

**PUBLIC HEARING 2.1.22 – 7:00 PM**  
**INTRODUCTORY LOCAL LAW #1 OF 2022**  
**“TO OVERRIDE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW, SECTION 3-C”**

A Public Hearing was held on Tuesday February 1, 2022 in the boardroom of the Village Hall, 7 Stage Road, Monroe, NY at 7:00 PM to review a proposed Local Law entitled To Override Tax Levy Limit Established by General Municipal Law Section 3-c.” The purpose of this local law is to allow the Village of Monroe to adopt a budget for the fiscal year commencing June 1, 2022 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law, Section 3-c.

**Present: Mayor Dwyer, Trustees Alley, Behringer and Karl**  
**Also present: Attorney Terhune and Deputy Clerk Zahra**

On a motion by Trustee Alley, seconded by Trustee Behringer, and carried, the public hearing was opened at 7:00 PM.

There were 3 people from the public present for the public hearing. There was no written correspondence received. The public hearing was left open for 5 minutes.

With no further comments or questions, on a motion by Trustee Karl, seconded by Trustee Behringer and carried, the public hearing was closed at 7:05 PM.

**BOARD OF TRUSTEES MEETING**  
**TUESDAY, FEBRUARY 1, 2022**  
**([www.villageofmonroe.org](http://www.villageofmonroe.org))**

The first of the bi-monthly meetings of the Board of Trustees was held on Tuesday, February 1, 2022 at 7:00 PM in the Boardroom of the Village Hall, 7 Stage Road, Monroe, New York. Mayor Neil S. Dwyer called the meeting to order and led in the pledge to the flag. Emergency exits were announced.

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

**MINUTE APPROVAL – JANUARY 18, 2022 BOARD MEETING:**

On a motion by Trustee Behringer seconded by Trustee Karl, the Minutes of the January 18, 2022 Board Meeting were approved.

**Ayes: Trustees Alley, Behringer and Karl**  
**Nays: None**

**MINUTE APPROVAL – MAY 4, 2021 BOARD MEETING:**

On a motion by Trustee Karl seconded by Trustee Behringer, the Minutes of the May 4, 2021 Board Meeting were approved.

**Ayes: Trustees Alley, Behringer and Karl**  
**Nays: None**

**RESIDENCY REQUIREMENT – VILLAGE ELECTION INSPECTORS / POLLING WORKERS / MACHINE OPERATORS:**

As a general rule, Public Officers Law § 3 requires all public officers be residents of the municipality that they serve. However, Village Law § 3-300(2)(a) authorizes a village board of trustees to pass a resolution dispensing the residency requirement for appointed village officers so that such appointed officers may reside within a county in which the village is wholly or partially situated. Accordingly, the village election inspectors must reside within the village, unless the board of trustees adopts a provision expanding the residency requirements to encompass the county within which the village is located. Once such a provision is adopted, the election inspectors may reside outside of the village, so long as they reside within the county in which the village is situated.

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

**RESOLVED**, the Board of Trustees authorize election inspectors, polling workers, and machine operators to reside outside of the Village of Monroe, as long as they reside in Orange County.

**Ayes:** Trustees Alley, Behringer, and Karl

**Nays:** None

**ADOPTION OF LOCAL LAW #1 OF 2022 – TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW, SECTION 3-C:**

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

**WHEREAS**, the Village Board of the Village of Monroe, New York (“Village Board”) duly noticed a public hearing held on February 1, 2022; and

**WHEREAS**, the Village Board solicited public comment during said public hearing on February 1, 2022; and

**WHEREAS**, the purpose of this Local Law is to authorize the Village Board to override the limit on the amount of real property taxes that may be levied by the Village and to further allow the Village Board to adopt a budget for the fiscal year commencing on June 1, 2022 that requires a real property tax levy in excess of the tax levy limit in accordance with General Municipal Law § 3-C.

**NOW, THEREFORE, BE IT RESOLVED** that:

1. The above “WHEREAS” paragraphs are incorporated herein by reference.
2. The Local Law Authorizing A Property Tax Levy In Excess of The Limit Established in General Municipal Law § 3-C as attached hereto as Schedule “A” be and hereby is adopted as Local Law No. 1 of 2022 of the Village of Monroe on February 1, 2022.
3. The Village Board hereby directs the Village Clerk to take all steps to process and file said Local Law.
4. This Resolution shall be effective immediately.

