

MONROE TOWN BOARD MEETING MINUTES

— 06/15/2020

MONROE TOWN BOARD MEETING AGENDA (Monday, June 15, 2020)

Generated by Valerie Bitzer

Members present

Supervisor -Tony Cardone, Councilman - 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 of June 15, 2020

Action (Resolution): 2.1 Motion to Open Town Board Meeting

2020-#279

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Town Board Meeting of June 15, 2020.

Motion by Mike McGinn, second by Mary Bingham.

Final Resolution: Motion Carries

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

3. Community Announcements

Information: 3.1 Moment of Silence

To view Supervisor Cardone's Moment of Silence for those lost to COVID-19, and the Town recently, please go on-line to Board Doc's Video Clip #3.1, 0:1:13. Information: 3.2 County Update & Update Regarding Town Operations During COVID-19

To hear Supervisor Cardone's comments regarding County Updates, please go on-line to Board Doc's Video Clip #3.2, 0:1:33. 4. Public Hearing

Action (Resolution), Discussion: 4.1 Motion to Open the Continuation of the Public Hearing for the Proposed Amendment of Ch. 57 of the Town Code

2020-#280

BE IT RESOLVED that the Town Board of the Town of Monroe Motion to Open the Continuation of the Public Hearing for the Proposed Amendment of Ch. 57 of the Town Code.

Motion by Sal Scancarello, second by Mike McGinn.

Final Resolution: Motion Carries

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

The following spoke on the Zoom Video/Tele-conference during Public Comment regarding the Continuation of the Proposed Amendment of Ch. 57 of the Town Code. To hear their comments, Max Stach, and Board Members responses, please go on-line to Board Docs Video Clip #4.1, 0:3:10.

- Max Stach
- #031 Ward Brower
- Mr. Berkowitz (no comment)
- Mr. Fusco
- Lorraine Loening

- Supervisor Cardone: Now I know we have Max with us. Max Stach, our Planner's with us. Thank you for joining us Max. Appreciate it.

- Max Stach: Likewise.

- Supervisor Cardone: Highway Superintendent Scherne, thanks for joining us. So, Mike or Max if you wanna talk about Ch. 57.

- Councilman McGinn: Yeah, I'll defer to Max. Let him, you know explain the process of where we are, and what we are going to do this evening.

- Max Stach: Sure. Thank you Town Board Members. Mr. Supervisor. Tonight before you, you have for consideration, a Draft of the Final Generic Environmental Impact Statement. Essentially, the FGEIS is the final analysis if you will of the potential impacts, that adoption of the CCR could have, and looks more intensively at it's application on the test site off of Red Schoolhouse Road. The EIS if you will recall the process rather of preparing the EIS, began in September 23rd of 2019 when the Town Board declared that the CCR could result in potential impacts. We did a scope back in October, and November of 2019. You looked at a DGEIS in early February of 2019, and you required some Amendments, and found a document complete in March of 2020. You held a Public Hearing on March 25th. Continued it to April 6th, 2020, and extended the Public Written Comment period to April 20th of 2020. We've gone through the comments received on the DEIS which disclosed a list of potential impacts that could occur. We've gone through those comments. We have, based on those comments, recommended a couple a changes to the language of the CCR, but by, and large it, it is largely unchanged. We have responded to all those comments, and those comments need to reflect the Lead Agencies opinion on the action. The perspective on the action, because this document will become the basis for your findings statement which you will consider at your next meeting, and that will essentially precede your decision on whether or not to adopt the Law. So, I provided you the FEIS on March 29th of this year, (inaudible). I'm sorry, May 29th.

- Councilman McGinn: (Inaudible).

- Max Stach: May 29th. If you have any questions, or, or concerns, I'd be happy to address those. But at this point if you agree with the answers in the FEIS, FGEIS, and you were to declare it as complete, the next step in the process would be for me to work with the Town Clerk to distribute that document to all the involved agencies. They would have no less than 10 days to go over the responses. They could provide feedback to the Board. There's no requirement for a Public Hearing, and it's discretionary if they wanted to provide comment. You should consider those comments for no less than 10 days, and after that, I'm sorry, during that time, my Firm's already started preparing the Finding's Statement. So we would be able to provide you with a Draft Findings Statement in that time which you can consider adopting at your next meeting. So those are really the next steps if you believe that the FEIS is adequately been prepared, you basically accept it, and, instruct the Clerk, and me to work together to file it, and, and distribute it, and that's where we are.
- Councilman McGinn: (Inaudible). Thank you Max. Appreciate it.
- Supervisor Cardone: (Inaudible) thanks Max.
- Max Stach: You're welcome.
- Supervisor Cardone: So we, we, seem like we're ready to approve this?
- Councilwoman Bingham: Well, I haven't read it cause I was lookin for a hard copy, and Mr. McGinn, Councilman McGinn, I had left you a phone message last week. I don't know if you got it, but I haven't seen a hard copy of this FEIS. Do we have a hard copy, or it just on-line?
- Councilman McGinn: It was just on-line Mary.
- Councilwoman Bingham: Ok.
- Councilman McGinn: I, I don't think hard copies were distributed to any of the Board Members. It was just, I just reviewed it off the e-mail you know, on you know that was on-line in the, that was sent to us by Max back on the 29th.
- Councilwoman Bingham: Ok. Maybe then a question for Max. Tracy Schuh with the Preservation Collective had sent some very astute comments regarding the Senior Housing. If you could just go over briefly (inaudible) the FEIS is different now compared to what the Draft Copy was in regards to Senior Housing.
- Max Stach: Certainly. So, we did receive a number of very salient comments from that particular com-mentor, especially as regards the easements, and the sort of who those easements are in benefit of, and we did incorporate several of them into, or recommended incorporating several of them into the CCR Law. I'm looking up right now in-particular which ones those are. If you'll give me just a moment, I can bring them up here.
- Supervisor Cardone: While you're lookin at that, hey JK, how many, how many people do we have on, on-line?
- Counsel John Kolesar: Right now there's nine Attendees. One is a phone call listener. We have one hand raised, and the rest are eight on-line.
- Supervisor Cardone: Ok. Thank you.
- Max Stach: And while I'm looking through this, just to, to clarify, this document is not subjected to a Public Hearing unlike the DEIS. This is essentially the responses to the

