

**DUE PROCESS HEARING 11.15.22 – 7:00PM
CODE VIOLATIONS AGAINST THE VILLAGE OF MONROE'S PROPERTY
MAINTENANCE LAW**

A Due Process Hearing was held on Tuesday, November 15, 2022 at 7:00PM in the Boardroom of the Village Hall, 7 Stage Road, Monroe, NY. The hearing was held to review the violation issued by the Village of Monroe Building Department on the following property within the Village of Monroe: 120 North Main Street (TM# 204-2-11), as per Village Code Article 1, Section 155A-6E, Failure to Control Trash and Rubbish.

Present: Mayor Dwyer, Trustees Behringer, Ferraro, Karl and O'Connor
Also present: Attorney Terhune and Clerk Zahra

On a motion by Trustee Karl, seconded by Trustee O'Connor, and carried, the hearing was opened at 7:40PM.

The reason for the "due process" hearing is that only the owner of the property that has been issued this violation is allowed to speak. No public comment is allowed. No one appeared to speak on behalf of the property owner.

**VILLAGE OF MONROE BOARD OF TRUSTEES RESOLUTION CONCERNING
VIOLATION OF PROPERTY MAINTENANCE:**

Property Location: 120 North Main Street / SBL# 204-2-11 / Monroe, NY 10950

As per Village Code Article 1, Section 155A-6E, Failure to Control Trash and Rubbish, all land must be kept free of dead dying trees and accumulations of brush, shrubs, weeds, grass, stumps, roots, excessive and / or noxious growths, garbage, refuse or debris which would either tend to start a fire or increase the intensity of a fire already started or cause poisoning or irritation to people or animals or cause or tend to cause or enhance an unhealthy or dangerous or obnoxious condition on said property or on any adjacent or neighboring property. Enforcement Officer Pace observed uncontained and uncontrolled garbage, trash, rubbish and debris around, near and behind both the dumpster and shed/garage areas at the rear of the property on 9-6-22. The owner was first provided on 9-6-22 with information regarding this "violation" via text message with photos concerning the conditions related to this violation around, near and behind both the dumpster and shed/garage areas. The owner was sent a violation with a notice to remedy no later than November 9, 2022. There has been failure to remedy.

WHEREAS, long standing violations of the Village's Property Maintenance Law, Chapter 155A-6E of the Village of Monroe Code, have existed at 120 North Main Street, Village of Monroe, 10950, designated as Tax Map No. SBL 204-2-11; and

WHEREAS, the property owner has been given proper and lawful notice of said violation and have been directed to correct the violation; and

WHEREAS, the property owner was given due notice of a due-process hearing to be held by the Board of Trustees on November 15, 2022, at 7:00PM; and

WHEREAS, the owner did not appear; and

WHEREAS, the owner has not taken steps to correct the violation, and the violation still exists; and

WHEREAS, the Board of Trustees is authorized pursuant to Section 155-A8 of the Property Maintenance Law to authorize that the Village undertake to remedy such violation at the property owner's cost and expense.

BE IT FURTHER RESOLVED, that the Village Clerk mail a certified copy of this resolution be mailed to the property owner via certified mail.

BE IT FURTHER RESOLVED, any violation that remains uncorrected on the property as

of today, November 15, 2022, the Board of Trustees hereby authorizes the Village, its contractors or agents to enter upon the property to correct the aforesaid violation and that all costs incurred by the Village, including administrative, legal and corrective costs, be charged to the property owner and such charge shall be added to the tax bill of the property owner if not paid with thirty (30) days of notification to the last known address of the property owner as shown on the Village tax records.

On a motion by Trustee Behringer, seconded by Trustee Karl

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

**VILLAGE OF MONROE
 BOARD OF TRUSTEES MEETING
 Tuesday, November 15, 2022
 (www.villageofmonroe.org)**

The meeting of the Board of Trustees was held on Tuesday, November 15, 2022 at 7:00 PM in the Boardroom of the Village Hall, 7 Stage Road, Monroe, New York. Mayor Neil Dwyer called the meeting to order and led in the pledge to the flag. Emergency exits were announced.

Present: Mayor Dwyer, Trustees Behringer, Ferraro, Karl and O'Connor
 Also present: Attorney Terhune and Clerk Zahra

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 8:20 PM for discussion of advice of Counsel.

OPEN SESSION:

On a motion by Trustee Karl, seconded by Trustee Ferraro and carried, the Open Meeting resumed at 7:15 PM.

MINUTE APPROVAL: NOVEMBER 1, 2022 BOARD MEETING:

On a motion by Trustee Karl seconded by Trustee O'Connor, the Minutes of the November 1, 2022 Board Meeting were approved.

