

BOARD OF TRUSTEES MEETING
TUESDAY, JANUARY 5, 2021
www.villageofmonroe.org

Due to the COVID-19 pandemic and Governor Cuomo's Executive Order No. 202.1, the first of the bi-monthly meetings of the Board of Trustees was held on Tuesday, January 5, 2021 beginning at 7:00PM via ZOOM videoconferencing. Although there was no physical meeting location, the meeting was deemed to be conducted in the Boardroom of the Village Hall, 7 Stage Road Monroe, NY. Mayor Neil Dwyer called the meeting to order and led in the pledge to the flag.

Present: Mayor Dwyer; Trustees Behringer and Karl
Also present: Attorney Terhune, Village Clerk Baxter and Deputy Clerk Zahra

Absent: Trustee Alley (personal)
Trustee Houle (illness)

Mayor Dwyer began the meeting by wishing everyone in attendance a Happy New Year.

MINUTE APPROVAL: NOVEMBER 18th 2020 FAR WORKSHOP:

On a motion by Trustee Karl seconded by Trustee Behringer, the Minutes of the November 18th 2020 FAR Workshop were approved.

Ayes: Mayor Dwyer, Trustees Behringer and Karl
Nays: None

MINUTE APPROVAL: DECEMBER 1st 2020 BOARD MEETING:

On a motion by Trustee Karl seconded by Trustee Behringer, the Minutes of the December 1st 2020 Board Meeting were approved.

Ayes: Mayor Dwyer, Trustees Behringer and Karl
Nays: None

AGREEMENT: O. C. TOWN & VILLAGES DRUG AND ALCOHOL TESTING 2021 – PARTNERS IN SAFETY:

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

RESOLVED, the Board of Trustees approved the Drug & Alcohol renewal agreement for 2021, Town and Villages of Orange County whereby Partner's in Safety under the terms and conditions of the agreement shall provide to the Village of Monroe with drug testing that meets the compliance of the US Department of Transportation, requiring alcohol and drug testing of safety sensitive employees. Complete DOT random testing program is \$48/test. Pre-employment, post-accident, reasonable cause or follow-up testing performed during business hours at the rates quoted in the agreement. It is further:

RESOLVED, the Board authorized Mayor Dwyer to sign the agreement with Partner's in Safety.

Ayes: Mayor Dwyer, Trustees Behringer and Karl
Nays: None

BID AWARD – ASPHALT CRACK SEALER – CONTINUED:

An invitation to bid was advertised and a bid opening was held on August 5, 2020 for an asphalt crack sealer for the Village of Monroe Department of Public Works that garnered no results. Following the bid opening, Mayor Dwyer received two proposals for the item, one from Seal Master Municipal/Crack Pro located in Manville, NJ and the second one from Asphalt Care in Bensalem, PA with proposed costs of \$52,815.72 and \$52,900 respectively. Because of Village's procurement policy, the Village was required to go out to bid a second time, and did so in October. A second bid opening was held on November 16, 2020 at 11:00AM, and one bid was submitted by Trius Inc. from Bohemia, NY in the amount of \$69,899.00. Mayor Dwyer stated that the Village had an opportunity to lease this piece of equipment but had not yet received the leasing details from the company and requested that the matter be tabled until the next Board meeting. Discussion followed.

Mayor Dwyer stated that he has received the necessary leasing paperwork from F.N.B. Commercial Leasing, 1853 Highway 315 Pittston, PA 18640, who offered the Village a 4 or 5 year leasing option to the Village for the crack sealer. Mayor Dwyer stated that the most cost effective plan was the 4 year plan

which included 4 annual payments of \$14,078.00, with a total payment of \$56,312.00. They offer a \$1.00 buyout. The equipment will be coming directly from Seal Master/Crack Pro to the Village of Monroe and will include a full demonstration and demo on how to use it. Mayor Dwyer added that there is a one year term up front for maintenance, labor and materials at no additional cost to the Village, and funds would be taken from budget line A.5110.240, Street Maintenance Highway Equipment.

Trustee Karl asked if the Village had the funds to purchase the equipment outright and Mayor Dwyer replied that they did. Trustee Karl suggested doing so to save the Village approximately \$3,400 in interest and questioned why pay interest. Mayor Dwyer stated that although they didn't budget for it, they have the money in reserve to cover it, but if the Board wants to go out and purchase it, he is all for it. Trustee Karl stated that the monies that are scheduled to go into the Highway Reserve account typically don't go in until the end of the fiscal year, so he isn't sure if Treasurer Murray took funds from that account to purchase the recent F550 truck for the Highway Department and will replenish the reserve account at the later part of the fiscal year. Mayor Dwyer confirmed that is what occurred and suggested enter into the agreement and fund the first year and then pay it off if they decide to do so. Trustee Karl suggested paying it off now and being done with it and Mayor Dwyer agreed. Trustee Karl stated that if the Village didn't have the funds in place to purchase the equipment now he would agree to leasing it, but since they do, they should just purchase it now and save themselves the interest. Trustee Behringer agreed. On a motion by Trustee Karl, seconded by Trustee Behringer, it was:

RESOLVED, the Board of Trustees accepted the bid received from Seal Master/ Crack Pro, located at 12 Kyle Street Manville, NJ, and approved the purchase of the crack sealer in the amount of \$52,815.72. Funds for the purchase of this item will be allocated from A.5110.240 St. Maintenance Highway Equipment and A.9950.9000 Highway Equipment Reserve.