comments that you received on the document at the Public Hearings. So, there's no need to have a Public Hearing on this document. Ok so, so here's the, the suggested modifications specifically that we are (inaudible), are suggesting in response to her comments are that the open lands that are created as part of the CCR mapping be protected by a Conservation Easement held jointly by the Town, and a reputable Land Trust, or fee dedication to the Town with Conservation Easement held by a Land Trust. So the previous language said it, it needed to be a Conservation Easement held by the Town or the Land Trust. So this would require that the Land Trust be involved regardless of, of whether the Town holds Easement or fee (inaudible), fee ownership of that land.

- (Inaudible).

- Max Stach: The next one was that the Conservation Easements terminate any development rights, and rights of that land, and prohibit transfer of those rights to any other property after development. That modification of any Conservation Easement require unanimous consent of the Town Board, and unanimous consent of the Land Trust Governing Board, and that such modifications cannot confer private benefit or (inaudible) not included in the original Easement. And.

- Councilwoman Bingham: (Inaudible).

- Max Stach: (Inaudible) concerns were about basically what would happen in the future if a Town Board wanted to act in a way contrary to the way this Board wants to act in terms of preserving the open space.

- Councilwoman Bingham: And you said it has to be unanimous correct?

- Max Stach: It has to be unanimous by both the Town Board, and the Land Trust Governing Board.

- Councilwoman Bingham: Ok. That's good.

- Max Stach: The way it (inaudible).

- Councilman Colon: I got a comment to make at this point. All of this applies only if a Floating Zone is imposed on a particular area, correct?

- Max Stach: Correct.

- Councilman Colon: Because I'm just speculating at this point. Someone can come in, purchase the property. It does not necessitate. Now what this does, I wanna make this clear to the public at large. What this is, is a guideline should the Floating Zone be used by a Builder that all of this is in place. But it does not necessitate that there is anybody at this time that is looking to build, at this time.

- Max Stach: That is correct.

- Councilman McGinn: Yeah Rick it's, it's a Zoning option that the Town Board would have to take under advisement with all the, with all the requirements that are in the Local Law.

- Councilman Colon: Sure.

- Councilman McGinn: That, that would have to be met prior to even coming before the Board.

- Councilman Colon: Right. So, I'm just.

- Councilman McGinn: (Inaudible).

- Councilman Colon: Trying to make that (inaudible).

- Councilman McGinn: That's having a master development plan, and everything. So yeah, buying a piece of property does not give someone automatic rights to the C, you know the CCR. It still, again, they have to (inaudible) there's a lot that they have to do prior to coming to the Board. The Town Board. And then once the Town Board does its due diligence, and if they do decide to let due, decide to land that zoning, it then goes to the Planning Board for their, for site plan approval, and all the other.
- Councilman Colon: I thought it would be going to site.
- Councilman McGinn: (Inaudible). Planning.
- Councilman Colon: To, to Planning previously.
- Councilman McGinn: Right. It doesn't cut out Planning. It doesn't, all the things that we've, that were asked, and answered are you know, have been covered. They, there's no you know, just jumping back real quick to, to the modifications based on the Preservation's Collective. I mean that's about as iron clad a commitment that you can possibly have to keeping the, the Conservation Lands, forever preserved. I mean there's, there's not a lot more that you can do other than having a State Law enacted to make it State Parkland.
- Councilman Colon: (Inaudible).
- Councilman McGinn: So it's very.
- Councilman Colon: I, I, I (inaudible).
- Councilman McGinn: Very, very strong language that, that the Planner has put in there to ensure that future Town Board's do not tamper with, with this plan that we put together.
- Councilman Colon: Sure. Sure. If they, if they use that Floating Zone.
- Councilman McGinn: If they use that Floating Zone, right.
- Councilman Colon: Right. I'm just trying to make a point clear.
- Councilman McGinn: Yeah, no, appreciate that.
- Councilman Colon: (Inaudible), you know with everybody else, even myself included. No. We don't have anybody yet to build that. Now if they chose to use this plan, it saves them time, and money, cause then they don't go to the Planning Board, have to put in approval.
- Supervisor Cardone: Well no, no, they still.
- Councilman Colon: (Inaudible).
- Supervisor Cardone: They still, they still have to go to the Planning Board.
- Councilman Colon: Even with this?
- Supervisor Cardone: Yeah.
- Max Stach: They go to the Planning Board, but a lot of the discretionary decisions are made by the Town Board.
- Councilman Colon: Ok.
- Max Stach: So they're gonna say, before you give them the Zoning, they're essentially gonna show you exactly what they wanna build.
- Councilman Colon: Well, I wanna be careful about that because, as a Town Board Member, ok, and for the Town Board. I'm not thinking today. I'm thinking for tomorrow.
- Max Stach: Mmm, hmm. Understood.

