

**VILLAGE OF MONROE  
BOARD OF TRUSTEES MEETING  
TUESDAY, NOVEMBER 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, November 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 Behringer, Ferraro, Karl, and O'Connor  
**Also present:** Attorney Terhune and Clerk Zahra

**PRESENTATION – 208 BUSINESS CENTER – TRAFFIC SIMULATION:**

Ken Wersted, Creighton Manning, presented a traffic simulation for review with the new traffic pattern proposed for the Route 208 Business Center project. The simulation included three videos of the proposed triangle redesign for the weekday AM, weekday PM, and Saturday midday peak hour. The model shows the proposed two-way flow on the Route 208 slip ramp, a realignment of North Main Street to the north of Schunnemunk Street, new traffic signals at Gilbert Street Extension and at the sight driveway intersection with North Main and how the traffic signals will operate in conjunction with one another. Concerns from the Board were expressed for the volume of in and out traffic in this area. To hear further discussion on this traffic simulation, please refer to the video / audio of this meeting.

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

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

**Ayes:** Trustees Behringer, Ferraro, Karl and O'Connor  
**Nays:** None

**CERTIFICATION OF UNPAID VILLAGE TAXES:**

Resolved, the “Unpaid Village Tax Return” was certified by the Board of Trustees and submitted to Orange County Department of Finance in the amount of \$271,018.54.

On a motion by Trustee Behringer, seconded by Trustee Karl

**Ayes:** Trustees Behringer, Ferraro, Karl and O'Connor  
**Nays:** None

**CERTIFICATION OF UNPAID VILLAGE TAX RETURN:**

The “Unpaid Tax Return” was certified by the Board and submitted to the Orange County Department of Finance in the amount of \$271,018.54. (2021- \$192,723.49)

**COMPLIMENTARY HOLIDAY PARKING IN THE METERED CENTRAL BUSINESS DISTRICT:**

**RESOLVED**, the Board of trustees declared “Complimentary Holiday Parking” from December 1, 2022 through January 2, 2023 in the Central Business District of the Village.

On a motion by Trustee Karl, seconded by Trustee Ferraro

**Ayes:** Trustees Behringer, Ferraro, Karl and O'Connor  
**Nays:** None

**CONTINUED DISCUSSION – ONE STAGE ROAD PARKING ISSUES:**

(Minutes 10/20/20, 1/4/2022, 3/14/2022, 5/17/2022, 6/21/2022)

This matter has been tabled. Isac Karpfen and Eli Salcer, property owners, along with Attorney John Furst were in attendance. A plan is still being modified to get rid of the encroachment, by Larry Torro, Engineer for the 1 Stage Road property. Trustee Karl asked if they could get a start on the removal of the hedges so that the parking spaces could be pushed up. Mayor Dwyer says drainage is an issue and the Village would help out once the infrastructure was in. An idea for a long-term parking permit was also discussed to help with some of the parking issues.

**CONTINUED DISCUSSION: MORATORIUM HARDSHIP WAIVER REQUEST – 208 BUSINESS CENTER, LLC – SBL: 201-3-3, 201-3-4, 201-3-7, 201-3-8:**  
(Minutes 8/16/22, 10/18/2022)

A request has been submitted by Whiteman, Osterman, & Hanna LLP for a moratorium hardship waiver for the 208 Business Center, LLC including SBL's: 201-3-3, 201-3-4, 201-3-7, and 201-3-8. Whiteman, Osterman, & Hanna LLP represent 208 Business Center, LLC who has an interest in the property located at 401 and 403 State Route 208, and 23 Gilbert Street (collectively 201-3-3, 201-3-4, 201-3-7, and 201-3-8). The applicant is seeking site plan approval from the Village of Monroe Planning Board to construct approximately 47,500 SF commercial building on the Project Site with related off-street parking and infrastructure. The Project will include approximately 72,500 SF of floor area devoted to commercial and retail uses. The Project Site is in the General Business "GB" zoning district in the Village of Monroe, where the proposed commercial and retail building is permitted with site plan approval from the Planning Board without any area variances.

