

Village of Monroe Board of Trustees Meeting – October 3, 2023, 2023

CONTINUED PUBLIC HEARING 10.03.23 – 7:00 PM
PROPERTY ACQUISITION – NYS EMINENT DOMAIN PROCEDURE LAW (“EDPL”)
47 LAKES ROAD (TM #211-1-1) (ROSCOE SMITH ESTATE)

A Public Hearing was held on Tuesday, October 3, 2023 at 7:00PM in the Boardroom of the Village Hall, 7 Stage Road, Monroe, NY. Pursuant to Eminent Domain Law 202, the Village Board is interested in acquiring property set forth on the tax map as Section 211, Block 1, Lot 1 located at 47 Lakes Road, formerly known as the Roscoe Smith Estate, in the Village of Monroe for the purpose of historic preservation, important cultural characteristics to the Village, potential creation of parkland and/or gardens, public health, well-being and other improvements that will benefit the entire Village of Monroe.

Present: Mayor Dwyer, Trustees Behringer, Ferraro, Karl, and O'Connor

Also present: Attorney Terhune and Clerk Zahra

Absent: Attorney Kathleen M. Bennett - Bond, Schoeneck & King, PLLC

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

The following information is provided in support of the historical significance of the property which is the subject of the Eminent Domain proceeding:

Roscoe W. Smith, 8/1/1877 to 10/10/1976, was a seventh-generation descendant and fourth-great-grandson of original settler, David Smith. He was the eldest of seven children. He held a Professional Engineering degree. At age 28, Roscoe founded a private electric company which is today Orange and Rockland Utilities. He helped create the region's largest employer. Over the years he developed a collection of tools which depict the process of American industrialization and related American made products which he named the Museum Village of Smith's Clove. The property belonged to his great-grandmother, Abigail Smith. Roscoe donated 70 acres of land in the heart of the Village to be used as recreation area. The Park is known as Smith's Clove Park. In 1965 Roscoe Smith was chosen as Monroe Citizen of the year because he “exemplified the legion's ideals of service to the community and the country.” He was a man of deeds more than words. He donated Village Hall, paid expenses on behalf of civic organizations, gave money to those in need, and sent a number of local residents to college. He left an unsurpassed legacy of generosity to this community which he loved and to its people, in whom he had tremendous faith.

Attorney Terhune said no additional public comments have been received and the public hearing will be continued until our next regularly scheduled Board of Trustee meeting on Tuesday, October 17, 2023.

To hear the entire text of this Public Hearing, please reference the audio on file in the Village Clerk's office or video available at villageofmonroe.org.

There was 1 person from the public present for the public hearing. The public hearing was left open for 5 minutes.

With no further comments or questions, on a motion by Trustee Behringer, seconded by Trustee Ferraro and carried, the public hearing was adjourned at 7:05PM to be continued at the next regularly scheduled Board of Trustee meeting on Tuesday, October 17, 2023 at 7:00PM.

PUBLIC HEARING 10.03.23 – 7:00 PM
INTRODUCTORY DRAFT LOCAL LAW OF 2023, “AMENDMENT TO CHAPTER 200, ZONING,
TO REGULATE PREEXISTING NONCONFORMING BULK”

A Public Hearing was held on Tuesday, October 3, 2023 in the boardroom of the Village Hall, 7 Stage Road, Monroe, NY at 7:00PM to review a proposed Local Law, titled “Amendment to Chapter 200, Zoning, to Regulate Preexisting Nonconforming Bulk.” The Village Board of Trustees finds that modifications, alternations, or construction that increases nonconformity with the Village's bulk regulations negatively impact the existing character of Village neighborhoods.

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 public hearing was opened at 7:05PM.

There was 1 person from the public present for the public hearing. There was no written correspondence received. The public hearing was left open for 2 minutes.

With no further comments or questions, on a motion by Trustee Karl, seconded by Trustee O'Connor and carried, the public hearing was adjourned at 7:07PM to be continued at the Special Board of Trustee Meeting on Monday, October 9, 2023.

PUBLIC HEARING 10.03.23 – 7:00 PM
INTRODUCTORY DRAFT LOCAL LAW OF 2023, “AMENDMENT TO LOCAL LAW #4 OF 2021 WHICH ESTABLISHED FLOOR AREA RATIOS FOR SINGLE-FAMILY DETACHED DWELLINGS AND TWO-FAMILY DWELLINGS IN THE VILLAGE OF MONROE”

A Public Hearing was held on Tuesday, October 3, 2023 in the boardroom of the Village Hall, 7 Stage Road, Monroe, NY at 7:00PM to review a proposed Local Law, titled “Amendment to Local Law #4 of 2021 Which Established Floor Area Ratios for Single-Family Detached Dwellings.” The Village Board of Trustees finds that is appropriate to clarify its intent as to the application of the existing floor area ratio (FAR) bulk regulations to all single-family detached dwellings and all two-family dwellings in all districts.

