

MONROE TOWN BOARD MEETING MINUTES

— 02/16/2021

MONROE TOWN BOARD MEETING AGENDA (Tuesday, February 16, 2021)

Generated by Valerie Bitzer

Members present

Supervisor -Tony Cardone, Councilperson - Rick Colon, Mike McGinn, Mary Bingham, Sal Scancarello

1. Call to Order

Discussion, Information, Procedural: 1.1 Pledge to the Flag

2. Motion to Open Town Board Meeting

Action (Resolution): 2.1 Motion to Open Town Board Meeting of February 16, 2021

2021-#78

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Town Board Meeting of February 16, 2021.

Motion by Councilperson - Rick Colon, second by Mary Bingham.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Councilperson - Rick Colon, Mike McGinn, Mary Bingham, Sal Scancarello

3. Community Announcements

Information: 3.1 Support Small Business Initiative

To hear Councilman Scancarello, and Councilman Colon regarding Support Small Business Initiative, please go on-line to Board Doc's Video Clip #3.1, 0:0:53. Information: 3.2 Town of Monroe Calendar

To hear Supervisor Cardone, and Board Members regarding Town of Monroe Calendar, please go on-line to Board Doc's Video Clip #3.2, 0:2:09. 4. Public Hearing

Action (Resolution): 4.1 Motion to Open the Continuation of the Public Hearing for Proposed Local Law No. 3, Amendment to Chapter 57 of the Town Code to Regulate Rental Properties and Transient Housing

2021-#79

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Continuation of the Public Hearing for Proposed Local Law No. 3, Amendment to Chapter 57 of the Town Code to Regulate Rental Properties and Transient Housing.

Motion by Supervisor -Tony Cardone, second by Mary Bingham.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Councilperson - Rick Colon, Mike McGinn, Mary Bingham, Sal Scancarello

The following signed up to speak during Public Comment regarding the Continuation of the Public Hearing for Proposed Local Law No. 3, Amendment to Chapter 57 of the Town Code to Regulate Rental Properties and Transient Housing. To hear their comments, and Board Members responses, please go on-line to Board Docs Video Clip #4.1, 0:2:52.

****NO PUBLIC COMMENT** (Camille Tokerud spoke briefly from her seat)

- Supervisor Cardone: I had forwarded everyone the analysis question/questionnaire that our Planner had submitted to us. I apologize, because it came in late on February 11th, and I missed it until this afternoon. So, you have it in front of you. You have it on your email, and it basically just outlines

what his, Max Stach of Nelson Pope and Voorhees's thoughts are regarding this. He asks us questions.

Talks about, excuse me, talks about you know, the length of time for the permit. If there's an Auto Renewal, if somebody is, does not have any violations. Has some parameters regarding the length of time that the home is owned, and you want to designate, a designation of a local person to report to the property any time during which the property is occupied. You know, there's all different, and these are just

Items, and thoughts so. There's really nothing to this, other than it's a, an outline to get us started with it. And obviously there's an acronym for what we're doing, and that acronym is STR's, which stands for Short Term Rentals. So. If you could look at it. Get any of your thoughts, points back to me in an email, and Mike, and myself will get on a virtual meeting with Max, most likely along with our Counsel, and hopefully within the next uh couple weeks we'll have it drawn up, and ready to rock and roll.

- Deputy Town Clerk Valerie Bitzer: No Public Comment.

- Supervisor Cardone: No, no Public Comment. Did, did.

- Camille Tokerud: I had nothing to add. I just wanted to hear (inaudible), or if I can help in any way.

- Supervisor Cardone: Okay. Thank You. We appreciate. I had called.

- Camille Tokerud: William, and Dryer.

- Supervisor Cardone: Yeah, just to let him know, that I didn't know if this was coming in. I spoke to him on Wednesday cause Max was tied up on another project of ours and, and something else, and a couple other things that he, that he was dealing with outside of the Town. So.

- Camille Tokerud: (Inaudible). They just said that maybe I'd go just in case there was something going on (inaudible).

- Supervisor Cardone: Yeah no. Nothing going on. We're gonna, we're gonna hold it over till the next meeting.
- Camille Tokerud: Ok.
- Supervisor Cardone: So. Thank you for attending though. Appreciate it. All right, so that said, if there's no additional Public Comment.

