

**PUBLIC HEARING 7.24.18 – 6:15 PM
FRONTIER FRANCHISE**

A Public Hearing was held on Tuesday July 24, 2018 at 6:20 PM in the Boardroom of the Village Hall, 7 Stage Road Monroe, NY. The Purpose of the public hearing was to review the application submitted by Frontier Communications of New York, Inc. for a cable franchise to offer cable/video service in the Village of Monroe, New York.

Present: Mayor Dwyer, Trustees Alley, Conklin, Behringer and Houle

Also present: Claudia Maroney, Frontier Communications Director of Operations, Village Clerk Baxter, Deputy Clerk Zahra and Police Chief Conklin

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 42 minutes.

Claudia Maroney, Director of Operations from Frontier Communications, was present to discuss possibly entering into a cable franchise agreement with the Village of Monroe to offer their new product, Vantage TV, to the residents as an alternative to Optimum or satellite. Ms. Maroney stated that Vantage TV has superior picture quality and works by having a WiFi enabled set top box that is wired in to your home and then throughout your home set up wireless receivers, or hockey pucks as they call them. You have one wired box only and no other wires running throughout your home. Trustee Conklin asked you needed one per television, one per floor? Ms. Maroney stated that she believed it was one wireless receiver per TV, but it is a very small device. Vantage TV offers live TV, instant channel change, a video on demand library, and total home DVR that records up to 6 shows at once. It has a next generation electronic program guide and enhanced search functionality and it integrates social media sites like Twitter, Facebook into your guide along with things like Netflix. Ms. Maroney continued that you would also be able to view 6 different screens at once, video on demand and interactive applications.

Ms. Maroney stated that it is a great product with great pricing. She added that the best thing is that Frontier does no additional work to the existing infrastructure. They will not tear up the roads, bring in any heavy construction equipment, the infrastructure is already in place in Monroe. The only thing they would be doing would be to add enhancements to their fiber optics and their backbone. It will offer the residents an alternative to what they currently have.

Ms. Maroney stated that it would also offer a franchise agreement to the Village of Monroe. She added that she does not handle that part of the agreement; the Village would work with Jack Phillips, in-house counsel for Frontier Communications. It is a standard franchise agreement that New York State has a pretty heavy hand in. Ms. Maroney continued that she believed the State mandate was to match whomever the local competitor is and what their franchise agreement would be, and that is set by the State.

Ms. Maroney added that one question that she always receives when doing presentations in New York is does Vantage TV get the YES Network, and the answer is yes they do. Trustee Conklin commented that she was not concerned about the YES channel, but was concerned about Channel 12, which is our local news channel. Ms. Maroney stated that she was not sure but was told that Frontier gets all the local channels. She asked if it was a paid channel and Trustee Conklin stated that it was not. Trustee Conklin stated that it was not available to anyone with satellite cable. She indicated that this was not a network channel. Resident Andy Ferrara interjected and stated that it was an Optimum owned channel and was not available by any other provider.

Trustee Houle asked if residents would own the equipment or would there be a rental fee. Ms. Maroney responded that the equipment would be rented from Frontier. Trustee Houle also asked if it would be available remotely via a laptop or other device. Ms. Maroney stated that Frontier recently launched its own app, and while she had not tested it out, she would get the details and provide them to the Board.

Trustee Behringer stated that her biggest issue was price. Her family currently has Direct TV and they don't love it. When they switched over they get locked in on a great deal, but once that deal is over the price goes up. Ms. Maroney stated that all their prices are listed on their website and they offer a great promotion price, and can get into a base package for as low as \$65.00 per month. That price will go up once you start to add on premium channels. Traditionally Frontier does not lock people in to a contract, but again, all the information is on the website. From a promotional pricing standpoint, they offer a great deal. Village Clerk Baxter asked if that was only on cable,

or on internet and phone as well, does Frontier have their own version of a Triple Play. Ms. Maroney stated that they did, and offer a package with bundling your cable, internet and phone. She added that to make this work, Frontier needs to enhance the internet speeds and that's what their new equipment does.

Trustee Conklin stated that she has a concern regarding service. It is difficult to get someone to service from Frontier. What is that going to look like when they bundle their cable, phone and internet when they currently can't get someone to come and service their internet. Ms. Maroney stated that during peak vacations and storms, like any communication business, they are currently giving a 4 day commitment for an installation. For TV service, Frontier will typically give a better date. Ms. Maroney stated that part of the mentality behind it is that people can kind of live with the phone going out, with the internet people are getting a little cranky, but if the TV goes out people are going to be jumping up and down. She added that since it has been up and running, Frontier has had very few TV outages. Frontier has a special dedicated group working with the providers to ensure that service is restored quickly.

Attorney Terhune mentioned that she has been receiving documentation from an attorney named Peter Glennon, but that is not the attorney that Ms. Maroney mentioned earlier. Ms. Maroney clarified that Frontier's in-house counsel is Jack Phillips, and that Mr. Glennon is the part of the firm that Frontier uses. Attorney Terhune stated she had some additional questions regarding gross revenue that she can direct to Jack Phillips. Attorney Terhune added that there was also a 15 year term and she has always recommended to her other clients to reduce the term to 10 years, but she has not discussed that with this Board yet. Attorney Terhune asked if the 5% was set by the Federal Communications Commission or by New York State and Ms. Maroney responded that she believed that it was set by New York State and was a match not to exceed your competitor.

Mayor Dwyer brought the conversation back to service and stated that the lines coming in to Village Hall were copper. If the Village was to take advantage of this offer, does the building have the band to support this service, would the wires coming in to this building be able to handle this system. Ms. Maroney responded that she would need to look at the location specifically to determine that, but off the cuff she wanted to say yes. She added that if they were to move forward, they would do a customized look at the current service. If there was no fiber nearby, they could take the copper wire and bond it together to get terrific speeds. It's more than twisting the wires together, it's a special technique. Mayor Dwyer asked if Frontier had a partner in this project. Ms. Maroney responded that the platform is Ericsson's Mediaroom software, but Frontier negotiates the agreements with the channels, so it is more of a homegrown thing. They put together their own channel guides and who they will do business with. She added that over the past couple of years they have purchased former Verizon & ATT properties and now do business in 29 states with approximately 25,000 employees. Because of those properties they were able to pick up the agreements that were already in place with certain carriers and channels, making it easy for them to step in, allowing them to negotiate some pretty competitive bids. Mayor Dwyer asked if what Frontier is able to offer is based on what they have been able to acquire and negotiate through the marketplace and Ms. Maroney stated that was correct. Mayor Dwyer stated that at times, networks can hold channels hostage, and how would that affect the residents use. Ms. Maroney stated that every carrier negotiates with the channels and would be similar to what Time Warner, Cablevision and Direct TV and they all could be held hostage, and Frontier would be no different. Ms. Maroney stated that Attorney Phillips would be better suited to answer questions specific to that. She added that since she has been working with Vantage TV, she has not experienced that. Back in the 90's the cable companies used to pay the providers and then they woke up and realized that it should be the other way around.

Mayor Dwyer asked if she believed the industry rumor that major companies like ATT and Verizon are no longer investing in copper and Ms. Maroney stated that personally, she did. She added that she is responding as a citizen but that Verizon may respond differently. She continued that she lives in a Verizon area and has no DSL, no cell service. She is the Director of Operations of a major communications company and she cannot work from home because the company won't invest in the infrastructure. It is 2018 and she does not have high-speed internet, it doesn't make sense.