- Councilman Colon: I don't want the Town Board to be the Planning Board. I wanna be able, or see the Town Board if need be, step in, and say, no this is the plan we have. It's gonna be used as a template if they're gonna use anything, you know if they want the Floating Zone, this is what they have to use.
- Councilman McGinn: Well, they've got to present a master development plan, the MDP to the, to the Town Board prior to even going anywhere with it, and, and again.
- Councilman Colon: (Inaudible).
- Councilman McGinn: None of this, none of this precludes them other than the test case that, that Max is based the DGIS, and the FES.
- Councilman Colon: Ok.
- Councilman McGinn: FEIS off of that you know anyone else that comes in is gonna have to do a full SEQRA assessment, and everything that goes along.
- Councilman Colon: With regular, with any, any type of normal (inaudible).
- Councilman McGinn: Right. With any type of development. Exactly.
- Councilman Colon: Sure. I'm just trying to make something clear to people.
- Councilman McGinn: Yeah, yeah. Well, that's good.
- Councilman Colon: (Inaudible) not on the inside watching this develop.
- Councilman McGinn: Yeah.
- Councilman Colon: (Inaudible).
- Councilman McGinn: Listen, I think since we've been going through this, and it has been a number of months, I think it's pretty, there hasn't been a question asked, and answered that, that pertains to this Zoning, and, and most of what I've seen in speaking to members of the community has been overwhelmingly supportive.
- Councilman Colon: Ok.
- Councilman McGinn: Because it answers a lot of needs that, that we have in this community, and, and it's, it's a, it's a very unique answer to, to some of the problems.
- Councilman Colon: A particular issue. (Laughter).
- Councilman McGinn: Well, particular issues, but also to future you know, it gives flexibility for economic development, and other, other, other things that Board's will wanna achieve, and those things are kinda narrowly locked into what the Local Law prescribes.
- Councilman Colon: Right.
- Councilman McGinn: Not, you can't say, hey, I'm gonna throw an Amusement Park in there, cause that's not in the Local Law, you know.
- Councilman Colon: Right, right, right, (inaudible).
- Councilman McGinn: (Inaudible), so no, Legoland's not moving to (inaudible).
- Councilman Colon: (Laughter).
- Councilman McGinn: No concerns about that.
- Councilman Colon: Alright, thank you.
- Councilwoman Bingham: May I ask Max another question?
- Supervisor Cardone: Sure.

- Max Stach: Certainly.
- Councilwoman Bingham: Traffic. I had concerns about Reynolds, and I know that's in, in the Village's comments as well as some of the residents comments. So again, I apologize. I was looking for a hard copy. If you could just give us a brief synopsis of what the changes are in regards to traffic, specifically on Reynolds, and Orange Turnpike.
- Max Stach: Right, and, and that was a concern. I understood very well your concerns, and I reached out to our Traffic Engineer on that matter. The issue at hand with the intersection of Reynolds, and Orange Turnpike has to do with the relative volume that is traveling on Orange Turnpike, the County Road, versus the amount of traffic on Reynolds Road. And whether or not by virtue of delay increasing for those left turn movements of people leaving Reynolds Road trying to make a left turn onto Orange Turnpike which I believe is, is the problem movement now, and in the future, is that warrants for the signal will not be met. And in most cases a Jurisdiction will not allow for a signal to be implemented unless those warrants are actually met. I have understood this to be a matter of liability, where if you put a traffic light that is not warranted it could, and something were to happen, that, that could expose the County to liability. So, the language that we've used in the study here, and again I'm trying to find the particular response. Here, ok. So, the eastbound approach on Reynolds Road will degrade from level of service E&C to F&D during the weekday PM, and Saturday mid-day peak hours. The 95th percentile cue-lengths, so it's pretty much the worst case scenario. On the eastbound approach will increase from 105 feet which is five vehicles waiting to turn, to 180 feet, or nine vehicles waiting to turn after the construction of the process, project. So, that will be during weekday PM conditions. Typically, you know that, that's a 5:15, you're trying to make a left turn from Reynolds onto Orange Turnpike.
- Councilwoman Bingham: Mmm,hmm.
- Max Stach: You might be as much as the ninth vehicle in line to do that. The increase in cue-length can be safely accommodated on Reynolds. There's no problem. You're not blocking any traffic movements. It, it works. It is an inconvenience. The installation of a traffic light could reduce that. There's no question. But the signal warrant analysis would need to be undertaken in order to determine whether or not the County would allow it. And so that's basically where we are.
- Councilman McGinn: I'm very confident Max that if the Town tells the County that we really need this light for that location, that we'll get a light there, and, and my feeling is, is that probably is going to be something that, that will be done down the road.
- Max Stach: Ok.
- Councilman McGinn: I didn't mean to cut you off. I'm sorry, I just (inaudible).
- Max Stach: No, and that's fine. And were a traffic light to be required as a result of this project, it would be something that the Applicant would be required to.
- Councilman McGinn: Right.
- Max Stach: Fund.
- Councilman McGinn: Right. And that would be something also that the Planning Board can

require that they do as part of their site plan review correct?

- Max Stach: Yeah, the, the Town could impose it as a, as a means of.

- Councilman McGinn: (Inaudible).

- Max Stach: Getting their Zoning.

- Councilman McGinn: Right.

- Max Stach: You could say in order for us to give you this CCR Zoning, you have to put a traffic light, or fund a traffic light if warrants are met, and then the Applicant at that point would go, and do the warrant analysis, and if they could meet the warrants, or.

- Councilman McGinn: (Inaudible).

- Max Stach: You, like you said, if, if the Town, even if it doesn't meet the warrants, the Town could request it of the County.

- Councilman McGinn: Right.

- Max Stach: For them to put it in.

- Councilman McGinn: Ok.

- Supervisor Cardone: Ok. Any other questions?

- Counsel John Kolesar: No. Alright, we can do, right now we're gonna go into Public Comment.

- Supervisor Cardone: Yep.

- Counsel John Kolesar: And so what I'm gonna do is, I'm gonna start with the phone call in listener. I, I'm gonna call on your name, and allow you to talk, and just let us know whether you want to make a comment, or you can also elect, electronically raise your hand, and I will call on you. So, I'm gonna start with the phone number ending in 031.

- #031 (Ward Brower): Ward Brower.

- Counsel John Kolesar: (Inaudible).

- Ward Brower: Private.

- Counsel John Kolesar: (Inaudible).

- Ward Brower: (Inaudible), my understanding, you're not having another Public Hearing?

