denied the request of Leonard Brown to refund penalty fees paid for the 2017 Village tax bill for his father's home located at 67 Frank Court. As stated in the Real Property Tax Law, no Village Officer or Employee can waive interest and penalties on real estate taxes received after the due date for any reason. The duty is on the owner to pay taxes on time.

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

REFUND REQUEST OF TAX PENALTY – 52 MAPLE AVENUE (TM# 213-1-38):

In a letter to the Board of Trustees, property owner Jerome Goldberg is requesting a refund of tax penalties paid for his 2017 Village tax bill. Mr. Goldberg stated that he never received the original June tax bill and noted that he has never been late with his tax payment. He has paid the full amount due of \$3,137.94, which includes the penalty fee of \$177.62, which he is currently requesting a refund for. On a motion by Trustee Conklin, seconded by Trustee Behringer, it was:

RESOLVED, due to the Real Property Tax Law, the Board of Trustees denied the request of Leonard Brown to refund penalty fees paid for the 2017 Village tax bill for his father's home located at 67 Frank Court. As stated in the Real Property Tax Law, no Village Officer or Employee can waive interest and penalties on real estate taxes received after the due date for any reason. The duty is on the owner to pay taxes on time.

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

ORANGE COUNTY MUNICIPAL PLANNING FEDERATION ANNUAL DINNER – ZBA:

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

RESOLVED, the Board approved the attendance of the ZBA Members at the September 28, 2017 Orange County Municipal Planning Federation Annual Dinner at Colden Manor at Spruce Lodge in Montgomery, NY. The cost is \$75 each to be charged to budget line A.8010.4720, Zoning Education.

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

REQUEST FOR REIMBURSEMENT – 11 PRESTWICK DRIVE (TM# 231-2-34):

In a letter to the Board of Trustees, property owner Brian Murphy has requested a reimbursement in the amount of \$685.00 for an air quality inspection performed on his home due to two (2) plumbing vent pipes that were not properly vented through the roof of his newly constructed home as required by code. Mr. Murphy was made aware of this situation when an AC technician informed him that the builder, BV Builders Corp. failed to continue the plumbing vent pipes through the roof. Mr. Murphy also stated that although former Building Inspector Jay Wilkens signed off on his homes Inspection Report and Certificate of Occupancy, he has questioned whether Inspector Wilkens actually conducted a physical inspection of the attic. Due to the seriousness of the situation, and that the Village of Monroe ultimately approved the CO of his home, Mr. Murphy is requesting that the Village reimburse him for the interior air quality test performed on his home by Total Environmental Restoration Solutions. On a motion by Trustee Conklin, seconded by Trustee Dwyer, it was:

RESOLVED, the Board of Trustees denied the request of Brian Murphy for the reimbursement of \$685.00 for an interior air quality test performed by Total Environmental Restoration Solutions due to two (2) plumbing vent pipes that were not properly vented through the roof by the homes builder, BV Builders Corp.

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

IBEW CONTRACT RATIFICATION 6/1/17 – 5/31/2022:

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

RESOLVED, the Board of Trustees approved and signed the IBEW Agreement between the Village of Monroe, the Department of Public Works and Water Department for the period of 6/1/17 – 5/31/22.

Trustee Chan stated that it was a good contract. He continued that new employees for DPW and Water are going to begin paying into their medical slowly. Mayor Purcell interjected that it is over a 5 year term, with contributions beginning at 3% and capping out at 15% and clarified again that it is only for new employees hired. Trustee Chan also stated that the Village also cut back on the DPW Secretary's clothing allowance. Mayor Purcell added that it is the first Union contract that the Village has been able to get them to pay into medical, and both Mayor Purcell and Trustee Chan stated that they were able to clear up some language issues as well, specifically the section pertaining to the anniversary date. Trustee Conklin congratulated all on a job well done.