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

BUDGETARY TRANSFERS / MODIFICATIONS:

From:	Description	To:	Description	Amount	
A.9950.980	Transfers Bldg Insp Equip	A.3620.230	Bldg Insp Motor Vehicles	10,000.00	Re auto purchase end of lease
Budget Modifications					
A.2260	Police Services	A.3120.135	PD OT/Grants	1,991.67	Raise Revenue/Expense lines re grant
A.2665	Sales of Equipment	A.3120.250	PD Other Equipment	973.72	Raise Revenue/Expense lines re equipment sold
A.4389	Other Public Safety	A.3120.412	PD Uniforms	437.80	Raise Revenue/Expense lines re protective vest reimbursement

This topic was tabled until the next meeting so that Sale of Equipment, A.2665 could be explained in further detail.

INTRO TO LOCAL LAW #10 OF 2022 – ESTABLISHING THE VILLAGE OF MONROE CODE ENFORCEMENT PROGRAM & SET PUBLIC HEARING:

BE IT RESOLVED that an introductory Local Law, titled "Establishing the Village of Monroe Code Enforcement Program" is hereby introduced by Mayor Dwyer before the Board of Trustees of the Village of Monroe, County of Orange, State of New York; and

BE IT FURTHER RESLOVED 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 7:00PM on December 6, 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 ten (10) days prior thereto.

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

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

Nays: None

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, 11/01/2022)

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.

**GRANT OF LIMITED WAIVER FROM LAND DEVELOPMENT MORATORIUM TO
208 BUSINESS CENTER, LLC**

WHEREAS, on June 21, 2022, the Village Board of Trustees (the “Board”) adopted a local law imposing a moratorium on the acceptance of new and review of submitted land use development applications before the Village Planning Board and Village Zoning Board to maintain land use status quo while the Village amended its comprehensive plan and land use regulations; and

WHEREAS, the moratorium suspended all activity of the Village Planning and Zoning Boards subject to certain enumerated exceptions; and

WHEREAS, in order to prevent an unlawful taking of property and to prevent irreparable harm, the local law authorized the Village Board to grant limited relief from the moratorium upon written application therefor, provided however, that the applicant for said waiver proved by clear and convincing evidence, including credible dollars and cents proof, that the applicant could not make any reasonable use of its property with any of the uses permitted in the relevant zoning district; that the moratorium caused irreparable injury to the applicant; and that it would be unreasonable and unjust not to grant relief from the moratorium; and

WHEREAS, such relief, if granted, is limited to the minimum necessary and, furthermore, the Village Board is authorized to impose conditions on any relief granted; and

WHEREAS, on July 21, 2022, 208 Business Center, LLC (the “Applicant”) requested a waiver from the moratorium in order to continue prosecuting its application before the Village Planning Board for site plan approval to construct a commercial building with approximately 72,500 square feet of commercial and retail uses, which uses are permitted in the General Business (“GB”) zoning district (the “Project”); and

WHEREAS, the Applicant claimed that it submitted an application to the Planning Board in December 2018, which approval procedure would have allegedly been complete before the moratorium but for delay by the Planning Board; and

WHEREAS, the Applicant claimed that it has invested \$5,561,946.10 into the Project including the cost of purchasing the property, paying for its consultants as well as Planning Board expert review, and, in addition, that, if approved, the Applicant will spend approximately \$2,000,000 in traffic mitigation necessitated by Project; and

WHEREAS, the Applicant also alleged that “much of these investments in the Project were made as a direct result of delay on behalf of the Planning Board”; and

WHEREAS, the Applicant also alleged in its request for a waiver that the Village Board exhibited “bad faith” by adopting the moratorium without an exemption for the Project; and

WHEREAS, on August 25, 2022, the Board referred the Applicant’s request for a waiver to the Planning Board for a report and recommendation seeking the status of the site plan application before the moratorium was enacted, the work done to-date, the work remaining, and whether the Planning Board had a recommendation as to whether the waiver should be granted and if granted, whether any specific conditions should be attached thereto; and

WHEREAS, by letter dated October 3, 2022, the Planning Board responded with comments, appended minutes, and a recommendation that a waiver be granted, which letter and minutes are made a part of this Resolution as if set forth herein at length.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees makes the following findings:

FIRST: The Board refutes any claim that the moratorium was adopted in “bad faith,” or for any reason other than to maintain the status quo while the Village considers changes to its 2017

comprehensive plan, which was developed beginning in 2012, and potential modifications to its zoning law to address new or changed circumstances. The Village Board takes its statutory authority to regulate the land within its borders for the health, safety and benefit of all of its residents as a serious duty, perhaps the most serious duty conferred upon it by its constituents, and will not shirk that duty when confronted by unfounded allegations of nefarious intent or thinly veiled threats of litigation.