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

On a motion by Trustee Behringer, seconded by Trustee O'Connor, and carried, the public hearing was opened at 7:07PM.

Written correspondence was received from Rabbi Jacob Ferencz, Orange County Jewish Council and Whiteman Osterman & Hanna LLP on behalf of Joel Mann requesting the Board consider postponing the Public Hearing until the Jewish Holiday ends. See attached.

There were 0 people from the public present for the public hearing. Written correspondence was received. The public hearing was left open for 2 minutes.

With no further comments or questions, on a motion by Trustee Behringer, seconded by Trustee Ferraro and carried, the public hearing was adjourned at 7:09PM to be continued at the Special Board of Trustee Meeting on Monday, October 9, 2023.

VILLAGE OF MONROE
BOARD OF TRUSTEES MEETING
TUESDAY, OCTOBER 3, 2023
(www.villageofmonroe.org)

The first of the bi-monthly meetings of the Board of Trustees was held on Tuesday, October 3, 2023 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

MINUTE APPROVAL – SEPTEMBER 26, 2023 BOARD MEETING:

On a motion by Trustee Karl seconded by Trustee O'Connor, the Minutes of the September 26, 2023 Board Meeting were approved.

Ayes: Trustees Behringer, Karl and O'Connor
Nays: None
Abstain: Trustee Ferraro (absent)

ADOPTION OF DRAFT LOCAL LAW OF 2023 – “AMENDMENT TO CHAPTER 200, ZONING, TO REGULATE PREEXISTING NONCONFORMING BULK”:

Tabled until the Special Board of Trustee Meeting on October 9, 2023.

ADOPTION OF DRAFT LOCAL LAW OF 2023 – “AMENDMENT TO LOCAL LAW #4 OF 2021 WHICH ESTABLISHED FLOOR AREA RATIOS FOR SINGLE-FAMILY DETACHED DWELLINGS AND TWO-FAMILY DWELLINGS IN THE VILLAGE OF MONROE”:

Tabled until the Special Board of Trustee Meeting on October 9, 2023.

REQUEST TO HANG SCARECROWS & CORNSTALKS – MW GIRL SCOUTS:

In a letter from Barbara Mallory, Service Unit Manager for the Monroe Woodbury Girl Scouts, she requests permission of the Board of Trustees to host their annual Scarecrows in the Village activity. On Saturday, October 14, 2023 (rain date of Sunday, October 15th) the Girl Scouts would like to decorate the downtown of the Village of Monroe with cornstalks and scarecrows for the fall season. The Girl Scouts will gather in the commuter parking lot by the bus depot and Becks at 11AM to take a group photo and then will proceed to hang the scarecrows and cornstalks on the lamp posts.

Trustee Karl asked that the scarecrows be kept out of crosswalks and intersections, as they look like people at nighttime.

RESOLVED, the Board of Trustees approves the request of Barbara Mallory, Service Unit Manager for the Monroe Woodbury Girl Scouts, to hang corn stalks and scarecrows on the lamp posts in the downtown for the fall season on Saturday, October 14, 2023 at 11AM, rain date of Sunday, October 15, 2023 has also been scheduled in case of inclement weather.

On a motion by Trustee Behringer, seconded by Trustee Ferraro

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

AGREEMENT – O.C. TOWN & VILLAGES DRUG AND ALCOHOL TESTING 2024 – PARTNERS IN SAFETY:

RESOLVED, the Board of Trustees approves the Drug & Alcohol renewal agreement for 2024, Town and Villages of Orange County whereby Partner's in Safety under the terms and conditions of the agreement shall provide to the Village of Monroe with drug testing that meets the compliance of the of the US Department of Transportation, requiring alcohol and drug testing of safety sensitive employees. Complete DOT random testing program is \$49/test. Pre-employment, post-accident, reasonable cause or follow-up testing performed during business hours at the rates quoted in the agreement. It is further:

RESOLVED, the Board of Trustees authorize Mayor Dwyer to sign the agreement with Partner's in Safety.

On a motion by Trustee Karl, seconded by Trustee Behringer

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

COMPLETION OF PROBATION – POLICE DEPARTMENT – M. DELESIO & R. KING:

RESOLVED, the following Police Department employees hereby complete their probationary period:

Macen DeLesio – P/T Parking Enforcement Officer – effective April 6, 2023
Ryan King – P/T Dispatcher – effective April 25, 2023

The necessary MSD-426B will be submitted to OC Department of Human Resources.

On a motion by Trustee Behringer, seconded by Trustee Karl

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

AGREEMENT – NEW WINDSOR IT – SHI – KNOWBE4 SECURITY AWARENESS TRAINING SUBSCRIPTION:

RESOLVED, the Board of Trustees approves the SHI agreement for the KnowBe4 Security Awareness Training Subscription addressing cybersecurity to minimize the risk thus prevent the loss of money for the Village of Monroe. The total cost of this three-year agreement is \$5,032.80 to be allocated evenly (\$1,258.20/ budget line) from budget lines VH Contractual A.1620.4500, PD Contractual A.3120.4500, Highway St Admin Gen Exp A5010.4100, Water Admin F8310.4500.