On June 21, 2022, the Village of Monroe Board of Trustees adopted Introductory Local Law Moratorium on Development Approvals, which prohibits the Planning Board from approving the Project while the Village Board considers amendments to the Village of Monroe Zoning Code. On behalf of the Applicant, they request that the Village Board grant a hardship waiver pursuant to Section 4 of the Moratorium and allow the Planning Board to continue its review of the pending site plan application. This matter was tabled for further review.

The Village Planning Board held a meeting on September 27, 2022, to discuss the merits of the application and prepare a recommendation to the Village Board.

This has been tabled until the November 1, 2022 meeting to give the Board time to review the memo from the Planning Board along with Planning Board minutes. Ken, a traffic consultant for the project, explained the traffic pattern created for this project. Mayor Dwyer asked in a traffic simulation could be made and shared. Ken said he would make one and present it at the first meeting in November. Attorney Terhune will create a framework for discussion.

This matter has been tabled for Attorney Terhune to create a resolution granting the waiver with conditions for the November 15, 2022 meeting. Attorney Terhune wanted the Board to understand that, ultimately, the Planning Board approves, not approves, or approves with conditions for this application sooner or later. The Village Board has received and reviewed the Planning Board decision to grant the waiver. However, the Planning Board did refute some of the allegations made. Attorney Terhune noted for the record to the applicant and the public, some comments in the letter application the Village Board received regarding apparent or seeming bad faith is not true. Attorney Terhune also noted for the record, this Board clearly believes a greenlight cannot be given for operation until all traffic mitigation is completed.

**EVENT APPLICATION – SACRED HEART CHURCH ROSARY PROCESSION FEAST OF OUR LADY OF GUADALUPE (12/12/2022):**

Sacred Heart Church submitted an event application for their annual Rosary Procession in honor of the Feast of Our Lady of Guadalupe for Monday, December 12, 2022 beginning at 3:30 PM, contingent on their approval of the NYS DOT 33-B permit. The purpose of this event is to reach the spiritual needs of the parish community in both English and Spanish. The following roads will be used: beginning at the Chapel on Stage Road, left onto Route 17M, right on to Still Road, finishing at Sacred Heart Church. Sign-off has been completed by the Building Department, and the Highway and Police Departments. The Police Department will provide police officers to escort the event participants from Stage Road to Still Road. All necessary insurance documents have been submitted. Rev. David Rider has requested the application fee be waived since this is a Roman Catholic Church and have tax exempt status as a not for profit institution.

**RESOLVED**, the Board of Trustees approved the request of Sacred Heart Church for their annual rosary in honor of the Feast of Our Lady of Guadalupe on Monday, December 12, 2022 beginning at 3:30PM.

On a motion by Trustee Ferraro, seconded by Trustee Behringer

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor  
Nays: None

**RESOLVED**, the Board of Trustees approves the waiver of the \$50.00 application fee.

On a motion by Trustee Karl, seconded by Trustee O'Connor

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor  
Nays: None

**N.Y.S. STOP DWI HIGH VISIBILITY ENGAGEMENT CAMPAIGN – MUNICIPAL AGREEMENT  
NOVEMBER 1, 2022 THROUGH SEPTEMBER 30, 2023:**

RESOLVED, the Board of Trustees accepts the grant award through the New York State STOP DWI High Visibility Engagement Campaign (formerly the N.Y.S. STOP DWI contract). The grant covers the period of November 1, 2022 through September 30, 2023 in a sum not to exceed \$2,545.00.

On a motion by Trustee Behringer seconded by Trustee Ferraro

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor  
Nays: None

It is further: RESOLVED, the Board of Trustees approves an agreement with the County of Orange that authorizes the Monroe Police Department to participate in the N.Y.S. STOP DWI High Visibility Engagement Campaign service period for enforcement details to support the following enforcement campaign periods for 2022/2023:

Thanksgiving: November 23, 2022 through and including November 27, 2022  
Holiday Season (National): December 14, 2022 through and including January 1, 2023  
Super Bowl: February 10, 2023 through and including February 13, 2023  
St. Patrick's Day: March 16, 2023 through and including March 19, 2023  
Memorial Day Holiday Weekend: May 26, 2023 through and including May 30, 2023  
July Fourth: July 1, 2023 through and including July 5, 2023  
Labor Day (National): August 18, 2023 through and including September 4, 2023

Each campaign coincides with New York State and national campaign efforts.