Mayor Dwyer asked as far as technically, as the Board has mentioned some local issues, where is the Village's go to person, who is it? Ms. Maroney responded that there is a retail presence here in Town as well as Sid Teshone, who is the local Manger for this area. Mayor Dwyer indicated that he knew Mr. Teshone and had his number. Ms. Maroney continued that he also has a technician that is a working foreman, Butch Conklin, and they run that group. They are both very dedicated and trained on this equipment.

Resident Tim Mitts spoke to the Board regarding his personal experience with copper lines at his properties in both the Town and Village of Monroe. He suggested to the Board that if they had the opportunity to have the copper lines removed, to do so, as he found them to be unreliable. He stated that he believed that Frontier Communications should be able to provide to the Board the ratio of copper lines to fiber optic lines that exist in the Village. Mr. Mitts stated that he supported the idea of bringing a variety of options to the community for cable providers.

Resident Andy Ferrara stated that he has been in the cable business for almost 40 years and he knows a lot about it. Mr. Ferrara stated that what Ms. Maroney is offering is the new Altice system and copper will never keep up with fiber optic, no matter how it is bonded together. Mr. Ferrara also stated that Frontier does not have the buying power that a company like Comcast does, and Ms. Maroney agreed but stated that their buying power is still substantial since they are in markets like California and Texas. Ms. Maroney added that they have trialed this system in a lot of places and they know where it works and where it doesn't, and they don't sell it there. Ms. Maroney also added that with the new set top boxes, part of that new compression, is that they work much better with less bandwidth. This stuff is changing with the speed of light. Ms. Maroney stated that nothing would spread faster than bad service and so far they have gotten no complaints.

Resident John Karl stated that he is all about competition. The only way to drive the prices down is to allow others in and if they come in with a shoddy project, they won't last long. Mr. Karl encouraged the Board to sit down with them and consider the offer and wished the Board luck. He also asked how that would affect the municipal channels. Mayor Dwyer responded that it probably will affect them and probably would not be available. Mr. Karl stated that that may be something that they consider trying to negotiate. Ms. Maroney stated that if an area has a paid channel, then they are required to carry it, peg board, things like that. She added that it would be a great question for the Village Attorney to ask Attorney Phillips.

Mr. Ferrara agreed that competition is key. If there was a way to bring Verizon FOIS to the area, Optimum would give its customers whatever they wanted. Competition is important.

Mayor Dwyer agreed that competition is the driver. He added that there is more with this that needs to be done in regards to the product and legal issues, and the Village will continue to review it.

With no further questions, on a motion by Trustee Conklin, seconded by Trustee Houle and carried, the Public Hearing was closed at 7:03 PM.

**BOARD OF TRUSTEES MEETING
TUESDAY JULY 24, 2018
(www.villageofmonroe.org)**

The second of the bi-monthly meetings of the Board of Trustees was held on Tuesday July 24, 2018 at 7:15 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, Behringer, Conklin and Houle
Also present: Attorney Terhune, Village Clerk Baxter, Deputy Clerk Zahra, Building Inspector Cocks, Police Chief Conklin and Treasurer Murray.

Absent: Highway Supervisor Linderman and Water Plant Operator Mabee (Water Main Break on Gilbert Street)

BUDGETARY TRANSFERS / MODIFICATIONS:

On a motion by Trustee Behringer seconded by Trustee Alley, with all in favor, it was:

RESOLVED, the Board of Trustees authorized the Treasurer to make the following fund transfers / modifications to balance the budget:

A.1990.410	Contingency	A.3620.2300	Bldg Insp Auto	734.80
------------	-------------	-------------	----------------	--------

Budget Modifications

A.2260	Police Services	A.3120.435	PD Grants OT	2,750.56
--------	-----------------	------------	--------------	----------

A.2680	Insurance Recovery	A.3120.453	PD Automotive Maintenance	753.83
A.2705	Gifts & Donations Miscellaneous	A.7550.410	Celebrations	10,000.00
A.2770	Revenue Miscellaneous	A.7550.410	Celebrations	3,050.00
A.2770	Revenue	A.1420.451	Legal Other Atty	142.75
F.2680	Insurance Recovery	F.9950.950	Transfers Auto Reserve	9,840.00

VILLAGE HALL EQUIPMENT SURPLUS / DISPOSAL: ELECTRONIC EQUIPMENT:

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

RESOLVED, the Board of Trustees declared the following Village Hall electronic equipment surplus and of no value and authorize its removal from inventory and disposal as junk:

Brothers Printer, HL-6180DW, SN# V63082F3N406715 (Clerk's Office)

Ayes: Trustees Alley, Conklin, Behringer and Houle

Nays: None

SUBSCRIPTION RENEWAL / WESTLAW (ONLINE LAW BOOKS) CONTINUED:

(Meeting Minutes 7/10/18)

At the July 10, 2018 Board of Trustees Meeting, Treasurer Murray submitted a 3 year subscription renewal for online law books through Westlaw that are utilized by both the Treasurer's Department and the Building Department. Her previous contract had expired and the pricing she previously paid is no longer locked in. The contract being offered to the Village of Monroe is for 3 years, and starts with \$150.00 per month, with a 5% annual escalation over a 36 month period. Due to the cost increase, Trustee Houle suggested pursuing other companies that provide the same services that perhaps offered better pricing. Attorney Terhune suggested Lexis Nexis whom she uses and Mayor Dwyer agreed to look in to it.

On the request of Mayor Dwyer, Trustee Conklin contacted both WestLaw and Lexis Nexis to inquire about pricing and contracts. Trustee Conklin indicated that although she made contact with someone at WestLaw they assured her that after speaking with her superiors would be able to offer the Village a better deal than the month to month pricing that was currently proposed, they never got any information to her. Trustee Conklin had much better success with Lexis Nexis, and stated that Lexis Nexis would be able to offer the Village a rate of \$75.00 per month for 36 months, with no yearly percentage increase. They also offer tech support, a 24/7 Research Assistance Line and 1 License with 4 Users. This would give the Village access to every possible New York State Law it would need. Trustee Conklin made the suggestion that the Village go forward with an agreement with Lexis Nexis.

Trustee Houle asked Treasurer Murray if she had the opportunity to review the Lexis Nexis offer and Treasurer Murray that she had only received the information 15 minutes prior to the start of the meeting. She requested that the Board table the item until the August 7th Board Meeting to allow her time to review the offer as well as their online services and make a determination.

Trustee Conklin asked Treasurer Murray what online services she was currently using and Treasurer Murray responding that she was still utilizing West Law, as they had paid the monthly subscription rate which would take them till the end of the month. Trustee Alley asked Treasurer Murray if she had any experience using Lexis Nexis or if she had any opposition to using them. Treasurer Murray responded that she would contact the company tomorrow and she was open to the change. Trustee Conklin added that this offer would become effective August 3rd but that they would also offer them a month of service free. She continued that they bill you in arrears, so essentially the Village's first payment to them wouldn't be until November. Mayor Dwyer acknowledged that the Building Department also utilizes this subscription and Building Inspector Cocks agreed with Treasurer Murray and requested that the matter be tabled till the next Board Meeting to allow them to review the Lexis Nexis online services. Attorney Terhune confirmed that the materials utilized by both the Finance and Building Departments were New York Consolidated Law Services and New York State Local Finance Law, respectively, and that both of those items were available through Lexis Nexis.

This matter was tabled to the August 7th Board Meeting.