- Councilman McGinn: No, Ward, this is, this is a, this is the, the, the Planner's response to the DGIS, and the (inaudible) questions including the many that you raised during the process to, to the answers to those questions.

- Ward Brower: And in response to that, when will we see the responses to my questions?

- Max Stach: So if, if the Town Board acts to find this document complete tonight.

- Ward Brower: Mmm, hmm.

- Max Stach: This document would appear on the Town Board website within a day or two at most, at which point it would be available for you to review, and if you had any comments, you can sub, provide those to the Board in writing.

- Ward Brower: Ok, so we have to provide it in writing? Our comments.

- Max Stach: The next Public Hearing, well there won't be another Pub.

- Supervisor Cardone: There won't be one.

- Max Stach: On the Law. The next Public Hearing that might happen would be if anybody comes in, and actually wants to apply for this Zoning, they would have to go through a Public

Hearing.

- Supervisor Cardone: The next, Ward, just so you understand, the next step in this process, so let's say we did approve it tonight, the next step would be, adopting the Local Law which would be done at the next meeting.

- Ward Brower: I, my concern is that I haven't seen the, the reaction to my comments, so I don't know if I have further reactions. That's my concern.

- Councilman McGinn: Well.

- Supervisor Cardone: Well.

- Councilman McGinn: (Inaudible), well, like, like the Planner was saying, they will be, if we approve it tonight, those, those comments will be available on-line, and if you need a printed copy I'm sure we can get one at Town Hall since the Library is still closed till the Phase III I believe. So, but we can make a printed copy available if you need to see it. I mean if you wanna see it of course.

- Ward Brower: I'd like to see a copy, printed one if it's (inaudible), if it's possible.

- Councilman McGinn: I'm, I'm sure, I'm sure we can get one out there to you Walt.

- Ward Brower: Thank you.

- Counsel John Kolesar: Ok, is that all? Alright.

- Ward Brower: Other than that (inaudible) I said, I said, I don't know what my response will be cause I haven't seen the response from Max.

- Counsel John Kolesar: Ok. Alright.

- Councilman McGinn: (Inaudible), so Ward (inaudible) you'll be able to make Public Comment until such time as we close the, you know close the, adopt the Local Law, and, and it's finalized.

- Ward Brower: Ok thank you.

- Councilman McGinn: You're welcome.

- Counsel John Kolesar: Alright, so next up we have Mr. Berk, Berkov, scuse me, Berkovitz.
- (Inaudible).

- Counsel John Kolesar: Alright. Mr. Berkowitz, do you have any comments for the Board?

- Councilman McGinn: You have to un-mute yourself sir.

- (Inaudible).

- Mr. Berkovitz: No thank you.

- Counsel John Kolesar: Ok.

- Councilman McGinn: You gotta un-mute yourself.

- Councilman Colon: You gotta hit the mute button at the bottom. To, what is it to the left?

- Councilwoman Bingham: Left.

- Councilman McGinn: Or depress the space-bar, and hold it down.

- (Inaudible).

- Councilwoman Bingham: There you are.

- Mr. Berkovitz: No thank you. Thank you. No.

- Counsel John Kolesar: Ok.

- Councilman McGinn: Hold it down.

- Counsel John Kolesar: Alright.
- Supervisor Cardone: Mike, he said no thank you. He's good Mike.
- Counsel John Kolesar: Yeah.
- Councilman McGinn: Oh, no thank you. Ok.
- Counsel John Kolesar: Yeah. (Laughter). Next up we have Mr. Fusco.
- (Inaudible).
- Councilman McGinn: Hey Dan, un-mute yourself.
- Mr. Fusco: How's that?
- Supervisor Cardone: Good.
- Councilman McGinn: Good.
- Mr. Fusco: No. I'm (inaudible) here for the water issue.
- Supervisor Cardone: Ok.
- Mr. Fusco: On Old Country Road.
- Councilman McGinn: Alright, stand by, it's commin.
- Mr. Fusco: Ok.
- Councilman Colon: It's commin.
- Councilman McGinn: Thank you Mr. Fusco.
- Counsel John Kolesar: Alright. Mr. Protter.
- Councilman McGinn: That's, that's for.
- Supervisor Cardone: He's here for the water.
- (Inaudible).
- Counsel John Kolesar: The water issue too? Ok.
- Mr. Protter: Yeah, I'm here for the water issue.
- Counsel John Kolesar: Alright.
- Councilman McGinn: Stand by Mr. Protter.
- Counsel John Kolesar: Mr. Bickel. Jacob Bickel.
- Councilman McGinn: That's water also.
- Supervisor Cardone: Water issue as well.
- Counsel John Kolesar: Ok. And we have Lieby Bickel. Is this water (inaudible).
- Councilman Colon: Water. Water.
- Counsel John Kolesar: Ok. Lorraine.
- Lorraine Loening: Hello.
- Councilman McGinn: Hello Lorraine.
- Counsel John Kolesar: Hello Lorraine.
- Supervisor Cardone: Hello Lorraine.
- Lorraine Loening: Yeah, my comments are just, I look forward to reading your comments, to our comments. Ok. Thank you.
- Councilman McGinn: They'll be available. Thank you.
- Supervisor Cardone: Thank you.
- Counsel John Kolesar: Ok, and last up we have Michele Dixler.

- Councilman McGinn: That's also water.
- Councilman Colon: Water.
- Counsel John Kolesar: Ok.
- Councilman McGinn: Ok, so do, so, so John do we want to read the, the Resolution for, for the adoption? Or accepting the FEIS.
- Counsel John Kolesar: If you're gonna accept, if the Board. I would close the Public Hearing if you want, and then adopt the Resolution, or if you're gonna continue the Public Hearing, make that Motion first, and then adopt the Resolution.
- Supervisor Cardone: So let me ask you this. John, just to clarify, do we have to close the Public He, when we close the Public Hearing we're basically then moving to the next step to adopt the Law?
- Counsel John Kolesar: (Inaudible). First you adopt the, what's in front of you today, and then the next step would be to adopt.
- Supervisor Cardone: Right.
- Counsel John Kolesar: The Local Law. Yes.
- Supervisor Cardone: Ok. So, did you wanna make a Motion Mike?

