

**PUBLIC HEARING 10.16.18 – 6:30 PM
PROPOSED LOCAL LAW
ANNEXATION OF LAND, TM# 1-2-45**

A Public Hearing was held on Tuesday October 16, 2018 at 6:30 PM in the Boardroom of the Village Hall, 7 Stage Road Monroe, NY. The purpose of the public hearing was to review a proposed local law entitled “Annexation of Land, T/M Tax Map # 1-2-45.” The Village Board finds and determines that the public interest would be served by the inclusion within the boundary of the Village of Monroe Village-owned vacant property located in the Town of Monroe, identified on the Town of Monroe Tax Map as Section 1, Block 2, Lot 45.

Present: Mayor Dwyer, Trustees Alley, Conklin, Behringer and Houle
Also present: Attorney Terhune, Village Clerk Baxter and Deputy Clerk Zahra

On a motion by Trustee Conklin, seconded by Trustee Houle, the public hearing was opened at 6:38PM.

There were 5 people from the public present for the Public Hearing. There was no written correspondence received. The Public Hearing was left open for 17 minutes.

With no further questions, on a motion by Trustee Behringer, seconded by Trustee Conklin and carried, the Public Hearing was closed at 6:55 PM.

**BOARD OF TRUSTEES MEETING
TUESDAY OCTOBER 16, 2018
(www.villageofmonroe.org)**

The second of the bi-monthly meetings of the Board of Trustees was held on Tuesday October 16, 2018 at 7:00 PM in the Boardroom of the Village Hall, 7 Stage Road, Monroe, New York. Mayor Neil Dwyer called the meeting to order and led in the pledge to the flag. Emergency exits were announced.

Present: Mayor Dwyer; Trustees Alley, Conklin, Behringer and Houle
Also present: Attorney Terhune, Village Clerk Baxter, Deputy Clerk Zahra, Building Inspector Cocks, Administrative Sergeant Amatetti, Highway Supervisor Linderman and Water Plant Operator Mabee.

Treasurer Murray arrived 7:08PM.

RESIGNATION: KIMBERLY KASCH, BILLING CONTROL CLERK:

Mayor Dwyer requested this matter to be tabled for discussion during Executive Session.

RESIGNATION: WILLIAM BOESE, P/T DISPATCHER:

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

RESOLVED, the Board accepted with regret the resignation of William Boese, P/T Dispatcher, of the Monroe Police Department effective 10/8/18. The Board wished William the best in his future endeavors with the Town of Blooming Grove Police Department.

Trustee Conklin extended her best to Mr. Boese in his new position with the Town of Blooming Grove.

Ayes: Trustees Alley, Conklin, Behringer and Houle
Nays: None

EXTENSION OF SEASONAL EMPLOYMENT – ANTHONY BATTIATO:
(See Minutes 6/5/18, Pg. 138)

In a memo to the Board of Trustees, Supervisor Linderman requested the extension of the seasonal employment position of Laborer, Anthony Battiato, until November 30, 2018, or an additional 200 hours, whichever comes first. Mr. Battiato was appointed for a period of approx. 3 months (6/6/18-9/14/18) at the June 5, 2018, at the hourly rate of \$15.00/hr. This extension of his

seasonal employment will allow him to further assist Supervisor Linderman and the Highway Department with mowing and leaf pickup. On a motion by Trustee Behringer, seconded by Trustee Conklin, it was:

RESOLVED, the Board of Trustees approved the extension of the seasonal Laborer, Anthony Battiato, until Friday, November 30th, 2018 at the hourly rate of \$15.00/hr to further assist Supervisor Linderman and the Highway Department.

Ayes: Trustees Alley, Conklin, Behringer and Houle

Nays: None

INTRO. LOCAL LAW #7 OF 2018 – AMENDING CH. 200 “ZONING” MAXIMUM GROSS RESIDENTIAL FLOOR AREA RATIOS (FARS) CONTINUED:

(See Minutes 9/18/18)

Mayor Dwyer stated that Introductory Local Law #7 of 2018 will be submitted to the Village of Monroe Planning Board for review.

Attorney Terhune stated that the Planning Board will have 45 days to review it under Village Law and get back to the Board of Trustees with any comments. Attorney Terhune stated that a letter has been received by the law firm of Whiteman, Osterman and Hanna, objecting to this local law. Attorney Terhune noted for the record that this local law does not apply and has been modified to not apply to subdivisions and site plans. That was never the intent. Attorney Terhune continued that the attorney's at this firm understand that under State Village Law there is a three year safe haven, even if this law were to apply, which it does not. Attorney Terhune stated that the letter would be included in the minutes, and read as follows:

October 15, 2018

Mayor Neil S. Dwyer
and Members of the Village Board of Trustees
Village of Monroe
7 Stage Road
Monroe, NY 10950

Re: Proposed Local Law No. 7 of 2018, to Establish Maximum Gross Residential Floor Area Ratios for Dwellings within the SR-10, SR-20, and URM Districts

Dear Mayor Dwyer and Trustees of the Village of Monroe:

My firm represents BMG Monroe I, LLC, the owner of the Smith Farm Subdivision that was approved by both the Village and Town of Monroe Planning Boards and is located in the Village's URM zoning district. As you know, the approved subdivision contains 44 single family detached and duplex units in the Village, and BMG has spent more than \$4 million to build off site infrastructure and road improvements for the Village's sole benefit in accordance with the approvals. In return, the Village has done nothing but frustrate and delay the issuance of building permits for the Smith Farm homes in the Village on constantly changing grounds.