On a motion by Trustee Ferraro, seconded by Trustee Karl

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

PAYMENT AUTHORIZATION #1 – FORSHEE STREET WATER MAIN REPLACEMENT PROJECT:

RESOLVED, the Board of Trustees accepts the recommendation of Village Engineer, John O'Rourke P.E., and approves Payment No. 1 submitted by Regal Utility Services, Inc, 731 Warwick Tpke, Hewitt, NJ 07421, for the Forshee Street Water Main Replacement project in the amount of \$209,447.17. All documentation has been reviewed and found complete. Mayor Dwyer is hereby authorized to sign the voucher for payment contingent upon County approval.

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

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

MAYOR & TRUSTEE'S REPORT:

Trustee Karl spoke about the OC Sewer District meeting he attended where Delaware Engineering shared information about increased Chloride concentrations that are caused by human activity, which is a watershed management issue. Trustee Karl expressed his concerns for the salt shed located on Schunnemunk in the Town of Monroe and its management. Attorney Terhune said she would reach out to Town Attorney Brian Nugent for the status of the salt shed.

Trustee Karl also asked if we have received anything on our request to the Town of Monroe for Highway Exemptions 3 & 4. We have not as of yet.

Trustee Behringer commented that the new four-way intersection at Rye Hill and Mine Road is working well. After speaking with Chief Guzman, there have been no reported vehicular accidents since the change.

ATTORNEY'S REPORT:

Attorney Terhune asked the Board what the policy is for political signs in the Village's right of way. The Board said there has always been an unwritten policy that no political signs shall be placed at Crane Park and any government locations.

PUBLIC COMMENT: # PRESENT 0 **TIME: 7:30PM**

No public comment.

EXECUTIVE SESSION:

On a motion by Trustee Behringer, seconded by Trustee Ferraro, and carried, following a 5-minute recess, the Board convened in Executive Session at 7:35PM for discussion of Personnel.

OPEN SESSION:

On a motion by Trustee Ferraro, seconded by Trustee Behringer, and carried, the Open Meeting resumed at 8:45PM.

ADJOURNMENT:

On a motion by Trustee Ferraro, seconded by Trustee Behringer and carried, no further business, the meeting was adjourned at 8:45PM.

Respectfully Submitted,

Kimberly Zahra
Village Clerk



ORANGE COUNTY JEWISH COUNCIL

320 Forest Road, Monroe, NY 10950
845-321-4003 ♦ ocjewishcouncil@gmail.com

Via email and By Hand

September 28, 2023

Ms. Kimberly Zahra
Clerk, Village of Monroe
7 Stag Road
Monroe, NY 10950

Re: Public Hearing Proposed Amendment of
Local Law 4 of 2021 – October 3, 2023

Dear Ms. Zahra,

According to your Public Notice regarding the above law, the public hearing will be held on October 3, 2023, in the Village Hall Boardroom.

Please be advised that October 3rd falls on the fourth day of the Jewish Holiday Sukkos. As such, Jewish residents of the Village of Monroe will not be able to attend. On behalf of the Jewish community of the Village, we respectfully request that the Public Hearing be postponed to a day after October 9th, which is after the Jewish Holiday ends.

It is our hope that you will heed our request and grant us the consideration we deserve as residents of the Village of Monroe.

Sincerely,

Rabbi Jacob Ferencz

Rabbi Jacob Ferencz
Executive Director

Cc: NY State Attorney General Letitia James

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September 29, 2023

Via FedEx

Neil S. Dwyer
Mayor
Village of Monroe
7 Stage Road
Monroe, New York 10950

Re: Public Hearing for Amendment to Local 4 of 2021

Dear Mr. Dwyer:

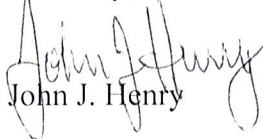
I am writing on behalf of Joel Mann, a property owner in the Village, with respect to the public hearing notice posted by the Village regarding the consideration of an amendment to Local Law No. 4 of 2021 relating to floor area ratios for single-family dwellings. The Village's notice of public hearing for consideration of this local law sets the public hearing date as October 3, 2023.

Please be advised that October 3, 2023 is during the Jewish holiday of Sukkot. Mr. Mann, along with many other residents in the Village whose property may be affected by this local law, is an observant Jew whose religious beliefs prohibit him from participating in any such hearing, or otherwise conducting business, during the holiday period. Likewise, numerous other residents in the Village whose property may be affected by this local law are also prohibited from participating in the hearing, or otherwise conducting business, during this period.

Accordingly, we believe that the public hearing on consideration of this Local Law should be delayed to a non-holiday period.

I thank you for your attention to this matter.

Sincerely,


John J. Henry

cc: J. Mann

4870-8094-5027