SECOND: The Board rejects the Applicant's allegation that the Planning Board delayed review of its application. After close review of the procedural history outlined in the October 3, 2022, Planning Board letter and the associated minutes appended thereto, it is apparent that the Planning Board reviewed all submissions in a timely manner and that delay, if any, was due to discrepancies in or modifications to the Applicant's plan, one such modification leading to a Zoning Board appeal,¹ lengthy interactions with the DOT, and the COVID shut-down.

THIRD: The Board understands that the Applicant has invested a considerable amount of money in the Project, including purchasing the property at issue, but finds that the Village is neither responsible for the Applicant's decision to acquire property nor required to grant a moratorium waiver merely because the developer has chosen to seek discretionary land use approvals before the Village Planning and Zoning Boards. Land use approvals are discretionary and, if issued, the result of a comprehensive review process that ensures compliance with the Village zoning law, state law and, thus, assures an orderly development of the Village. All property owners, including the Applicant, benefit from orderly development.

FOURTH: No credible evidence has been presented to support the Applicant's claim that it "cannot now utilize the Project Site for any other use permitted in the GB zoning district and realize a return on its investment." Emphasis added. Indeed, that is not the test applied by the moratorium, which is that "the applicant [can] not make any reasonable use of its property with any of the uses permitted in the relevant zoning district." Here, the use proposed is allowed in the GB zoning district, as are other uses, and whether the developer realizes a return on his investment is not a consideration for waiver. However, the Board generally approves of the project as presented to the Planning Board and believes that if the project is built with the proposed traffic improvements made necessary by the project, it will benefit the Village.

FIFTH: The Board rejects the Applicant's statement that site plan approval must be coincident with review of the project pursuant to the State Environmental Quality Review Act ("SEQR"). SEQR may progress and be closed during the moratorium without a waiver. A waiver would be required only if SEQR is closed before the moratorium is lifted and the Planning Board is prepared to render its decision. While the Board understands the Applicant's argument that the site plan public hearing should be held in conjunction with the SEQR public hearing, the Board reminds the Applicant that hearings are optional under SEQR.² Even so, the Planning Board held a public scoping session, which was closed on March 23, 2021. No other public hearing for SEQR need be done.

SIXTH: The Board has reviewed the recommendation of the Village Planning Board and accepts its reasoning for recommending that the waiver be granted. Specifically, the Planning Board noted the status of the review, including SEQR, and the benefit of the proposed traffic improvements. However, as noted in the Board's THIRD comment, developer acquisition cost and the cost of seeking land use approvals are not considerations when determining whether a waiver should be granted. Rather, the proper consideration is whether the applicant can make any reasonable use of its property without the waiver. Here, the Board finds that the question of whether the Applicant can make use of the property without the waiver is relevant only as to the Project plan itself, which, according to the Village's traffic consultant, is not viable without the proposed traffic modifications.

SEVENTH: The Board finds that commercial development along the Route 208 commercial corridor will enhance the tax base of the Village to a greater degree than residential development and with less impact to Village municipal resources such as water and sewer, and with no impact to the school system. Moreover, the residents who participated in the Comprehensive Plan workshop identified over-development, specifically residential

¹ Decided in the Applicant's favor.

² 6 NYCRR 617.9(a)(4). The lead agency decides whether a public hearing is required.

overdevelopment, as one of the key issues that should be addressed during the Comprehensive Plan review. Residents were also concerned about traffic congestion. Therefore, the Board determines that granting a waiver for this commercial project is reasonable because it includes beneficial traffic mitigation and does not overburden existing Village resources.

EIGHTH: The Board finds that the proposed traffic modifications associated with the Project are highly advantageous to the Village, as noted by the Planning Board and by the Village’s traffic consulting firm, Kimley Horn, which traffic comments are appended hereto and made a part of this Resolution as if set forth herein at length. The Board also finds that the lengthy interaction between the Applicant, the Planning Board and the NYS DOT, which resulted in the DOT’s agreement with the proposed modifications to the Route 208 corridor. A delay could jeopardize further necessary DOT action,

BE IT FURTHER RESOLVED, that the Village of Monroe Board of Trustees hereby finds it reasonable to grant a waiver from the moratorium to 208 Business Center, LLC in order to continue its application before the Village Planning Board for site plan approval to construct an approximately 47,500 SF commercial building with a total of 72,500 SF of commercial and retail uses in the General Business “GB” zoning district, subject to the following conditions:

1. The proposed traffic mitigation plan for the Route 208 corridor will relieve traffic connection at the “triangle” intersection and greatly benefit the flow of traffic into and out of the Village. Therefore, this waiver is subject to the requirement that Planning Board approval, if granted, shall be conditioned on the construction of the traffic mitigation measures approved by the DOT and the Planning Board.
2. The Applicant shall be responsible to fund the entire cost of constructing said traffic mitigation measures.
3. The Applicant shall provide to the Village a letter of credit for the full cost of the proposed traffic mitigation measures approved by the DOT and Planning Board.
4. Planning Board approval, if granted, shall be conditioned on the execution of a developer’s agreement between the Village and the Applicant setting forth the construction sequencing related to the development of the site and the required public improvements, inspections thereof, offers of dedication, and any other items deemed appropriate by the Planning Board and Village Board.

