

**BOARD OF TRUSTEES MEETING**  
**TUESDAY DECEMBER 4, 2018**  
[www.villageofmonroe.org](http://www.villageofmonroe.org)

The first of the bi-monthly meetings of the Board of Trustees was held on Tuesday December 4, 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 Conklin, Behringer and Houle  
**Also present:** Attorney Terhune, Village Clerk Baxter and Deputy Clerk Zahra  
**Absent:** Trustee Alley (funeral)

**MOMENT OF SILENCE/ PRESIDENTIAL PROCLAMATION ANNOUNCING DEATH OF PRESIDENT GEORGE H. W. BUSH:**

It is my sorrowful duty to announce officially the death of George Herbert Walker Bush, the forty-first President of the United States, on November 30, 2018.

President Bush led a great American life, one that combined and personified two of our Nation's greatest virtues: an entrepreneurial spirit and a commitment to public service. Our country will greatly miss his inspiring example.

On the day he turned 18, 6 months after the attack on Pearl Harbor, George H.W. Bush volunteered for combat duty in the Second World War. The youngest aviator in United States naval history at the time, he flew 58 combat missions, including one in which, after taking enemy fire, he parachuted from his burning plane into the Pacific Ocean. After the war, he returned home and started a business. In his words, "the big thing" he learned from this endeavor was "the satisfaction of creating jobs."

The same unselfish spirit that motivated his business pursuits later inspired him to resume the public service he began as a young man. First, as a member of Congress, then as Ambassador to the United Nations, Chief of the United States Liaison Office in China, Director of Central Intelligence, Vice President, and finally President of the United States, George H.W. Bush guided our Nation through the Cold War, to its peaceful and victorious end, and into the decades of prosperity that have followed. Through sound judgment, practical wisdom, and steady leadership, President Bush made safer the second half of a tumultuous and dangerous century.

Even with all he accomplished in service to our Nation, President Bush remained humble. He never believed that government — even when under his own leadership — could be the source of our Nation's strength or its greatness. America, he rightly told us, is illuminated by "a thousand points of light," "ethnic, religious, social, business, labor union, neighborhood, regional and other organizations, all of them varied, voluntary and unique" in which Americans serve Americans to build and maintain the greatest Nation on the face of the Earth. President Bush recognized that these communities of people are the true source of America's strength and vitality.

It is with great sadness that we mark the passing of one of America's greatest points of light, the death of President George H.W. Bush.

**NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States of America, by the authority vested in me by the Constitution and the laws of the United States, in honor and tribute to the memory of President George H.W. Bush, and as an expression of public sorrow, do hereby direct that the flag of the United States be displayed at half-staff at the White House and on all public buildings and grounds, at all military posts and naval stations, and on all naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions for a period of 30 days from the day of his death. I also direct that, for the same length of time, the representatives of the United States in foreign countries shall make similar arrangements for the display of the flag at half-staff over their embassies, legations, consular offices, and other facilities abroad, including all military facilities and naval vessels and stations.**

**I hereby order that suitable honors be rendered by units of the Armed Forces under orders of the Secretary of Defense.**

**I do further appoint December 5, 2018, as a National Day of Mourning throughout the United States. I call on the American people to assemble on that day in their respective places of worship, there to pay homage to the memory of President George H.W. Bush. I invite the people of the world who share our grief to join us in this solemn observance.**

IN WITNESS WHEREOF, I have hereunto set my hand this first day of December, in the year of our Lord two thousand eighteen, and of the Independence of the United States of America the two hundred and forty-third.

DONALD J. TRUMP

Mayor Dwyer followed with a moment of silence.

**MINUTE APPROVAL: MEETINGS OF NOVEMBER 8<sup>th</sup> & 20<sup>th</sup> :**

On a motion by Trustee Conklin seconded by Trustee Behringer, the Minutes of the November 8<sup>th</sup> 2018 Meeting were approved.

Ayes: Trustees Conklin, Behringer and Houle  
Nays: None

On a motion by Trustee Conklin seconded by Trustee Behringer, the Minutes of the November 20<sup>th</sup> 2018 Meeting were approved.

Ayes: Trustees Conklin, Behringer and Houle  
Nays: None

**RESOLUTION TO RESCIND LETTER OF RESIGNATION – JENNIFER HICKS, P/T BILLING CONTROL CLERK:**

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

RESOLVED, the Board of Trustees hereby rescind the resignation of Jennifer Hicks that was approved by the Board at the November 20, Meeting, to allow for her to spend additional time with her replacement for training purposes.

Ayes: Trustees Conklin, Behringer and Houle  
Nays: None

**RESIGNATION: JENNIFER HICKS, P/T BILLING CONTROL CLERK:**

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

RESOLVED, the Board accepted the revised resignation of Jennifer Hicks, P/T Water Billing Control Clerk of the Village of Monroe's Water Department effective 12/7/18. The Board wished Jennifer the best in her future endeavors.