**Ayes:** Trustees Alley, Behringer and Karl

**Nays:** None

**LOCAL LAW No. 1 of 2022  
Village of Monroe, County of Orange  
A LOCAL LAW  
TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY  
GENERAL MUNICIPAL LAW, SECTION 3-C.**

**Section 1. Legislative Intent**

It is the intent of this Local Law to allow the Village of Monroe to adopt a budget for the fiscal year commencing June 1, 2022 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law, Section 3-c.

**Section 2. Authority**

This Local Law is adopted pursuant to subdivision 5 of General Municipal Law, Section 3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by vote of sixty percent (60%) of said governing body.

**Section 3. Tax Levy Limit Override**

The Board of Trustees of the Village of Monroe, County of Orange, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2022 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law, Section 3- c.

**Section 4. Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgement shall not affect, impair, or invalidate the remainder of this Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgement or order shall be rendered.

#### **Section 5. Effective Date**

This Local Law shall take effect immediately upon filing with the Secretary of State.

#### **REQUEST TO PURCHASE - HIGHWAY DEPARTMENT / POLICE DEPT - CANDO DIAGNOSTIC SCANNER:**

Highway HEO Larry Giudice has put in a request to purchase a CANDO HDPRO III, an all-in-one, do-it-all scanning diagnostic tool covering Class 4-8 commercial vehicles and off-highway machinery. Larry has also requested a diagnostic tool for the Police Department vehicles, the CANDO C-PRO. Three quotes were provided. One from Elder Tool Sales, 104 Hobart Ave, Short Hills, NJ 07078 in the amount of \$4,070.00, another from JB Tools, 31720 Plymouth Road, Livonia, MI 48150 in the amount of \$4,019.98, and Pro Tool Inc., 110 North Church St, Goshen, NY 10924 in the amount of \$3,994.00. Elder Tool Sales offer includes all adapters, two years free updates, and two years Motor FleetCross for the CANDO HDPRO III and the CANDO C-PRO includes one year of N/C updates.

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

**RESOLVED**, the Board of Trustees approve the request of Highway HEO Larry Giudice to purchase one CANDO #HDPRO III from Elder Tool Sales, 104 Hobart Avenue, Short Hills, NJ 07078. The amount of \$3,475.00 will be allocated from budget line A.5110.4650, St. Maint., and one CANDO C-PRO in the amount of \$595.00 to be allocated from budget line A.3120.453 Auto Maint.

Ayes: Trustees Alley, Behringer and Karl

Nays: None

#### **AUTHORIZATION FOR AT&T INSTALLATION TO EXISTING CELL TOWER ON BALD HILL 12/28/21 - CONTINUED:**

(minutes 1/4/22)

The Building Department received a permit application prepared by Airosmith Development for AT&T equipment upgrades to an existing cell tower located on Bald Hill. As part of the Building Department requirements, the property owner must consent to the work before signing off on the permit application. Since Bald Hill is owned by the Village of Monroe, the Village Board must consent to the work and authorize Mayor Dwyer to sign the permit application. The description of the project consists of swapping out new 48V rectifiers and 24V converters in the cabinets as well as swap in (3) new equipment cabinets for (6) existing cabinets. Jim Deloria, our Telecommunication Consultant, has reviewed the application and has recommended approving it.

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

**RESOLVED**, the Board of Trustees consent to the alterations needed to the existing cell tower located on Bald Hill and authorizes Mayor Dwyer to sign off on the Building Department permit application.

Ayes: Trustees Alley, Behringer and Karl

Nays: None

#### **AUTHORIZATION FOR CROWN CASTLE CELL TOWER EQUIPMENT UPDATE – 8/19/20 – CONTINUED:**

(minutes 9/1/20, 9/22/20, 10/6/20, 10/20/20, 11/17/20)

The Building Department has received a permit application by Crown Castle for an equipment update to an existing cell tower located on Bald Hill. As part of the Building Department requirements, the property owner must consent to the work before signing off on the permit application. Since Bald Hill is owned by the Village of Monroe, the Village Board must consent to the work and authorize Mayor Dwyer

to sign the permit application. The description of the project consists of moving the height of the existing telecommunication antennas from 110' to 125', install three (3) antennas, install one (1) Hybrid cable and install three (3) RRU's. Jim Deloria, our Telecommunication Consultant, has reviewed the application and has recommended approving it.

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

**RESOLVED**, the Board of Trustees consent to the alterations needed to the existing cell tower located on Bald Hill and authorizes Mayor Dwyer to sign off on the Building Department permit application.