BE IT FURTHER RESOLVED, that this waiver shall be deemed null and void in the absence of acceptance of the conditions contained herein by the Applicant as evidenced by the signature below of an officer of 208 Business Center, LLC. with the authority to bind the company.

BE IT FURTHER RESOLVED, that the conditions contained herein upon which the Board of Trustees granted this waiver shall survive the lifting of the moratorium and shall be binding upon the Applicant’s successors and assigns.

On a motion by Trustee Behringer, seconded by Trustee Ferraro, the Mayor declared the Resolution adopted on a roll call vote of 5 ayes and 0 nays. The Village Clerk shall certify filing upon the Applicant’s signature agreeing to the conditions set forth herein.

Mayor Dwyer	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay
Trustee Behringer	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay
Trustee Karl	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay
Trustee Ferraro	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay
Trustee O’Connor	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay

Dated: November 15, 2022

REQUEST OF ELECTRICAL INSPECTOR APPOINTMENT – SULLIVAN COUNTY ELECTRICAL INSPECTION AGENCY LLC:

The Building Department received a request from Sullivan County Electrical Inspection Agency LLC to be appointed as an approved Electrical Inspection Agency for the Village of Monroe. Pursuant to Village Code Chapter 94, the Village Board appoints electrical inspectors to perform third-party electrical inspections of all electrical installations within the Village of Monroe. Sullivan County Electrical Inspection Agency LLC has provided copies of their documentation for the Board to review. The Building Department makes no recommendation one way or another as long as the insurance is in order.

RESOLVED, the Board of Trustees approves the request of Sullivan County Electrical Inspection Agency LLC and appoints them to the approved list of third-party electrical inspectors for electrical inspections within the Village of Monroe.

On a motion by Trustee Ferraro, seconded by Trustee Behringer

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

EVENT APPLICATION – WINTER FESTIVAL 2022:

RESOLVED, the Board of Trustees approves the event application submitted by Mayor Dwyer to hold the 2022 Winter Festival, an outdoor community gathering with music, activities, sleigh rides, Santa and Mrs. Claus. The event will be held on Saturday, December 10, 2022 from 2PM to 5PM on Lake Street. Approval and sign-off have been done by the DPW, Building Department, and the Police Department. The Monroe Police will provide three (3) police officers on four (4) hours of overtime to assist with road closures and security at the event. The estimated cost of additional police services is \$822.00. The Village's insurance carrier, Marshall & Sterling will be notified.

On a motion by Trustee Behringer, seconded by Trustee Karl

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

DISCUSSION- MUSEUM VILLAGE LEAF REMOVAL:

Paul Campanella, Board Chair, from Museum Village is asking the Village for help with leaf removal. Boy Scout Troop 540 was always very helpful with the leaf removal. Unfortunately, most boys have aged out or have relocated. Museum Village would benefit greatly if the Village could direct some resources, a leaf vacuuming truck and crew, to assist with leaf removal. A volunteer from Museum Village would mow and move the leaves into piles along the paved section of the green, so it would be easily accessible to get the leaves. This would need to be done before 10AM or after 2PM weekdays. Trustee Karl wanted to make sure that the Village leaves are the priority before picking the Museum Village leaves up.

RESOLVED, the Board of Trustees accepts the request from Museum Village assisting them with leaf removal. DPW will send the leaf truck with a crew to pick up leaves before 10AM or after 2PM weekdays.

On a motion by Trustee Behringer, seconded by Trustee Ferraro

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

PAYMENT AUTHORIZATION – FINAL PAYMENT – REGAL UTILITY SERVICES – HIGH STREET / OWEN DRIVE WATERLINE REPLACEMENT:

Trustee Karl commented there are only two streets left in the Village with transite pipe (asbestos cement), Forshee Street and Calvin Terrace.

RESOLVED, the Board of Trustees accepts the recommendation of the Village Engineer, Lanc & Tully, and authorizes Mayor Dwyer to sign the voucher for the final payment submitted by Regal Utility Services, 731 Warwick Turnpike, Hewitt, NJ 07421, for the High Street / Owen Drive Waterline Replacement Project in the amount of \$173,214.87.

