

BOARD OF TRUSTEES MEETING
TUESDAY, SEPTEMBER 5, 2017
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The first monthly Meeting of the Board of Trustees was held on Tuesday, September 5 at 7:00 PM in the 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 and Chan

Also present: Attorney Bonacic, Doug Teator PE, Project Manager Creighton Manning, Village Clerk Baxter and Deputy Clerk Zahra

Absent: Trustee Dwyer

MINUTE APPROVAL: AUGUST 23rd 2017:

On a motion by Trustee Conklin, seconded by Trustee Chan, the Minutes of the August 23rd Meeting was approved.

Ayes: Trustees Conklin, Behringer and Chan

Nays: None

VILLAGE HALL & POLICE DEPARTMENT EQUIPMENT DISPOSITION – OLD PHONE SYSTEMS:

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

RESOLVED, the Board declared the old Nortel phone system used at Village Hall as surplus and authorize removal from inventory. This system was originally acquired on September 13, 2006 and has since been replaced. It is further

RESOLVED, that the Board also declared the old Police Department phone system as surplus and authorize its removal from inventory. This system was original to the new Police Department Building when it was erected in 1999.

Ayes: Trustees Conklin, Behringer 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, Minutes 7/18/17 Pg.)

Following the July 18th Meeting, 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. Discussion followed.

Mayor Purcell stated he was confident that the Board had agreed upon a possible 20% reimbursement fee for all event applicants, but that the Board still needed details before deciding how to address the not for profit organizations. Mayor Purcell asked Attorney Bonacic for input.

Attorney Bonacic stated that he had some hesitancy with leaving it simply as not for profit under NYS Not For Profit Law because some not for profit organizations that are profitable. He continued that if the Village wanted to do an exclusion, that it could be limited to 501C-3 designation, and that is a little bit more of what the Board may want to consider, or the Board could make it discretionary on a case by case basis. Attorney Bonacic reiterated that the Village should not put in the event application that the not for profits are exempt, that term is too broad, and by listing as 501C-3 exempt, it is a more narrow of a designation.

Trustee Conklin asked what the difference was between a 501C-3 and 501C-4. Attorney Bonacic stated that that 501C-3 is an IRS designation that allows for certain tax benefits, often affiliated

with youth sports organizations, charitable organizations, etc. and can seek scholarship entities, things of that nature. Trustee Chan interjected and stated that it is also organizations like ambulance corps, fire departments, etc. Attorney Bonacic also added that if you make a donation to a 501C-3 organization you can get a tax deduction.

Mayor Purcell stated that since we have already gone through three quarters of a year that the Board should consider making this change to the events application effective January 1, 2018. Mayor Purcell asked Attorney Bonacic if the Village would need to request a copy of the not for profit status and should it be included in the application. Attorney Bonacic stated that it should and he would draft up the recent changes discussed tonight so it is in an easier format for the Board to review at the next meeting.

CORNERSTONE MASONIC LODGE OKTOBERFEST 9/30/17, 11-9 PM:

An events application was submitted by the Cornerstone Masonic Lodge, located at 300 Stage Road, for their annual Oktoberfest to be held on Saturday September 30, 2017 from 11 AM to 9 PM. Wristbands will be given to Oktoberfest entrants signifying age and whether they can participate in alcoholic beverages. A bartender will be on premises serving drinks and checking ID's. Two tents will be erected, one for seating and the other for food services. Fire extinguishers will be located on each side of the tent, and a Certificate from the Department of Health is also required and will be provided to the Village Clerk. There will be a stage and band performing. A copy of the outdoor State Liquor License must be filed with the Village Clerk and Police Department prior to the event. Music must comply with the Village's Noise Ordinance (code section 145-3). Sign-off of the event application has been made by the Building Department, but approval is still pending with the Police Department. On a motion by Trustee Conklin, seconded by Trustee Behringer, it was:

RESOLVED, the Village Board approved the Cornerstone Masonic Lodge's application for their Oktoberfest Event located at 300 Stage Road on Saturday, September 30, 2017 from 11 AM – 9 PM. Wristbands will be given to Oktoberfest entrants signifying age and whether they can participate in alcoholic beverages. A bartender will be on premises serving drinks and checking ID's. There will be a stage and band performing. A copy of the outdoor State Liquor License must be filed with the Village Clerk and Police Department. Music must comply with the Village's Noise Ordinance (Code Section 145-3).

