

**PUBLIC HEARING 2.2.21 – 6:45 PM
INTRODUCTORY LOCAL LAW #3 OF 2021
“MODIFICATION TO CH. 185, TOWING”**

Due to the COVID-19 pandemic and Governor Cuomo’s Executive Order No. 202.1, a Public Hearing was held on Tuesday February 2, 2021 at 6:45PM via ZOOM videoconferencing, a cloud based platform for video and audio conferencing. Although there was no physical meeting location, the public hearing was deemed to be conducted in the Boardroom of the Village Hall, 7 Stage Road Monroe, NY. All Board Members and members of the public were able to attend participating in the Meeting by videoconferencing in via the web link or telephone number provided by Village Clerk Baxter. The Public Hearing was held to review a proposed Local Law entitled “Modification to Chapter 185, Towing.” The Board of Trustees finds and determines that the public interest would be served by modifying Chapter 185 of the Village Code, which Chapter regulates towing vehicles operating within the incorporated Village.

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

Absent: Trustee Karl (work conflict)

Trustee Karl was unable to make it due to the blizzard and snow plowing. He extended his apologies.

On a motion by Trustee Behringer, seconded by Trustee Alley, and carried, the public hearing was opened at 6:46 PM.

There were 8 people from the public present for the public hearings. There was no written correspondence received. The public hearing was left open for 15 minutes.

Trustee Houle arrived at 6:52PM

Richard Sarajian Esq. of Montalbano, Condon & Frank P.C., 67 North Main Street, New City, NY 10956, Attorney for Apple Auto Body & Loyal Tire Auto Center, spoke on behalf of his client and expressed his disappointment in the potential amendment to the towing law. Mr. Sarajian stated that he thinks it inappropriate to change the suspension procedure without looking at the law in its entirety and only look at areas where the Police Chief is allowed to consider some things and not consider other things, what rates are fixed and what rates aren’t fixed. Mr. Sarajian questioned the procedure as to how the Police Chief can conduct an investigation and stated that there are no specifics as to what the Police Chief has to do with an investigation. Mr. Sarajian added that he totally objects to the modifications of the law and feels it’s unfair. He requested that the Board not adopt the law and go back to the drawing board to consider further revisions and review the law in its entirety.

Attorney Terhune reminded the Board that this was a public hearing and not a revisiting of what happened on the hearing between Mr. Sarajian’s client and the Board of Trustees.

With no further comments or questions, on a motion by Trustee Houle, seconded by Trustee Behringer and carried, the public hearing was closed at 7:00 PM.

To hear the entire text of this public hearing, please reference the audio on file in the Village Clerk’s office.

**BOARD OF TRUSTEES MEETING
TUESDAY, FEBRUARY 2, 2021
(www.villageofmonroe.org)**

Due to the COVID-19 pandemic and Governor Cuomo’s Executive Order No. 202.1, the first of the bi-monthly meetings of the Board of Trustees was held on Tuesday, February 2, 2021 beginning at 7:00PM via ZOOM videoconferencing. Although there was no physical meeting location, the meeting was deemed to be conducted in the Boardroom of the Village Hall, 7 Stage Road Monroe, NY. Mayor Neil Dwyer called the meeting to order and led in the pledge to the flag.

**Present: Mayor Dwyer; Trustees Alley, Behringer and Houle
Also present: Attorney Terhune, Village Clerk Baxter and Deputy Clerk Zahra
Absent: Trustee Karl (work conflict)**

BUDGETARY TRANSFERS / MODIFICATIONS:

On a motion by Trustee Behringer, seconded by Trustee Houle, and carried, it was:

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

From:	Description	To:	Description	Amount	
			None		
Budget Modifications					
A.1560	Safety Inspection Fees	A.1440.450	Engineering Contractual	9,584.00	Raise Revenue/Expense lines re safety inspection fees collected re engineering
A.2115	Planning Board Fees	A.8025.450	Plan Bd Enginner Contract	8,330.00	Raise Revenue/Expense lines re planning board fees collected/engineer contractual

ADOPTION OF LOCAL LAW #3 OF 2021 – MODIFICATION TO CHAPTER 185, TOWING:

Mayor Dwyer tabled this matter for further discussion and will take the matter back up at the February 16, 2021 Board Meeting.