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

PRELIMINARY ENGINEERING AND RIGHT OF WAY INCIDENTALS – LAKE ST. & STAGE RD. PEDESTRIAN IMPROVEMENTS:

Mayor Purcell presented preliminary engineering documents to the Board regarding the TAP Grant and the future project at the Lake St. and Stage Rd. intersection as part of standard operating procedure showing the Village's desire to advance with the project by making a commitment of 100% of the non-federal share of the costs of the Preliminary Engineering. Discussion followed.

Trustee Dwyer asked if when Creighton Manning came to design this project whether it included this portion of the project. Mayor Purcell stated that they provided the Village with the cost analysis and the breakout when we decided which way we were going to go with the project and those dollar amounts were included at that time. A preliminary design was included at the time that this cost proposal was submitted by the engineer. Mayor Purcell clarified that this money needs to be put out up front by the engineer, but that the Village also has to go through a list of potential engineers and the Village needs to get the money up front. He continued that the Federal money will be given to the state and the state will handle it and that is what part of this resolution is about.

Trustee Dwyer questioned what exactly will be engineered if the design was already done. Mayor Purcell stated that the selected engineer will be the beginning of the project, any work that has been done already, the set up with the state, the design that they have already put in for, but that they may not even be the engineers selected for the project. The Village has to select an engineer off a pre-approved list, so they may not even be the engineers selected, which is also another component of the TAP Grant. If we don't hire Creighton Manning, that will still be the cost of the project. Trustee Conklin stated that it appears that if we don't hire Creighton Manning, then has the Village wasted that money. Mayor Purcell stated that it may appear that way, but the Village would have had to spend that money regardless to do the project.

Mayor Purcell stated the grant is very specific as to how the process works, but that he would speak with Creighton Manning who has been consulting for the Village, if they are selected to be the engineers for this project, if there could be a reduction in their costs since they have already designed the project. Mayor Purcell stated that the Village could hold off and he could get that information for Trustee Dwyer when he meets with Creighton Manning in two weeks and review it with Deanna from DOT as well. Trustee Dwyer stated that would be his preferred course of action at this time. Mayor Purcell stated again the Federal Government is looking to secure the Village's money for the grant to move forward and that is just how the grant works and we have no control over that. This matter was tabled till the next Board Meeting.

2017 CDBG BID AWARD – NORTH MAIN ST. SIDEWALK IMPROVEMENTS (ELM ST. TO RT. 208) (Federal Contract No. B-17-UC-36-0105 / County Contract # 29/17-8692.7150A17):

Five bids were received and opened on Friday, July 28, 2017 for the North Main Street Sidewalk Replacement project (Elm St. to Rt. 208). Bids were summarized in a letter to the Board from John O'Rourke, PE, Lanc & Tully Engineering as followed:

<u>BIDDER</u>	<u>BID AMOUNT</u>
Precise Enterprises II, Ltd.	\$118,014.00
A-Tech Concrete Co.	\$122,554.00
Consorti Bros.	\$137,846.04
CMC Construction Group, Inc.	\$148,057.00
Boyce Excavating Co., Inc.	\$149,387.00

Based on review of the five (5) bid packages submitted, it appears that Precise Enterprises II, Ltd. From Wallkill, NY is the lowest responsible bidder for the general construction of the North Main Street Sidewalk replacement project (2017 CBDG) having submitted all required documentation and bidding certification to consider their bid in the amount of \$118,014.00 complete. Reference checks of Precise Enterprises were completed and all those contacted stated the contractors were equipped and the performance records were satisfactory for completion of this type of project. Upon concurrence of Joanne Fazzino, Assistant Director O.C. Office of Community Development and Attorney Bonacic, John O'Rourke, PE, Lanc & Tully Engineering has no objections with the bid for North Main Street Sidewalk Replacement Elm St. to Rt. 208 in the amount \$118,014.00. Discussion followed.

Trustee Conklin inquired whether the sidewalks would go straight down North Main Street or would there be bump outs. Trustee Dwyer stated that there is two parts to that, and there would be one section with no parking, and another section with parking. Trustee Dwyer continued that the sidewalks will run from Elm Street down to Rt. 208 and hopefully round down onto Rt. 208.