Action (Resolution): 4.2 Possible Motion to Keep Open the Continuation of the Public Hearing for Proposed Local No. 3, Amendment to Chapter 57 of the Town Code to Regulate Rental Properties and Transient Housing

2021-#80

BE IT RESOLVED that the Town Board of the Town of Monroe Motion to holdover, and continue the Continuation of the Public Hearing for Proposed Local No. 3, Amendment to Chapter 57 of the Town Code to Regulate Rental Properties and Transient Housing until March 1, 2021 at 7:00 PM or immediately there-after.

Motion by Supervisor -Tony Cardone, second by Sal Scancarello.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Councilperson - Rick Colon, Mike McGinn, Mary Bingham, Sal Scancarello

Action (Resolution), Discussion: 4.3 Motion to Open the Continuation of the Public Hearing for Proposed Changes to Article XIV of the Town of Monroe Zoning Local Law

2021-#81

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Continuation of the Public Hearing for Proposed Changes to Article XIV of the Town of Monroe Zoning Local Law.

Motion by Supervisor -Tony Cardone, second by Mary Bingham.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Councilperson - Rick Colon, Mike McGinn, Mary Bingham, Sal Scancarello

The following signed up to speak during Public Comment regarding the Continuation of the Public Hearing for the Proposed Changes to Article XIV of the Town of Monroe Zoning Local Law. To hear their comments, and Board Members responses, please go on-line to Board Docs Video Clip #4.3, 0:6:28.

****NO PUBLIC COMMENT**

- Supervisor Cardone: Okay.
- Deputy Town Clerk Valerie Bitzer: No Public Comment.

- Supervisor Cardone: No Public Comment. Mike any. We're still waitin for Max on this one, right?

- Councilman McGinn: Yeah, he, he got, and I know, I know we were supposed to have it by this meeting. He is just kinda swamped, and trying to, he's working on like three, or four major things right now. Plus, you know they have other municipal clients. We're not the only, the only show in Town so. So, my apologies. I know I said we'd have it for this meeting but, but I'm confident that hopefully if everything goes well, then, then we'll have it for the next one, and be able to move forward with it.

- Supervisor Cardone: Okay great

- Councilman McGinn: And just, just for the record, that's the Non-Conforming uses is with that, with that law is so.

Action (Resolution), Discussion: 4.4 Possible Motion to Keep Open the Continuation of the Public Hearing for Proposed Changes to Article XIV of the Town of Monroe Zoning Local Law

2021-#82

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Keep Open the Continuation of the Public Hearing for Proposed Changes to Article XIV of the Town of Monroe Zoning Local Law until March 1, 2021 at 7:00 PM or immediately there-after.

Motion by Supervisor -Tony Cardone, second by Mike McGinn.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Councilperson - Rick Colon, Mike McGinn, Mary Bingham, Sal Scancarello

5. Audit of Claims

Action (Resolution), Discussion: 5.1 General Fund Abstract

To hear Supervisor Cardone regarding General Fund Abstract 21-03, please go on-line to Board Doc's Video Clip #5.1, 0:8:03. **2021-#83**

BE IT RESOLVED, that the Town Board of the Town of Monroe requests approval of Abstract #21-03 General Fund containing Check # 26659 - 26717 totaling \$3,212,774.87.

Motion by Councilperson - Rick Colon, second by Sal Scancarello.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Councilperson - Rick Colon, Mike McGinn, Mary Bingham, Sal Scancarello

Action (Resolution), Discussion: 5.2 Escrow Abstract

2021-#84

BE IT RESOLVED, that the Town Board of the Town of Monroe requests approval of Abstract #21-03 Escrow containing Check # 1960 - 1962 totaling \$36,430.60.

Motion by Supervisor -Tony Cardone, second by Councilperson - Rick Colon.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Councilperson - Rick Colon, Mike McGinn, Mary Bingham, Sal Scancarello

6. Acceptance of Minutes

Action (Resolution): 6.1 Acceptance of February 1, 2021 Minutes

2021-#85

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to accept the Minutes of February 1, 2021.

Motion by Mary Bingham, second by Sal Scancarello.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Councilperson - Rick Colon, Mike McGinn, Mary Bingham, Sal Scancarello

7. New Business

Action (Resolution), Discussion: 7.1 Proposed Local Law: Real Property Tax Law Section 1910

To hear Supervisor Cardone, and Board Members regarding Proposed Local Law: Real Property Tax Law Section 1910, please go on-line to Board Doc's Video Clip #7.1, 0:10:40.