UPDATE TO VILLAGE OF MONROE COVID PROTOCOLS PERTAINING TO SICK LEAVE:

On March 18, 2020 New York State enacted legislation authorizing sick leave for employees subject to a mandatory or precautionary order of quarantine due to COVID-19. All employees, regardless as to the size of their employer, are entitled to job protection upon return from leave and all public employees are entitled to at least 14 calendar days of paid leave which is not to be deducted from their accrued paid time off. On January 20, 2021 the New York State Department of Labor released new guidance on NY COVID sick leave and whether employees were entitled to additional paid leave if they are subject to more than one period of quarantine or isolation. The guidance is summarized as follows:

- *Employees who do not have COVID are only entitled to one allotment of COVID sick leave (14 paid calendar days) for any and all mandatory or precautionary orders of quarantine. This applies even if the employee is subject to multiple mandatory or precautionary orders.*
- *If an employee has already used his/her COVID sick leave for a quarantine order, and subsequently tests positive for COVID 19, he/she shall be entitled to an additional allotment of 14 paid calendar days while isolating with COVID 19. In order to be eligible for the additional leave, the employee must submit documentation from a licensed medical provider or testing facility (unless the Employer conducted the test) attesting that the employee has tested positive for COVID-19.*
- *If an employee has used his/her COVID sick leave because he/she had COVID, but continues to test positive for COVID 19, he/she may not report back to work. In such case, he/she shall be deemed subject to a second mandatory order of isolation and he/she shall be entitled to an additional allotment of 14 paid calendar days of leave. In order to be eligible for the additional leave, the employee must submit documentation from a licensed medical provider or testing facility (unless the Employer conducted the test) attesting that the employee has received a positive diagnostic test for COVID-19 after completing the initial period of isolation.*

Please note, the additional allotment of COVID leave outlined in the second and third bullet is subject to a maximum of three orders of quarantine or isolation.

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

RESOLVED, the Board of Trustees hereby adopt the new guidelines issued by the New York Department of Labor that provide additional guidance on NY COVID sick leave and incorporate it into the Village of Monroe COVID protocols. The new guidelines allow up to a maximum of three orders of quarantine, with the employees required to provide the necessary documentation from a licensed medical provider or testing facility attesting that the employee has tested positive or has received a positive diagnosis for COVID-19. These updated guidelines supersede the current COVID sick leave protocols that are currently in place and become effective immediately.

Ayes: Trustees Alley, Behringer and Houle
Nays: None

BID AUTHORIZATION – 2019 CDBG / SPRING STREET ADA SIDEWALK IMPROVEMENTS:

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

RESOLVED, the Board of Trustees authorized Village Clerk Baxter to advertise for bids per advertisement provided by Village Engineer, Creighton Manning Engineering, LLP for the 2019 Orange County Community Development Block Grant Project of Spring Street ADA Sidewalk Improvements. A bid opening will be held on Thursday, February 25, 2021 at 10 AM.

Ayes: Trustees Alley, Behringer and Houle

Nays: None

AUTHORIZATION OF ENGINEERING SERVICES / PRELIMINARY TASKS FOR WATER TRANSMISSION LINE PROJECT:

This matter was tabled till the February 16, 2021 Board Meeting for clarification on the total cost of the proposal.

2021 INDEPENDENCE DAY FIREWORKS DISPLAY:

Trustee Alley asked if we were told how much advance notice was needed should the Village need to cancel the event like last year. Mayor Dwyer replied that they had not been given that information but can ask the vendor what is appropriate. Mayor Dwyer confirmed with Village Clerk Baxter that they cancelled last year's event a couple of weeks prior to the event date.

Trustee Alley also asked if the Village had received its 2020 security deposit back and Village Clerk Baxter confirmed that they had. Trustee Houle added the reminder that if they were still in a State of Emergency, they would not be able to hold the event anyway.

Village Clerk Baxter shared that the final line of the contract read "In the event of fire, accident, strikes, delay, flood, act of God or government or other causes beyond the control of Legion which prevent the delivery of said materials, the parties hereto release each other from any and all performances of the covenants' herein contained and from damages resulting from breach thereof." Attorney Terhune stated that although that clause protects the vendor more than the client, should the Village cancel due to COVID, its force major, and with its history with the Village, she is sure that Legion is interested in maintaining its good relationship with the Village.

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

RESOLVED, the Board of Trustees approved a contract with Legion Fireworks, Co., 10 Legion Lane, Wappingers Falls, NY 12590, for furnishing and conducting a fireworks display on Friday July 2, 2021 (rain date of 7/3/21) in the amount \$15,000. (15% Deposit of \$2,250 due at signing of contract. \$12,750 due immediately following the display. It is further:

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

Ayes: Trustees Alley, Behringer and Houle

Nays: None

AUTHORIZATION TO PURCHASE PAINT FOR THE MWHS ART DEPARTMENT:

In an email from Downtown Revitalization Committee Chairwoman Cristina Kiesel, has requested that the Village of Monroe purchase paint for the Monroe Woodbury High School Art Department, as per the agreement that was made in the fall of 2020 when students from the Art Department painted the holiday windows in the downtown. Ms. Kiesel shared with the Board the details of the paint that needs to be purchased, which includes 3 sets of Sargent Art Paint, 11, 16 oz. color bottles at \$45.67 per set, for a total of \$137.01. Additionally, Ms. Kiesel requested that the Village purchase the paint directly from Amazon and someone from the art department can pick it up at Village Hall. The purchase of the paint will be allocated from budget line A.7550.410, Celebrations.