**Ayes:** Trustees Alley, Behringer and Karl

**Nays:** None

**AUTHORIZATION FOR DISH WIRELESS LLC EQUIPMENT INSTALLATION TO EXISTING CELL TOWER ON BALD HILL - 9/14/21 - CONTINUED:**

(minutes 9/21/21)

The Building Department has received a permit application from DISH Wireless LLC to add equipment to an existing cell tower located on Bald Hill. As part of the Building Department requirements, the property owner must consent to the work before the work can begin and consent is given by the property owner signing off on the permit application. Since Bald Hill is owned by the Village of Monroe, the Village Board must consent to the work and authorize the Mayor to sign the permit application. The description of the project includes the addition of three (3) antennas, hybrid cables and DISH Wireless LLC will also have a 5' X 7' foot lease area with one (1) cabinet. Jim Deloria, our Telecommunication Consultant, has reviewed the application and has recommended approving it.

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

**RESOLVED**, the Board of Trustees consent to the alterations needed to the existing cell tower located on Bald Hill and authorizes Mayor Dwyer to sign off on the Building Department permit application.

**Ayes:** Trustees Alley, Behringer and Karl

**Nays:** None

**AUTHORIZATION TO SIGN - 2022 INDEPENDENCE DAY – LEGION FIREWORKS:**

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

**RESOLVED**, the Board of Trustees approve a contract with Legion Fireworks, Co., 10 Legion Lane, Wappingers Falls, NY 12590, for furnishing and conducting a firework display on Friday, July 1, 2022 (rain date of Saturday, July 2, 2022) in the amount \$15,000. (15% Deposit of \$2,250 due at signing of contract. \$12,750 due immediately following the display. It is further:

**RESOLVED**, Mayor Dwyer is authorized to sign the contract agreement with Legion Fireworks.

**Ayes:** Trustees Alley, Behringer and Karl

**Nays:** None

**APPOINTMENT - P/T POLICE OFFICER / SCHOOL RESOURCE OFFICER – DOUGLAS M. KRAUSS:**

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

**RESOLVED**, the Board of Trustees accepts the recommendation of Chief Guzman and appoint Douglas M. Krauss to the position of part-time Police Officer, at an hourly rate of \$34.85 per hour, effective February 2, 2022, pending his approval from Orange County Human Resources and the required physical and drug screening. This appointment is a result of the agreement between the Village of Monroe and the Monroe Woodbury Central School District to provide an SRO program (School Resource Officer) in the schools that are within the Village's geographical bounds. Mr. Krauss is a retired Administrative Sergeant for the Monroe Police Department. Once appointed, Mr. Krauss will attend the "school resource officer training."

**Ayes:** Trustees Alley, Behringer and Karl

**Nays:** None

**CONSTRUCTION COST ESTIMATE – 41 STILL RD – THE Q (TM# 221-1-13, 14 & 15):**

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

**RESOLVED**, the Board of Trustees accepts the recommendation of the Planning Board’s engineer, John O’Rourke, P.E. of Lanc & Tully Engineering, and approves the estimated construction costs for 41 Still Road, The Q project which includes the merger of 3 tax lots for the construction of 72 multifamily units, maximum 144-bedroom multifamily development, within 4 two-story buildings located on a single 10-acre property at the terminus of Stephen Lane in the UR-M Zone in the Village of Monroe, in the amount of \$985,300.00. Engineer O’Rourke stated that he was satisfied that the amount is sufficient to cover the cost of the improvements as required by the Village of Monroe Zoning Code Regulations.

**Ayes:** Trustees Alley, Behringer and Karl

**Nays:** None

**AUTHORIZATION TO SIGN 2022 ACE TENT AMUSEMENT CORP AGREEMENT / VILLAGE OF MONROE 2022 CARNIVAL 7/28 – 7/31/22:**

The Board of Trustees has been presented with a contract from Ace Tent Amusement Corp., 59 W. Moreland Drive Yonkers, NY 10704, for the Village’s annual 2022 Carnival. The dates of the event are Thursday, July 28, 2022 through Sunday, July 31, 2022. The agreement states that there will be 14-16 rides furnished by Ace Tent Amusement, with ticket prices ranging as follows: \$1.25 per ticket, 20 tickets for \$20.00, 45 tickets for \$40.00, \$25.00 per band per night for unlimited rides. Ace Tent Amusement will supply 100 posters promoting the event as well as 3 banners printed with information provided by the committee. Additionally, there will be \$100.00 per game donated to the Village of Monroe and Ace Tent Amusement will supply the Village of Monroe with 40% of gross receipts. Ace Tent Amusements also will include the following food trailers: cotton candy, ice cream (sweet trailer), funnel cake and zeppoles, hot dogs, hamburgers and sausage and peppers. Ace Tent Amusements will also provide a \$5 million insurance policy naming Village of Monroe as additionally insured as well as a copy of proof of workman’s compensation. Ace Tent Amusements will also provide 4 portosans and 1 ADA compliant portosan, as well as contribute \$4,600.00 towards security for the event.

