

**Board of Trustees Meeting October 17, 2023**

**CONTINUED PUBLIC HEARING 10.17.23 – 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 17, 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, Clerk Zahra, and Attorney - Kathleen M. Bennett - Bond, Schoeneck & King, PLLC

On a motion by Trustee Karl, seconded by Trustee O’Connor, 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.

Good evening. My name is Kathleen Bennett. I am an attorney with Bond, Schoeneck & King, PLLC, special counsel to the Village of Monroe. I am calling this hearing to order.

We are here today to continue the public hearing pursuant to Section 201 of the Eminent Domain Procedure Law or EDPL to consider the condemnation of certain property by the Village of Monroe, which I will refer to as the Village.

The VILLAGE, pursuant to Sections 201 through 204 of the EDPL, proposes to acquire fee title to the property owned by WC Lincoln, Inc. in the Village of Monroe, Orange County, New York at 47 Lakes Rd, and identified as Tax Map Parcel number 211-1-1. The Property is the former homesite of Roscoe Smith, the founder of Orange and Rockland Utilities and widely recognized as the man who brought electric light to the Hudson Valley.

The public purpose for the acquisition is for historic preservation, including restoration of the homesite and other historical artifacts on the property including bridges and a waterwheel, historical education including markers/monuments and/or an education center, a public park to include trails and or gardens.

There are no alternatives to acquisition of this Property as this is the Roscoe Smith homestead and the only way to preserve the Roscoe Smith homestead for historic preservation purposes is to acquire the actual homestead.

Based on the DEC mapper and the EAF, the acquisition of the property will protect the historic and archeological resources on the Property, it would preserve habitat for the northern long eared bat, it will preserve wetlands and protect the floodplain. Preservation of the property would not result in significant impacts from stormwater runoff, water usage or wastewater treatment, traffic, noise, or solid waste disposal. Remediation or rehabilitation of the home would be done in accordance with all appropriate standards dealing with mold, lead and/or asbestos. Overall, the acquisition would be beneficial to the environment and surrounding area.

Although comments will be more specifically addressed in the determination and findings that will be ultimately be issued by the Village, it is worth noting at this point that eminent domain is an attribute of sovereignty – meaning it is an inherent governmental right – and as such it is not subject to a permissive referendum.

It is also worth noting that the EDPL requires the condemnor to consider only three things: (1) the public use, benefit or purpose; (2) alternatives; and (3) environmental impacts. Neither the cost nor the method of financing are relevant at this stage of the process.

There are a few additional items that will be added to the hearing record this evening.

First, the Reply Attorney Affirmation from Village of Monroe v. WC Lincoln and Simon Jacobs, Index No. EF 005171-2023 will be included as Exhibit Z.

The Reply Attorney Affirmation from Village of Monroe v. WC Lincoln and Simon Jacobs, Index No. EF 005171-2023 will be included as Exhibit Z.

The Order from Village of Monroe v. WC Lincoln and Simon Jacobs, Index No. EF 005171-2023 will be included as Exhibit AA

The Attorney Affirmation in support of motion to dismiss counter claims from Village of Monroe v. WC Lincoln and Simon Jacobs, Index No. EF 005171-2023 will be included as Exhibit BB.

Correspondence from the Planning Board attorney to counsel for WC Lincoln from August, September and October of 2022 is included as Exhibit CC.

A timeline prepared by the Planning Board attorney is attached as Exhibit DD.

The Building Conditions Assessment for the Roscoe Smith Estate prepared by Barton & Loguidice, PC and dated October 16, 2023 is included as Exhibit EE.

Before moving on to the public comment portion, I just want to briefly outline the next steps under the EDPL

The VILLAGE will close the public hearing tonight, but accept written comments until the 5:00 p.m. on Friday, October 20, 2023.

The VILLAGE will then consider the comments, complete the SEQRA process & issue a Determination and Findings sometime within the next 90 days.

If the Village decides to move forward with the acquisition, then

Once an appraisal report has been received, a formal EDPL purchase offer will be made based on that appraisal of the fair market value of the Property.

The VILLAGE will then file Notices of Pendency and a Petition for Permission to file an Acquisition Map with the Orange County Supreme Court.

Title to the property rights will transfer to VILLAGE upon filing of Acquisition Map with County Clerk.

Again, additional information with respect to the Property can be found at the Village's website or in the Village Clerk's office.