**LOCAL LAW #6 of 2018 / AMENDING CHAPTER 185 OF THE VILLAGE CODE,
“TOWING”:**

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

WHEREAS, an introductory Local Law, titled “AMENDMENT TO CHAPTER 185 OF THE VILLAGE CODE, “TOWING,” was introduced before the Board of Trustees of the Village of Monroe on November 14, 2017; and

WHEREAS, upon notice duly published and posted, a hearing was held on said Local Law on November 21, 2017, 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, the Board of Trustees determined that this was a Type II action pursuant to the regulations implementing the State Environmental Quality Review Act (SEQRA), requiring no further SEQRA action.

NOW THEREFORE, BE IT RESOLVED, that the introductory Local Law, titled “AMENDMENT TO CHAPTER 185 OF THE VILLAGE CODE, “TOWING,” of the Village of Monroe be and hereby is adopted on July 24, 2018, as Local Law No. 6 of 2018 of the Village of Monroe.

**LOCAL LAW #6 OF 2018
AMMENDING CHAPTER 185 OF THE VILLAGE CODE, “TOWING”**

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 modifying Chapter 185 of the Village Code, which Chapter regulates towing vehicles operating within the incorporated Village.

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 pursuant to the New York State Constitution and Section 10 of the Municipal Home Rule Law.

Section 3. Chapter 185, titled, “Towing,” of the Code of the Village of Monroe is hereby amended as follows:

Section 185-2, titled, “Definitions,” is hereby amended by adding the following definition immediately after the definition of “Wrecker”:

WINCHING – The act of using a motorized cable on a tow wrecker to pull a vehicle for any purpose including, but not limited to, aligning a vehicle that is sideways, overturned, off road in a ditch or embankment, a vehicle that is locked in the parking gear and no keys are available, or a vehicle that has suspension/axle damage which will not allow the vehicle to roll off the flatbed. Winching shall not apply to vehicles being pulled onto a wrecker from the street.

Section 185-6, titled, “Investigation of applicant,” is hereby repealed in its entirety and replaced with the following:

§ 185-6 Investigation of applicant; inspection of tow vehicles.

Within seven days after receipt of an application as herein provided, the Chief of Police shall cause an investigation to be made of the applicant and of his proposed business operation to be licensed.

Within 30 days of approval of the towing application, the Chief of Police shall cause a terminal inspection of all licensed wrecker(s) to be scheduled and may delegate the

aforesaid inspection to any Police Officer who is trained and certified by the New York State Department of Transportation as a Commercial Vehicle Inspector or by an independent New York State Department of Transportation Certified Commercial Vehicle Inspector. The inspector shall report to the Chief of Police whether the wrecker(s) is/are in a thoroughly safe and sanitary condition. Any licensed wreckers that are not in compliance will be taken out of service until all violations have been corrected and re-inspected.

Section 185-7, titled, “Standards for license approval; impounded vehicles; license fee,” shall be modified as follows:

§ 185-7A is hereby modified by repealing subsection (5) in its entirety and replacing it with a new subsection (5) to read as follows:

(5) That the required impound area has the capacity to store a minimum of five motor vehicles outside within a secured area surrounded by a fence with a minimum height of six feet as well as space to accommodate two vehicles in an inside secured area. All towing company premises, including the location of the towing company and impound yard shall be in compliance with all local zoning, building, fire and safety codes as certified by the Building Inspector.

§ 185-7D is hereby repealed in its entirety and replacing it with a new subsection D to read as follows:

D. An annual towing license to operate a towing business in the Village of Monroe shall be determined by Resolution of the Board of Trustees upon a public hearing duly noticed not less than five (5) days prior and may be modified from time to time in the same manner.

Section 185-8, titled, “Issuance of license; term of license; nontransferable,” is hereby modified by repealing subsection B in its entirety and replacing it with a new subsection B to read as follows:

B. The term of said license shall be from January 1 to December 31 and shall take effect on the first day of the month following issue, which fee shall be prorated to reflect the month in which the license was issued.

Section 185-13, titled, “Equipment on wreckers,” is hereby repealed in its entirety and replaced with a new § 185-13 to read as follows:

§ 185-13 Equipment on wreckers.

The type of equipment that shall be contained on tow wreckers shall be determined by Resolution of the Board of Trustees and may be modified from time to time in the same manner. Said equipment shall include, at a minimum, emergency flashing amber lights visible from front and rear, a CO2 or dry-powder fire extinguisher with a minimum capacity of 5 pounds, one container of oil-absorbing material with a minimum capacity of five gallons, a carton containing at least one dozen red railroad-type flares, reflective vests, a shovel and a broom for clearing the highway of non-hazardous debris, if any, screwdrivers, pliers and a crescent wrench. All equipment shall be maintained in good condition and in satisfactory working order.

Section 185-14, titled, “Schedule of rates/fees,” is hereby modified by repealing subsection E and the “Note” thereto in its entirety and replacing it with a new subsection E to read as follows:

E. A schedule of towing/impound rates applying to all tow-call list services shall be determined by the Board of Trustees by Resolution upon a public hearing duly noticed not less than five (5) days prior and may be modified from time to time in the same manner.

Section 185-15, titled, “Rotating call list,” is hereby modified by repealing subsection B in its entirety and replacing it with new subsections B to read as follows:

B. A licensee shall be required to respond to the scene within a maximum of 15 minutes during the hours of 8:00am to 6:00pm and within 25 minutes during the hours of 6:00pm to

8:00am from the time he is notified of a call by the Police Department. These hours include weekdays, weekends, and holidays. A licensee who does not answer a telephone call for assistance or who advises that he/she is unable to send a tow for any reason shall forfeit the remainder of that week and their next full on call week on the towing roster. A licensee who fails to arrive at the designated location where assistance is requested within the time frames established shall forfeit the remainder of that week and their next full on call week on the towing roster. Three such violations in 1 calendar year shall result in the licensee being suspended, without a hearing, from the rotating list, including the heavy-duty list, for a period of 6 months.

Section 185-19, titled, "Responsibility to clean up debris," is hereby repealed in its entirety and replaced with the following:

§ 185-19 Responsibility to clean up debris.

A licensee called to the scene of an accident must, in accordance with the New York State Vehicle and Traffic Law Section 1219 (c), at the scene, sweep away or clean-up any nonhazardous debris, provided that he is furnished with police protection against moving vehicles at the scene. There shall be no charge by the licensee for the normal clean-up of debris resulting from the accident. The licensee shall be able to charge their hourly shop rate, per employee at the scene, for any clean up over 30 minutes, such as the removal of cargo from a vehicle or roadway.

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.

Ayes: Trustees Conklin, Behringer and Houle

Nays: None

Abstain: Trustee Alley

ADOPTION OF TOWING RATES AND FEES:

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

WHEREAS, an introductory Local Law, titled "AMENDMENT TO CHAPTER 185 OF THE VILLAGE CODE, "TOWING," was duly enacted by the Village of Monroe Board of Trustees on July 24, 2018; and

WHEREAS, said local law set forth a schedule of maximum rates and fees that could be charged by towing companies operating in the Village of Monroe pursuant to a license issued by the Chief of Police; and

WHEREAS, a subsequent version of the local law removed the aforesaid rates and fees and made them subject to adoption by Resolution of the Village Board of Trustees; and

WHEREAS, the proposed rates and fees which are the subject of this Resolution are identical to the rates and fees set forth in the local law that was subject to the duly noticed and convened public hearing; and

WHEREAS, the Board of Trustees determined that this was a Type II action pursuant to the regulations implementing the State Environmental Quality Review Act (SEQRA), requiring no further SEQRA action.