Action (Resolution), Discussion: 4.2 Possible Motion to Keep Open the Continuation of the Public Hearing for the Proposed Amendment of Ch. 57 of the Town Code

2020-#281

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 the Proposed Amendment of Ch. 57 of the Town Code until July 13, 2020 at 7:00 PM.

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

Final Resolution: Motion Carries

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

2020-#282

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

RESOLUTION OF ADOPTION OF FINAL EIS REGARDING CHAPTER 57 (ZONING) CREATING A CONSERVATION CLUSTER RESIDENTIAL ZONE (CCR) FLOATING ZONE DISTRICT

WHEREAS, the Town Board for the Town of Monroe ("Town Board") has adopted a Local Law to amend Chapter 57 of the Town Code to add Article XXI entitled "Special Planning Districts"; and

WHEREAS, the Town Board previously declared itself Lead Agency so was the sole agency

with authority to adopt the Local Law and thereby issued a positive declaration on September 23, 2019; and

WHEREAS, the Town Board conducted scoping hearings on the DGEIS and accepted a final scope in December of 2019; and

WHEREAS, following such scoping, the Town Board caused the preparation of Draft Generic Environmental Impact Statement ("DGEIS"); and

WHEREAS, the Town Board conducted public hearing and accepted both oral and written comment on the DGEIS; and

WHEREAS, the Town Board with the assistance of the Town Planner has prepared a Final Generic Environmental Impact Statement (FGEIS) for review and acceptance by the Town Board.

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 Final EIS is hereby accepted by the Town Board as complete and sufficient in scope for public review and comment in the form presented to the Town Board.

Section 3. The Town Board hereby directs the Planner and Town Clerk to work in cooperation to prepare, file and publish a Notice of Completion of FEIS and file copies of the FEIS with the Chief Executive of the Town, the Lead Agency, all involved agencies and any person who requested a copy.

Section 4. The Town Board hereby directs the Town Clerk to maintain the Notice of Completion and FEIS for public review at the Town Hall during normal Town business hours.

Section 5. The Town Board hereby directs the Town Clerk and Town Planner to send a copy of the FEIS to the Department of Environmental Conservation.

Section 6. The Town Board hereby directs and authorizes the Town Planner to publish Notice of the FEIS in the Environmental Notice Bulletin.

Section 7. The Town Board hereby directs the Town Clerk to publish the FEIS and Notice of Completion on the Town's website.

Section 8. 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] nbsp; []

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

Motion by Mike McGinn second by Supervisor -Tony Cardone.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone Councilman - Rick Colon Mike McGinn Sal Scancarello

Abstain: Mary Bingham

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

2020-#283

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 Sal Scancarello.

Final Resolution: Motion Carries

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

The following spoke on the Zoom Video/Tele-Conference 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 Max Stach and Board Members responses please go on-line to Board Docs Video Clip #4.3 0:50:10.

- Max Stach
- #031 (Ward Brower)
- Mr. Berkovitz (no comment)
- Lorraine Loening
- Mr. Fusco (no comment)

- Supervisor Cardone: Any other comments on that Max?
- Max Stach: No not not as of yet. I'm gonna you know shift gears back to that as as soon as we get past this next meeting and get the findings to you. I've been spending as much time as I could muster on trying to get through the through the Environmental Impact process on the CCR.
- Supervisor Cardone: Ok.
- Councilman McGinn: (Inaudible) do we do we need to authorize that you know for you to do the Findings Statement Max or is that included in the the Resolution?
- Max Stach: That's included in in.
- Councilman McGinn: In the Resolution. Ok. Just want to make sure.
- Max Stach: Confirmed proposal right.
- Councilman McGinn: Right. Gotcha.
- Max Stach: Contract. And then with regard to Article XIV that's just part of the on-call. So and really I think where we left it at that point was that I really needed to take a different approach and so I didn't wanna sit down and and sort of do a little bit here and a little bit there.
- Councilman McGinn: Yeah.
- Max Stach: I just wanted to to be able to devote the appropriate time that I need to get you a revised draft and and go through that process efficiently.
- Supervisor Cardone: Ok. Alright. John anyone.
- Counsel John Kolesar: Yes.
- Supervisor Cardone: Wanna speak?
- Counsel John Kolesar: Ok we're we're gonna go through the roll call again. I'm gonna start with phone number ending in 031. I believe that's Ward Brower.
- Supervisor Cardone: Ward Brower.
- Ward Brower: Ward Brower yes. My my concern is it's taking a long time to to get to where we are and we're not no where's (inaudible) operation. What is the (inaudible) in the long year's time it's been beyond my concern about us property owners who are been (inaudible) in a way because we are 40000 square feet builders acres illegal and that we wanted a Grandfather Clause on that. What is the other stumbling blocks in that Legislation? It's so involved and it's taking so long. That's my concern.
- Councilman McGinn: Well well Ward I mean we we received comments from some folks on the the ZBA and Planning Board so we have to consider those and and again as the Planner said this doing this doing the Zoning work for for the CCR is is pretty much all (inaudible). I know he's been working on it. People in his office have been working on it. It's a pretty involved process. And and the other thing is I mean we really have not received any community I don't want to say complaints but people saying hey you need to change this cause I'm trying to sell my property or something along those lines. So we you know we we gotta take everything into (inaudible) totality and look at it before you know I mean we can only really do one major thing at a time and and you know I commend the Planner for the effort that he's put into getting this done in such a timely manner. It's a pretty tight been a

pretty tight time-frame.