Trustee Dwyer stated that the diagram shows a curb cut for each driveway and he has noted that he has spoken with the Building Department and there is currently no provision if you wanted one or ten. He continued that he felt there were some disingenuous actions taken regarding driveway cuts based on public safety when the first part of the sidewalk replacement was done on North Main. Building Inspectors Cocks interjected that some of those properties had variances in place for the driveways, specifically 333 North Main Street. Trustee Dwyer questioned whether they were recent variances and Building Inspector Cocks stated they were not and that many of them were in existence before they had code. Mayor Purcell stated that there will be partial parking. Trustee Dwyer stressed the importance of sticking to the design plan. Everyone will get one 14 foot driveway apron that will taper to 12 feet and that's it.

Trustee Behringer commented on the vast difference in bid price and Mayor Purcell stated that vetted and the Engineer is comfortable with their selection.

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

RESOLVED, the Board of Trustees accepted the recommendation of the Village's Engineer, John O'Rourke, P.E., Lanc & Tully Engineering, and award the bid for sidewalk replacement to the lowest responsible bidder, Precise Enterprises II, Ltd. of Wallkill, NY 12589 in the amount of \$118,014.

Ayes: Trustees Behringer, Dwyer, Chan and Conklin

Nays: None

PROPOSAL TO SWITCH WIRELESS SERVICE FROM VERIZON TO AT&T:

In a memo to the Board, Treasurer Murray informed them that the Village has been contacted by a representative from AT&T to offer the Village of Monroe a quote for our wireless accounts. Mayor Purcell and Treasurer Murray met with AT&T representative, Dave Jackson, who was able to provide a very competitive quote that would save the Village \$102.00 per month (\$1,224.00 annually) on the Village's current services. In addition, the Village would receive a promotional credit of \$1,950.00 that would be applied to our monthly invoice over a one (1) year period.

AT&T would also provide the devices (including cell phones and Mifi/Tablets) for \$1.00 each and buy back the current devices for a total of \$1,105.00. There is no contract on the devices based on the OGS State Contract. The first year savings would be \$4,425.00, which equates to 5 months of free service. Discussion followed.

Trustee Dwyer asked Treasurer Murray for clarification on the number of items included in the proposal. Treasurer Murray stated that it includes all Village issued cell phones to the Mayor, the Building Inspector and the Police Department, which also includes the MiFi's in the police cars. Mayor Purcell clarified that there is no term on the contract because it is off of state bid contract, so the Village can choose to terminate the contract tomorrow if we are not happy with the service. Trustee Dwyer also asked for clarification on what a MiFi was and Chief Conklin stated that they were the air cards installed in all the police vehicles that allowed them to access the Department of Motor Vehicles. On a motion by Trustee Conklin, seconded by Trustee Chan, it was:

RESOLVED, the Board of Trustees approved the proposal provided by AT&T representative Dave Jackson, and agreed to switch cell phone service from Verizon to AT&T at a cost of \$828 a month versus \$950 a month, saving us \$102 a month or \$1,224 annually. In addition, there will also be an additional savings with a promotion credit of \$1,950 and includes the buyback of old phones for an additional credit of \$1,105 bringing the first year savings to \$4,255.

Ayes: Trustees Behringer, Dwyer, Chan and Conklin

Nays: None

DISCUSSION – HERITAGE TRAIL ACCESS POINTS:

Mayor Purcell stated that there were a couple of things that Trustee Dwyer wanted to bring up specifically in regards to an email that Chief Conklin revisited regarding so issues that had happened in the past. At the suggestion of Mayor Purcell, Chief Conklin reached out to Chris Viebrock from the County and set up a meeting that included the Chief, Mr. Viebrock, PD Liaison Trustee Dwyer and Highway Supervisor John Linderman. At this meeting, the gentlemen rode the section of the Heritage Trail from where the work is being done on the Rt. 208 overpass to where it ended down by Clark Street and they reviewed points of entry. Trustee Dwyer stated that one of the problems that the Police Department is having is that people are treating the Trail like their personal road. They are getting on the Trail with their cars and it is a major safety concern. He continued that prior to the meeting the walked the trail and identified approximately 900 linear feet on both sides of the rail trail that show points of entry. One of the concerns that Trustee Dwyer expressed was if they went through and put up fencing, would they be putting in on rail trail property or private property. Trustee Dwyer reviewed property maps and it appears that the rail trail has a 66 foot wide right of way that was deeded and that would serve well for any work that the Village would want to do. Trustee Dwyer stated that he brought this to the attention of Mr. Viebrock. Trustee Dwyer mentioned that Highway Supervisor Linderman suggested using burm material to create a barrier and the Village suggested that the County continue to the model of the wood railing as well. Trustee Dwyer continued that Mr. Viebrock would take all this information back to the other agencies that he works with, including architects, and see what other things they use and bring those ideas back to the Village. Lastly, Trustee Dwyer stated that everything will be done and it will start with putting up some blockade fence.

Highway Supervisor Linderman stated that he heard back from Mr. Viebrock today and that they will be moving forward with installing boulders along the trail to close up the access points. They will be large enough to prevent car access. Trustee Dwyer asked Supervisor Linderman whether he thought Mr. Viebrock would be interested in using the same material currently in place along the commuter parking lot to finish that area off, even if it was a joint venture between the County and the Village. Supervisor Linderman suggested perhaps reaching out to County Executive Neuhaus for additional assistance, but Trustee Dwyer commented that we should allow Mr. Viebrock to see it through.

Mayor Purcell stated that Chris Viebrock is the DPW Superintendent for Orange County Public Works now and a former Monroe resident and knows the issues. The Village should allow Chris to work his magic to get the Village aesthetically sound.

Mayor Purcell addressed resident John Karl who was in the audience that he has confirmed in regards to the railroad artifacts that a lot of the rail trail is not owned by the County, it is leased out. The County is currently working on the lease now and he asked Mr. Viebrock if there was a way to grab the artifacts without renegotiating the lease, and he is looking in to that. Specifically, the phone booth and the mile markers. Mr. Karl commented again about a mile marker that somehow ended up in the Roy Montanye park which should also be moved back.

Trustee Chan inquired about the access points for emergency services. Chief Conklin provided Trustee Chan with those locations and also stated that the Village will have to confirm with those points again to Mr. Viebrock and the County to ensure that they are kept accessible. Building Inspector Cocks interjected that fire access must remain along the Heritage Trail for Monroe Commons, the senior housing building on North Main Street.

Supervisor Linderman has also advised the County that they will need to move the gate that blocks access to the trail down by Clark Street. Now that they are paving the remainder of the trail, the area where the gate currently is located is not wide enough to get any larger vehicles through there.

DISCUSSION – MAPES PL. & SPRING ST. TRAFFIC SIGN:

Trustee Dwyer stated that he wasn't sure when or how the No Right on Red sign came down, but he asked the Chief to head down to the intersection in question after the construction on the Rte. 20 bridge began to see if there were any site issues. Trustee Dwyer stated we have all noticed that the traffic has backed up since the construction and it eased up after the sign was taken down. He thought that the removal of the sign was construction based as he thought that he had heard something during one of the meetings that was held. Trustee Behringer stated that she thought it was a result of camp being in session at Smith's Clove Park, and now people are getting stuck there again with the sign back up.

Mayor Purcell stated that the reason why he had the sign put back up was because although the Village inherited the road from the County, the way that road and intersection was built was by design. The County engineers signed off on it after traffic studies were performed that showed a need for the sign to be there. He continued that even though we own the road now, by the Village removing the sign it makes the Village liable because the intersection was designed that way for a reason. If we want to change it and have the sign permanently removed, the Village will need to have another traffic study done to confirm whatever we want to do. Mayor Purcell confirmed this with the County's Engineers. Bottom line is you cannot alter it without having an additional study done. Trustee Conklin felt that the Village should have the study done, because once school opens again we will have serious traffic issues. Mayor Purcell agreed and said he would look into it.