OPEN TO PUBLIC COMMENTS. Please remember to state your name and address for the record.

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](http://villageofmonroe.org).

There was 1 person from the public present for the public hearing. The public hearing was left open for 10 minutes.

With no further comments or questions, on a motion by Trustee Karl, seconded by Trustee O'Connor and carried, the public hearing was closed at 7:10PM with written comment accepted until 4:00PM on Friday, October 20, 2023.

**DUE PROCESS HEARING 10.17.2023 – 7:00PM  
CODE VIOLATIONS AGAINST THE VILLAGE OF MONROE'S PROPERTY  
MAINTENANCE LAW – 305 NORTH MAIN STREET – SBL #201-5-11**

A Due Process Hearing was held on Tuesday, October 17, 2023 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: 305 North Main Street (TM# 201-5-11), as per Village Code Section 155A-6E – General Requirements. All land must be kept free of dead or 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 any adjacent or neighboring property. The specific violation is piles of garbage to the left and right side of the driveway, in the rear of the property, and on the right side of the house and miscellaneous garbage throughout the property.

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 Ferraro, and carried, the hearing was opened at 7:10PM.

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.

With no further comments or questions, on a motion by Trustee Karl, seconded by Trustee Ferraro and carried, the due process hearing was closed at 7:13PM.

**DUE PROCESS HEARING 10.17.2023 – 7:00PM  
CODE VIOLATIONS AGAINST THE VILLAGE OF MONROE'S PROPERTY  
MAINTENANCE LAW – 290 SPRING STREET – SBL #209-1-9.22**

A Due Process Hearing was held on Tuesday, October 17, 2023 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: 290 Spring Street (TM# 209-1-9.22), as per Village Code Section 155A-6E – General Requirements. All land must be kept free of dead or 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 any adjacent or neighboring property. The specific violation is garbage, including a tire found alongside the home at the curb on the Ash Street side of the house.

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

On a motion by Trustee Ferraro, seconded by Trustee Karl, and carried, the hearing was opened at 7:13PM.

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.

With no further comments or questions, on a motion by Trustee Karl, seconded by Trustee Behringer and carried, the due process hearing was closed at 7:16PM.

**DUE PROCESS HEARING 10.17.2023 – 7:00PM  
CODE VIOLATIONS AGAINST THE VILLAGE OF MONROE'S PROPERTY  
MAINTENANCE LAW – 207 NORTH MAIN STREET – SBL #203-5-16.2**

A Due Process Hearing was held on Tuesday, October 17, 2023 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: 207 North Main Street (TM# 203-5-16.2), as per Village Code Section 155A-6E – General Requirements. All land must be kept free of dead or 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 any adjacent or neighboring property. The specific violation is garbage, debris, and junk in the front entrance and various areas on the property.

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 Karl, and carried, the hearing was opened at 7:16PM.

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.

With no further comments or questions, on a motion by Trustee Behringer, seconded by Trustee Ferraro and carried, the due process hearing was closed at 7:18PM.

**VILLAGE OF MONROE  
BOARD OF TRUSTEES MEETING  
TUESDAY, OCTOBER 17, 2023  
([www.villageofmonroe.org](http://www.villageofmonroe.org))**

The second of the bi-monthly meetings of the Board of Trustees was held on Tuesday, October 17, 2023 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

**MINUTE APPROVAL: OCTOBER 3, 2023 BOARD MEETING:**

On a motion by Trustee Karl, seconded by Trustee O'Connor, the Minutes of the October 3, 2023 Board Meeting were approved.

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

**MINUTE APPROVAL: OCTOBER 9, 2023 SPECIAL BOARD MEETING:**

On a motion by Trustee Behringer, seconded by Trustee Karl, the Minutes of the October 9, 2023 Special Board Meeting were approved.

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

**BUDGETARY TRANSFERS / MODIFICATIONS:**

Tabled for further review.

**INTER-MUNICIPAL AGREEMENT – VILLAGE OF MONROE & MWCSO  
RESOURCE OFFICER (SRO):**

Tabled for further review. Trustee Karl says Article II section A. should read Village of Monroe Police officers not Monroe Police Officers to keep consistency in the contract.