The Village's first basis to refuse to issue building permits for the Smith Farm project was that the proposed homes were too large under the approvals. When that argument proved fruitless, because the approvals contained no limitation whatsoever on the total floor area of the buildings, the Village Building Inspector conjured new grounds for denying BMG's applications for building permits. After BMG tried to work closely with the Building Inspector to resolve any issues about the design of the homes, the Village nonetheless persisted in denying the building permits to which BMG is entitled.

Having failed in its first attempt to limit the size of the Smith Farm homes in the Village by misinterpreting the Planning Board's approvals, the Village Board is now considering adopting Local Law No. 7 of 2018, which is nothing more than an end run around the square footage issue by adopting new floor area ratio requirements into the Village's Zoning Code under which the Village could continue to deny building permits for the Smith Farm project. The proposed local law does not contain any exemption for already approved projects like the Smith Farm subdivision. Local Law No. 7 is plainly directed at continuing the Village's campaign to make housing unavailable in the Village to the Hasidic Jewish community in violation of the federal Fair Housing Act and the New York Constitution's protection against exclusionary zoning and, more specifically, to stop the construction of the Smith Farm project that the Planning Board specifically approved only three years ago.

The Village's intentional or negligent refusal to issue the Smith Farm building permits also entitles BMG to construct the Smith Farm project without application of Local Law No. 7, should it be adopted, under New York law's special facts exception. The Village cannot be granted the benefit of its own dilatory tactics when those efforts were plainly intended to delay the project until the Village could adopt this proposed change to the zoning law.

It is apparent that the Village's latest effort to halt construction of the Smith Farm project is based on a concern that Hasidic Jewish families may reside in the already approved homes to be constructed. The Hasidic Jewish community tends to have large families as a result of their religious and cultural practices and needs housing that is sufficient to accommodate them. The Village's restriction of gross residential floor area ratio, which is irrationally defined to include even the unfinished attic and basement, will preclude any such housing from being built in the Village, and will as a result exclude the Hasidic Jewish community from the Village of Monroe.

For these reasons, BMG strongly urges the Village Board of Trustees to vote against Local Law No. 7. Should the Village continue with its discriminatory campaign in violation of BMG's constitutionally vested rights to build the Smith Farm project as it was approved, however, my client will have no choice but to file a federal lawsuit against the Village and its municipal officials and seek redress for all of the damages that the Village's unlawful actions have caused. Thank you for your consideration.

Very truly yours,



Robert S. Rosborough IV

cc: R. Kossar, Esq.
Z. Brach

**COMPLETING THE SEQRA PROCESS FOR INTRO. LOCAL LAW #8 OF 2018 /
ANNEXATION OF LAND / TM #1-2-45:**

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

WHEREAS, on August 21, 2018, the Village of Monroe requested that the Town of Monroe consent to the annexation into the Village of 2.60 acres of vacant land owned by the Village but located in the Town (the "Parcel"); and

WHEREAS, on September 10, 2018, the Town, consented to said annexation; and

WHEREAS, on August 21, 2018, the Village Board adopted an ORDER OF ANNEXATION; and

WHEREAS, the Village Board of Trustees (the "Board") is the only Agency authorized to effectuate the annexation of land into its territorial borders and is, therefore, the only agency authorized to act as lead agency pursuant to the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the Board caused a Short Environmental Assessment Form ("SEAF") to be prepared; and

WHEREAS, the Board has thoroughly reviewed and analyzed Part 1 of the SEAF and with knowledge of the aforesaid Parcel and with the intent to use the property for open space or to expand the Village's parkland; and

WHEREAS, the Board has analyzed the potential areas of environmental concern associated with the proposed action in accordance with procedures set forth at 6 NYCRR § 617.7 implementing SEQRA; and

WHEREAS, the Board consequently finds that the annexation of vacant land into the territorial boundaries of the Village with the purpose of using such land for open space or parkland purpose will not have a significant impact on the environment for the following reasons:

- 1. Impacts on Land. There will be no construction on or alteration of the Parcel.**
- 2. Impacts on Geological Features. The Parcel will remain open space.**

3. **Impacts on Surface Water.** Although the Parcel contains wetlands, mere annexation, without more, will not impact surface waters.
4. **Impacts on Ground Water.** The Parcel will not be developed therefore there will be no impact on ground water.
5. **Impact on Flooding.** The Parcel will not be developed therefore there will be no increase of storm water runoff.
6. **Impacts on Air.** The project does not include a state regulated air emission source.
7. **Impacts on Plants and Animals.** There are no species of animal, or associated habitats, listing by the State or Federal Government located in or around the project site. Therefore, the project will not have a significant environmental impact on plants and animals. The Parcel will not be developed; therefore, there will be no impact on plants or animals as a result of the annexation.
8. **Impact on Agricultural Resources.** The project site is not located on or near agricultural resources.
9. **Impact on Aesthetic Resources.** The Parcel will not be developed; therefore, there will be no impact on aesthetic resources as a result of the annexation.
10. **Impact on Historic and Archeological Resources.** The Parcel will not be developed; therefore, there will be no impact historic or archaeological resources as a result of the annexation.
11. **Impact on Open Space and Recreation.** The Parcel will remain open space or will be included in the Village's parks system.
12. **Impact on Critical Environmental Areas.** The site is not located within or adjacent to a critical environmental area.
13. **Impact on Transportation.** The Parcel will not be developed or improved and will not impact transportation.
14. **Impact on Energy.** The Parcel will remain open space and will not impact energy consumption.
15. **Impact on Noise, Odor, and Light.** The Parcel will remain open space and will not emit noise, odor or light.
16. **Impact on Human Health.** The project will not expose humans to new or existing sources of contaminants.
17. **Consistency with Community Plans.** The project is consistent with the zoning and comprehensive plan.
18. **Consistency with Community Character.** The inclusion of and permanent protection of open space within the Village improves community character.