On a motion by Trustee Karl, seconded by Trustee Behringer

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

PAYMENT AUTHORIZATION – GMC CONSTRUCTION – CONCRETE CURB INSTALLATION:

Mayor Dwyer stated that all curbing and backfill is done, now the restoration of the street is next. Trustee Karl asked if payment for this project was coming out of the fiscal budget for this year. Mayor Dwyer replied yes.

RESOLVED, the Board of Trustees authorizes Mayor Dwyer to sign the voucher for payment to GMC Construction, PO Box 307, New Hampton, NY 10958, for the concrete curb installation in the Compact Homes Subdivision (Upper High Street area), in the amount of \$161,310.00.

On a motion by Trustee Behringer, seconded by Trustee Karl

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

BUILDING DEPARTMENT - REFUND REQUEST – MUNICIPAL SEARCHES – 220-5-10 & 220-5-11 – ORCHARD TERRACE:

RESOLVED, the Board of Trustees approves the refund request from Hudson Search LLC, 21 Robert Pitt Drive, Suite 210, Monsey NY 10952, in the amount of \$300.00 for two cancelled title searches, which were not processed by the Building Department, for the property located on Orchard Terrace, 220-5-10 and 220-5-11.

On a motion by Trustee Ferraro, seconded by Trustee Karl

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

MAYOR & TRUSTEE'S REPORT:

Nothing to report.

ATTORNEY'S REPORT:

Nothing to report.

PUBLIC COMMENT: # PRESENT 13 TIME: 7:50PM

Michelle Hieronymi, 82 Winchester, expressed her concerns with her neighborhood, Whitman Estates. See the attached.

Arnold Tooma, 86 Winchester Drive, expressed his concerns with his neighborhood, Whitman Estates. See the attached.

Jim Senning, 7 Whitman Place, located in Whitman Estates, expressed his concerns with his neighborhood. An event taking place at 83 Winchester Drive on November 4, 5, & 6, 2022, disrupted his neighborhood. The event created cars being parked up and down both sides of Whitman Place and Winchester Drive causing an uproar. How does a home being used for religious purposes get approved? He realizes the neighborhood is dramatically

changing and gets along with many of his new neighbors. He has seen speeding school buses and school buses rolling through stop signs. He commented on overnight parking and that it takes too long for police to arrive to address the issue, by the time they arrive, the cars are gone.

Attorney Terhune stated that practicing religion in your home is not against the law as per New York State Law. The moratorium is reviewing zoning, so parking on streets will be something that could be addressed.

Mayor Dwyer made the residents of Whitman Estates aware that the Board and Police Department are working on and addressing issues expressed tonight, as we speak. He also said if you see something, say something. Call if you see a possible violation, so that it can be addressed promptly. This goes not just for this neighborhood, but the whole Village. It would be helpful and greatly appreciated.

The Police Department provided statistics for Winchester Drive from 11/07/2021 to 11/07/2022:

- 2 Parking complaints received (including today's incident)
- 5 Parking tickets issued
- 2 Speeding complaints
- 4 Radar details conducted (average time of details – 30 minutes)
- 3 Traffic tickets issued
- 10 School Bus Safety Details Conducted (details ensure compliance of NYS Laws by both operator of bus and motorists)
- No motor vehicle accidents reported on Winchester during this time period.

EXECUTIVE SESSION:

On a motion by Trustee Karl, seconded by Trustee Behringer, and carried, following a 5-minute recess, the Board convened in Executive Session at 8:25 PM for discussion of personnel.

OPEN SESSION:

On a motion by Trustee Ferraro, seconded by Trustee Behringer and carried, the Open Meeting resumed at 9:35 PM.

SPEAKERS FOR DOWNTOWN LIGHT POSTS:

RESOLVED, the Board of Trustees approves the purchase of speakers for the downtown light posts.

On a motion by Trustee Ferraro, seconded by Trustee Behringer

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

ADJOURNMENT:

On a motion by Trustee Ferraro, seconded by Trustee Behringer and carried, no further business, the meeting was adjourned at 9:50 PM.