NOW THEREFORE, BE IT RESOLVED, that the “Village of Monroe Towing Fee Schedule – 2018,” attached hereto and made a part of this Resolution, is hereby adopted. Discussion followed.

Trustee Houle asked what the towing rates were based on an average or industry standard. Trustee Alley responded that Chief Conklin had indicated that these rates were in line with other municipalities and Chief Conklin agreed. Mayor Dwyer stated that for reference purposes while processing the average increase was from 22% to 37% from the former rates.

Trustee Alley asked if it had been determined how it would be enforced and Mayor Dwyer responded it would be up to people’s conscience to charge to correct rate unless a written complaint came in and then it would be dealt with. There are pieces of the law that discuss how issues and grievances are to be dealt with. Attorney Terhune commented that she was sure that Chief Conklin would be sharing periodic reports of any complaints against specific towing companies and the Board can review and determine whether or not to terminate their license.

Ayes: Trustees Conklin, Behringer and Houle

Nays: None

Abstain: Trustee Alley

**TOWING FEE SCHEDULE
VILLAGE OF MONROE
2018**

ANNUAL TOWING LICENSE FEE AND MAXIMUM TOWING AND IMPOUND RATES APPLICABLE TO ALL TOWING COMPANIES LICENSED BY THE VILLAGE OF MONROE FOR THE YEAR 2018.

Annual towing license.

The annual towing license to operate a tow truck or tow wrecker in the Village of Monroe shall be \$1100. Licenses shall become effective the first day of the month following issuance. The term of the license shall be January 1 through December 31 and the fee shall be prorated depending on the month said license takes effect.

Towing/impound rates applying to all tow-call list services.

Towing businesses licensed in the Village of Monroe will be subject to the following rates:

- (1) Day rate (8:00 a.m. to 6:00 p.m.): \$115
- (2) Night rate (6:00 p.m. to 8:00 a.m.): \$130
- (3) Weekend/holiday (all hours): \$130
- (4) Road service calls (non-towing):
 - a. Day rate: \$70
 - b. Night rate: \$90
 - c. Weekend/holiday: \$90
- (5) Lock-out rate: \$50
- (6) Snow ordinance towing: \$125
- (7) Motor vehicle accident (including all accidents at any time of day or night, weekend or holiday): \$200 Flat Rate Per Vehicle Towed
- (8) Winch-out Fees: \$100 first 30 minutes, \$40 each additional 15 minutes
\$50 per hour if additional truck or person is needed
* Winching is defined in Chapter 185, § 185-2 of the Village Code.
- (9) Motor vehicle accident storage fees.
 - a. Outside: \$50
 - b. Inside: \$60
- (10) All impound storage fees.
 - a. Outside: \$50

b. Inside: \$60

- (11) Towing to other locations at customer's request at applicable rate above, plus a per mile charge agreed to by the licensee and the customer before the tow is commenced.

NOTE: No storage fees will be charged for vehicles released within the first 24 hours from time of tow.

REFUND REQUEST / TAX PENALTY – TM #220-4-8 & #214-1-56.1:

In a letter to the Board, the property owner of 548 Rt. 17M has requested a refund of \$334.40 for the July tax penalty that was assessed to their two properties when their 2018 Village June tax bill were paid late. The property owner claims that the bills were mailed to an incorrect address resulting in them paying them late. The address listed on the tax bill was the last one provided to the Town of Monroe Tax Assessor's Office but according to the property owner, it was incorrect. 548 Rt. 17M LLC has owned this property since 2011, and according to our tax records, has had three different billing addresses since then. According to the NYS Department of Taxation and Finance Real Property Law, it is the duty of the property owner to pay their taxes on time. Discussion followed. Trustee Houle stated that based on the dates of the bill, there was an address change between the 2017 and 2018 tax bills, and asked if the new address was put into the system on the request of the property owner. Village Clerk Baxter stated that there was no way of knowing that. Trustee Houle asked if there was a form that is filled out to make such changes and Village Clerk Baxter responded that we had no way of knowing that as that is handled through the Town of Monroe's Tax Assessor's Office. She added that she believed that the LLC changed owners through the course of the year, and changed the address. Village Clerk Baxter added that if that change had been done the way it was supposed to be done and it was within 6 to 8 months of the our tax bills being generated, it is possible that the change didn't catch up with the system as the County runs about that far behind on its record updates. Village Clerk Baxter continued that whether or not the billing address has changed, these owners have owned this property since 2011 and should know when their tax bills are due. Trustee Conklin added that she understands the confusion since the business name is the same as the actual address of the property. Trustee Alley added that regardless of where the bill was sent, it is the tax payer's responsibility to pay their taxes on time. Village Clerk Baxter also reiterated that it is against the law to refund tax penalties. On a motion by Trustee Conklin, seconded by Trustee Houle, it was:

RESOLVED, the Board of Trustees denied the request of property owner 548 Rt. 17M LLC, for a credit of tax penalties totaling \$334.40 for their 2018 June tax bills for properties identified by TM #220-4-8 & #214-1-56.1. According to the NYS Department of Taxation and Finance Real Property Law, it is the duty of the property owner to pay their taxes on time.

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

RESIGNATION: LILLIAN PADILLA-SOTO, P/T DISPATCHER:

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

RESOLVED, the Board accepted the resignation of Lillian Padilla-Soto, part-time dispatcher effective 7/16/18. The Board wished Lillian the best in her future endeavors.

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

RELEASE OF MAINTENANCE: HIDDEN CREEK :

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

RESOLVED, the Board of Trustees accepted the recommendation of Village Engineer John O'Rourke, P.E. of Lanc & Tully and Building Inspector Cocks and release the monies related to the one year maintenance bond for Hidden Creek. A field inspection has been conducted and well as reviewed internal files and had found nothing outstanding since the last inspection.

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

USE OF PERSONAL VEHICLES FOR VILLAGE BUSINESS:

When discussing the attendance of a Village employee at a conference for continuing education credits, the use of using personal vehicles to travel to an event was once again discussed. Trustee Alley reminded the Board that they had previously discussed the utilization of personal vehicles while on Village business and the need to limit such use. Trustee Conklin noted that the Board had discussed it but took no action. Mayor Dwyer agreed that there was concern as to what would happen should an employee have an accident while utilizing their personal vehicle to do Village business and what was involved. It would require that the Board take action on how to handle it. Trustee Alley asked if there would a vehicle available to the employee to travel to the continuing education seminar and Mayor Dwyer responded that they could take something out of the fleet to use. Trustee Conklin stated that while she does not agree either way, it has been past practice that employees use their own vehicles. Attorney Terhune stated that there should be a policy adopted by the Board not to use personal vehicles. Attorney Terhune stated that the Board could adopt that policy now as a matter of expediency, it seems pretty straight forward. Trustee Alley asked if they should make sure there is a vehicle available for use and Trustee Conklin asked if they should not check their Collective Bargaining Agreement to see if there is anything in there. Attorney Terhune stated that the Board could include in the policy that it would be subject to the terms of the Collective Bargaining Agreement. The Board could direct the Village Clerk, themselves or herself to write it up and include it in the handbook if it is not there and act on this motion so you could get it done tonight, rather than wait till the next meeting.