NOW, THEREFORE, BE IT RESOLVED that based upon the foregoing, the Board of Trustee of the Village of Monroe determines that the action will not have a significant adverse effect upon the environment and an environmental impact statement will not be required.

AND, BE IT FURTHER RESOLVED that this Negative Declarations is issued pursuant to 6 NYCRR Part 617 of the implementing regulations pertaining to Article 8 (State Environment Quality Review Act) of the Environmental Conservation Law.

Title of Action: Annexation of vacant property

SEQRA Status: Unlisted Action

Negative Declaration: Yes

Conditioned
Negative Declaration: No

Description of Action: SEQRA Resolution adopting a Negative Declaration for the annexation of vacant Village-owned property into the Village.

Location: The property is located on Forest Road, identified on the Village Tax Map as Section 1, Block 2, Lot 45.

Contact Person: Neil S. Dwyer, Mayor
Village of Monroe
7 Stage Road
Monroe, NY 10950
(845) 782-8341

Ayes: Trustees Alley, Conklin, Behringer and Houle

Nays: None

INTRO. LOCAL LAW #8 OF 2018 / ANNEXATION OF VACANT LAND – T/M TM# 1-2-45:

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

WHEREAS, an Introductory Local Law, titled “ANNEXATION OF LAND,” was introduced before the Board of Trustees of the Village of Monroe on October 2, 2018; and

WHEREAS, upon notice duly published and posted, a hearing was held on said Local Law on October 16, 2018, whereat public discussion was heard concerning the merits of said Local Law and after hearing from all those present wishing to speak and acknowledging that no written comments had been received, the Board of Trustees declared the public hearing closed; and

WHEREAS, after reviewing the Short Environmental Assessment Form, the Board of Trustees issued a Negative Declaration dated October 16, 2018 pursuant to the regulations implementing the State Environmental Quality Review Act (SEQRA), requiring no further SEQRA action; and

WHEREAS, by response dated October 15, 2018, the Orange County Planning Department determined that the action would have no inter-municipal or county-wide impacts and recommended a local determination.

NOW THEREFORE, BE IT RESOLVED, that the introductory Local Law, titled “ANNEXATION OF LAND,” of the Village of Monroe be and hereby is adopted on October 16, 2018, as Local Law No. 8 of 2018 of the Village of Monroe.

Attorney Terhune noted for the record that the land in question is identified by Section 1, Block 2, Lot 45. Attorney Terhune added that to close this out, the materials must be filed with the State, like was done with Lot 33, so a survey will be needed of that lot.

Ayes: Trustees Alley, Conklin, Behringer and Houle

Nays: None

**LOCAL LAW # 8 OF 2018
ANNEXATION OF LAND**

BE IT ENACTED by the Village Board of Trustees of the Village of Monroe, County of Orange, State of New York, as follows:

Section 1. Legislative Findings, Purpose and intent.

The Village Board of Trustees finds and determines that the public interest would be served by the inclusion within the boundary of the Village of Monroe Village-owned vacant property located within the Town of Monroe.

Section 2. Authority.

This local law is enacted by the Village Board of Trustees of the Village of Monroe pursuant to its authority to adopt local laws under the New York State Constitution and Section 10 of the Municipal Home Rule Law and pursuant to Article 17 of the General Municipal Law.

Section 3. Article III of Chapter A205, titled, “Annexation of Land in 2018,” of the Code of the Village of Monroe is hereby amended by adding subsection § 205-8 to read as follows:

§ 205-8. Description of Land.

The Village of Monroe shall contain, on and after the effective date of this article, in addition to the territory theretofore contained within its boundaries, the following described territory:

A. All that certain tract, piece or parcel of land situated in the Town of Monroe, County of Orange and State of New York identified on the Town of Monroe Tax Map as Section 1, Block 2, Lot 45, and more particularly described as follows:

(1) It being the intent to describe and annex into the Village of Monroe all the lands of the Village of Monroe, described in Liber 1707, Page 406;

(2) Containing 2.6± acres of real property.

Section 4. Supersession, of Inconsistent Laws, if any.

The Village Board of Trustees hereby declares its legislative intent to supersede any provision of any local law, rule, or regulation and any provision of the state Village Law or other special law that may be declared inconsistent or in conflict with this local law. The courts are specifically requested to take notice of this legislative intent and apply such intent in the event the Village has failed to specify any provision of law that may require supersession. The Village Board hereby declares that it would have enacted this local law and superseded such provision had it been apparent.

Section 5. Severability.

If any section, part or provision of this local law or the application thereof to any person, property or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the section, part, provision or application directly and expressly adjudged invalid and shall not affect or impair the validity of the remainder of this local law or the application thereof,

Section 6. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.