**POLICE DEPARTMENT – CHIEF GUZMAN – FBI NATIONAL ACADEMY:**

Chief Guzman has been chosen to attend the highly selective FBI National Academy Session #289 to be held in Quantico, Virginia starting January 7, 2024 through March 14, 2024. The FBI National Academy Associates, Inc. is dedicated to providing our communities with the highest degree of law enforcement expertise, training, education and information. Chief Guzman is confident this training will provide the expertise needed to meet future changes in law enforcement. There is no cost to the Village for training, meals or lodging. He will be available via telephone, email or video conference. Lieutenant Young will handle the day-to-day department operations and they will be in contact on a daily basis.

RESOLVED, the Board of Trustees approves Chief Guzman to attend the FBI National Academy Session #289 in Quantico, Virginia from January 7, 2024 through March 14, 2024.

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

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

**ADOPTION OF LOCAL LAW #20 OF 2023 – “AMENDMENT TO CHAPTER 200,  
ZONING, TO REGULATE PREEXISTING NONCONFORMING BULK”:**

Tabled until the November 6, 2023 meeting.

**ADOPTION OF LOCAL LAW #21 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 November 6, 2023 meeting.

**SACRED HEART CHURCH HOLY NAME SOCIETY CHRISTMAS NATIVITY:**

RESOLVED, the Board of Trustees approves the request of Sacred Heart Church Holy Name Society to provide a Christmas Nativity display in Crane Park for the Christmas holiday. Coordination will be made with DPW Working Leader Chiappetta.

On a motion by Trustee Ferraro, seconded by Trustee Behringer

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

**VILLAGE OF MONROE BOARD OF TRUSTEES RESOLUTION CONCERNING  
VIOLATION OF PROPERTY MAINTENANCE – 305 NORTH MAIN STREET SBL  
#201-5-11:**

Property Location: 305 North Main Street / SBL #201-5-11 / 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. The specific violation is piles of garbage to the left and right side of the driveway, in the rear of the property, and on the right side of the house and miscellaneous garbage throughout the property. 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 305 North Main Street, Village of Monroe, 10950, designated as Tax Map No. SBL 201-5-11; 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 October 17, 2023, 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, October 17, 2023, 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 within 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 Karl, seconded by Trustee Ferraro

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

**RESIGNATION – ZONING BOARD OF APPEALS ALTERNATE MEMBER – L.  
CEAR:**

RESOLVED, the Board of Trustees accepts the resignation of Zoning Board of Appeals Alternate Member Lyn Cear effective October 10, 2023. The Board of Trustees wish Lyn well in her future endeavors.

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

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

**AUTHORIZATION TO ADVERTISE – ZONING BOARD OF APPEALS VACANCY –  
ONE (1) ALTERNATE MEMBER:**

**VILLAGE OF MONROE  
ZBA VACANCY**

**The Village of Monroe Board of Trustees  
is currently seeking applicants to fill a vacancy  
on the Zoning Board of Appeals for an Alternate Member.**

**The ZBA meets on the second Tuesday of the month at 8 PM.**

**Interested Village of Monroe residents should  
send their resume to:**

**Mayor Neil Dwyer  
c/o Village Clerk  
7 Stage Road  
Monroe, NY 10950**

**RESOLVED, the Board of Trustees authorizes the Village Clerk to advertise to fill the  
vacancy in the Zoning Board of Appeals (ZBA) for an Alternate Member.**

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

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

**Nays: None**

**PAYMENT AUTHORIZATION #2 – FORSHEE STREET WATER MAIN  
REPLACEMENT PROJECT:**

**RESOLVED, the Board of Trustees approves Payment No. 2 submitted by Regal Utility  
Services, Inc, 731 Warwick Tpke, Hewitt, NJ 07421, for the Forshee Street Water Main  
Replacement project in the amount as recommended by the Village Engineer. Mayor  
Dwyer is hereby authorized to sign the voucher for payment subject to the  
recommendation from Village Engineer John O'Rourke and approval from Attorney Alyse  
Terhune.**

**On a motion by Trustee Karl, seconded by Trustee Behringer**

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

**Nays: None**

**VILLAGE OF MONROE BOARD OF TRUSTEES RESOLUTION CONCERNING  
VIOLATION OF PROPERTY MAINTENANCE – 290 SPRING STREET SBL #209-1-  
9.22:**