Village Clerk Baxter asked about those employees in Village Hall that do not have access to a Village vehicle. Trustee Houle responded that the key is whenever possible, specifically those Departments that have vehicles that the Village insures, that those vehicles are utilized instead of personal vehicles. Attorney Terhune stated that was correct. The policy would be subject to any Collective Bargaining Agreement and subject to having a Village vehicle available, then and only then, would taking your own vehicle be alright. Village Clerk Baxter asked if an employee took their own vehicle would the employee be covered by the Village's insurance. Mayor Dwyer stated that is where the problem is. Attorney Terhune responded that you would have your own insurance and Village Clerk Baxter stated yes, but an employee would be traveling to Goshen for Village business, that person should be on the Village's dime, not their own. Mayor Dwyer responded that the carrier will not pay your deductible. There are definitely some issues and he would look into it further. Village Clerk Baxter added that an alternative could be someone who does have a Village vehicle would be sent to pick up Village tax bills, etc. Treasurer Murray interrupted and reminded the Board about the daily trips to the bank that are taken for deposits and Village Clerk Baxter added that Deputy Clerk Zahra goes to the bank every day. Village Clerk Baxter also stated that the previously the former Building Inspector would go to the bank for the Clerk's Office since he had the Building Department vehicle. Attorney Terhune stated that perhaps the depositing of the money was a Treasurer's duty and Treasurer Murray stated that she does not touch the cash that comes in to the Village, it is handled by the Clerk's Office or the Building Department.

Mayor Dwyer stated that the real point being brought out is a person's own vehicle is being used, and that falls into one of the three categories that have been established: 1. Availability 2. The Collective Bargaining Agreement 3. If you have exhausted those two, then you can utilize your own vehicle. Attorney Terhune stated that if someone would like, they can make a motion to have the policy written up and included in the handbook then the Board can do that this evening. On a motion by Trustee Conklin, seconded by Trustee Houle, it was:

WHEREAS, the Village Board finds that using personal vehicles for travel on Village business may subject the Village to increased liability by compromising insurance coverage; and

WHEREAS, the use of Village-insured vehicles better protect the Village employee and the Village from liability should an accident involving a personal non-Village insured vehicle occur involving a Village employee on business related to the Village or his or her duties to the Village.

NOW, THEREFORE, BE IT RESOVLED, that the Board of Trustees hereby adopts a Village policy directing all Village employees to utilize a Village-insured vehicle for any and all Village business travel subject to the availability of a Village vehicle and whether the terms of the applicable Collective Bargaining Agreement (if any) supercede or otherwise restricts the use of personal vehicles for Village business.

BE IT FURTHER RESOLVED, that if a Village-insured vehicle is not available and personal vehicle use is not prohibited by the applicable Collective Bargaining Agreement, a Village employee is directed to utilize his or her personal vehicle for Village business travel.

BE IT FURTHER RESOLVED, that this Resolution shall be put into the form of a Village Policy and be submitted to Public Sector HR Consultants LLC, 14 Knollwood Drive Glenville, NY 12302 to be incorporated in the Village of Monroe's Employee Handbook.

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

HUDSON VALLEY WATER WORKS LAB COURSE 8/28/18 – MICHAEL HIPSMAN:

In a memo from Water Plant Operator Mabee, authorization was requested for Michael Hipsman to attend the Hudson Valley Water Works Lab Course on Tuesday, August 28, 2018 at the Town of Wallkill Town Hall, 99 Tower Drive, Middletown, NY. The conference is 8:30am to 3:00pm and will offer renewal credits for Grade 'A' operators and for an initial certification course (5 Contact Hours) for all those who take any correspondence (any grade) course. Based on the recently adoption policy regarding the use of personal vehicles for Village business, Mr. Hipsman will utilize a Village-insured vehicle to travel to the Hudson Valley Water Works Lab Course. If one is not available, then Mr. Hipsman will use his personal vehicle and mileage will be submitted on a voucher for reimbursement at a rate of \$.54/mile. The cost of the conference is \$75.00 and will be allocated from budget line F8330.472, Purification Education. On a motion by Trustee Conklin seconded by Trustee Houle it was:

RESOLVED, the Board approved the attendance of Michael Hipsman at the Hudson Valley Water Works Lab Course on Tuesday, August 28, 2018 from 8:30am at the Town of Wallkill Town Hill, 99 Tower Drive, Middletown, NY.

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

BOND ACCEPTANCE / MOMBASHA FIRE DEPT., TM #214-1-59:

The Mombasha Fire Company came before the Planning Board and was given site plan approval for their proposed 740 square foot addition to their existing fire house, construction of a new shed to house their antique fire truck and an additional 45 parking spaces at their lot located at 526 Route 17M in the Village of Monroe. The Village's Engineer, John O'Rourke, PE, has reviewed the construction cost estimate and agreed the amount of \$43,870.62 is acceptable. Discussion followed. On a motion by Trustee Conklin, seconded by Trustee Behringer, it was:

RESOLVED, the Board of Trustees accepted the bond estimate as approved by the Village's Engineer Lanc & Tully, PC, John O'Rourke, PE and approved the bond estimate for the proposed construction for Mombasha Fire Company, located at 526 Route 17M, TM# 224-1-59 in the amount of \$43,870.62. The Planning Board accepted the application for a 740 square foot addition to their existing fire house, construction of a new shed to house their antique fire truck and an additional 45 parking spaces.

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

DISCUSSION - BURBIO/MUNICIPAL EVENT APP:

Dennis Roche, co-founder of Burbio, made a presentation to the Board of Trustees regarding the free, digital service that his app offers.

Mr. Roche explained that Burbio is a 4 year old company/digital service located in Pelham, NY, that transforms local event communication. It is an automated platform which streams school, libraries, government and community based non-profit and local business calendars, giving residents the information that they need. Mr. Roche stated that Burbio publishes thousands of calendars and millions of events in hundreds of communities. He added that it is a tool that is used by local governments, school organizations and the like to drive awareness and make their communities more accessible. It allows people to follow events and add items to their personal calendars. Mr. Roche added that they do not sell their clients information or data, the information is secure and very private.

Trustee Houle stated that she has downloaded the app and sees that our local chapter of the Girl Scouts Heart of the Hudson organization as well as the Monroe Free Library who has been in contact with Burbio to get signed up and she suggested that the Village of Monroe get on Board. Mr. Roche added that they have gotten the Monroe-Woodbury School District up and are working with the Town of Monroe as well.

Village Clerk Baxter asked if utilizing this app would alleviate the need to use Constant Contact. Trustee Houle stated that she did not think so because people get their information from a variety of sources and this will be another element to use. Trustee Conklin stated that she thought it was a great idea and will keep everyone on the same page. Mr. Roche added that their model is like Spotify and Waze, they don't want people coming to them to ask questions, the app provides people with links and go out to the source sites. The idea is incremental awareness and not meant to replace anything.

Village Clerk Baxter asked Mr. Roche how they would obtain the Village's information, would the Village need to provide it. Mr. Roche stated that they would work with someone at the Village and pull it through what is automated and pull something called calendar feeds. Where they have had a lot of success is with rec departments and Village Clerk Baxter stated that the app would be great to use with YAC at Smith Clove Park.

Trustee Alley asked if they sell advertising and Mr. Roche stated yes, that it was their model. Mr. Roche stated that they are very community based and have community standards for the advertising that they put up because of their associations with so many non-profits. He added that they can reject advertising at any time. It is a local merchant platform. Trustee Alley asked what their advertising reach was and Mr. Roche stated up here it would be about 10 to 20 miles.