AUTHORIZATION FOR THE VILLAGE OF MONROE TO SURVEY PROPERTY IDENTIFIED AS SBL 1-2-45, ON THE TOWN OF MONROE TAX MAP:

On a motion by Trustee Houle, seconded by Trustee Alley, it was:

WHEREAS, the Village of Monroe (the “Village”) owns fee title to 2.6± acres of real property identified on the Town of Monroe Tax Map as Section 1, Block 2, Lot 45 (the “Property”); and

WHEREAS, the Village Board of Trustees intends to expand its open-space and park system to include said Property with all due haste; and

WHEREAS, in order to effectuate said expansion the Village will require a current field survey of the Property with monuments marking the perimeters of the Property.

NOW, THEREFORE, BE IT RESOLVED, that the above “WHEREAS” paragraphs are incorporated herein by reference.

BE IT FURTHER RESOLVED that the Village Board of Trustees directs the Mayor to cause a field survey of the Property to be prepared by a surveyor licensed in the State of New York and to cause said surveyor to mark the boundaries of the Property with monuments (the “Work”).

BE IT FURTHER RESOLVED, that the Mayor is directed to take this action with all due haste and is hereby authorized to expend an amount not to exceed \$1,200.00 without further action of the Board of Trustees.

Attorney Terhune added that there needs to be at least one copy that is mylar, which needs to be submitted to the County.

Ayes: Trustees Alley, Behringer, Conklin and Houle
Nays: None

TIME CLOCK MANAGEMENT & PAYROLL SERVICES / CONTINUED:
(See Minutes 6/5/18, 9/18/18, 10/2/18)

At the October 2nd Board of Trustees Meeting, Mayor Dwyer advised the Board that there were a few pieces of the contract that were brought to his attention by Attorney Terhune that need to be reviewed.

By authorization of the Village Board, RFP's were circulated by Mayor Dwyer for a Time Clock Management System and Payroll Service Company for the Village of Monroe. There were two proposals were received: PAYCHEX and ADP. Upon review of Mayor Dwyer and Trustee Alley, as well as Treasurer Murray, demonstrations of their products were presented to them. Based on their cost and how they presented their product, it was recommended that the new time clock management system and the payroll services be awarded to PAYCHEX, being the best fit for the Village of Monroe. Mayor Dwyer stated for the Board and the public that ADP had an annual cost of \$15, 389.85. The Flex Pro Package includes: Payroll processing, Employee Handbook Builder, Flex Onboard essentials, Check Signing and Readychex, Skylight Paycards, Check Insertion, Check logo, Employee Access Online, New hire reporting, 401(k) report/file, general ledger report, online reports, reports on-demand, paycheck employee screening essentials – 15, Paychex flex mobile app, on-site checks, HR library, Labor posters, 24/7 live support, dedicated service rep, garnishment payment service, SUI service, data exports, general ledger reporting service, workers comp report/payment service and Finfit. Discussion followed. Attorney Terhune mentioned that the agreement still had Mayor Dwyer listed on the agreement as a Trustee, and that should be adjusted and that he must also sign the addendum. On a motion by Trustee Conklin, seconded by Trustee Alley, it was:

RESOLVED, the Board of Trustees approved the purchase of a time clock management system and a payroll services system from PAYCHEX, in the annual amount of \$12,169.03. There will be a onetime set up fee of \$8,375.00 for three iris time clocks. The cost of these new systems will be budgeted equally as follows:

- A.1620.220 – VH Office Equipment - \$4,056.35
- A.3120.220 – PD Office Equipment - \$4,056.35
- A.5110.220 – St. Main Office Equipment - \$4,056.35

IT IS FURTHER RESOLVED, that the Board of Trustees authorized Mayor Dwyer to sign the agreement with PAYCHEX.

Ayes: Trustees Alley, Conklin, Behringer and Houle
Nays: None

SACRED HEART CHURCH ROSARY PROCESSION – FEAST OF OUR LADY OF GUADALUPE:

Sacred Heart Church submitted an events application for their annual rosary procession in honor of the Feast of Our Lady of Guadalupe on Wednesday, December 12, 2018 from 3:30 PM to 4:30 PM, contingent on their approval of the NYS DOT 33-B permit. The purpose of this event is to reach the spiritual needs of the parish community in both English and Spanish. The following roads will be used: beginning at the Chapel on Stage Road, left on to Route 17M, right on to Still Road, finishing at Sacred Heart Church. Signoff was received from the Building Inspector and Police Administrative Sergeant Amatetti. Estimated cost of additional Police Services is \$213.00 for one police officer on 3 hours of overtime for traffic control at an average rate of \$71.00 per hour. 1 officer from C line will also be assigned to assist with traffic control. Discussion followed. Mayor Dwyer asked Village Clerk Baxter if the 33-B permit had been received yet, and Village Clerk Baxter explained that the applicant cannot submit the permit application until they have

the local municipality's approval to hold the event. On a motion by Trustee Conklin, seconded by Trustee Houle, it was:

RESOLVED, the Board of Trustees approved the request of Sacred Heart Church for their annual rosary in honor of the Feast of Our Lady of Guadalupe on Wednesday, December 12, 2018 from 3:30 PM to 4:30 PM contingent upon receipt of approval of the NYS DOT 33-B permit.