Ayes: Trustees Conklin, Behringer and Houle  
Nays: None

**APPOINTMENT OF PART-TIME ACCOUNT CLERK TYPIST – AILEEN RYAN:**

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

RESOLVED, the Board of Trustees appointed Aileen Ryan to the part-time position of Account clerk Typist, retroactive to 11/26/18, at an hourly salary of \$20/hour. Ms. Ryan will fill the vacancy created by the resignation of Jennifer Hicks. Ms. Ryan's part-time hours will be 8:00AM – 12:00 PM and will work out of the DPW office located at 124 Maple Avenue.

Ayes: Trustees Behringer, Conklin and Houle  
Nays: None

**REQUEST FOR PENALTY REFUND / COMMERCIAL WATER ACCOUNT #222 – CONTIUNED:**

(See Minutes 11/20/18)

At the November 20, 2018 Board Meeting, the owner of Wah Mei Chinese Restaurant, located at 400 Rt. 17M Store #12 in Monroe, had requested a refund of \$293.85 for the penalties assessed to the account for the non-payment of their August 2018 water bill. Additionally, the owner claimed to have mailed a payment in for the August 2018 bill in the amount of \$979.50, but to date, the Village has not received it. Additionally, the owner claimed that the charges for their November

2018 bill are unusually high at \$2,285.50, and that their bill typically averages around \$1,000.00. To date, the outstanding bill in the amount of \$3,558.85 has not been paid, however billing records indicate that the customer has never been late in the past. Trustee Conklin requested that this matter be tabled to allow her time to review the account with the Water Department. Discussion followed. Trustee Conklin stated that she confirmed with the Water Department that there were no leaks and the Village has not yet received the original payment they claimed to have mailed. On a motion by Trustee Conklin, seconded by Trustee Houle, it was:

**RESOLVED**, the Board of Trustees denied the request of the business owner of commercial water account #222, Wah Mei Chinese Restaurant located at 400 Rt.17M Store #12 for the refund of penalty fees totaling \$293.85 assessed to commercial water account #222 for the non-payment of the August 2018 water bill.

**Ayes:** Trustees Conklin, Behringer and Houle

**Nays:** None

#### **EVENT APPLICATION / MONROE ART SOCIETY:**

An event application was submitted by John Battaglia, member of the Monroe Art Society, to host a Holiday Art Exhibit on December 15 – 16, 2018 from 10AM to 3 PM. The Holiday Art Exhibit will be held in the 1<sup>st</sup> floor Boardroom at Village Hall located at 7 Stage Road and will display and sell the artwork of the members of the Monroe Art Society. Mayor Dwyer will be present to open a close the building each day, as well as be in attendance during the event. Approval is contingent upon approval from the Building Department. No additional police services are required for this event as Village Hall will provide an employee (Mayor Dwyer) to monitor the event through its duration. Discussion followed. Mayor Dwyer stated that he held a brief meeting this morning with Mr. Battaglia and both the Building & Police Departments to review the event. Mayor Dwyer continued that a map of the layout of the event will be provided the following morning and believed that once that was submitted, the Building Department would provide their approval. On a motion by Trustee Conklin, seconded by Trustee Behringer, it was:

**RESOLVED**, contingent upon sign off by the Village of Monroe Building Department, the Board of Trustees approved the event application submitted by John Battaglia, member of the Monroe Art Society, to hold a Holiday Art Exhibit in the 1<sup>st</sup> floor Boardroom of Village Hall on December 15 – 16, 2018 from 10 AM to 3PM.

**Ayes:** Trustees Conklin, Behringer and Houle

**Nays:** None

#### **REQUEST FOR PENALTY REFUND / WATER ACCOUNT #2083:**

In a letter to the Board of Trustees, resident Linda Ruscito has requested a refund for penalty fees totaling \$27.42 that were assessed to her water account #2083, for the late payment of their August 2018 water bill. Mrs. Ruscito stated that she did not receive the August bill, and was only aware that it had been missed when they received their November 2018 water bill. Mrs. Ruscito stated that she has never been late on her Village water payment or tax bills in the 41 years that she has lived here and has requested that she be refunded the \$27.42. Discussion followed. Trustee Conklin stated that unfortunately the Board receives requests like this all the time and unfortunately they cannot gift water. On a motion by Trustee Conklin, seconded by Trustee Houle, it was:

**RESOLVED**, the Board of Trustees denied the request of resident Linda Ruscito, water account #2083, for a refund of penalty fees totaling \$27.42, for the non-payment of her August 2018 water bill.

**Ayes:** Trustees Conklin, Behringer and Houle

**Nays:** None

#### **2019 COMMUNITY DEVELOPMENT BLOCK GRANT:**

Mayor Dwyer stated that the Village applied earlier in the year for a Community Development Grant and Mayor Dwyer advised the Board of Trustees that they have been awarded \$50,000 for the 2019 Orange County Development Block Grant. Monies from this grant will be utilized for new sidewalks from Spring Street to Smith's Clove Park. Mayor Dwyer read the full text of the letter which could be found in the grant folder located in the Clerk's Office.