Mr. Roche finished by stated that younger parents now a days behave very differently, and this app is very mobile centric. The younger residents are typically not a fan of constant contact. Trustee Conklin added that she works with Google calendar and asked how that would work and Mr. Roche added that this app will add things to her google calendar for her.

The Board of Trustees thanked Mr. Roche for his presentation and Mayor Dwyer asked him to stick around in case anyone from the public had any questions for him.

ADDENDUM TO CONCERT SERIES EVENT APPLICATION/ MOVIE NIGHT ADDED TO AUGUST 11, 2018:

Since approval of the event application for the 2018 Summer Concert Series on May 1, 2018, the Village of Monroe Activities Committee has decided to add, in conjunction with the August 11, 2018 concert, a movie to be shown immediately following the conclusion of the "Forever Ray" Band, beginning at approximately 8:30 PM at the north side of Lake Street between the Mill Ponds. The movie title is TBD and is expected to conclude at approximately 11:00 PM. Equipment and movie rental, in addition to additional Police Services is estimated to be approximately \$585.00. Discussion followed. Trustee Conklin asked if they knew what movie would be shown and Trustee Alley stated that it was down to two choices; "Goonies" or "Coco". Both Trustee Conklin and Village Clerk Baxter voted for "Goonies". Trustee Houle agreed that it would be a great movie to reach multiple age groups. Trustee Alley stated that it would be a great way to test the waters with this idea and August 11th is a great night to hold it since there would be a corn-hole tournament, a clown and 4 different food trucks lined up as well. It isn't a street fair but Mayor Dwyer added that the food vendors would be staying through the movie to sell food. Mayor Dwyer suggested looking into a vendor that also sold popcorn and Trustee Alley stated that they have a vendor that will sell it. On a motion by Trustee Alley, seconded by Trustee Conklin it was:

RESOLVED, the Board of Trustees accepted the request of the Village of Monroe Activities Committee and approved the addition to show a movie immediately following the August 11, 2018 summer concert, beginning at approximately at 8:30 PM and concluding at approximately 11:00PM. The concert will be shown at the north side of Lake Street between the Mill Ponds, and the equipment and movie rental, as well as additional Police Services, is estimated to cost \$585.00. Marshall & Sterling Insurance, the Monroe PD, Monroe Fire District and Monroe Volunteer Ambulance Corp will be copied on the response letter.

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

DISCUSSION – WATER INFRASTRUCTURE IMPROVEMENT ACT (WIIA) GRANT:

Mayor Dwyer stated that one of the Village's consultants, Delaware Engineering, has made the Village aware of a large grant opportunity that they may be able to participate in. Mayor Dwyer stated that it requires a decent amount of work on their part, as well as financing, possibly some bond work that the Village would have to do. Mayor Dwyer continued that the Village has focused in on a couple of major areas that they know need their attention. The first one is the transmission line from Mombasha Lake to the water plant, and the second is the main line replacement in the network distribution of treated water.

Delaware Engineering has put together some paperwork regarding it and the Village Attorney has done her due diligence as well. Attorney Terhune stated that she has another client who is also applying for this very grant although they are further along since they started the process back in March. The due date for the application is September 7th and it will be a hard push to get it done. Delaware Engineering will have to provide a report for the scope of work that needs to be done and the Village will have to determine from that how much money it will cost. Attorney Terhune stated that the grant will cover up to 60% and it's possible to go to some other environmental facilities or corporations for the remaining 40%. Attorney Terhune added that some part of it is matching but the first thing that the Board needs to do immediately is authorize the Mayor to proceed. In order to proceed, you immediately engage Delaware Engineering and a Bond Counsel. The Board will need to estimate how much it will cost to engage its consultants and Delaware Engineering has already provided an estimate as to what their cost may be, approximately \$10,000 - \$15,000. Attorney Terhune stated that she looked at what the municipality of Highland Falls estimated for Bond Counsel and they came up with \$15,000 - \$20,000. She added that these fees get reimbursed if the Village is awarded the grant. Delaware Engineering will run with the ball.

Attorney Terhune continued that if the Board chooses to proceed the other thing that they should look to do immediately is notice your intent to be lead agency and Delaware Engineering has already provided the long environmental form. Attorney Terhune added that in Highland Falls, it was determined that after the report was submitted that it was a type 2 action. We are not that far along here, so it is listed as unlisted action. Attorney Terhune continued to lay out the process that would follow should the Board choose to authorize the Mayor to proceed.

Trustee Conklin added that she spoke with Mary Beth Bianconi, Partner at Delaware Engineering, and stated that the transmission line has been a huge thing for both herself and Mayor Dwyer. She acknowledged that it seems like it is being rushed and that is not her intent. Trustee Conklin stated that she just wants to make sure they are doing everything that they can for that transmission line. She added that when speaking with Ms. Bianconi she clarified that should they bond a specific amount and then upon being awarded the grant realize that they really cannot afford the initial estimated amount, that the grant amount the Village is awarded can be adjusted and would still be a 60%, 40% split. Attorney Terhune stated that part of the urgency is one you publish your intent to be lead agency and that gets circulated, you cannot take any additional action for 30 days and you cannot apply for the grant without closing SEQRA so you cannot go out for bonding until SEQRA is closed. The driving issue is the 30 day issue with SEQRA. Attorney Terhune added that if they are not prepared to make a decision tonight, then they will have to hold a special meeting to pass the necessary resolutions.

Trustee Houle asked if the cost to Delaware Engineering is for the study to determine what project needs to be done. Trustee Conklin added that it also includes them handling all the administrative work and submittal of paperwork. Trustee Houle commented that she saw in the paperwork that the same grant would be available again next year and asked if the study that Delaware Engineering does now be utilized next year if they apply again. Attorney Terhune responded that she was not sure of the answer but that something could be changed and requires an update that would need to be included for an additional cost. She would anticipate that you couldn't pull something that is a year old and expect to use it. Trustee Houle stated that it is for something that is important and should be considered.

Trustee Conklin continued that it is something that is extremely important and the Village is fortunate because we have two transmission lines. Throughout the years we lost one, and her concern is that the Village could lose that one at any time. She shared her father's concerns with Mayor Dwyer regarding Mombasha Lake not holding water and he agreed that it is something that they need to take action on and stop kicking the can down the road.

Mayor Dwyer mentioned that he inquired with Counsel and Ms. Bianconi about holding a conference call to hash out any additional questions but he felt that the Board was in support of moving forward with the grant. Attorney Terhune asked Treasurer Murray if the Village had Bond Counsel and she responded that it did. Mayor Dwyer stated that he was sure that Delaware Engineering probably had a good amount of the information needed to move forward with applying for the grant and Trustee Conklin agreed that they had a very good understanding of the Village's water system. Mayor Dwyer added that he is still committed to doing a conference call and Trustee Conklin agreed. She does not want anyone to feel pushed into anything. The Board has to make the effort to get it resolved regardless of the method that is chosen. Trustee Conklin added that Ms. Bianconi stated that because of the time frame, they have about 24 hours to move on it. The Board decided to make the resolution to start the process and if they were not happy with the outcome of the conference call, they would hold a special meeting to rescind the resolution.