DISCUSSION – INTERSECTION OF LAKE ST. & MILLPOND PKWY:

Trustee Dwyer commented that when this project was first developed there were three bump-outs and not four. He wanted that right turn capability. He feels the way it was designed and installed hinders that now. Trustee Dwyer specifically referred to the section of Lake St. from Rt. 17M approaching the Millpond Parkway intersection. He acknowledges that part of the problem is brain memory with people wanting to drive through there the way that they always have, but if the lane shifted slightly, it would be a much easier left turn to maneuver. Trustee Dwyer stated that the traffic lights are going to dictate whether cars can go or not, but in addition, if the road lines could be shifted slightly and the stop bars be brought back a few feet, he feels the entire intersection would benefit greatly and will keep people in line with what they need to do.

Mayor Purcell stated that the intersection will be running at full capacity on Wednesday and once that happens, allow the Village time to monitor it and see if changes should be made. If so, a traffic study can be done to review the design and provide input of any changes that may need to be made.

Trustee Conklin stated that if we wanted to slow traffic down, then we should have narrowed the road midway on Lake Street and that would have forced cars to come together and slow them down and funnel them out. There is a traffic control device and the whole purpose of that device is to tell people to stop or go. She commented that now there seems to be so many things down there that it looks like raceway park and you don't know what to look at.

Mayor Purcell commented that the original plan called for a single lane and that would help slow traffic down and keep it moving. Some people wanted the right turn lane to stay and it did. Mayor Purcell stated again let's allow everything to get up and running so we can see how it all works together. He has already spoken to Chief Conklin about shifting and moving some things but that we need to remember that every time we move something, it costs the Village money.

MAYOR'S REPORT:

Mayor Purcell stated that he reviewed a section of the NYCOM book pertaining to government cooperatives. Both he and Treasurer Murray looked into it and US Government Communities Alliance which will give the Village a lot more purchasing

power with companies all over the country. Each Department Head has received a copy and is to use it, and they should begin looking to save money on products. The Village has already saved \$4,000.00 with Cintas on the mats in Village Hall and at the Highway garage. Mayor Purcell also stated that it fits the Village's procurement policy as well.

Mayor Purcell also commented on how successful this year's carnival was. The Village made approximately \$34,000.00 in revenue. He thanked the following departments and the volunteers for their time, commitment and support for the carnivals success including the Monroe PD, Ambulance Corp. and Emergency Services, the food vendors that came from the community, Chris and Barbara Crone, Neil Goldstein, Tony Romangino, Mike Leittier, Lorraine Fiorello, Rony Muntone, and Major Lee Plotniski. Mayor Purcell also mentioned local businesses, The Empire Diner, the Polish Deli, and Wally's Ice Cream. A portion of the monies made from this event will go back into the Parks Department as well as into the Activities Committee. This was an agreement that was made with the Monroe Improvement Association who maintains the parks. And a special thanks to all those that came out and spent their money at the carnival this year, and every year.

Trustee Behringer asked Mayor Purcell to clarify again the amount that was raised by this event. Mayor Purcell stated that about \$34,000 was made on the event and after some additional bills are paid, it would be about \$30,000.00 in the bank. It pretty much is a cost free event for the Village.

Trustee Dwyer asked if the Board could have a discussion regarding the separation from the Village of Kiryas Joel. Mayor Purcell stated that since Attorney Bonacic is absent from the meeting and the Village is involved in a lawsuit and litigation, he would advise against it. Trustee Behringer commented that the pending vote is coming up on September 7th. Mayor Purcell asked Trustee Dwyer if it was anything legal and Trustee Dwyer stated that it was not.

Trustee Dwyer stated that he was really just looking to get a sense of where the Board was with it. He is aware that the Village is invested financially in its litigation but a lot of things have happened to get it to this point and he is curious to know what the Board's thoughts are and maybe get a sense of the situation. Mayor Purcell stated that he had reached out to Village of Harriman Mayor Steve Welle for a copy of the letter he had written and was planning on speaking with Attorney Rick Golden before speaking with the Board about it. Mayor Purcell continued that he wanted to talk with the group of 8 first as well. Mayor Purcell added that he supports allowing the residents to vote and it is critical in light of recent things that have been learned in the last 4 weeks. The Public Hearings were quite interesting, a lot of good views, a lot of smart speakers, in addition to our two Trustees that spoke as well. Mayor Purcell stated that he would draft a letter consistent with the letter that Mayor Welle wrote and forward it on to the Board to review, and then have it sent to all the Legislators and County Executive Neuhaus.