MONTHLY REPORTS:

OCTOBER 2022 VILLAGE CLERK'S REPORT SUBMITTED BY KIMBERLY ZAHRA, VILLAGE CLERK:

1. Minutes prepared, processed associated correspondence and Legal Notices completed for the October 4th and October 18th Board of Trustee's Meeting.
2. Permits issued: Handicap Parking: 19 Garage Sale: 9 Solicitor/Peddling: 0
Road Opening: 1 Blasting Permit: 0 Liquor License: 1 Towing Permits: 0

3. Processed 3 Event Application.
4. Public Hearings Held: 1
5. Bi-Weekly payroll worksheets completed and submitted.
6. Collected August water rents.
7. Required paperwork filed with O.C. Department of Human Resources.
8. Processed FOIL requests.
9. Oversee updates and maintenance, of Village Website and Constant Contact. (30 sent)
10. Daily retrieval of messages left during the day and after hours. Forwarded messages and responded as required.
11. Vouchers completed as required. Transmittal of money collected completed and bank deposits done.
12. Scan and email pertinent information to Board and Attorney.
13. Collected 2022/2023 Village Tax Bills.
14. Vouchered and mailed lawn maintenance violation invoices.
15. Processed new employee paperwork.
16. Prepared 1 proclamation.
17. Supporting and continued training of part-time Water Billing Control Clerk.
18. Server migration completed.
19. Assisted Water Billing Control Clerk with water billing.
20. Teams Meeting - update with Grants Call Center (10/28).

OCTOBER 2022 JUSTICE COURT REPORT:

Total Fines: \$34,056.00.00 Total Surcharges: \$9,193.00 Total Parking: \$885.00
 Total Civil Fees: \$2,765.00 Bail Poundage Collected: \$0.00 Total Bail Forfeited: \$500.00
Total for October: \$47,399.00

Vehicle & Traffic Tickets: 181 Disposed: 377
 Criminal Cases: 14 Disposed: 41 Civil Cases: 4 Disposed: 0
 Paid Parking Tickets: 27 Dismissed Traffic Tickets: 29

**OCTOBER 2022 POLICE DEPARTMENT REPORT SUBMITTED BY DARWIN
 GUZMAN, CHIEF:**

CALLS FOR SERVICE

TOTAL CALLS – 1,692
 CASES/CRIMINAL OFFENSE – 154
 ARRESTS – 40

TRAFFIC REPORT

TRAFFIC TICKETS – 177
 PARKING TICKETS – 54
 GAS – \$2,770.06 / 899G
 MVA's – 21

TRAINING

K9 – Berke
 Field Training – Munoz
 Less Lethal Trainer - Grosso
 Range - Department
 Below 100, OC Spray, Article 35, Legal UPD, Taser, Less Lethal – Department
 Supervisory Training – Gayler
 Digital Evidence - Farningham

**OCTOBER 2022 FILTRATION PLANT REPORT SUBMITTED BY ERNEST MABEE,
CHIEF OPERATOR:**

Production: Lake Mombasha: 26,979,796 29,789,936 Gallons LY 2021
 Well #4: 3,586,813 4,340,467 Gallons LY 2021

Consumption: 30,566,609 Gallons / 34,130,403 Gallons LY 2021
Water Samples / Testing: Passed
Rainfall: 4.16"
Reservoir: -24

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

Updated Diamond Maps

Painted Hydrants

Rich Winters here from Leak Detection

Serviced Check Valve at Van Keuren Pump Station

Replaced Gate Valve at Pine Tree Pump Station

Replaced Chlorine Line at Filter Plant

OCTOBER 2022 DPW SUBMITTED BY LARRY GIUDICE, WORKING LEADER:

1. Empty all garbage cans around Village and Ponds.
2. Start leaf pickup.
3. Sweep roads.
4. Stripe parking spots on Smithfield.
5. Clean catch basin tops.
6. Check and clean Village streams.
7. Install three (3) no parking signs on Timber Hills.
8. Move signs on Lake Street.
9. Install drainage on High Street, Crotty Court, and Cooper Drive.
10. Cut trees in park and Winchester Drive.
11. Pick up fallen tree limb on Calvin Terrace.
12. Cut brush back from signs and roads.
13. Mow park and Village green areas.
14. Dig out island on Crotty Court and pave.
15. Pave driveways at pump house on Winchester Drive.
16. Clean shop and yard.

**OCTOBER 2022 BUILDING DEPARTMENT AS SUBMITTED BY ASSISTANT
BUILDING INSPECTOR PROULX:**

Building Permits Issued:	22
Rental Inspections Completed:	15
Title Searches Completed:	20
Violations Issued:	30
Warnings Issued:	33
Building Permit Inspections Performed:	71
C.O's Issued:	18
Complaint Inspections:	102
Fire Inspections:	5
Open, active building permits:	433

FOIL Requests:	5
Building Permit Fees:	\$ 12,292.50
Rental Permit Fees:	700.00
Fire Inspection Fees:	475.00
Title Search Fees:	<u>1,950.00</u>
Total Collected Fees:	\$ 15,417.50