Ayes: Trustees Alley, Conklin, Behringer and Houle
Nays: None

ALTERNATE ENGINEER – 310 SCHUNNEMUNK ST. / 2 LOT SUBDIVISIONS:
(TM #202-1-7.2)

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

RESOLVED, the Board approved the request of the Village of Monroe Planning Board to use an alternate engineer, Tom DePuy of DePuy Engineering and Land Surveying, Middletown, NY, to complete the subdivision application due to a conflict between the property owner and Lanc & Tully, the Village of Monroe's Engineer.

Ayes: Trustees Alley, Conklin, Behringer and Houle
Nays: None

**REQUEST TO TRAVEL – ORANGE COUNTY MUNICIPAL FEDERATION FALL CLASSES/
ZBA MEMBERS MARGOTTA, MARTUSCELLI, ZUCKERMAN, McCARTHY & DOHERTY:**

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

RESOLVED, the Board approved the attendance of ZBA members Dan Margotta, Gerry Martuscelli, Howard Zuckerman and Elizabeth Doherty to the following fall courses:

Full-Day Class Session - 10/26/18 – 8:30AM – 3:30PM

Daniel Margotta
(*Full day session is \$60.00 per member*)

Two-Hour Evening Session – 11/1/18 – 7:00PM – 9:00PM

Gerry Martuscelli
Richard McCarthy
Howard Zuckerman
Elizabeth Doherty
(*Evening session is \$15.00 per member, 4 X \$15 = \$60.00*)

Two-Hour Evening Session – 11/26/18 – 7:00PM – 9:00PM

Daniel Margotta
(*Evening session is \$15.00 per member*)

These classes fulfill the continuing education requirements to serve on the Village of Monroe's ZBA. Total cost of attendance is \$135.00 and will be allocated from A.8010.4720, Zoning Education.

Ayes: Trustees Alley, Conklin, Behringer and Houle
Nays: None

EVENT APPLICATION – TOM BASILE PRESS CONFERENCE:

An events application was submitted by Bob Driscoll on behalf of Citizens for Tom Basile, to utilize the gazebo located on the Crane Park Peninsula, on Wednesday, October 17, 2018 from 11:00AM – 12:30PM to host a press conference with members of local law enforcement PBA's. Mr. Driscoll indicated that there will be approximately 10-15 people, including Orange County Sheriff Carl DuBois, who will give brief speeches. Mr. Driscoll anticipates that there will also be 3-5 members of the press in attendance to cover the news announcement. Both the Building Department and Police Department have signed off on the event application. There is no additional police services needed for this event, but B line officers will monitor vehicle and pedestrian traffic during the event. On a motion by Trustee Conklin, seconded by Trustee Houle, it was:

RESOLVED, the Board of Trustees approved the event application submitted by Bob Driscoll on behalf of Citizens for Tom Basile, to utilize the gazebo located on the Crane Park Peninsula, on Wednesday, October 17, 2018 from 11:00AM – 12:30PM to host a press conference with members of local law enforcement PBA's.

Ayes: Trustees Alley, Conklin, Behringer and Houle
Nays: None

CIVIL SERVICE ADMINISTRATION TRAINING 10/30/18, VILLAGE CLERK BAXTER:

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

RESOLVED, the Board of Trustees approved the attendance of Village Clerk Baxter to attend the one day training session offered by the Orange County Department of Human Resources on Tuesday, October 30, 2018 from 1:30 PM – 4:30 PM at the Emergency Services Center (classroom #2), 22 Wells Farm Road, Goshen, NY. The training will cover topics including position classification, examinations, recruitment processes and significant rule changes that impact civil service administration. The seminar is free and if no Village vehicle is available for use, her personal vehicle will be used and mileage reimbursement will be submitted on a voucher and charged to budget line A.1325.4720.

Ayes: Trustees Alley, Conklin, Behringer and Houle
Nays: None

INTRODUCTION OF LOCAL LAW #9 OF 2018 – AMENDING CHAPTER 200 “ZONING” OF THE VILLAGE CODE TO ALLOW THE ADAPTIVE REUSE OF BUILDINGS LISTED ON THE NATIONAL AND STATE REGISTERS OF HISTORIC PLACES AS A SPECIAL USE PERMIT:

Attorney Terhune stated that the Board authorized the Planner, Bonnie Fransen, to look into senior housing options in the Village of Monroe. Ms. Fransen has come up with several ideas and drafted a comprehensive local law and she has also drafted a more narrow local law that can be reviewed and put into effect after the Board goes through the necessary procedures. Attorney Terhune continued that it is for the adaptive reuse of historic properties. What it will allow is in certain areas of the Village to have certain types of uses in homes that are on the National Register that are historic, and many of these homes are large and it is difficult for them to be just single family homes. Attorney Terhune added that Ms. Fransen has suggested that there are a number of uses that should be allowed after the special use permit process is followed through the Planning Board. Arts & Crafts, Art Studios, Art Galleries, Museums, Senior Adult Homes are a few of the primary examples of adaptive reuse. Setbacks and minimum bulks are some of the requirements and are subject to Planning Board special use permit site plan architectural review board. The next steps would to introduce the local law, refer it to the Planning Board as well as the County. Ms. Fransen is preparing the environmental assessment form and it will be a Type 1 action because it deals with historic homes. It will available in the Clerk' Office for review and Attorney Terhune expects and hopes to get comments from the public on this local law.

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

RESOLVED that an introductory Local Law, titled “CHAPTER 200, ZONING, OF THE VILLAGE CODE TO ALLOW THE ADAPTIVE REUSE OF BUILDINGS LISTED ON THE NATIONAL AND STATE REGISTERS OF HISTORIC PLACES AS A SPECIAL USE PERMIT,” 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 6:30 PM on Thursday, November 8, 2018; and

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 ten (10) days prior thereto.