- Ward Brower: So how how we got into this mess is my investigation cause I looked at since 1954 the Grandfather Clause and it's been I have five different renditions of the of Zoning Change I believe. 90's and couple in the 80's 70's and all none of the many consultants that worked on these master plans and comprehensive plans have apparently ever looked at their Grandfather Clause because the verbiage is exactly the same and everyone of those had that flaw that if you didn't apply or inform the Building Inspector with-in six months (inaudible) at the passage of this of the current Zoning upgrade then you were non-conforming illegal and that's that has not changed (inaudible). I'm concerned that that was an over-sight and it's been over-sighted by many different Planners. Many different Planners over the years. And it has never been changed. And the flaw in that thing was it had been one thing if if most peop most residents do not know or did not know I should say when these Zoning Laws took place that they had to be do this requirement with-in six months so they never did it. So they're all basically illegal non-conforming. (Inaudible) over the years and that should have been dealt with many times and hasn't been. That's my my concern has been my concern for years now.

- Supervisor Cardone: Well you know what Ward I I believe that we have discussed this with respect to the Grandfather Clause and and I think Mr. Nugent told us we we were unable to to do that based on his assessment. So and I don't know if Max you wanna comment.

- Max Stach: Yeah.

- Supervisor Cardone: Or Mike.

- Max Stach: I think you know we took a we took an attempt looking at what was done in other communities in terms of really dealing with the particular issues regarding acres and lot width that came about with the last Zoning Amendments but also modernizing the Grandfathering provisions to meet sort of a widely accepted version that's that's used in a lot of area community. And the feedback that we got wasn't necessarily the relief from the lot area or lot width requirements that had changed recently with with 2017 Zoning Amendments. The issues were really in the overall law and and a feeling that it sort of took too much away in terms of jurisdiction from the Zoning Board and that it could result in too permissive of a structure and that they'd like to take another look to allow for those issues to to still be dealt with sort of through a non-conforming provision in terms of lot width and lot area but to also continue to require a Board review for more significant non-conformance's than the first draft that we had come up with. So really.

- (Inaudible)

- Max Stach: About taking another shot at to the Town Board and the Board's in the Town and seeing if the second shot deals with with or or is accepted more by those Land Use Boards. See if we.

- Ward Brower: One problem I had with that Max is that most of these properties either they they were in compliance with the law at that time.

- Max Stach: Mmm hmm.

- Ward Brower: Some of them had to go for variances but that meant they went before the ZBA and they were made in compliance.

- (Inaudible)
- Ward Brower: Now we changed the law and retroactively do away with all that. Make them all legal illegal. That doesn't sound right. You have people who.
- Max Stach: Right and so and so yes.
- Ward Brower: (Inaudible)
- Max Stach: I get exactly what you're saying Mr. Brower and and we are we are like I said where the concern is not with these most recent changes of Grandfathering those lot areas and lot widths. That's not what the concern is. The concern is in (inaudible) trying to modernize that entire chapter like you said needs to be done. We had gone too far and made things too permissive and that we need to strike the right balance. We're still gonna Grandfather the the three 2017 lot areas but we need to also not go too far in undermining the code. (Inaudible).
- Ward Brower: (Inaudible) but Max in all do respect these are people who follow the letter of the law. At that time they built in good faith. They were in compliance. (Inaudible).
- Councilman McGinn: Hey hey Ward.
- Ward Brower: (inaudible) changed the law and you make them the outlaws.
- Councilman McGinn: Hey (inaudible).
- Ward Brower: (Inaudible) doesn't sound right.
- Councilman McGinn: Ward no one's making anybody outlaws here. We're working to adjust it. Your comments are heard. I mean Zoning has changed.
- Ward Brower: (Inaudible).
- Councilman McGinn: Listen just let me finish. Zoning has.
- Ward Brower: Go head.
- Councilman McGinn: Been changed in this Town for 5060 70 years right? And and some of that had a farm on 17-M doesn't have a farm now right? So so you know I think you're using (inaudible) some strong language about making people outlaws. Listen we're gonna address it and we're gonna work to address it without throwing the baby out with the bath water and I think that's what Max is saying and that's what we're (inaudible).
- Ward Brower: My question was how do you address it?
- Supervisor Cardone: (Inaudible).
- Councilman McGinn: That's that's what we're gonna try to move to do next.
- Ward Brower: I'm not saying (inaudible) now we all have to go to the ZBA. We should not have to go to the ZBA. We we did not. We were legal conforming and then you made us non-conforming. That doesn't sound right.
- Supervisor Cardone: Ward nobody.
- Ward Brower: We should not (inaudible).
- Supervisor Cardone: Ward nobody has said that (inaudible) you're gonna be required to go to the ZBA. You're making assumptions here and I think if ya let us get to where we have to get with this the right decision will be made for the residents because I don't think this Board has made one wrong decision for the residents since everybody has been compiled here.

- Ward Brower: (Inaudible) not blaming this Board at all.
- Supervisor Cardone: (Inaudible) you're doin if you're blamin us if you call it if you're sayin that we made them outlaws. This was.
- Ward Brower: Well if you (inaudible) illegally non-conforming when we were up until 2017 legal conforming yeah that and you passed a law then that facts speak for themselves.
- Supervisor Cardone: Yeah. I mean (inaudible).
- Ward Brower: (Inaudible).
- Supervisor Cardone: The only thing I can say is that Mary and Sal weren't on when we passed the law. So I I mean we'll we'll make it right Ward. You keep.
- Ward Brower: (Inaudible) turned us into illegal non-conforming and that's not right.
- Councilman McGinn: Alright hey Ward Ward duly noted.
- (Inaudible).
- Councilman McGinn: We have to move on now.
- Supervisor Cardone: We're deal.
- Councilman McGinn: You know we we've gotta move on but but listen we we understand what you're saying but we have to move onto the next person. Thank you.
- Ward Brower: Thank you.
- Councilwoman Bingham: Your comments.
- Counsel John Kolesar: Alright next we have Mr. Berkovitz. Ok. Mr. Berkovitz do you have any comments?
- Mr. Berkovitz: No thanks.
- Councilman McGinn: Thank you.
- Counsel John Kolesar: Ok. Next we have (inaudible) I'm gonna start with the non-(inaudible) so Lorraine.
- Lorraine Loening: Hello. Yeah no I'm good. It's just that this does seem to be taking a really really long time to to go through the process. So I know you said you were working on one thing the Final Environmental Impact Statement before you can get to this. I don't think it's unreasonable to expect our Government to be able to walk and chew gum. So I I don't know why we couldn't have both of these things going on in parallel you know. But that's it. I'm good.
- Counsel John Kolesar: Ok.
- Supervisor Cardone: Ok.
- Counsel John Kolesar: Supervisor do you want me to run through the remaining? They they were all the individuals for the.
- Supervisor Cardone: Yeah I think most everyone there is unless anyone new joined us I think most everyone there is for the Water District.
- Counsel John Kolesar: Ok. I'd give em a second. If you wanna speak even though you might be here for water just electronically raise your hand. Give you a couple of seconds. Ok I have a comment from Mr. Fusco.
- Supervisor Cardone: You gotta un-mute yourself.