PUBLIC COMMENT: **# PRESENT 7** **TIME: 8:23 PM**

Resident Roni Connelly stated that she was glad to see that the Village Board is in agreeance of writing a letter of support, it shows solidarity in the community and she thanked them for their support.

Resident Emily Convers stated she had just come from the Monroe-Woodbury Board of Education meeting where the Board had unanimously voted in favor redrawing the boundaries so they are continuous with the new Town of Palm Tree. Mrs. Convers stated that this is a huge step and send a very strong message to the County Legislatures. She continued that knowing that now the school district as well as the Villages of Monroe and Harriman are in agreement in this serious issue will help the vote in the legislature to allow the residents to have their say when they vote on September 7th.

Mrs. Connelly asked if a resolution needed to be passed in order for a letter of support to be written by the Board. Mayor Purcell stated that he asked Mayor Welle of Harriman if he passed a resolution to write the letter and he advised Mayor Purcell that he only obtained the Boards approval to do so.

Mrs. Convers stated that the 164 acres that are in appeal currently, that the coalition of 8 are involved in, are already in Kiryas Joel right now and sitting there with foundations and construction going on for high density housing. She stated however that the lawsuit for the 507 acres that KJ has filed will be dropped as part of the new agreement. The only acreage that we are really talking about at this time is the 56 acres that we know are already owned by Hasidic developers so even if it stayed in Monroe, the demographic of the people living in that acreage would be children not going to our school district. She continued that re-drawing our boundaries is necessary to maintain our school district.

Mayor Purcell stated that all the coalition is on board, it is gravitating with one of two more, but for the most part they have all gravitated. Mrs. Convers stated that she had heard the same thing so she was glad to hear the Mayor state that as well. Mrs. Convers also stated that according to the agreement that they negotiated, the litigation will stay in place until after the vote on November 7th, and United Monroe is still suing on the 164 acres until after November 7th and that will be when it drops. If there is a yes vote, and we are separated, then they will drop the litigation. We still hold that card.

Resident Nadia Wallman commented that Rye Hill Rd and Reynolds Rd is a disaster waiting to happen. She has great concerns about the safety of the intersection and drives with extreme caution whenever she is on those roads. Trustee Behringer commented that she has also witnessed an accident at that intersection. Mrs. Wallman suggested that perhaps a blinking light like there is on Laroe Road may help. Trustee Conklin commented that the dynamic of the road has changed which is causing many of these issues. Trustee Dwyer also commented that sight clearance of the side yards needs to be adjusted as well as the property grades in that area, and these things may help. Building Inspector Cocks interjected and asked why not make it a 4 way stop sign. Mayor Purcell stated that when it was first addressed, former Police Chief Melchione was resistant to that idea.

Trustee Dwyer commented that the streets needed to be aligned, the stop bars need to be moved, possibly adding a 4 way stop sign and cleaning off the side yards and cutting the grad of the roads may help. Resident Convers commented that the stop sign coming from Mine Rd. to Rye Hill Rd. is hidden and you can no longer see it, and Trustee Behringer suggested perhaps painting the work STOP on reflective white paint may help.

Chief Conklin stated that the builder of that area should be spoken too about cutting back the bank and the trees along Rye Hill and Supervisor Linderman confirmed that he had spoken with the builder and he was dead set against cutting any of that back. Supervisor Linderman suggested finding out how deep the Village's right of way is in that area and then just doing what we need to do to rectify the situation, there is a local law in place that will allow the Village to cut back what needs to be cut back if it should fall within the Village's right of way. Both Chief Conklin and Supervisor Linderman stated that they have already met regarding the situation and that the stop bars have already been moved forward and that the stop signs have been realigned. Trustee Conklin stated that Trustee Behringer had a good idea of using reflective white paint to paint the word STOP as an added measure.