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

**RESOLVED**, the Board of Trustees approves the 2022 contract and agreement provided by Ace Tent Amusements for the annual Village of Monroe Carnival to be held in Crane Park July 28, 2022 through July 31, 2022. Mayor Dwyer is authorized to sign the contract.

**Ayes:** Trustees Alley, Behringer and Karl

**Nays:** None

**INTRODUCTION TO LOCAL LAW #2 OF 2022 – MODIFYING CHAPTER 145 – NOISE & SCHEDULE PUBLIC HEARING:**

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

**BE IT RESOLVED** that an introductory Local Law, titled “A LOCAL LAW MODIFYING CHAPTER 145 OF THE VILLAGE CODE “NOISE,” is hereby is 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 7:00 PM on February 15, 2022; 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 five (5) days prior thereto.

**Ayes:** Trustees Alley, Behringer and Karl

**Nays:** None

**APPOINTMENT ELECTION FIELD TECHNICIAN:**

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

**RESOLVED**, the Boards of Trustees engage the services of County Certified Voting Machine Field Technician Meghan Frost, 4 Montauk Road, Monroe, NY 10950 at the compensation of \$20/hour to assist with the Village's March 15, 2022 Village Election.

**Ayes:** Trustees Alley, Behringer and Karl

**Nays:** None

**PAYMENT AUTHORIZATION – ARGENIO BROS., LAKE STREET REHABILITATION PROJECT:**

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

**RESOLVED**, the Board of Trustees accept the recommendation of Village Engineer, Creighton Manning, and approve the partial Payment No. 2 submitted by Argenio Bros., 2 Agenio Drive, New Windsor, NY 12553, for the Lake Street Rehabilitation Project in the amount of \$264,597.97.

As a requirement of this payment, the Village required receipt of the Surety's consent of a payment in the amount of \$264,597.97 (\$414,597.97 – \$150,000.00). All documentation has been reviewed and found complete including Arch Insurance Company's approval of the partial payment. Mayor Dwyer is hereby authorized to sign the voucher for payment.

**Ayes:** Trustees Alley, Behringer and Karl

**Nays:** None

**MAYOR & TRUSTEE'S REPORT:**

Trustee Alley expressed concerns on plowing snow into the streets and unclear walkways to bus stops. Trustee Behringer took a ride through a newer neighborhood and noticed sidewalks are not done. Not all residents are aware of our snow ordinance. A notice was sent out to all residents including the ordinance with their water bill. Trustee Karl has noticed the same issue in his neighborhood. The residents need to be made aware that it is their responsibility to keep their sidewalks clear of snow and ice.

Trustee Karl also discussed the dead trees in and around Crane Park. Across from Monroe Farm there is an issue with a dead tree limb hanging into another limb over top of the blacktop walking paths. That tree is on state ROW. There are also three dead trees across from the M & T Bank that should be addressed. Mayor Dwyer, along with the Deputy Clerk will draft a letter to NYS DOT noticing them of a dangerous tree situation.

Trustee Karl also wanted to remind the Board and the public that there will be an Open House at the Town of Monroe on Monday, February 28, 2022 at 6:00PM to provide information for new residents in the Town and Villages.

**ATTORNEY'S REPORT:**

Nothing to report.

**PUBLIC COMMENT:** **# PRESENT 3** **TIME: 08:05 PM**

Lorraine Loening stated she is looking forward to the Public Hearing for Modifying Chapter 145 of the Village Code, Noise. She will have her comments ready.

**EXECUTIVE SESSION:**

On a motion by Trustee Behringer, seconded by Trustee Alley, and carried, following a 5-minute recess, the Board convened in Executive Session at 8:10 PM for discussion of personnel.

**OPEN SESSION:** on a motion by Trustee Alley, seconded by Mayor Dwyer and carried, the Open Meeting resumed at 9:52 PM.

**ADJOURNMENT:**

**On a motion by Trustee Behringer, seconded by Trustee Karl and carried, no further business, the meeting was adjourned at 10:03 PM.**

**Respectfully Submitted,**

**Kimberly Zahra  
Deputy Clerk**