Ayes: Trustees Alley, Conklin, Behringer and Houle
Nays: None

MAYOR'S REPORT:

Mayor Dwyer reminded the public that Election Day is Tuesday, November 6th, and because of this the first meeting of the month for November will be Thursday, November 8th, and there will be a public hearing at 6:30pm that evening prior to the regular meeting.

Mayor Dwyer invited resident Sandy Dunlap, 219 Elm Street, to speak to the Board about this November 11th, it will mark the centennial anniversary of the ending of World War I. The US National Committee for World War I Centennial has a program called "Bells for Peace". At 11:00am on the eleventh day of the eleventh month they would like churches and schools to ring their bells to commemorate the end of the war. It is very simple, no cost event. Ms. Dunlap stated that it is the only war that the U.S. has been involved in that doesn't have a memorial in Washington D.C. Mayor Dwyer asked if there is any significance to the number of times you ring the bell, and Ms. Dunlap responded they do not a specified number of times, but perhaps for a minute to honor the end of the war. Mayor Dwyer stated that the Village would find an appropriate way to honor that day.

Attorney Terhune stated that the property maintenance law was submitted to the Board at the last meeting and she didn't receive any comments. The Law has been circulated to the Building Department for review and comment. Attorney Terhune continued that once all comments have been received the local law will be revised to its final form and be introduced.

Attorney Terhune continued that she would like to Board to ratify the prior approval of the annexation of Lot 33. When Attorney Terhune went through the files she discovered that she had inadvertently not sent it to the County for the 239 review. Attorney Terhune explained that it had since been done and that she had received their report that day. By ratifying it, it will close the loophole. Attorney Terhune read the following resolution:

RATIFICATION OF RESOLUTION OF ADOPTION OF LOCAL LAW #5 of 2018 - ANNEXATION OF LAND T/M # 1-2-33:

WHEREAS, an introductory Local Law, titled "ANNEXATION OF LAND," was introduced before the Board of Trustees of the Village of Monroe on April 26, 2018 and adopted on May 1, 2018; and

WHEREAS, a duly published and posted hearing was held on said Local Law on May 1, 2018, whereat public discussion was heard concerning the merits of said Local Law and after hearing from all those present wishing to speak and acknowledging that no written comments had been received, the Board of Trustees declared the public hearing closed; and

WHEREAS, after reviewing the Short Environmental Assessment Form, the Board of Trustees issued a Negative Declaration dated May 1, 2018 pursuant to the regulations implementing the State Environmental Quality Review Act (SEQRA), requiring no further SEQRA action; and

WHEREAS, a review of the record revealed the absence of a referral of said local law to Orange County Planning Department, which failure was remedied by referral to OCPD and its response dated October 15, 2018, which response found no evidence of intermunicipal or countywide impacts and recommended approval as a local determination.

NOW THEREFORE, BE IT RESOLVED, that the introductory Local Law, titled "ANNEXATION OF LAND," of the Village of Monroe adopted on May 1, 2018, as Local Law No. 5 of 2018 of the Village of Monroe is hereby ratified to reflect the response from Orange County Planning Department.

On a motion by Trustee Houle, seconded by Trustee Conklin, the Mayor declared Local Law No. 5 of 2018 ratified on October 16, 2018.

Ayes: Trustees Alley, Conklin, Behringer and Houle
Nays: None

Resident John Karl asked why the public was not videoed. Mayor Dwyer stated he would claim ignorance. The audio/video equipment is a format he is not familiar with. The Board has had a gentleman in the past to help them out and there is no other reason why it was not turned on at 6:30PM. Mr. Karl stated that Mayor Dwyer ran for Mayor with his two running mates they stated that they would be videotaping all the meetings. Both Mayor Dwyer and Trustee Houle acknowledged that they did. Mr. Karl asked if all the meetings have been taped and Mayor Dwyer stated that they had not. Mr. Karl asked if they have located a vendor to help them so the public can view the meetings and Mayor Dwyer responded they had not. Mayor Dwyer added that it is a project, and they have no excuses, but they will get it done. Mr. Karl continued that they are 7 seven months into their administration and they need to get it done.

Mr. Karl continued that at last month's meeting he questioned Executive Session, and again he sees Advice of Counsel – pending litigation listed on the agenda. Mr. Karl asked what the pending litigation is for, who, where, etc. Attorney Terhune responded that the Village has three pending lawsuits. Mr. Karl asked if the public is allowed to know what those lawsuits are. Attorney Terhune responded that one is with Greenfield which she has been discussed at the meetings in general, the second is with a property asking a change in their zoning and that is on hold, and the other is a threatened lawsuit that the Board just received that day. Mr. Karl asked if in the future can it be put on the agenda and Attorney Terhune responded that she is in charge of that and when she decides that she wants more details on pending litigation she will put it on the agenda. She added that this is her call, so please direct the comments to her. Mr. Karl stated that she works for the Village Board and Attorney Terhune stated that she advises them when they go into Executive Session what is to be discussed and how much of it should be made public and that is all that is going to be said about that this evening. It is confidential but if Mr. Karl has concerns he is welcome to come and continue to voice them. Mr. Karl stated that he does have concerns, he brought it up last month and Attorney Terhune agreed with him last month. Attorney Terhune responded that it is on the agenda but Mr. Karl said that she is listening but she isn't hearing. Mayor Dwyer stated that he didn't think that was the truth but the case here is that Mr. Karl had asked for clarification as to what was going on in Executive Session and Mayor Dwyer had advised him that it was for personnel matters and litigation. Mayor Dwyer continued that he didn't know what else he wanted added to that, did he want to know what the personnel matters were. Mr. Karl stated that all he is asking for is what the Board is going into Executive Session for. Mayor Dwyer stated that tonight's agenda had Advice of Counsel – Pending Litigation listed on it and asked Mr. Karl what else he would like to see on the agenda. Mr. Karl responded that he would like to know what the litigation is for, and Attorney Terhune told him tonight what it was. When he looks at the agenda online, he would like to know what's going on. The residents have a right to know what's going on. Mr. Karl added that the residents don't need to know what was discussed behind closed doors, but they do have to right to know why they are going behind closed doors.