AUTHORIZING THE MAYOR TO SEEK A WATER INFRASTRUCTURE IMPROVEMENT GRANT UNDER THE NEW YORK STATE WATER INFRASTRUCTURE IMPROVEMENT ACT:

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

WHEREAS, the Village of Monroe in the County of Orange, New York (the "Village") has determined that it is in the public interest and will benefit the residents of the Village and the environment to construct certain improvements to the Village water system; and

WHEREAS, Delaware Engineering has determined that one of two raw water transmission lines is out of service due to leak areas in the distribution system that are comprised of asbestos cement water lines, instrumentation and controls are in need of upgrade and backup power is required to ensure continued operation of the water system in the event of a power loss among other upgrades and improvements; and

WHEREAS, the Village has recently expended over \$4 million in bonded capital improvements resulted in a burden to rate payers but the Village has identified the Water Infrastructure Improvement Act (WIIA) as an opportunity to secure 60% grant to support the additional needs of the water system to reduce further burden on rate payers; and

WHEREAS, the Village also has the opportunity to apply for NYS Environmental Facilities Corporation to finance the 40% not covered by the WIIA Grant; and

WHEREAS, the estimate of the cost to have Delaware Engineering support the Village's WIIA application submission would be \$10,000 to 15,000 by preparing an engineering report in support of the Village's application; and

WHEREAS, the Village would also require assistance from Village Bond Counsel and the Village Attorney to prepare said application, which estimate of said cost is \$15,000 to \$20,000; and

WHEREAS, the Village desires to seek funding assistance to help decrease the amount of Bond monies used for the Village water system improvements.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to:

1. Prepare and submit a WIIA grant application with the assistance of the Village consultants, as needed; and
2. Execute a funding (grant) agreement with the New York State Environmental Facilities Corporation ("NYSEFC") and all necessary associated documents as required by NYSEFC; and
3. Obligate any and all Village funds necessary to meet any required local match under the WIIA program.

Ayes: Trustees Alley, Conklin, Behringer and Houle

Nays: None

WATER SYSTEM IMPROVEMENTS - SEQR CLASSIFICATION AND INTENT TO DECLARE LEAD AGENCY:

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

WHEREAS, the Village of Monroe owns and operates a water system that is comprised of a reservoir, raw water intake, two raw water transmission lines, water filtration plant, water storage tanks and water distribution system; and,

WHEREAS, engineering study has identified that one of the two raw water transmission lines is presently out of service due to a leak, areas of the distribution system are comprised of asbestos cement water lines, instrumentation and controls are in need of upgrade and backup power is required to ensure continued operation of the water system in the event of a power loss among other upgrades and improvements; and,

WHEREAS, the Village has recently expended over \$4 million in bonded capital improvements resulted in a burden to rate payers but the Village has identified the Water Infrastructure Improvement Act (WIIA) as an opportunity to secure 60% grant to support the additional needs of the water system to reduce further burden on rate payers; and,

WHEREAS, the Village has conducted an initial review of the Water System Improvements as required under 6 NYCRR Part 617.6 to determine if the action is subject to the State Environmental Quality Review Act (SEQR) and to make a preliminary determination as to the Type of Action under SEQR; and,

WHEREAS, to assist in making determinations as to the Type of Action, the involvement of other agencies, and the establishment of Lead Agency, the Village has caused Part 1 of a Long Environmental Assessment Form (EAF) to be prepared; and,

WHEREAS, the Long EAF indicates that the project does not appear to meet any thresholds for Type I or Type II Actions;

NOW THEREFORE, BE IT RESOLVED:

- 1. The funding and construction of improvements to the Village water system is subject to the State Environmental Quality Review Act under 6 NYCRR Part 617.2(b).**
- 2. The Water System Improvements do not appear to meet any threshold established in 6 NYCRR Part 617.4 of Part 617.5 (Type I and Type II Actions); therefore the Action is preliminarily determined to be Unlisted.**
- 3. As outlined in the Long EAF, more than one agency will be involved in the funding, permitting and approval of this Unlisted Action and the Village intends to seek WIIA and possibly SRF financing for the project; therefore, a Coordinated Review shall be conducted in conformance with 6 NYCRR Part 617.6(b)(3).**
- 4. The Village of Monroe Board of Trustees hereby declares its intent act as the Lead Agency for conducting the required SEQR review.**
- 5. As required in 6 NYCRR Part 617.6(b)(3)(i), the Village Board shall cause copies of this resolution, a project location map, and Part 1 of the Long EAF to be circulated to the other identified Involved Agencies with a letter requesting agreement on a Lead Agency for the Water System Improvements within 30 days of the date the information is transmitted.**
- 6. If no other Involved Agency indicates a desire to act as Lead Agency for the project within 30 days of the date of mailing the circulation package, the Village of Monroe Village Board is deemed Lead Agency for the environmental review of the Water System Improvements Project.**
- 7. This resolution shall take effect immediately.**

Ayes: Trustees Alley, Conklin, Behringer and Houle

Nays: None

AUTHORIZATION TO ENTER INTO AGREEMENT WITH NELSON, POPE & VOORHIS, LLC / SENIOR HOUSING STUDY IN THE VILLAGE OF MONROE:

Mayor Dwyer stated that the Board had asked a consulting firm, Nelson, Pope & Voorhis LLC, to do a preliminary analysis for additional opportunities in the way of senior housing in the Village of Monroe. The firm presented a narrative to the Board of Trustees regarding the firm's abilities and what they have done in neighboring communities.

Mayor Dwyer continued that the firm will seek to examine its recently adopted Zoning Chapter in order to determine whether the Village can incorporate specialized senior housing land use options into Chapter 200, Zoning, of the code of the Village of Monroe. The consulting firm identified four components that they will work directly with Village Board on. Those components are: 1. Discuss with the Board the objectives to be achieved by pursuing senior housing options 2. Review the recently amended Comprehensive Plan to determine whether any options would require an amendment or local law revision to accomplish the senior housing objectives 3. Review the recently enacted and revised zoning chapter and develop options to achieve the Board's intent and develop a zoning amendment to achieve the objective 4. Conduct the requisite SEQRA analysis of any proposed zoning amendment.

Mayor Dwyer stated that the cost to the Village of Monroe to utilize Nelson, Pope & Voohres LLC to conduct the preliminary analysis is \$4,465.00. Mayor Dwyer stated that the Board has spoken about where this could apply and where the opportunity could be and asked the Board to consider it an authorize him to engage the firm to do this work. Trustee Houle asked if he wanted the authorization this evening and Mayor Dwyer stated it would be nice unless the Board felt they needed more time to review the proposal. Mayor Dwyer added that he would like to engage their services because there is a need in the community for senior housing, and as they discussed earlier, things in government just crawl and he would like to get this moving. Trustee Behringer agreed with Mayor Dwyer that there is a great need for this in the Village. On a motion by Trustee Houle, seconded by Trustee Alley, it was:

RESOLVED, the Board of Trustees authorized Mayor Dwyer to enter into a contract with consulting firm Nelson, Pope & Voorhis, LLC to examine its recently amended and adopted Comprehensive Plan and Chapter 200, Zoning, to determine whether the Village of Monroe can incorporate specialized senior housing land use options into Chapter 200, Zoning, of the Code of the Village of Monroe. The contract cost of the analysis for senior housing opportunities is \$4,465.00.

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

MAYOR'S REPORT:

Mayor Dwyer had nothing to report at this time.

Attorney Terhune stated that she would provide the Board with an update on pending litigation during Executive Session.

PUBLIC COMMENT: # PRESENT 8 TIME: 8:40 PM

Resident John Karl asked if the senior housing that the Board spoke of earlier was market driven, affordable or both and Mayor Dwyer stated that he believed it would be a combination of both, and both he and Attorney Terhune added that it would be answered once the study was concluded. Attorney Terhune also added that there would also be a public hearing on the topic at some point.