**Property Location: 290 Spring Street / SBL #209-1-9.22 / 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. The specific violation is is garbage, including a tire found alongside  
the home at the curb on the Ash Street side of the house. 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 290 Spring Street, Village of Monroe, 10950, designated as Tax Map No. SBL 209-1-9.22; 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 October 17, 2023, 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, October 17, 2023, 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 within 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 Karl, seconded by Trustee Behringer

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

**VILLAGE OF MONROE BOARD OF TRUSTEES RESOLUTION CONCERNING  
VIOLATION OF PROPERTY MAINTENANCE – 207 NORTH MAIN STREET SBL  
#203-5-16.2:**

Property Location: 207 North Main Street / SBL #203-5-16.2 / 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. The specific violation is garbage, debris, and junk in the front entrance and various areas on the property. 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 207 North Main Street, Village of Monroe, 10950, designated as Tax Map No. SBL 203-5-16.2; 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 October 17, 2023, 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, October 17, 2023, 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 within 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 Karl, seconded by Trustee O'Connor**

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

**Nays: None**

**BOND ACCEPTANCE – ACQUISITION OF A STREET SWEEPER:**

BOND RESOLUTION OF THE VILLAGE OF MONROE, NEW YORK, ADOPTED OCTOBER 17, 2023, AUTHORIZING THE ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$300,000 TO FINANCE THE ACQUISITION OF A STREET SWEEPER, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$300,000 AND APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE

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 issue bonds in a principal amount not to exceed \$300,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance the acquisition of a street sweeper.

Section 2. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$300,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in a principal amount not to exceed \$300,000 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 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 28 of the Law, is fifteen (15) years; however, the bonds authorized pursuant to this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall mature no later than five (5) years after the date of original issuance of said bonds or notes.

(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 the official newspaper of the Village.

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

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

**Nays: None**

The resolution was declared adopted.

**BOND ACCEPTANCE – CONSTRUCTION OF IMPROVEMENTS TO THE VILLAGE STREET LIGHTING SYSTEM:**

BOND RESOLUTION OF THE VILLAGE OF MONROE, NEW YORK, ADOPTED OCTOBER 17, 2023, AUTHORIZING THE ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$600,000 TO FINANCE THE CONSTRUCTION OF IMPROVEMENTS TO THE VILLAGE STREET LIGHTING SYSTEM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$600,000 AND APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE

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 issue bonds in a principal amount not to exceed \$600,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws

of the State of New York (herein called the "Law"), to finance the construction of improvements to the Village street lighting system, including installation of LED replacement fixtures and equipment.

Section 2. The aggregate estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$600,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in a principal amount not to exceed \$600,000 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 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 5 of the Law, is thirty (30) years; however, the bonds authorized pursuant to this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall mature no later than five (5) years after the date of original issuance of said bonds or notes.

(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 the official newspaper of the Village.

**On a motion by Trustee Karl, seconded by Trustee Behringer**

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

**Nays: None**

The resolution was declared adopted

**BOND ACCEPTANCE - ACQUISITION AND INSTALLATION OF PARKING KIOSKS:**

BOND RESOLUTION OF THE VILLAGE OF MONROE, NEW YORK, ADOPTED OCTOBER 17, 2023, AUTHORIZING THE

ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$100,000 TO FINANCE THE ACQUISITION AND INSTALLATION OF PARKING KIOSKS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$100,000 AND APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE

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 issue bonds in a principal amount not to exceed \$100,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance the acquisition and installation of parking kiosks.

Section 2. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$100,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in a principal amount not to exceed \$100,000 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 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose 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 the official newspaper of the Village.

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

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

Nays: None

The resolution was declared adopted.

**MAYOR & TRUSTEE'S REPORT:**

Trustee Behringer had a nice day attending the Triple A Gold Award Ceremony for Local Traffic Safety with Chief Guzman and Lieutenant Young and said she is very proud of the Police Department.

Trustee Karl expressed his concerns for the parking lot in the back of Village Hall and how the spaces are marked. They say Village Business Only, perhaps they should say Village Hall Business Only. This is something we need clamp down on. Trustee Karl also asked about the progress with the 1 Stage Road Parking. Mayor Dwyer asked Attorney Terhune to set a meeting with the property owner and attorney of 1 Stage Road for 1pm on Thursday, October 19, 2023, if possible, to discuss.

**ATTORNEY'S REPORT:**

Nothing to report.