Ayes: Mayor Dwyer, Trustees Behringer and Karl

Nays: None

INTRODUCTION OF LOCAL LAW #1 OF 2021 - OVERRIDE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW 3-C& SCHEDULING OF PUBLIC HEARING:

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

RESOLVED that an introductory Local Law, titled "A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW 3-C" is hereby introduced by Mayor Dwyer before the Board of Trustees of the Village of Monroe, County of Orange, State of New York; and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed Local Law be laid upon the desk of each member of the Board of Trustees; and

BE IT FURTHER RESOLVED that the Board of Trustees shall hold a public hearing on said proposed local law at the Village Hall, 7 Stage Road, Monroe, New York at 6:45PM on January 19, 2021; and

BE IT FURTHER RESOLVED that the public hearing shall be held via ZOOM and telephone in accordance with Executive Order 202.1 issued by Governor Cuomo on March 12, 2020, as extended, suspending the New York State Open Meetings Law to the extent necessary for local government bodies to meet and take action without permitting in-person meetings. Meeting information is available on the Village's website. A recording and transcript of the meeting will subsequently be made available.

BE IT FURTHER RESOLVED that the Village Clerk shall publish or cause to be published a public notice in the official newspaper of the Village of Monroe no later than five (5) days prior thereto.

Ayes: Mayor Dwyer, Trustees Behringer and Karl

Nays: None

INTRODUCTION OF LOCAL LAW #2 OF 2021 – ADJUSTING THE TERMS OF THE ZONING BOARD OF APPEALS MEMBERS AND ALTERNATES TO CORRESPOND TO THE VILLAGE'S OFFICIAL YEAR:

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

RESOLVED that an introductory Local Law, titled "ADJUSTING THE TERMS OF ZONING BOARD OF APPEALS MEMBERS AND ALTERNATES TO CORRESPOND TO THE VILLAGE'S OFFICIAL YEAR," is hereby introduced by Mayor Dwyer before the Board of Trustees of the Village of Monroe, County of Orange, State of New York; and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed Local Law be laid upon the desk of each member of the Board of Trustees; and

BE IT FURTHER RESOLVED that the Board of Trustees shall hold a public hearing on said proposed local law at the Village Hall, 7 Stage Road, Monroe, New York at 6:50PM on January 19, 2021; and

BE IT FURTHER RESOLVED that the public hearing shall be held via ZOOM and telephone in accordance with Executive Order 202.1 issued by Governor Cuomo on March 12, 2020, as extended, suspending the New York State Open Meetings Law to the extent necessary for local government bodies to meet and take action without permitting in-person meetings. Meeting information is available on the Village's website. A recording and transcript of the meeting will subsequently be made available.

BE IT FURTHER RESOLVED that the Village Clerk shall publish or cause to be published a public notice in the official newspaper of the Village of Monroe no later than five (5) days prior thereto.

Ayes: Mayor Dwyer, Trustees Behringer and Karl

Nays: None

MAYOR & TRUSTEE'S REPORT:

Mayor Dwyer shared that the Downtown Revitalization Committee had sought out quotes to repair or replace the "Welcome to Monroe" sign located near the Mayor's Monument as well as the one up near the Airplane Park. The Committee received a bid from Clay Boone, whose father carved the original sign, in the amount of \$4,000.00 for the one sign. Mayor Dwyer continued that the Monroe Woodbury Garden Club made a donation of \$2,500.00 that is to be used towards a new sign and in addition to that, he also received an anonymous donation in the amount of \$1,200.00, so they now have \$3,700.00 earmarked to repair or replace the sign closest to the Airplane Park.

Mayor Dwyer wished everyone a good 2021 again and stated that the Board has lots in the que, including infrastructure in the downtown, the realignment of Stage Rd., he and Trustee Karl are working in some water projects as well as working on the purchase of buying an additional boat to help keep the weeds down.

Trustee Behringer wished everyone a Happy New Year as well. It has been a very interesting year and is looking forward to putting COVID behind them, it hasn't been easier for anyone and is looking forward to a great 2021.

Trustee Karl also wished everyone a Happy New Year. He expressed his gratitude of being re-elected in 2020 and is honored to be back on the Board of Trustees.

Trustee Karl inquired as to the survey that had been sent out from the Downtown Revitalization Committee and asked for an update as to the formation of the committees. He is anxious to see their ideas and what they will be bringing back to the Board. Mayor Dwyer replied that they received about 100 respondents to the survey and Trustee Alley is working on a letter to go to those that expressed an interest in joining.