Resident Jason Czerwinski stated that he also liked "Goonies" as the movie selection for movie night on August 11th.

Mr. Czerwinski continued by stating that the right hand turn coming out of the new Cumberland Street on to Freeland Street. He understands that the need to give it some time and let things play out before making any changes. He suggested to the Board that they make as many informal observations that they can make and make some kind of statement back to the Planning Board. Mr. Czerwinski stated that he himself has had a couple of close calls there.

Mr. Czerwinski also commented on the deer situation in his neighborhood of Maple Knolls. He stated that he spoke with Chief Conklin and was advised that it was a DEC problem, and the DEC state that it is a Chief problem. He feels that he is getting the run around and he's sure something else could be done.

Trustee Conklin stated that as a bus driver she has experienced issues herself on Freeland Street, and trying to get in to Cumberland Farms to get gas is a nightmare. She too has seen many close calls as well. Trustee Conklin continued that in regards to the deer, she wishes there was a better

answer. She understands that there is a problem and even if the Village put up signs, people will still do what they want to do. There is no place for the deer to go.

Trustee Behringer stated that she lives in that neighborhood and at any time there are 10 to 15 deer at once out in people's yards. Trustee Houle questioned if the DEC had any literature on how harmful it is to the deer to be fed. Mr. Czerwinski stated that they did on their website and Trustee Houle suggested getting some and distributing it and posting it on the Village's website.

Chief Conklin interrupted and added that unless you have proof that it is happening, the DEC will issue a ticket. Trustee Houle stated that they would have to be seen doing it to be caught and issued a summons but perhaps if the Village to distribute some literature on it, on how it is a disservice to the deer and a health issue, that may deter people from doing it. Mr. Czerwinski stated that anything the Board could do would be helpful.

EXECUTIVE SESSION:

On a motion by Trustee Houle, seconded by Trustee Conklin, with all in favor, the meeting was closed at 8:45PM. Following a 5-minute recess, the Board convened in Executive Session for discussion of Personnel.

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 10:10 PM.

ADJOURNMENT:

On a motion by Trustee Alley, seconded by Trustee Behringer and carried, no further business, the meeting was adjourned at 10:11 PM.

Respectfully Submitted,

Ann-Margret Baxter
Village Clerk

MONTHLY REPORTS:

Trustee Houle questioned the unit of measure used on the Water Department report in regards to the Reservoir level. Trustee Conklin stated that Water Plant Operator Mabee was not present at the meeting due to a water main break, but that she would get it clarified and report back to the Board. Trustee Conklin continued that while she was not 100% sure, she believed it to be inches, not feet.

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

JUNE 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 June 5th and June 19th.
2. Permits issued: Handicap Parking: 8 Garage Sale: 11 Solicitor/Peddling: 0 Road Opening: 0 Blasting Permit: 0 Liquor License: 0
3. Processed 1 FOIL Request.
4. Closed out mailing machine for month on 7/2.
5. Trained new P/T Water Billing Control Clerk.
6. Processed 3 event applications.
7. Bi-Weekly payroll worksheets completed and submitted.
8. Collected May 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.(24 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.

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

REGULAR MAINTENANCE / VILLAGE IMPROVEMENTS:

1. Mowed the Park four times.
2. Garbage removal in Park and Village four times.
3. Brush Clean up / Storm Damage - two days.
4. Put out 428 tons of blacktop on Village Streets.
5. Repaired two stop signs.
6. Replaced three stop signs and two street signs.
7. Sweeper used two times in the Village.
8. Repaired ten Catch Basins.
9. Weed Harvester used for fifteen days.
10. Cut brush from and around signs for two days.

JUNE 2018 JUSTICE COURT REPORT:

Total Fines: \$23,434.00 Total Surcharges: \$7,631.00 Total Parking: \$2,545.00
Total Civil Fees: \$1,872.00 Bail Poundage Collected: \$265.50 Total Bail Forfeited: \$850.00
Total for June: \$36,597.50

Vehicle & Traffic Tickets: 229 Disposed: 264
New Criminal Cases: 46 Disposed: 73 Civil Cases: 3 Disposed: 5
Paid Parking Tickets: 82 Dismissed Traffic Tickets: 29

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

Production: Lake Mombasha 29,739,895 Gallons / 26,737,572 Gallons LY 2017
Well #4: 4,815,326 Gallons / 4,572,259 Gallons LY 2017

Consumption: 34,555,221 Gallons / 31,309,831 Gallons LY 2017
Water Samples / Testing: OK
Rainfall: 2.04
Reservoir: -4

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
Solitude Here to Treat Lake
Painted Oil Tank at Plant as per DEC CBS
Rotated Chemical Pumps at the Plant
Adjusted PRV on High Street
Rebuilt CL17 Analyzer at Filter Plant
Repaired Leaking 8 inch Line Valve on O'Sullivan

JUNE 2018 POLICE DEPARTMENT REPORT SUBMITTED BY DAVID CONKLIN, CHIEF:

CALLS FOR SERVICE

TOTAL CALLS – 1,720
NON CRIMINAL OFFENSE – 0
CRIMINAL OFFENSE – 169
ARRESTS – 37

TRAFFIC REPORT

TRAFFIC TICKETS – 211
PARKING TICKETS – 199
DWI/DWAI – 0
GAS – \$1,785.36/820G
MVA – 39

OVERTIME/HOURS

TRAINING

Active Shooter Train/Trainer-Conklin, Amatetti, Guzman
Stop Stick Training – Lee, Tenaglia
Range - Department

MVA ACCIDENT REPORT

FOIL REQUESTS

JUNE 2018 TREASURER’S REPORT SUBMITTED BY CATHERINE MURRAY:

Treasurer's Report Village of Monroe June 2018
--

SIGNIFICANT ACTIVITY (REVENUES)

Bank interest	4,137
Rental of Real Property	14,932
Building Permits	11,375
Insurance Recovery (Water Fund)	9,840

SIGNIFICANT ACTIVITY (EXPENDITURES)

Celebrations General Expense	15,750
Radio Reads (Water Fund)	6,864
EFC Bond Interest (Water Fund)	5,943

Liability Insurance - General Fund	100,009
- Water Fund	57,611
	157,620

Health Insurance - General Fund	113,648
- Water Fund	15,417
	129,065

Worker's Compensation - General Fund	47,000
- Water Fund	6,904
	53,904

STATUS OF FY2019 CONTINGENCY ACCOUNTS

CURRENT BALANCE

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

COMMENTS:

We have completed 1 month of the fiscal year and expenses should be at 8.3%. The expenses are at 4.2% for the General Fund and 10.2% for the Water Fund.

Respectfully submitted,
Catherine Murray
Treasurer

JUNE 2018 BUILDING DEPARTMENT AS SUBMITTED BY ASSISTANT BUILDING INSPECTOR PROULX:

Building Permits Issued:	39
Rental Inspections Completed:	21
Title Searches Completed:	25
Violations Issued:	12
Building Permit Inspections performed:	134
C.O's Issued:	29
Complaint Inspections:	21
Fire Inspections	2
Open, active building permits	225
FOIL Requests	0
Building Permit Fees:	\$ 5,976.00
Rental Permit Fees:	450.00
Flood Permit Fees:	0.00
Fire Inspection Fees:	0.00
Title Search Fees	<u>4,075.00</u>
Total Fees Collected	\$10,501.00

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
2 Court Appearances
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