2021-#86

BE IT RESOLVED that the Town Board of the Town of Monroe Made the following Resolution by Supervisor Cardone, and seconded by Councilman Colon.

A LOCAL LAW AUTHORIZING SPECIAL DEFERMENTS OF PROPERTY TAXES DURING THE COVID-19 STATE OF EMERGENCY

BE IT ENACTED by the Town Board of the Town of Monroe, Orange County, New York("Town Board") as follows:

Section 1. Legislative Intent.

It is the intent of this Local Law to permit, applicable to all real property, special deferments of taxes and special ad valorem levies due during the COVID-19 State of Emergency pursuant to Executive Order Number 202 of 2020.

Section 2. Authority.

This Local Law is adopted pursuant to the provisions of Real Property Tax Law § 1910, effective January 30, 2021, permitting special deferments of taxes during the COVID-19 State of Emergency and the Municipal Home Rule Law, Section 10

Section 3. Local Law Authorizing Special Deferments During the Covid-19 State of Emergency.

The Town Board hereby authorizes, to permit the deferment of scheduled payments of taxes and special ad valorem levies due during the COVID-19 State of Emergency until June 1, 2021.

It is provided further, that any liability which would normally accrue against the Town of Monroe under sections §§ 936; 976; and 1330 of the Real Property Tax Law, or any other general or special law, or any local law, ordinance, resolution, or city or county charter, shall be waived insofar as such liability is created by the Town's decision to defer taxes or special ad valorem levies.

Section 5. Severability.

If a court of competent jurisdiction determines that any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 6. Code Preparation.

The Town's Code preparation contractor is authorized, without further action of the Town Board, to correct typographical errors, numbering and other related technical changes that do not affect or alter the substantive provisions of this local law.

Section 7. Effective date.

This Local Law shall be effective immediately upon filing with the Secretary of State.

Motion by Supervisor -Tony Cardone, second by Councilperson - Rick Colon.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Councilperson - Rick Colon, Mike McGinn, Mary Bingham, Sal Scancarello

Action (Resolution), Discussion: 7.2 Electronic Filing Opt Out

To hear Supervisor Cardone, and Councilman Colon regarding Electronic Filing Opt out, please go on-line to Board Doc's Video Clip #7.2, 0:13:26. **2021-#87**

BE IT RESOLVED that the Town Board of the Town of Monroe Made the following Resolution by Supervisor Cardone, and seconded by Councilwoman Bingham.

RESOLUTION TO OPT OUT OF ELECTRONIC FILING OF COMPLAINTS FOR

ADMINISTRATIVE REVIEW OF ASSESSMENTS

WHEREAS, the State of New York, pursuant to section 104(1)(b)(iv) of the Real Property Tax Law ("RPTL") permits the electronic filing of an aggrieved party's complaint on assessment where a municipality has not opted out of such electronic filing option; and

WHEREAS, the governing Town Board does not desire to participate in electronic filing of grievances on assessment matters within the Town.

NOW, THEREFORE, BE IT RESOLVED: that:

Section 1. All "Whereas" clauses are hereby incorporated by reference as though set forth in full herein.

Section 2. The Town Board hereby opts-out of permitting any person aggrieved by an assessment (e.g., an owner, purchaser or tenant who is required to pay the taxes pursuant to a lease or written agreement), or representative thereof, to electronically file an assessment complaint.

Section 3. Complaints with respect to assessments are to continue in accordance with the provisions of section 524 of the RPTL.

Section 4. The Town Supervisor and any other officer or employee as directed by the Town Supervisor shall take any and all necessary actions to carry out the provisions of this Resolution.

Section 5. This Resolution shall be effective immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Yea Nay Abstain Absent

Anthony Cardone, Supervisor [X] [] [] []

Michael McGinn, Councilperson [X] [] [] []

Richard Colon, Councilperson [X] [] [] []

Mary Bingham, Councilperson [X] [] [] []

Sal Scancarello, Councilperson [X] [] [] []

The Resolution was thereupon duly adopted.