Trustee Karl stated that he reviewed the paperwork regarding the proposed project along Nininger Road, "Monroe Commons", and the effect that it will have on the Village. The project is over 400,000 sq. feet in size and is unsure why they are allowing it to be called "Monroe Commons" when there is already a Monroe Commons in the Village of Monroe. Trustee Karl suggested that the Board draft a letter regarding their concerns over the traffic and sewer impacts that it will have on our community and send it to the Town of Monroe Planning Board Chairwoman. Mayor Dwyer agreed and asked Counsel to prepare a letter stating their concerns.

PUBLIC COMMENT:

PRESENT 4

TIME: 7:26 PM

Resident Mike Andersen expressed his concern of the work that is going on behind their development in Windgate Woods. There is a lot of noise and equipment and asked the Board if they could fill them in on what might be going on. Mayor Dwyer replied that there is a utility easement for sewer within the property behind all those cul-de-sacs in their development. He has been recently advised that a private contractor was brought in by a developer and is doing a sewer line upgrade, at their cost, to increase the size of that line. Mayor Dwyer explained that the problem for them is that is where their knowledge ends and shared that County Legislator Touhy, who didn't have a lot to offer as well because he was blindsided by it. Mayor Dwyer continued that their job now is to dig in a bit and get more information. They are trying to get a meeting with the Orange County Sewer District management. Mayor Dwyer reiterated that it is all about sewer line upgrades, it is basically a clay 18" pipe that is there now and they are looking to upgrade it to a 30" pipe. Mayor Dwyer stated that they were not notified of anyone

coming into the Village to do the work, whether they had the lawful ability to do it or not, they were not notified. Their goal right now is to see that it doesn't happen again. Mayor Dwyer also added that he is working towards correcting it and seeing to it that it doesn't happen again.

Mr. Andersen asked if the County was aware of the work and Mayor Dwyer replied that they did. Mr. Andersen asked if the County notified the Village and Mayor Dwyer replied that they had not. He added that they are not looking to undermine or stop the work, but they should have been made aware of it. Mr. Andersen asked if the Village was expecting to receive permits and Mayor Dwyer replied that if they assume that the private contractor presents this upgrade to the County, then that oversight would come from their engineers or an outside contract for the County. He would have to assume that the permitting for all that was done at the County level and what he has argued for is that once that had been all signed off on, a set of drawings a set of the permits, everything regarding this project should have been set as a courtesy copy to each of the affected municipalities so they could have a record on file of it. Attorney Terhune asked if the Village had a copy of the easement on file and Mayor Dwyer replied that he would have Village Clerk Baxter look into it. Counsel asked for confirmation if he was trying to put a meeting together with the Orange County Sewer District and Mayor Dwyer replied he was hoping to get a meeting with Anthony Griffin, Bob Grey and Erik Denanga and Trustee Karl added County Legislator Touhey. Mayor Dwyer stated that he is very upset that they have just come into the Village with a project, not unlike what they did in Crane Park. They can't keep having things go on in the Village that they are not aware of. The whole thing is wrong. Attorney Terhune stated that she is curious to see what the easement has about restoration of the property once they have done their work. Trustee Karl added that there should have been a pre-construction meeting with all the entities involved so everyone knew what was going on. Trustee Karl added that they mobilized in that area about a week ago and they had pumps running all weekend and that's not fair to the residents. Mayor Dwyer agreed. By knowing this they would have been able to properly notify the residents of the work being done, what they could expect and when they could expect it to be completed.

Resident Kristine Moehrle stated that some work is being done behind her home, and hadn't given it much thought until recently. First they were clearing the trees. She asked one of the workers if the Town and Village knew about the work and they gentleman stated yes, that everyone knew about it. She shared that she went back there today and saw a 30 foot long excavating trench that someone could fall into and get hurt and after asking the worker what they were doing and asked why the residents weren't told about the work, he acknowledged that they were replacing a damaged pipe that was for sewer. Ms. Moehrle asked him who authorized the work and the individual stated that one of their neighbors approved the work. Ms. Moehrle asked is the Village and the County were aware of the work and where was the pipe going and the worker replied that everyone was aware of the work and the pipe is going under the Heritage Trail, through Lamplight Village, across the roadway and up to Palm Tree. The worker added that they would be working on it for a couple of months and shared that she thought Mayor Dwyer should know that they there putting the blame on the Village saying that they are aware of the work. Trustee Karl stated that Ms. Moehrle and Carol Andersen came to his house today and he explained everything that he knew about the project and encouraged them to come onto the meeting tonight and speak during public comment. They need to get this meeting together sooner rather than later.

EXECUTIVE SESSION:

On a motion by Trustee Behringer, seconded by Trustee Karl, and carried, following a 5-minute recess, the Board convened in Executive Session at 7:38PM for Attorney Client.

Executive Session Minutes compiled by Mayor Dwyer.

OPEN SESSION: on a motion by Trustee Behringer, seconded by Trustee Karl and carried, the Open Meeting resumed at 7:55PM.

ADJOURNMENT:

On a motion by Trustee Behringer, seconded by Trustee Karl and carried, no further business, the meeting was adjourned at 7:55 PM.

Respectfully Submitted,

Ann-Margret Baxter
Village Clerk