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

RESOLVED, the Board of Trustees authorized the purchase of 3 sets of Sargent Art Paint, at \$45.67 per set (total of \$137.01) as a donation to the Monroe Woodbury High School Art Department for the annual holiday window painting in the downtown, whereby students paint business windows each year. The Village of Monroe will purchase the paint directly from Amazon and a representative from the art department will pick it up.

Ayes: Trustees Alley, Behringer and Houle

Nays: None

DOWNTOWN REVITALIZATION VALENTINE'S DAY EVENT:

Downtown Revitalization Chairwoman Kiesel shared with the Board the details of their upcoming Valentine's Day event scheduled for February 13th & 14th, 2021. Ms. Kiesel stated that this Committee sponsored event will be offered at no cost to the public and will encourage foot traffic in the downtown.

Ms. Kiesel explained they would be hanging hearts in the downtown trees and families would be encouraged to grab a heart and drop in one of the many participating stores. The Committee would be holding a Facebook Live drawing at each of the businesses and someone would win one of the many generous prizes. Ms. Kiesel shared the event flyer that had been prepared and asked that both the Village and Town share it on Constant Contact. They would also be placing an ad in the Photo News.

Trustee Houle stated that she loved the idea and asked if it would be one entry per household and whether it would be on the honor system, or if the Committee had a way of tracking who was participating. Ms. Kiesel replied that it would be on the honor system but she did specify that participants did need to be 21 years old and older since there were prizes coming from Haile's Wines & Spirits.

The Board thanked the Committee for organizing the event and stated that they were looking forward to it.

MAYOR & TRUSTEE'S REPORT:

Mayor Dwyer spoke about the major snowstorm that hit the region and stated that the Village of Monroe was still in a State of Emergency. Mayor Dwyer continued that the Village's DPW did an amazing job cleaning up the Village and is continuing a rigorous cleanup for the next 12-16 hours.

Trustee Alley also expressed her gratitude to the DPW and stated that it was not an easy storm to clean up from.

Trustee Behringer praised both the Village and Town Highway Departments and their diligence during major events like this last storm. They are lucky to have them.

Trustee Houle agreed with everything thing that the other Board members shared and reminded residents to also shovel out their fire hydrants as well as keep their storm drains clear of snow and ice to assist with the run off when everything starts to melt and avoid creating slippery intersections.

PUBLIC COMMENT:

PRESENT 14

TIME: 7:32 PM

Resident Mike Andersen asked the Board for the latest update on the sewer project. Mayor Dwyer stated that the work has moved Friedman Homes and Dorothy Drive and is turning towards under the rail trail and heading into the Town of Monroe. This past Friday he had a meeting with Trustee Karl, Town Supervisor Cardone, County Legislator Touhy and officials from the Orange County Sewer District. They met on site and discussed the challenges of this project, to keep the system currently in place, in place, and continuing the work which requires a certain number of pumps. The initial pumps they used we not large enough, so they brought in larger pumps which generated a lot more noise and were more invasive to the neighbors. Mayor Dwyer added that they have moved past our community and have restored Dorothy Drive as much as they could right now, but they have been asked to come back in the spring to soil, seed and hay the area. Mayor Dwyer stated that by the later part of the spring the majority of the work, if not all of it, will be completed, and should be within 1,000 feet of the plant, which is way past our Village.

Town Supervisor Cardone addressed the Board of Trustees regarding the resolution they came to regarding water rates and expressed his disappointment that as the host municipality, the Village did not accommodate them with the requested rates, and in essence, creating more taxes for both Town and Village residents.

EXECUTIVE SESSION:

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

Executive Session Minutes compiled by Mayor Dwyer.

OPEN SESSION: on a motion by Trustee Behringer, seconded by Trustee Alley and carried, the Open Meeting resumed at 9:15PM.

APPOINTMENT: FREDERICK KELLY / PLANNING BOARD:

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

RESOLVED, the Board of Trustees accepted Planning Board Chairman Boucher's recommendation and appointed Frederick Kelly, 28 Roe Circle, to fill a vacancy on the Planning Board created by the departure of Fred Cocks. Mr. Kelly's Planning Board term will be 5 years, which will expire on March 31, 2025.

Ayes: Trustees Alley, Behringer and Houle

Nays: None

ADJOURNMENT:

On a motion by Trustee Houle, seconded by Trustee Behringer and carried, no further business, the meeting was adjourned at 9:43 PM.

Respectfully Submitted,

**Ann-Margret Baxter
Village Clerk**