- Mr. Fusco: No no comment. I was raising my hand.
- Supervisor Cardone: Yeah that you raise your hand when you want to make a comment.
- Mr. Fusco: (Laughter) Sorry.
- Supervisor Cardone: (Laughter)
- Mr. Fusco: Sorry.
- Counsel John Kolesar: Ok I think that's it Mr. Supervisor.
- Supervisor Cardone: Ok.

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

2020-#284

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 July 13 2020 at 7:00 PM or soon there-after.

Motion by Sal Scancarello second by Mary Bingham.

Final Resolution: Motion Carries

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

Action (Resolution) Information: 4.5 Motion to Open the Continuation of the Public Hearing Regarding Old Country Road WD

2020-#285

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Public Hearing Regarding the Continuation of Old Country Road WD.

Motion by Supervisor -Tony Cardone second by Sal Scancarello.

Final Resolution: Motion Carries

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

Counsel Nugent joined the meeting.

The following spoke on the Zoom Video/Tele-Conference during Public Comment regarding the Public Hearing for the Continuation of Old Country Road WD. To hear their comments and Board Members responses please go on-line to Board Docs Video Clip #4.5 0:36:05.

- Mr. Protter
- Michele Dixler
- Lieby Bickel
- Mr. Fusco

- Jacob Bickel
- Ward Brower (no comment)
- Mr. Berkowitz (no comment)

- Counsel Kolesar: Mr. Supervisor you want me to go to Mr. Protter?

- Supervisor Cardone: Yeah. Sure. Please.

- Counsel Kolesar: Sure. Ok Mr. Protter you're on.

- Mr. Protter: Good evening everyone. Thank you for giving me the opportunity to speak to you. This couple items that I'd like to address with the Board this evening. Number one is the the status of the Water District Formation. I believe we've provided everything that the Town Board has requested. You can (inaudible) the formation of the District and I don't believe there's been (inaudible) or there are any reasons not to close the Public Hearing on that and move it towards formation. Number two is the status of the IMA which I I note is later on the Agenda but obviously it's (inaudible) with the formation of the of the District. Your Counsel had given us some additional alternative language following your last meeting and we had and have approved that at the Village and so I'm hoping that you're in a position to act on that and approve that this evening. The last item is an item that came up just the other day which just needs to be clarified I believe and that's with respect to the size of the water meters that are being installed. We had sent to the Supervisor earlier today a letter from our Engineer's which spoke to the issue of the size of the Water Meter. Apparently some people have been concerned that the Village is somehow gonna be short-changing the property owners by providing them a 3/4" meter. That's certainly not the case and the water flows to the property owner's will be perfectly normal. The meter we are proposing is larger than the 5/8" meters which are typically used by the Village of Monroe to service properties in in the Town. We're proposing a larger meter and that's the 3/4" meter. That that 3/4" meter is is the standard in most communities water systems for residential single family residential meters and that's because when you get larger meters they don't register the typical low flows that are experienced in residential households. So what we're proposing is a 3/4" meter. We don't believe there's any Engineering rationale for requiring anything larger and and the details of that have been provided writing to the Supervisor earlier today.

- Supervisor Cardone: Howard I I thank you for I I got your email and more than the question of the size of the meter it's actually the question is of the model of the meter because there are different sizes of 5/8's or 3/4" meters and I'm just waiting for a response from our Engineer's just to be sure. I I will ask our Attorney is if we you know if the Board is in agreement if we approve the Amendment tonight provided that we have clarification of the actual model and size of the meter and in a form that is conducive to our Attorney's requirements.

- Counsel Nugent: So Supervisor yeah can you hear me ok?

- Supervisor Cardone: Yes. Go head.

- Counsel Nugent: So if the Board wants you know it's up to you you can you know approve

the IMA subject to confirmation that the meter you know is acceptable and the Board would designate you to follow-up on that you know authorize you to sign it subject to (inaudible).

- Supervisor Cardone: Ok.

- Counsel Nugent: The District however would not be formed tonight. Be there has to be an Order After Public Hearing (inaudible) gets finalized so that's what's happening today.

- Supervisor Cardone: Ok. Alright. Anybody have any comments?

- Councilwoman Bingham: Supervisor I have a question for Mr. Protter. (Inaudible) this Water District is basically going to be receiving it's water from the Village or Palm Tree or Town of Palm Tree or Village of Kiryas Joel will the Water Department of the Village of Kiryas Joel also be doing all the mandatory testing that the Board of Health requires such as for E-Coli and disinfection bi-products etc.?

- Supervisor Cardone: Yes. That's in the agreement.

- Councilwoman Bingham: It is. Ok. That was my only question. Thank you.

- Supervisor Cardone: Ok. So Mr. Nugent if you could phrase the Motion with respect to the approval of this.