Trustee Conklin clarified for the public that Board minutes are recorded and then typed out and sent to a third party to upload them on the Village's website. They may not be exactly verbatim but that the Board does their very best to get the minutes done in a timely fashion. Village Clerk Baxter interjected and stated that the Village is only required by law to record the motion and the action that is taken. She continued that any going-on's that may happen from time to time gets modified and condensed so that each set of minutes is not 30 pages long. Key points are included but the back and forth dialog that may occur which is often seen at Town Meetings specifically, is cut down to the point of the conversation and the end result, if any. Mrs. Convers stated that the Town Meetings are recorded so they can be accessed that way as well, and Trustee Conklin is hopeful that the Village's will someday be as well. Trustee Conklin also stated that their emails are available as well, so if there is any confusion, they encourage to public to email them at any time instead of writing horrible things on social media which is disheartening and gets diluted and twisted with lies. Mayor Purcell included that it is also not healthy for the community. The Board always does its business in the Boardroom.

EXECUTIVE SESSION:

On a motion by Trustee Chan, seconded by Trustee Behringer, with all in favor, the meeting was closed at 8:40 PM.

Respectfully Submitted,

Ann-Margret Baxter
Village Clerk

MONTHLY REPORTS:

Department reports were accepted as file on a motion by Trustee Conklin, seconded by Trustee Dwyer, with all in favor, the department monthly reports were accepted and filed.

JULY 2017 VILLAGE CLERK'S REPORT SUBMITTED BY ANN-MARGRET BAXTER, VILLAGE CLERK:

1. Minutes prepared, processed associated correspondence and Legal Notices completed for the Monthly Meeting of July 18th.
2. Permits issued: Handicap Parking: 11 Garage Sale: 11 Solicitor/Peddling: 0 Road Opening: 0 Blasting Permit : 1
3. Closed out mailing machine for month on 7/31.
4. Bi-Weekly payroll worksheets completed and submitted.
5. Required paperwork filed with O.C. Department of Human Resources.
6. Oversee website updates and maintenance.
7. Daily retrieval of messages left during the day and after hours. Forwarded messages and responded as required.
8. Collected June Village Taxes.
9. Vouchers completed as required. Transmittal of money collected completed and bank deposits done.
10. Scan and email pertinent information to Board and Attorney.

JULY 2017 DPW SUBMITTED BY JOHN LINDERMAN, PUBLIC WORKS SUPERVISOR:

REGULAR MAINTENANCE / VILLAGE IMPROVEMENTS:

1. Cleaned up 911 Park, Firemen's Park, and Veteran's Park.
2. Pulled weeds in all flower gardens.
3. Finished all catch basins in Freeman Homes for the curb replacement.
4. Mowed all right of ways in the Village.
5. Removed weeds in the Millpond for five days.
6. Cut and cleared brush from Orange Turnpike, Stage Road, Lakes Road, Mill Street, and Block Alley.
7. Cleaned all Village streets with the sweeper.
8. Set up polycades for the Fourth of July Celebration and 5K Race.
9. Removed garbage four times in the Village.
10. Weed wacked and mowed Crane Park 4 times.
11. Blacktopped water main break on Crescent Place and Holland Road.
12. Repaired potholes on Lakes Road, High Street, Alden Road, Crotty Court, Block Alley, and Colony Drive.