On a motion by Trustee Behringer, seconded by Trustee Karl

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor  
Nays: None

It is further: RESOLVED, Mayor Dwyer is authorized to sign the Inter-Municipal Agreement as required.

On a motion by Trustee Behringer seconded by Trustee Karl

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor  
Nays: None

**RESIGNATION – DPW – M. HIPSMAN:**

RESOLVED, the Board of Trustees accepts the resignation of Heavy Equipment Operator, Michael Hipsman, with the Department of Public Works effective November 8, 2022. The Board of Trustees wish Mike well in his future endeavors.

On a motion by Trustee Karl, seconded by Trustee O'Connor

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor  
Nays: None

**CONTINUED DISCUSSION - DEVO & ASSOCIATES LLC – FLOWBIRD / DOWNTOWN PARKING SOLUTIONS:**

(Minutes 1/4/2022)

On January 4, 2022, a presentation of the parking kiosk was presented. A sample kiosk for parking meter purposes was brought into the boardroom for Board members to see. The kiosk is solar powered with a 4 to 5-year battery life. Nine units would be needed based on current meter locations. Coin could be used to pay the meter or the Flowbird app on your phone. Your license plate number would be input into the kiosk and you would pay by coin, credit card or the Flowbird app on your phone. The Enforcement Officer would have access to information by the plate number. Green light is paid and still good, red light means the time has expired and a ticket could be issued. The rate charged per hour is decided upon by the Village. You would have the capability to add additional time with the Flowbird app or by adding additional payment at the kiosk. The receipt paper is the responsibility of the Village to

replenish. There are 4200 tickets in a roll of receipt paper. If we should have snow, it is recommended to clean the tops of the kiosk for solar purposes.

**RESOLVED**, the Board of Trustees authorizes Mayor Dwyer to sign the agreement with DEVO & Associates LLC for nine (9) Flowbird Metered Parking Kiosks to be placed in the downtown business district in the amount of \$71,388.00 to be allocated from the Construction of Downtown Improvements Bond.

On a motion by Trustee Karl, seconded by Trustee O'Connor

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor

Nays: None

**INTER-MUNICIPAL AGREEMENT – VILLAGE OF MONROE & VILLAGE OF FLORIDA – WEEDO BOAT:**

**RESOLVED**, the Board of Trustees hereby authorize Mayor Dwyer to execute an IMA (Inter-Municipal Agreement) with the Village of Florida for the purposes of use of the WEEDO boat at a cost of \$1,100.00 per day and the WEEDO boat will remain at Glenmere Lake during this time rather than being brought back and forth to Monroe. The Village of Monroe will supply to the Village of Florida a weeder together with an employee to weed Glenmere Lake for a term not to exceed 30 days beginning December 1, 2022. This agreement is contingent upon approval from WEEDO for use of this equipment this time of year and in the colder temperatures.

On a motion by Trustee Behringer, seconded by Trustee Ferraro

Ayes: Trustees Behringer, Ferraro, and O'Connor

Nays: Trustee Karl

**BOND ACCEPTANCE – DREDGING IMPROVEMENTS IN THE SOUTH POND IN MILL POND PARK:**

Trustee Behringer offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF MONROE, NEW YORK, ADOPTED NOVEMBER 1, 2022, AUTHORIZING DREDGING IMPROVEMENTS IN THE SOUTH POND IN MILL POND PARK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,400,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, INCLUDING THE EXPENDITURE OF \$565,000 IN GRANT FUNDS TO PAY A PART OF SAID APPROPRIATION; AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$835,000 TO FINANCE THE BALANCE OF SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF MONROE, IN THE COUNTY OF ORANGE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Monroe, in the County of Orange, New York (herein called the "Village"), is hereby authorized to undertake dredging improvements in the south pond in Mill Pond Park. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,400,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the expenditure of \$565,000 in grant funds expected to be received from DASNY to pay a part of said appropriation, the issuance of bonds of the Village in the principal amount of \$835,000 to finance the balance of

said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Any grant funds received or any other funds appropriated by the Village for the project are authorized to be applied to the cost of said project and the principal amount of bonds or notes issued shall be reduced by the amount of such other funds so appropriated and expended.