**PUBLIC COMMENT:**

# PRESENT 1

TIME: 0:7:52PM

Everett Bierker, 46 Water Plant Road, understands the necessity of emergency work being done for the Village on the transmission line. He said the property owners in that area need to protect themselves and have made some requests from the Village if they should need to go on their properties. Mayor Dwyer says at this point and time the Village will only be utilizing the easement and right of way, so currently there is nothing to address with the property owners. If the time comes to that, the property owners will have what they need.

**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 8:00 PM for discussion of litigation and Attorney Client.

**OPEN SESSION:**

On a motion by Trustee O'Connor, seconded by Trustee Ferraro and carried, the Open Meeting resumed at 9:20 PM.

**BUDGETARY TRANSFERS / MODIFICATIONS:**

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

From: A.3389 Other Public Safety                      To: A3120.1230 Police Overtime  
\$1,330.00 - Raise Revenue / Expense Lines re Overtime Traffic Detail Provided on  
Freeland Street

From: A.2665 Sales of Equipment                      To: A3120.2300 Police Motor Vehicles  
\$12,900.00 - Raise Revenue / Expense Lines re Sale of 2 Police Vehicles

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

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

Nays: None

**ADJOURNMENT:**

On a motion by Trustee Karl, seconded by Trustee Behringer and carried, no further business, the meeting was adjourned at 9:20 PM.

**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

**SEPTEMBER 2023 VILLAGE CLERK'S REPORT SUBMITTED BY KIMBERLY ZAHRA, VILLAGE CLERK:**

1. Minutes prepared, processed associated correspondence and Legal Notices completed for the September 5<sup>th</sup> and September 26<sup>th</sup> Board of Trustee Meeting along with the September 14<sup>th</sup> Special Board of Trustee Meeting.
2. Permits issued: Handicap Parking: 5 Garage Sale: 6 Solicitor/Peddling: 0  
Road Opening: 2 Blasting Permit: 0 Liquor License: 1 Towing Permits: 0
3. Processed 3 Event Applications.
4. Public Hearings Held: 6 Due Process Hearing: 0
5. Bi-Weekly payroll worksheets completed and submitted.
6. Bi-Weekly payroll worksheets for Highway and Water Departments completed and submitted.
7. Collected August water rents.
8. Collected June Village Tax bills.
9. Required paperwork filed with O.C. Department of Human Resources.
10. Processed FOIL requests.
11. Provided Notary Services.
12. Oversee updates and maintenance, of Village Website and Constant Contact. (38 sent)
13. Daily retrieval of messages left during the day and after hours. Forwarded messages and responded as required.
14. Vouchers completed as required. Transmittal of money collected completed and bank deposits done.
15. Scan and email pertinent information to Board and Attorney.
16. Scan documents into DOCUWARE.
17. Maintain calendar for Mayor Dwyer.
18. Closed out mailing machine for month 9/29.
19. Prepared concert contracts for Cheese Festival.
20. Prepared vouchers for Cheese Festival refunds.
21. Lawn Maintenance – Property Maintenance Violation processing.
22. Participated in Webinar for Records Retention 9/27/23.

**SEPTEMBER 2023 JUSTICE COURT REPORT:**

Total Fines: \$35,894.00 Total Surcharges: \$9,353.00 Total Parking: \$410.00  
Total Civil Fees: \$3,615.00 Bail Poundage Collected: \$0.00 Total Bail Forfeited: \$0.00  
*Total for September: \$49,272.00*

Vehicle & Traffic Tickets: 309 Disposed: 373  
Criminal Cases: 36 Disposed: 57 Civil Cases: 1 Disposed: 1

Paid Parking Tickets: 14 Dismissed Traffic Tickets: 51

**SEPTEMBER 2023 POLICE DEPARTMENT REPORT SUBMITTED BY DARWIN GUZMAN, CHIEF:**

**CALLS FOR SERVICE**

TOTAL CALLS – 1,684

CASES/CRIMINAL OFFENSE - 150

ARRESTS – 43

**TRAFFIC REPORT**

TRAFFIC TICKETS - 283

GAS – N/A

MVA'S – 26

**TRAINING**

TRU – ROMER/BEACH

MTA K9 – BERKE

ARIDE – MINUTOLO

FTO – LUISI

INTERVIEW AND INTERROGATION – FARNINGHAM/PAYTON

**SEPTEMBER 2023 FILTRATION PLANT REPORT SUBMITTED BY ERNEST MABEE, CHIEF OPERATOR:**

Production: Lake Mombasha:	30,300,883	28,853,429 Gallons LY 2022
Well #4:	5,023,638	3,682,692 Gallons LY 2022