Attorney Terhune interjected and stated that it is not a general practice and it shouldn't be for even the name of potential lawsuits to be discussed in public, and in fact she has probably given him more information than she should have. Once lawsuits are filed, they become public.

Mr. Karl commented on the hydrant flushing and the pictures that he took of the rust sediment lying in the street as a result of the hydrant flushing, and it is a concern, that is the water that they are drinking.

Mr. Karl also commented about a hydrant down on Windgate Court and the markings surrounding it. He asked if it was in service or not. Water Plant Operator Mabee stated that he believed it to be in service but he would have to check. Water Plant Operator Mabee continued that the valve was tested but he believed it to be in service but would look into it. Mayor Dwyer asked Mr. Karl to repeat what he said about the markings and Mr. Karl responded that when you are doing excavating work you need to notify the local municipalities about the work and they come out and mark the area in paint the area where they will be working. This hydrant has those markings so he is assuming that there is some work there that needs to be done. That is why he is asking if the hydrant is in service or not. Water Plant Operator Mabee stated that they called in a markup when they were flushing hydrants because the front valve was leaking and it needs to be replaced. Water Plant Operator Mabee stated with winter around the corner the leak could create ice and ice is a hazard, so he ordered two hydrants last week. Mr. Karl added that he is glad to see them flushing the hydrants, the more they do it, the more junk they get out of the lines and that's a good thing.

Trustee Conklin stated that that water is not what the residents are drinking. Mr. Karl responded that sediment is lying at the bottom of the mains and over time work its way out. If there is a water main break and there is a heavy flow, someone could turn on their water and it could be red. Mr. Karl added that although they are adding corrosion inhibitors to the water, flushing the hydrants will just make things better going forward.

Ms. Dunlap provided the Board with additional literature regarding the Bells for Peace program.

EXECUTIVE SESSION:

On a motion by Trustee Conklin, seconded by Trustee Behringer, with all in favor, the meeting was closed at 7:43 PM. Following a 5-minute recess, the Board convened in Executive Session for Advice of Counsel for discussion of pending litigation.

Executive Session Minutes compiled by Mayor Dwyer.

OPEN SESSION: on a motion by Trustee Houle seconded by Trustee Behringer and carried, the Open Meeting resumed at 9:05 PM.

RESIGNATION: KIMBERLY KASCH, P/T BILLING CONTROL CLERK:

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

RESOLVED, the Board accepted the resignation of Kimberly Kasch, P/T Water Billing Control Clerk of the Village of Monroe's Water Department effective 10/19/18. The Board wished Kim the best in her future endeavors.

Ayes: Trustees Alley, Conklin, Behringer and Houle

Nays: None

ADJOURNMENT:

On a motion by Mayor Dwyer, seconded by Trustee Houle and carried, no further business, the meeting was adjourned at 9:07 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 Behringer, with all in favor, the department monthly reports were accepted and filed.

SEPTEMBER 2018 VILLAGE CLERK'S REPORT SUBMITTED BY ANN-MARGRET BAXTER, VILLAGE CLERK:

1. Minutes prepared, processed associated correspondence and Legal Notices completed for the Monthly Meetings of September 4th and September 18th.
2. Permits issued: Handicap Parking: 10 Garage Sale: 12 Solicitor/Peddling: 0 Road Opening: 0 Blasting Permit: 0 Liquor License: 0 Towing Permits: 1
3. Processed 4 FOIL requests.
4. Processed 6 Event Applications.
5. Public Hearings Held: 1 (LL #7 of 2018)
6. Closed out mailing machine for month on 9/28.
7. Bi-Weekly payroll worksheets completed and submitted.
8. Collected August water rents.
9. Collected June Village Taxes.
10. Required paperwork filed with O.C. Department of Human Resources.
11. Oversee updates and maintenance, of Village Website and Constant Contact.(22 sent)
12. Daily retrieval of messages left during the day and after hours. Forwarded messages and responded as required.

13. Vouchers completed as required. Transmittal of money collected completed and bank deposits done.
14. Scan and email pertinent information to Board and Attorney.
15. Met with representatives from Xerox 9/28.