Motion by Supervisor -Tony Cardone, second by Mary Bingham.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Councilperson - Rick Colon, Mike McGinn, Mary Bingham, Sal Scancarello

Action (Resolution), Information: 7.3 Set Public Hearing for Proposed Local Law: Real Property Tax Law Section 1910

To hear Counsel Nugent, and Supervisor Cardone regarding Set Public Hearing for Proposed Local Law: Real Property Tax Law Section 1910, please go on-line to Board Doc's Video Clip #7.3, 0:16:07. **2021-#88**

BE IT RESOLVED that the Town Board of the Town of Monroe Amends the prior Motion (item 7.3, #2021-86), and Made a Motion to Set a Public Hearing for a Local Law Authorizing Special Deferments of Property Taxes during the COVID-19 State of Emergency for March 1, 2021 at 7:00 p.m. or immediately there-after.

Motion by Supervisor -Tony Cardone, second by Mike McGinn.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Councilperson - Rick Colon, Mike McGinn, Mary Bingham, Sal Scancarello

Discussion: 7.4 2021 Library Agreement

****NO ACTION AT THIS TIME. HOLD OVER UNTIL EXECUTIVE SESSION.** To hear Supervisor Cardone, Councilman McGinn, and Counsel Nugent regarding 2021 Library Agreement, please go on-line to Board Doc's Video Clip #7.4, 0:17:48. Discussion: 7.5 Standard Work Day Resolution & Reporting Resolution for Elected & Appointed Officials

****NO ACTION AT THIS TIME. HOLD OVER UNTIL EXECUTIVE SESSION.** To hear Board Members, and Counsel, please go on-line to Board Doc's Video Clip #7.5, 0:18:56. Action (Resolution), Discussion: 7.6 Transport of Dogs to Woodbury Animal Shelter

To hear Board Members, and Town Counsel regarding Transport of Dogs to Woodbury Animal Shelter, please go on-line to Board Doc's Video clip #7.6, 0:21:37. **2021-#89**

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion authorizing Town of Monroe employees Mike Garry and Webster Johnson to assist in the transport of dogs as necessary from the Town of Monroe to the Woodbury Animal Shelter, per the terms

of the Intermunicipal Agreement with Woodbury.

Motion by Supervisor -Tony Cardone, second by Councilperson - Rick Colon.

2021-#90

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion authorizing Town of Monroe employees Mike Garry and Webster Johnson to assist in the transport of dogs as necessary from the Town of Monroe to the Woodbury Animal Shelter, per the terms of the Intermunicipal Agreement with Woodbury. It would be the minimum call out hours as per the Union Contract, and their rates would be their current hourly rate.

Motion by Supervisor -Tony Cardone, second by Mike McGinn.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Councilperson - Rick Colon, Mike McGinn, Mary Bingham, Sal Scancarello

Action (Resolution), Discussion: 7.7 Town Hall Elevator Maintenance Contract

To hear Supervisor Cardone, and Board Members regarding Town Hall Elevator Maintenance Contract, please go on-line to Board Doc's Video Clip #7.7, 0:28:00. **2021-#91**

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion authorizing the Supervisor to sign the contract with Orange County Elevator, LLC for the maintenance of the elevator at Town Hall pursuant to Attorney review so that those items can be either adjusted or language be included in the revisions as per our Attorney's approval. Contract cost \$225.00/month.

Motion by Councilperson - Rick Colon, second by Sal Scancarello.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Councilperson - Rick Colon, Mike McGinn, Mary Bingham, Sal Scancarello

Action (Resolution), Discussion: 7.8 Permits for Pesticide Treatment, Round Lake

To hear Supervisor Cardone, and Board Members regarding Permits for Pesticide Treatment, Round Lake, please go on-line to Board Doc's Video Clip #7.8, 0:29:09. **2021-#92**

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to authorize in accordance with the stipulations of the NYSDEC Aquatic Pest Control Permits that Solitude Lake Management be allowed to conduct pesticide treatments during the 2021 season in Round Lake, Orange County, NY and be solely in charge of all pesticide applications for the duration of 2021.

Motion by Supervisor -Tony Cardone, second by Councilperson - Rick Colon.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Councilperson - Rick Colon, Mike McGinn, Mary Bingham, Sal Scancarello

Action (Resolution), Discussion: 7.9 Board of Assessment Review Appointment

To hear Board Members discussion regarding Board of Assessment Review Appointment, please go on-line to Board Doc's Video Clip #7.9, 0:29:09. **2021-#93**

BE IT RESOLVED that the Town Board of the Town of Monroe appoints Dorey Houle to fill Board of Assessment Review vacancy, Slot #1, term expiration 9/30/2023.