JULY 2017 JUSTICE COURT REPORT:

Total Fines: \$31,616.00 Total Surcharges: \$10,829.30 Total Parking: \$2,170.00
Total Civil Fees: \$795.00 Bail Poundage Collected: \$74.70 Total Bail Forfeited: \$1950.00
Total for July: \$47,435.00

Vehicle & Traffic Tickets: 268 Disposed: 303
New Criminal Cases: 59 Disposed: 39 Civil Cases: 1 Disposed: 1
Paid Parking Tickets: 68 Dismissed Traffic Tickets: 28

**JULY 2017 FILTRATION PLANT REPORT SUBMITTED BY ERNEST MABEE,
CHIEF OPERATOR:**

Production: Lake Mombasha 28,244,804 Gallons / 30,868,463 Gallons LY 2016
Well #4: 3,809,497 Gallons / 5,103,797 Gallons LY 2016

Consumption: 32,054,301 Gallons / 35,972,260 Gallons LY 2016

Water Samples / Testing: OK
Rainfall: 5.03
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
Two LT2 Testing
Finished Lead and Copper Testing
Continued painting Fire Hydrants
Read Meters
Repaired Service Line Leak
Printed and Sent Out Water Bills

**JULY 2017 POLICE DEPARTMENT REPORT SUBMITTED BY DAVID CONKLIN,
CHIEF:**

CALLS FOR SERVICE

TOTAL CALLS – 1,531
NON CRIMINAL OFFENSE – 1,316
CRIMINAL OFFENSE – 215
ARRESTS – 50

TRAFFIC REPORT

TRAFFIC TICKETS – 250
PARKING TICKETS – 83
DWI/DWAI – 5
GAS – \$1610.13/ 1001G
MVA – 36
OVERTIME/HOURS
COVER SHIFT – 122.5
OTHER – Holiday - 144 / DWI - 8 / Cases - 11 / YAC - 13 / Concert - 6 / Fireworks - 69 /
YMCA - 10 /
5K - 16 / Tru – 23.5 / Article 35 - 5

TRAINING

FBI Basic Photo – Mahoney
Terrorist Tactics – Lee / Dunn
Article 35 – Dunn / GomezVega / Krauss / Tenaglia / Gayler / Young / Grosso / Malgieri
MVA ACCIDENT REPORT – \$85.00

FOIL REQUESTS - \$7.25

JULY 2017 TREASURER'S REPORT SUBMITTED BY CATHERINE MURRAY:

Treasurer's Report Village of Monroe July 2017
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SIGNIFICANT ACTIVITY (REVENUES)

Bank interest	2,914
Planning Board Fees	6,949
Police Services	7,331
Building permits	21,133
Fines & Forfeited Bail	28,292

SIGNIFICANT ACTIVITY (EXPENDITURES)

PD Office Equipment	6,415
PD Contractual	20,110
St Maint Asphalt	13,117
Parks Contractual	4,218
Celebratios General Expense	11,397
Storm Sewers General Expense	6,988
Health Insurance - General Fund	118,436
- Water Fund	14,548
	132,984
Liability Insurance - General Fund	41,140
- Water Fund	12,149
	53,289

STATUS OF FY2017 CONTINGENCY ACCOUNTS

CURRENT BALANCE

General Fund Appropriation -budgeted	\$176,353	156,353
Water Fund Appropriation -budgeted	\$25,000	25,000

COMMENTS:

We have completed 2 months of the fiscal year and expenses should be at %16.7. The expenses are at 10.11% for the General Fund and 11.79% for the Water Fund.

Respectfully submitted,
 Catherine Murray
 Treasurer

JULY 2017 BUILDING DEPARTMENT AS SUBMITTED BY SECRETARY PROULX:

Building Permits Issued:	56
Rental Inspections Completed:	26
Title Searches Completed:	15
Violations Issued:	4
Building Permit Inspections performed:	114
C.O's Issued:	25
Fire Inspections	1
Open, active building permits	273
Building Permit Fees:	\$22,140.75
Rental Permit Fees:	425.00
Flood Permit Fees:	0.00
Fire Inspection Fees:	0.00
Title Search Fees	<u>2,250.00</u>
Total Fees Collected	\$24,815.75

Monthly Assessor's report filed
 Attend Monthly Planning Board and ZBA meetings.
 Monthly report to FD for Solar

MONROE FIRE DISTRICT OFFICERS 2016:

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

Secretary: Mary Ellen Beams

Treasurer: Richard Goldstein

Chief Daniel Bennet, 1st Ass't Chief John Scherne