Ayes: Trustees Conklin, Behringer and Chan

Nays: None

MCGARRAH'S FAMILY FUN 5K RACE SPONSORED BY CORNERSTONE MASONIC HISTORICAL SOCIETY, 9/30/17, 9 AM – 11 AM:

An events application was submitted by the Cornerstone Masonic Historical Society for the McGarrah's Family Fun 5K Race to be held on Saturday, September 30, 2017 from 9 AM to 11 AM. The route is comprised of 2 loops around the Mill Ponds starting and ending at 26 Millpond Parkway, as per the race route submitted with the events application. Sign-off of the event application has been made by the Building Department and Police Department. Police Dept. will oversee the event with 2 Officers on 3 hours of overtime to shut down Millpond Parkway at Smithfield Court and Stage Rd, as well as traffic control safety for the participants throughout the race. Estimated total cost of additional Police Protection is \$416.22. On a motion by Trustee Conklin, seconded by Trustee Chan, it was:

RESOLVED, the Village Board approved the event application submitted by Cornerstone Masonic Lodge for their annual McGarrah's Family Fun 5K Race event to be held on Saturday, September 30, 2017 from 9 AM – 11 AM, with the condition that no paint or markings be made on any of the Village streets to denote the race path.

Ayes: Trustees Conklin, Behringer and Chan

Nays: None

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

Due to some confusion regarding the nature of the TAP Grant agreement that was presented to the Board at the August 23rd Meeting, Mayor Purcell requested Doug Teator PE, Project Manager of Creighton Manning Engineering to attend to answer questions that the Board had.

Engineer Teator explained that this is a construction grant in which the Village would be responsible for 20% of those monies. He continued that when working with NYS DOT and Federal money, it is very procedural, so they will always ensure that you never get ahead of yourself, and that the Village pass things in a very organized and fiscally responsible manner, they are the ones managing the funds for the project. This step is specifically for the first step of the project, which is the design and design approval in the amount of \$30,000. This purpose of this resolution is to enter the Village of Monroe into an agreement with the State of New York only, and for design only. Engineer Teator also stated that it is 80% reimbursable amount so the \$30,000 is reimbursable for \$24,000 and the \$6,000 is part of the Village's commitment. This amount is for a consulting firm, which had to be selected, to bring the project that was designed on Lake Street to the State for design approval. This is a report that states why we are doing the project, documents, public involvement process, surveys, utility impacts, underground and overhead, and lays out the whole scope of the project so the State knows that it has been designed responsibly and that the costs are going to be reasonable.

Trustee Conklin asked Engineer Teator hasn't the Village already paid for a design, and now the Village has to go back to the drawing board because the firm that initially created the design is not selected, does the Village have to pay for a new design to be created by the firm that the must now select Village from the state's list? Engineer Teator clarified that the design that was created for the Village is theirs to keep, it is sound work, and could be used by whichever firm the Village selects to carry this project all the way through. Trustee Conklin stated that she thought that the Village would have to go out to bid to select whoever would be overseeing this project and Mayor Purcell clarified that there is a very strict selection process the Village has to go through. The process has already been put in motion to select the approved list of Engineers that the Village can choose from and that he and Trustee Conklin will have to sit down next week together and begin reviewing those firms. Mayor Purcell continued that there is a scoring system that they must use to rate them. Engineer Teator stated that the process is very procedural and public and it is done that way for a reason.

Mayor Purcell stated that the reason why this is so important is because of the timeline that the Village is on with this project and the funding. If it is not turned in on time, it pushes the whole project back a whole fiscal year and the Village runs the risk of losing the funding. The Board stated that they understood. On a motion by Trustee Conklin, seconded by Trustee Chan, it was:

RESOLVED, a Project for the Village of Monroe, PIN 8761.79 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the Village of Monroe desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Preliminary Engineering.

NOW, THEREFORE, the Village Board, duly convened does hereby

RESOLVE, that the Village Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Village Board hereby authorizes the Village of Monroe to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary Engineering work for the Project or portions thereof; and it is further

RESOLVED, that the sum of thirty-thousand dollars (\$30,000) is hereby appropriated from H.5197.3000, Downtown Revitalization, and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Village Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Mayor thereof, and it is further

RESOLVED, that the Mayor of the Village of Monroe be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the Village of Monroe with the New York State Department of Transportation in connection with the advancement or approval of

the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that in addition to the Mayor, the following municipal titles: Village Engineer and Village Treasurer are also hereby authorized to execute any necessary Agreements or certifications on behalf of the Municipality/Sponsor, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement;

RESOLVED, that a certified copy of this resolution is filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

Ayes: Trustees Conklin, Behringer and Chan
Nays: None

SCARECROW LIGHT POLE BECORATING 10/14/17 BY MONROE GIRL & BOY SCOUTS:

For the past 5 years, the local Girl and Boy Scout troops have worked in conjunction with the MW Garden Club to display fall decorations on the 22 light poles along the downtown corridor. In a letter from Tanya Woods, Service Unit Manager for Monroe Girl Scouts Unit #223, the Girl and Boy Scout troops will be running this project independently going forward. The Boy Scouts will cover the cost of the corn stalks and the Girl Scouts will cover the cost of the scarecrows. The scheduled date for decorating is Saturday, October 14, 2017 beginning at 12:00 PM. On a motion by Trustee Conklin, seconded by Trustee Behringer, it was:

RESOLVED, the Board of Trustees approved the request of Tanya Woods, Service Unit Manager of Girl Scout Unit #223, to decorate the downtown corridor light poles with corn stalks and scarecrows for fall.