Monthly Assessor's Report
 Monthly report to FD for Solar
 Daily cash deposits to Clerk
 Bi Monthly mailing for expired permits
 Attendance at Planning Board Meetings, Village Board, and ZBA Meetings

MONROE FIRE DISTRICT OFFICERS 2022:

Commissioners: Thomas Sullivan – Chairman, Jason Kalter – Vice Chairman, John Centofanti, Pat Patterson, Tom Lowe
 Secretary: Kathleen Aherne
 Treasurer: Richard Goldstein
 Chief Rich Lenahan, 1st Ass't Chief Jon Dolch, 2nd Asst. Chief John Scherne

OCTOBER 2022 TREASURER'S REPORT SUBMITTED BY CATHERINE MURRAY:

Treasurer's Report Village of Monroe October 2022

SIGNIFICANT ACTIVITY (REVENUES)

Sales Tax	510,106
Bank interest	17,804
Building Permits	15,046

SIGNIFICANT ACTIVITY (EXPENDITURES)

Law Contractual	5,427
Law Contractual/ Other Atty	12,705
PD Gas & Oil Vehicle	6,817
PD Contractual	5,463
Bldg Insp Motor Vehicle	15,626
St Maint Asphalt	11,083
St Maint General Expense	5,121
St Maint Gas Car/Truck	10,875
St Maint Equipment Maintenance	10,839
Street Lighting Street	9,549
Parks Contractual	7,985
Serial Bonds DPW Principal & Interest	45,113
Purification Chemicals (water)	11,932
Distribution Contractual (water)	114,176
Serial Bonds DPW Principal & Interest (water)	45,113
Health Insurance - General Fund	134,474
- Water Fund	17,248
	<hr/>
	151,722

STATUS OF FY2023 CONTINGENCY ACCOUNTS

General Fund Appropriation -budgeted	\$101,775	CURRENT BALANCE
Water Fund Appropriation -budgeted	\$51,500	101,775
		51,500

COMMENTS:

We have completed 5 months of the fiscal year and expenses should be at 41.7%. The expenses are at 38.2% for the General Fund and 31.8% for the Water Fund inclusive of budget adjustments to be approved by the board.

Respectfully submitted,
Catherine Murray
Treasurer

MONTHLY REPORTS:

On a motion by Trustee Behringer, seconded by Trustee Karl, with all in favor, the department monthly reports were accepted and filed.

Respectfully submitted,

**Kimberly Zahra
Village Clerk**

Michelle Hieronymi 11/15/2022 Board of Trustees Meeting
82 Winchester

NEWLY PURCHASED 83 WINCHESTER DRIVE HAS BEEN CONVERTED TO A SHUL.

On Monday November 7th, local neighbors awakened to a massive amount of illegally parked cars, about 25-30, taking up both sides of Winchester and Whitman. They were blocking ADA access sidewalk areas, fire hydrants, stop signs and mail boxes. Some residents couldn't leave their driveways!

Larger trucks, delivery vans and landscape crews had difficulties resulting from these obstructions.

Law enforcement and the Mayor were immediately contacted and arrived to find VERY unhappy neighbors trying to "persuade" the violators to move their cars. It made a difference.

With pressure and persistence, we were successful in having every car removed, but unfortunately not one was ticketed. No other incidents occurred during the week.

Whitman Estates and surrounding communities are zoned RESIDENTIAL. Certain "changes" within our neighborhoods appear to challenge existing laws.

It seems when these questionable events occur, the local government chooses to ignore them until they produce mounds of frustration and resentment by the pre-existing population.

And it hasn't helped matters that over the last 2 years the police presence in our neighborhood has dwindled.

We don't want to hear excuses like "we're short staffed".

Our taxes are certainly high enough to allow for a sufficient amount of hirings to help protect and defend our freedoms and way of life.

This unfortunate and unacceptable absence of law enforcement produced non-public school bus drivers that speed through our streets and ignore our stop signs, from roughly 6am to 10pm, every day except Saturday.

Very young children are let to roam the streets alone, without adult supervision, making it, at times, a challenge to navigate Winchester Drive.

Many of us cringe as we back out of our driveways.

The weekends for many of us are a time of solice from a busy work week.

Weekend traffic and noise at 83 Winchester includes but is not limited to large chaotic and unsupervised groups of young boys, whose loud voices and disruptive screams disturb the peace of the surrounding neighborhood. This MUST be addressed by the board.

In conclusion, The Village has the responsibility to notify their

residents BEFORE a planned radical change takes place near their homestead.

I hope you heard our message loud and clear.