**AUTHORIZATION FOR COUNSEL TO DRAFT ACCEPTANCE LETTER:**

Mayor Dwyer stated that he recently met with the Counsel and property owners of the Roscoe Smith property. As everyone is aware there was an offer on the table that was negotiated under Mayor Karl's administration, and over time they needed to sit down and discuss the points of it. Mayor Dwyer continued that at this time he is requesting that the Board give him the authorization to request Village Counsel to draft a resolution to address the terms of that agreement. On a motion by Trustee Houle, seconded by Trustee Behringer, it was:

**RESOLVED**, the Board of Trustees authorized Attorney Terhune to draft a letter to W C Lincoln Corp., 1 Jackson Avenue, Central Valley, NY, to address the previously denied offer regarding the Roscoe Smith house and corresponding real property as was discussed at the August 19, 2014 Board of Trustees Meeting (see Minute page 39).

Ayes: Trustees Conklin, Behringer and Houle  
Nays: None

**MAYOR'S REPORT:**

Mayor Dwyer stated that resident Tim Mitts contacted him regarding hosting a Board Meeting for the Monroe Free Library on December 10, 2018 at 7pm. Mr. Mitts added that the meeting would be open to the public and was not sure of the procedure, but filled out an events application in case that was necessary. The Library advised him that they anticipate approximately 10 people, and he would also provide them with a tour of the house. Attorney Terhune responded that they can hold their Board Meeting anywhere they wish to hold their meeting.

Mr. Mitts added that he was contemplating holding a "Meet Santa" event at Rest Haven on December 22<sup>nd</sup>. The event would be open to the public and he would submit an events application to the Village for that event. Mr. Mitts inquired about including the Toys for Tots in the event as well. Trustee Conklin stated that the Toys for Tots event it is organized through the Police Benevolent Association (PBA) and had specific requirements, and the Village was not involved in that. Mayor Dwyer requested that Mr. Mitts submit the application as soon as possible to allow for an appropriate amount of time for the Building and Police Departments to review it.

Mayor Dwyer added that the previous night he had the opportunity to address the NYS Varsity Boys and Girls Championship Soccer teams at the Town Board Meeting. Mayor Dwyer added that they presented the teams with a joint proclamation which was well received and he is hoping that there will be another opportunity to do something with the school because he thinks it's an important thing to acknowledge.

Trustee Houle stated that she has gotten confirmation that the Village will be receiving the Christmas ornament for the Village of Monroe that were ordered through Action in Monroe for the Quasquecentennial and they should in in by Friday. The proceeds from the sale of these ornaments will go to fund some of the events that will be held throughout the year in honor on the 125<sup>th</sup> Anniversary. Trustee Houle added that once they are received, they will be able to bring them to various locations throughout the Village and ask some of the local merchants to sell them, and they will be for sale at Village Hall as well. Trustee Houle continued that once they are received, a photo will be taken on it and sent out on Constant Contact as well as the website.

Trustee Behringer reminded everyone that this Sunday, December 9<sup>th</sup>, was the Village's Winter Festival and tree lighting from 2pm-5pm. She added that there would be a tent setup, as well as a bonfire, hayrides, caroling, hot chocolate and cookies and a craft for the kids. Mayor Dwyer added that he looked forward to it.

**PUBLIC COMMENT:** # PRESENT 5 TIME: 7:26 PM

John Battaglia, Chairman of the Monroe Joint Parks and Recreation Committee, stated that in the past the Village used to hold Christmas celebrations with Smith's Clove Park. The last couple of years that has changed and they really should look to doing these things together again since the park has always been a very strong part of what the Village does around the holidays. Trustee Conklin added that in the past the Village had included the park, with the tree lighting and the float parade and last year the float parade was cancelled because of the snow, but they have worked together in the past with the park. Trustee Behringer agreed with a joint effort and stated that they have a year to plan. Trustee Houle added that what she hopes comes out of the planning

of the Quascentennial is the resurrection of the Activities Committee in concert with Action in Monroe, and hopes for a little more cohesion between the two.

**EXECUTIVE SESSION:**

On a motion by Trustee Conklin, seconded by Trustee Houle, with all in favor, the meeting was closed at 7:28 PM. Following a 5-minute recess, the Board convened in Executive Session for discussion of ongoing litigation.

Executive Session Minutes compiled by Mayor Dwyer.

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

**AUTHORIZATION FOR THE VILLAGE OF MONROE TO SURVEY PROPERTY IDENTIFIED AS SBL 1-2-45, ON THE TOWN OF MONROE TAX MAP- CONTINUED:**  
(See Minutes 10/16/18)

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

**RESOLVED**, the Board of Trustees approved an increase in the fund amount allotted to survey property lot #45, identified on the Town of Monroe tax map as SLB#1-2-45 from \$1,200, which was approved at the 10/16/18 Board of Trustees Meeting, to an amount not to exceed \$3,000. The survey is to include monuments marking the perimeters of the property.

**Ayes:** Trustees Conklin, Behringer and Houle

**Nays:** None

**ADJOURNMENT:**

On a motion by Trustee Houle, seconded by Trustee Conklin and carried, no further business, the meeting was adjourned at 7:56 PM.

Respectfully Submitted,

Ann-Margret Baxter  
Village Clerk