Consumption: 32,324,521 Gallons / 32,536,121 Gallons LY 2022

Water Samples / Testing: Passed

Rainfall: 14.43"

Reservoir: full

**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

Rapid Pump at Plant to put Pump 1 Back Online

Replaced Motor on Pontoon Boat

Repaired Watermain Break on Colony Drive

Rapid Pump at Pine Tree Pump Station for Pump 1

Alan Prince's Report – 352 Tons of Weeds were Removed from Mombasha Lake with Harvester

**SEPTEMBER 2023 DPW SUBMITTED BY ALDO CHIAPPETTA, WORKING LEADER:**

Repaired basins along Village roads

Sweeping Village streets

Prep flower beds around park area

Installed mums

Clean up 9/11 for Memorial

Mowing of common grass areas throughout Village

Check and clean basins  
 Replace concrete sidewalks on High St  
 Clear behind bus garage  
 Started prepping Park Ave for dirt relocation  
 Work on clearing out drainage right of ways going through Maple Knolls  
 Clean out Ironworks culvert pipe  
 Clean out stream from Forestdale to behind bus garage  
 Picked garbage throughout Crane Park  
 Cleaned and dug out easement on Holland Rd  
 Storm damage clean up  
 Fix drainage pipe on Hillside Terrace  
 Bring down snow equipment and started prepping trucks  
 Cleaned and mowed Fitzgerald Ct and Fredrick Dr retention ponds  
 Maintain Lake View property  
 Remove weeds from lake  
 Road mow  
 Work on ms4 report  
 Change out garbage cans around park area

**SEPTEMBER 2023 BUILDING DEPARTMENT AS SUBMITTED BY ASSISTANT  
BUILDING INSPECTOR PROULX:**

Building Permits Issued:	20
Rental Inspections Completed:	32
Title Searches Completed:	29
Violations Issued:	29
Building Permit Inspections Performed:	57
C.O's Issued:	18
Complaint Inspections:	9
Fire Inspections:	26
 Open, active building permits:	 454
FOIL Requests:	4
 Building Permit Fees:	 \$ 2,463.75
Rental Permit Fees:	1,175.00
Fire Inspection Fees:	0.00
Title Search Fees:	<u>2,850.00</u>
Total Collected Fees:	\$ 6,488.75

Monthly Assessor's Report  
 Daily cash deposits to Clerk  
 Bi Monthly mailing for expired permits

**SEPTEMBER 2023 TREASURER'S REPORT SUBMITTED BY ANTHONY FELIZ:**

Treasurer's Report Village of Monroe
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September 2023

**SIGNIFICANT ACTIVITY (REVENUES)**

Planning Board Fees	5,040
Sales of Equipment	6,700
Int Penalty Water Rents	20,616

**SIGNIFICANT ACTIVITY (EXPENDITURES)**

Law Contractual		7,216
VH Contractual		\$11,306
PD REACT		\$5,350
PD Contractual		\$6,584
ST. Maint. Equip. Maint.		7,417
Street Lighting Street		9,463
Sidewalks General Expense		10,952
Celebrations General Expense	\$	7,302
Water Fund Property Taxes	\$	16,165
Purification Chemicals		5,398
Purification Contractual		5,036
Distr. Equipment Maint.	\$	6,164
Distr. Equipment Rental	\$	7,050
Health Insurance - General Fund		139,869
- Water Fund		17,004
		<hr/> 156,873
Workers Comp. - General Fund		4,371
- Water Fund		2,843
		<hr/> 7,214
Liability Insurance - General Fund		41,426
- Water Fund		11,643
		<hr/> 53,068

**STATUS OF FY2024 CONTINGENCY ACCOUNTS**

**CURRENT BALANCE**

General Fund Appropriation -budgeted	\$100,000	100,000
Water Fund Appropriation -budgeted	\$51,500	51,500

**COMMENTS:**

We have completed 4 months of the fiscal year and expenses should be at 33.3%. The expenses are at 25.7% for the General Fund and 14.1% for the Water Fund inclusive of budget adjustments to be approved by the board.

Respectfully submitted,

Anthony Feliz  
Treasurer