Now I have questions relating to 2 residentially zoned properties, located in the Village of Monroe:

- Was a permit applied for and granted to the Shūl at 83 Winchester Drive?
- Was a permit applied for and granted to 4 Forge Rd., a Ritual Bath, which is currently under construction?
- Airbnb's are not permitted in residential areas, but converting a single family dwelling into a “whatever” is?

11/15/2022 Board of Trustees Meeting

Hello everyone,

My name is Arnold Tooma, I live in Whitman Estates at 86 Winchester Drive for over 29 years and this is the first time I've had a need to attend one of these meetings, so please forgive me in advance if I fail to follow any standard protocols, it's not intentional.

My goal over the coming weeks and months or longer is to find out what's going on in the Village of Monroe. I'm here tonight not to point fingers or accuse anyone of wrong doing but only to look for answers or clarification to why this board, our police department, and zoning board is refusing to follow the letter of the law in some cases, and not act on unprecedented unchecked bad behavior when it comes to the activity being conducted and exhibited in my neighborhood and other parts of our Village.

Nothing I'm about to say here tonight you don't already know or are aware of for a long time now.

Let's get started:

1. Wires attached from house to house running across the Winchester Drive, this is very unsafe and concerning, what's running through these wires, sound, electricity, other? If these wires were to detach in bad weather or for some other reason they could cause harm to a person walking on the sidewalk or cause a car accident. These wires make me feel very unsafe and uncomfortable.
2. Poles and sticks attached to stop signs with wires running from the stop sign to houses, again this is very dangerous to walk under for reasons I have just mentioned.
3. Roadway or paved path going across a village easement, and from village territory to town territory. This path is now blocking the drainage easement in the back of my property which could lead to flooding on my property, this needs to be addressed and resolved immediately.
4. Speeding school buses and running stop signs all day and evening. If you want to know what a 45-foot, 20,000-pound school bus racing past your home doing 40 to 50 MPH in a 25 MPH speed limit at 9:00pm in the evening sounds like, come on over to one of our homes. Especially on a Sunday evening, Whitman Estates is no longer a quiet place to live.
5. The house next door to me at 88 Winchester Drive is an Airbnb or there is some kind of under the table rental agreements happening every weekend, nobody lives in the house during the week but a difference group of people from NYC show up each weekend. This is a fact since I've spoken to many of the renters over the past year and they all said they don't live here and are only renting for the weekend.
6. Bright backyard lights shining all night into other homes. Is there a Lumens limit, similar to the decibels limit you have mandated for sound? The backyard light at 88 Winchester drive is very bright and is primary used for people to walk on the illegal pathway that I mentioned earlier, which I reported and has been in place for over two years now.

7. What is your position and the current status on the requested road or paved path from Hill Top Road to Winchester Drive?
8. Let's shift gears and talk about parking in front of a US mailbox and in someone's driveway which happens often during the large overflow of cars visiting the new Shul, More on the new Shul in a minute! As per the Monroe Police Department, it's NOT illegal to park in someone's drive way as long as the home owner's car can squeeze out, Are you kidding me! is this the law? and it's also okay to park in front of Mailbox. Unfortunately the result of this parking practice is the Post Office will not deliver the mail if a car is blocking a mailbox. Why is this acceptable to this board? What happens if someone's mail is time sensitive, Clearly, we need establish traffic codes to rectify theses problems.
9. As for the new Shul located at 83 Winchester Drive; Whitman Estates was approved and zoned for single family residence, not for commercial religious use, like churches, mosques, temples or a shul. Many towns, villages and local municipalities throughout the US have updated their zoning laws in recent years using many factors with include:
 - Establishing a clear Occupancy Capacity of a building: which is defined as: The total number of people that might occupy a building or space at any one time. The occupant load reflects the maximum number of people anticipated to occupy the building rooms or spaces at any given time and under all possible situations. Or in some cases 1 person per 50 Sq feet.
 - With this capacity set, the locate jurisdiction established that ample parking must be provided on the property, and the public street cannot be considered for this requirement.
 - Another key consideration was to the original character of the neighborhood when the zoning was approved for construction of that neighborhood. By allowing a religious property to take over a single-family residence you are chancing the character of the neighborhood. The zoning change request was denied. When did this zoning change approved?
 - Because one of the basic purposes of zoning is to adopt reasonable regulations in accordance with a comprehensive plan: it follows, that changes which would disrupt or alter the character of a neighborhood, would be at odds with the very purpose of the zoning regulation itself.

In closing, Based upon what I've communicated here this evening you can see why I'm so concerned, there must be a good reason for the lack of action to this point, has this board raised the white flag and there is no hope for our village and town; are you afraid of law suits, or is there some kind of agreement in place already that we are not aware of, this is what we all need to find out because it's hard for me to understand why you are turning a blind eye on us?

To be continued and Thank You for your time this evening.