Section 2. Bonds of the Village in the principal amount of \$835,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance a part of said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the objects or purposes for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 22(c) of the Law, is five (5) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said

bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately, and the Village Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "*Times Herald Record*," a newspaper having a general circulation in the Village and hereby designated the official newspaper of said Village for such publication.

The adoption of the foregoing resolution was seconded by Trustee Karl and duly put to a vote on roll call, which resulted as follows:

Ayes: Mayor Dwyer, Trustees Behringer, Ferraro, Karl and O'Connor  
Nays: None

The resolution was declared adopted.

**BOND ACCEPTANCE -- CONSTRUCTION OF DOWNTOWN IMPROVEMENTS:**

Trustee Ferraro offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF MONROE, NEW YORK, ADOPTED NOVEMBER 1, 2022, AUTHORIZING THE CONSTRUCTION OF DOWNTOWN IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$150,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$150,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF MONROE, IN THE COUNTY OF ORANGE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Monroe, in the County of Orange, New York (herein called the "Village"), is hereby authorized to construct downtown improvements, including but not limited to, planters,

light fixtures and directional signage. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$150,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of not to exceed \$150,000 bonds of the Village to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$150,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the objects or purposes for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 35 of the Law, is five (5) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said

bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately, and the Village Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "*Times Herald Record*," a newspaper having a general circulation in the Village and hereby designated the official newspaper of said Village for such publication.

The adoption of the foregoing resolution was seconded by Trustee Behringer and duly put to a vote on roll call, which resulted as follows:

Ayes: Mayor Dwyer, Trustees Behringer, Ferraro, Karl and O'Connor  
Nays: None

The resolution was declared adopted.

**MAYOR & TRUSTEE'S REPORT:**

Trustee Karl questioned the status of the dumpster on the sidewalk of Carpenter Place. Mayor Dwyer stated that he has been in contact with the owner of the property and that a certified letter was sent to him to remove the dumpster from the sidewalk. Trustee Karl wanted to make sure that the Board and the public are aware that the reservoir is 24 inches down. Due to the drought conditions, hydrant flushing will be put off. Trustee Karl also commented on the condition of Spring Street from the Orange & Rockland gas main installation. Mayor Dwyer has been in contact with Orange & Rockland about the poor conditions. Trustee Karl commented about the seven (7) commercial vans parking on North Main Street and the disaster it is creating. These trucks are blocking the school zone sign. School buses have also been parking at night in Windgate Woods on the streets. Trustee Karl was happy to say the water main project was finishing up the last connection today for the High Street / Owen Drive project. Trustee Karl commented on the Trunk or Treat hosted by the Chamber and that they have outgrown the space at Town Hall. He would like to see all organizations pool together for one large event and have the location be on Millpond Parkway or the big field in Crane Park. He will talk to the Chamber to try and circle a date in for next year.

Trustee Behringer proudly made everyone aware of the Triple A Gold Award for Traffic Safety, the Monroe Police Department was rewarded.

**ATTORNEY'S REPORT:**

Nothing to report.

**PUBLIC COMMENT:** # PRESENT 1 TIME: 9:05PM

Timothy Mitts informed the Board that he just came from a meeting at Town of Blooming Grove approving his Santa event on Saturday, December 3, 2022. He has a glitch he is hoping to work out with



the required \$5 million insurance policy for NYSDOT.

**EXECUTIVE SESSION:**

On a motion by Trustee Behringer, seconded by Trustee Karl, and carried, following a 5-minute recess, the Board convened in Executive Session at 9:07 PM for discussion of Attorney Client.

**OPEN SESSION:**

On a motion by Trustee Behringer, seconded by Trustee Ferraro, and carried, the Open Meeting resumed at 10:25 PM.

**ADJOURNMENT:**

On a motion by Trustee Behringer, seconded by Trustee Ferraro, and carried, no further business, the meeting was adjourned at 10:25 PM.

Respectfully Submitted,

Kimberly Zahra  
Village Clerk