Motion by Mike McGinn, second by Sal Scancarello.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Councilperson - Rick Colon, Mike McGinn, Mary Bingham, Sal Scancarello

Action (Resolution), Discussion: 7.10 Orange County Traffic Safety Program

2021-#94

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to approve the use of the Town Hall meeting room by the Orange County Traffic Safety Program and Village of Monroe Police Department on April 12, 2021 and April 13, 2021 during the hours of 8 a.m. - 4 p.m. for child passenger safety training and the technician update class, pending submittal of required certificate of insurance. Anticipated number of guests per day is 25 individuals. All individuals attending the training are required to adhere to current Town Hall COVID-19 protocol. No charge.

Motion by Mike McGinn, second by Councilperson - Rick Colon.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Councilperson - Rick Colon, Mike McGinn, Mary Bingham, Sal Scancarello

8. Old Business

Discussion: 8.1 Assessor's Office Car Lease

To hear Councilman Colon, and Board Members discussion regarding Assessor's Office Car Lease, please go on-line to Board Doc's Video Clip #8.1, 0:36:04. 9. Public Comment

Information: 9.1 Rules for Public Comment

Discussion, Information: 9.2 Public Comment

**** NO PUBLIC COMMENT AT THIS TIME** 10. Possible motion to adjourn to Executive and or/ Attorney Client Session

Action (Resolution), Information: 10.1 Enter into Executive Session

2021-#95

BE IT RESOLVED, that the Town Board of the Town of Monroe Made a Motion to enter into an Executive Session to discuss Legal & Contractual.

Motion by Supervisor -Tony Cardone, second by Councilperson - Rick Colon.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Councilperson - Rick Colon, Mike McGinn, Mary Bingham, Sal Scancarello

11. Return to Regular Meeting

Action (Resolution), Information: 11.1 Return to Regular Meeting

2021-#96

BE IT RESOLVED, that the Town Board of the Town of Monroe approves to return to regular session.

Motion by Mike McGinn, second by Mary Bingham.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Councilperson - Rick Colon, Mike McGinn, Mary Bingham, Sal Scancarello

12. Motions From The Floor

Action (Resolution): 12.1 Standard Work Day Resolution & Reporting Resolution for Elected & Appointed Officials

2021-#97

BE IT RESOLVED, that the Town Board of the Town of Monroe Made a Motion to Table the matter regarding Standard Work Day Resolution & Reporting Resolution for Elected & Appointed Officials until March 1, 2021.

Motion by Supervisor -Tony Cardone, second by Mike McGinn.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Councilperson - Rick Colon, Mike McGinn, Mary Bingham, Sal Scancarello

Action (Resolution): 12.2 Matter of Teamsters Local 445 v. Town of Monroe

2021-#98

BE IT RESOLVED, that the Town Board of the Town of Monroe Made a Motion to authorize Town Legal Counsel to file Motion for Leave to Appeal to the Court of Appeals in the Matter of Teamsters Local 445 v. Town of Monroe.

Motion by Mike McGinn, second by Sal Scancarello.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Councilperson - Rick Colon, Mike McGinn, Mary Bingham, Sal Scancarello

Action (Resolution): 12.3 2021 Library Agreement

2021-#99

BE IT RESOLVED, that the Town Board of the Town of Monroe Made a Motion to accept the 2021 Agreement between the Town and Monroe Free Library.

Motion by Mike McGinn, second by Sal Scancarello.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Councilperson - Rick Colon, Mike McGinn, Mary Bingham, Sal Scancarello

2021-#100

BE IT RESOLVED, that the Town Board of the Town of Monroe Made a Motion authorizing the Supervisor to sign the 2021 contract between the Town and the Monroe Free Library.

Motion by Mary Bingham, second by Councilperson - Rick Colon.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Councilperson - Rick Colon, Mike McGinn, Mary Bingham, Sal Scancarello

13. Adjournment

Action (Resolution): 13.1 Adjournment of Meeting

2021-#101

BE IT RESOLVED, that the Town Board of the Town of Monroe adjourns the meeting of February 16, 2021 at 8:46 PM.

Motion by Supervisor -Tony Cardone, second by Mike McGinn.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Councilperson - Rick Colon, Mike McGinn, Mary Bingham, Sal Scancarello