SEPTEMBER 2018 DPW SUBMITTED BY JOHN LINDERMAN, PUBLIC WORKS SUPERVISOR:

REGULAR MAINTENANCE / VILLAGE IMPROVEMENTS:

1. Garbage removal in Park and Village four times.
2. Mowed Park four times.
3. Cleaned up during and after Founder's Day.
4. Cleaned up at 911 Park.
5. Backfilled curbs at Freeman Homes for six days.
6. Blacktopped forty seven driveway aprons.
7. Village Roads striped with yellow and white lines for approximately twelve miles.
8. Installed 950' of 12" Drain and five Catch Basins on Stage Road.
9. Painted twenty seven Stop Bars and three Crosswalks and two School Crossings.
10. Five Days of rain – September 10, 12, 18, 25, & 26

SEPTEMBER 2018 JUSTICE COURT REPORT:

**Total Fines: \$29,648.20 Total Surcharges: \$6,335.30 Total Parking: \$2,410.00
Total Civil Fees: \$1,360.00 Bail Poundage Collected: \$0 Total Bail Forfeited: \$700.00
Total for September: \$40,453.50**

**Vehicle & Traffic Tickets: 179 Disposed: 328
New Criminal Cases: 25 Disposed: 47 Civil Cases: 5 Disposed: 4
Paid Parking Tickets: 71 Dismissed Traffic Tickets: 47**

**SEPTEMBER 2018 FILTRATION PLANT REPORT SUBMITTED BY ERNEST MABEE,
CHIEF OPERATOR:**

Production: Lake Mombasha 25,661,929 Gallons / 25,039,594 Gallons LY 2017
Well #4: 3,771,704 Gallons / 3,734,420 Gallons LY 2017

Consumption: 29,433,633 Gallons / 28,774,014 Gallons LY 2017

Water Samples / Testing: OK
Rainfall: 5.74
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

Continued Painting Fire Hydrants

Rebuilt Chlorine Analyzer

Technical Components at Plant for inch Backwash Valve

Delaware Engineering here for Grant

VanKeuren PLC Reset

**SEPTEMBER 2018 POLICE DEPARTMENT REPORT SUBMITTED BY ADMINISTRATIVE
SERGEANT ANTHONY AMATETTI:**

CALLS FOR SERVICE

TOTAL CALLS – 1,499

NON CRIMINAL OFFENSE – 0

CRIMINAL OFFENSE – 143

ARRESTS – 36

TRAFFIC REPORT

TRAFFIC TICKETS – 194

PARKING TICKETS – 47

DWI/DWAI – 0

GAS – \$2020.96/907.85G

MVA – 24

OVERTIME/HOURS

TRAINING

Impact Conference – Krauss / Contaxis

Raise the Age – Uniformed Officers

Officer Survival – Guzman / Malgieri / Lindell

MVA ACCIDENT REPORT

FOIL REQUESTS

SEPTEMBER 2018 TREASURER'S REPORT SUBMITTED BY CATHERINE MURRAY:

Treasurer's Report
 Village of Monroe
 September 2018

SIGNIFICANT ACTIVITY (REVENUES)

Bank interest	6,580
Gross Utilities Tax	23,768
Planning Board Fees	7,404
Building Permits	10,353
Fines & Forfeited Bail	27,481
Revenue Sharing Aid	34,456

SIGNIFICANT ACTIVITY (EXPENDITURES)

PD Motor Vehicles	33,299
St Maint Asphalt	28,663
St Maint General Exp	6,985
St Maint Equipment Maintenance	5,109
Celebrations	7,466
Storm Sewers General Exp	12,183
Serial Bonds PD Prinipal & Interest	62,325
Purification Chemicals (water fund)	6,201

Liability Insurance - General Fund	35,346
- Water Fund	12,956
	<hr/>
	48,303

Health Insurance - General Fund	84,452
- Water Fund	29,915
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	114,366

STATUS OF FY2019 CONTINGENCY ACCOUNTS

CURRENT BALANCE

General Fund Appropriation -budgeted	\$127,505	126,770
Water Fund Appropriation -budgeted	\$25,000	25,000

COMMENTS:

We have completed 3 months of the fiscal year and expenses should be at 33.3%. The expenses are at 27.4% for the General Fund and 22.1% for the Water Fund.

Respectfully submitted,
 Catherine Murray
 Treasurer

SEPTEMBER 2018 BUILDING DEPARTMENT AS SUBMITTED BY ASSISTANT BUILDING INSPECTOR DEBBIE PROULX:

Building Permits Issued:	38
Rental Inspections Completed:	12
Title Searches Completed:	15
Violations Issued:	7
Building Permit Inspections performed:	91
C.O's Issued:	18
Complaint Inspections:	7
Fire Inspections	0
Open, active building permits	232
FOIL Requests	2
Building Permit Fees:	\$ 7,728.25
Rental Permit Fees:	225.00
Flood Permit Fees:	0.00
Fire Inspection Fees:	0.00
Title Search Fees	<u>2,400.00</u>
Total Fees Collected	\$10,353.25

Monthly Assessor's report filed
Attend Monthly Planning Board and ZBA meetings
Continued work on zoning code changes – review draft code book
Monthly report to FD for Solar
Daily cash deposits to Clerk
6 Court Cases
Bi Monthly mailing for expired permits
Bi Monthly mailing for rental permit renewals

MONROE FIRE DISTRICT OFFICERS 2018:

**Commissions: John Centofanti, Jason Kalter, Pat Patterson, Thomas M. Smith Dep. Chair,
Thomas P. Sullivan, Ch.**
Secretary: Mary Ellen Beams
Treasurer: Richard Goldstein
Chief John Scherne, 1st Ass't Chief Rich Lenahan