Ayes: Trustees Conklin, Behringer and Chan
Nays: None

GIRL SCOUT'S PIN WHEELS FOR PEACE, PROMOTING INTERNATIONAL PEACE DAY 9/21/17:

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

RESOLVED, the Board of Trustees approved the request of the Girl Scouts of Monroe to hold a National Day of Peace, making "Pin Wheels for Peace" and placing them around the pond at the corner of Lake St. and Rt. 17M by the Fireman's Memorial on 9/21/17, promoting individual voices for peace and community in conjunction with National Peace Day.

Ayes: Trustees Conklin, Behringer and Chan
Nays: None

HUDSON VALLEY HOT RODS CAR SHOW 9/24/17 MILLPOND PKWY:

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

RESOLVED, the Board approved the request of the Hudson Valley Hot Rods to hold their annual car show in Crane Park on Millpond Parkway across from Airplane Park or Option B (weather pending), across from the Commuter Parking Lot on Millpond Parkway toward Airplane Park with the vehicles backing into parking spaces on Millpond Parkway, on Sunday, September 24, 2017 from 10 AM to 4 PM. Roy Kalmus is spearheading this event for the car club.

Trustee Chan asked if the Monroe Improvement Association would take issue with this event. Mayor Purcell stated that he asked the Hot Rods to make a donation to the Parks Department and that should appease the Association.

Ayes: Trustees Conklin, Behringer and Chan
Nays: None

M-W JEWISH COMMUNITY CENTER CONGREGATION EITZ CHAIM RELIGIOUS WALK 9/21/17:

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

RESOLVED, the Board granted permission to the Monroe Woodbury Jewish Community Center Congregation to sponsor their annual Taschlich Walk, and utilize the roadway from 1465 Orange Turnpike to 27 Amy Todt Drive on Thursday, September 21, 2017. Processional will run between 5 and 8 PM and marks the high holy day of Rosh Hashanah and will be coordinated with the Monroe Police Department.

Trustee Behringer asked for clarification on the walking path and if they would be utilizing Pine Tree Rd. or Coffey Rd. Mayor Purcell stated that based on the route path provided with the events application, they would walk from the temple along Orange Turnpike to Coffey Rd. and from there to Amy Todt.

Ayes: Trustees Conklin, Behringer and Chan
Nays: None

REQUEST TO TRAVEL / CLASS ON PURGING CASE FILES – COURT CLERKS SZKODZINSKY & BERNARD:

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

RESOLVED, the Board approved Village Justice Strauss’ request to send two court clerks to attend a class being offered by The Office of Records Management on purging case files for Town and Village Clerks, held on Wednesday, September 27, 2017 from 10:30 AM to 1:30 PM approximately. The mileage is approximately 50-55 miles (depending on route) plus meal allowance, if applicable, and is to be appropriated from budget line A1110.472 Court Education.

Ayes: Trustees Conklin, Behringer and Chan
Nays: None

MAYOR’S REPORT:

Mayor Purcell advised the Board that with the adoption of the new local laws and changes to the Village’s zoning, it is important that we update E-Code online and the Villages code books. Mayor Purcell stated that research and review have become an arduous task because of how the new local laws appear on E-Code. The new local laws are listed, but the zoning changes are in all different sections of the Village Code and have become confusing and time consuming when attempting to look things up. Mayor Purcell continued that this has become extremely problematic for not only the Building Department, but both the Planning Board and Zoning Board of Appeals as well, and it needs to be addressed. Mayor Purcell stated that with the help of Village Clerk Baxter, they are working to get proposals from General Code to update not only the codes online, but the code books as well. Mayor Purcell stressed the importance of this project and its necessity and how it will result in a complete overhaul of the code books because of the sheer size of the recent law changes and code updates. He advised that the two proposals received vary in time between 9 months and the second being 10 to 14 weeks. Mayor Purcell stated that the cost of the 9 month project would be \$10,600 and the 10 to 14 week proposal would be \$16,555. Mayor Purcell requested that Village Clerk Baxter provide each Trustee a copy of both proposals to review as he hopes to make a decision on which proposal to move forward with at the next Board Meeting.

PUBLIC COMMENT: # PRESENT 3 TIME: 7:30 PM

There was no public comment.

EXECUTIVE SESSION:

On a motion by Trustee Conklin, seconded by Trustee Chan, with all in favor, the meeting was closed at 7:31 PM. Following a 5-minute recess, the Board convened in Executive Session for discussion of Attorney Client Privilege.

Respectfully Submitted,

**Ann-Margret Baxter
Village Clerk**

Executive Session Minutes compiled by Mayor Purcell.

OPEN SESSION: on a motion by Trustee Conklin seconded by Trustee Behringer and carried, the Open Meeting resumed at 8:00 PM.

ADJOURNMENT:

On a motion by Trustee Behringer, seconded by Trustee Conklin and carried, no further business, the meeting was adjourned at 8:05 PM.

Ayes: Trustees Behringer, Chan and Conklin

Nays: None