- Counsel Nugent: Sure Supervisor. So it'll be a Motion to authorize the Supervisor to execute the Inter Municipal Agreement with the Village of Kiryas Joel for the Old Country Road Water District in a form satisfactory to Town Counsel and the Town Supervisor.

- Supervisor Cardone: Ok. I'll well I can't. But somebody's got to.

- Councilman Scancarello: I'll second.

- Councilwoman Bingham: (Inaudible) the Motion.

- Supervisor Cardone: Who who made the Motion?

- Councilwoman Bingham: I'll make the Motion.

- Supervisor Cardone: Ok. Seconded by Councilman Scancarello?

- Councilman Scancarello: Yep.

- Supervisor Cardone: Ok. So moved. Call to question.

- Councilwoman Bingham: Bingham Aye.

- Councilman Colon: Colon Aye. Colon Aye.

- Supervisor Cardone: Aye. McGinn.

- (Inaudible)

- Supervisor Cardone: You're muted.

- Councilwoman Bingham: You gotta un-mute.

- Councilman McGinn: No. I I didn't hear Sal say Aye.

- Councilman Scancarello: I did.

- Supervisor Cardone: Yeah.

- Councilman McGinn: (Inaudible) sorry Sal.

- Councilman McGinn: Yeah Aye.

- Supervisor Cardone: Alright. Alright. Ok so moved. So that's approved. Anything else Mr. Protter?

- Mr. Protter: Yes if I may if if it's appropriate and your Counsel believes believes so that perhaps you could consider closing the Public Hearing tonight and between tonight and your

next meeting he and I can finalize whatever orders are needed so that they're in proper form for you for your next meeting.

- Supervisor Cardone: Ok.

- Counsel Nugent: Yeah Supervisor just there's no objection from me to doing that. I think the Public Hearing has certainly been open long enough to receive comment. So it can be closed. If you want to give any additional period for written comment you can do that. (Inaudible) otherwise we close it and then work on the Order for the next Hearing.

- Supervisor Cardone: Ok so.

- Counsel Nugent: Next meeting. Sorry.

- Supervisor Cardone: I'll make a Motion to close the Public Hearing for the Old Country Road. Wait a minute. We didn't go to other people so I can't close it yet.

- Councilwoman Bingham: You have what five people waiting?

- Supervisor Cardone: Yeah we have five other people that need to comment.

- Counsel Kolesar: Yep. (Inaudible)

- Counsel Nugent: Yeah ok so you can take that first.

- Supervisor Cardone: Yeah.

- Counsel Kolesar: Yeah first up we have Michele Dixler with her hand raised. Go ahead Michele.

- Michele Dixler: Hi can you hear me?

- Councilwoman Bingham: Yes.

- Councilman Scancarello: Yep.

- Michele Dixler: Ok. Alright so we still have the opportunity to put in written comments on what? I mean the IMA you just voted on correct?

- Supervisor Cardone: Yes.

- Michele Dixler: Ok congratulations on that. Alright. (Inaudible) going to be speaking with your Engineer about the size of these water flow meters?

- Supervisor Cardone: Yes I spoke to him on on Friday and then I followed-up with a call today so we're just waiting for a response.

- Michele Dixler: Ok I mean is he an independent professional? Not that I'm questioning his professionalism but he has the background to make.

- Supervisor Cardone: Yes.

- Michele Dixler: Decisions on these things?

- Supervisor Cardone: Yes.

- Michele Dixler: Ok. Good.

- Supervisor Cardone: Yep. They handle our water needs in the Town.

- Michele Dixler: Ok. And I noticed in number nine on the IMA it says the Town has the option of over-seeing the installation. Does an Engineer come to the homes to see the installation that's put in? (Inaudible) inspect it before it's approved?

- Supervisor Cardone: Well are you talking about the roadway or are you talking about the meter?

- Michele Dixler: No I'm talking well the whole thing. I mean the the meter's def. Yes. Does

someone check that out that everything is working properly and.

- Supervisor Cardone: I mean you know we anything we do is gonna be a cost that's gonna be placed upon the Village of KJ so I don't I don't see a problem doing that. I mean I don't know John did you wanna comment on that Scherne?

- Highway Superintendent John Scherne: It's it's an easy hook-up. It's basically two pipes and a no wire so.

- Supervisor Cardone: Yeah.

- Highway Superintendent John Scherne: (Inaudible).

- Supervisor Cardone: I mean if it's done Mrs. Dixler if it's done incorrectly they're gonna have to fix it.

- Michele Dixler: Ok. Alright And as to the road there's a really really really big rut in front of number 21 Old Country Road. It is very difficult to ride over and I know it will eventually be paved but can they temporarily put some more tar in it or something? It's it's very bad.

- Supervisor Cardone: John maybe you want to send Billy out there to take a look at it?

- Highway Superintendent John Scherne: No I'll take a look at it tomorrow. I was there last week. I mean there's ruts in the roadway. I don't know what's the hold-up is right now on fixin the roadway. I don't.

- Michele Dixler: Yeah this gets this rut gets worse every day. I mean it's really someone's gonna lose a tire or something. It's it's not good. Ok thank you. I appreciate (inaudible) coming out.

- Supervisor Cardone: Alright thank you.

- Michele Dixler: Ok. Thanks.

- Supervisor Cardone: Next speaker John.

- Counsel John Kolesar: Mr. Lieby Bickel. Mr. Bickel you're on.

- Lieby Bickel: Yeah first question of the IMA. The four years gonna start by the installation of the meter?

- Supervisor Cardone: Four years (inaudible) start once you get your first drop of water out of the spigot. (Inaudible).

- Lieby Bickel: Ok thank you so much for that. Next question gonna be in the Village is many homes that have 1" (inaudible) meter. And there is (inaudible) in the Village (inaudible) the friends there's every there's a peak on every Friday. There's a low pressure in many homes. Different different Villages that is not (inaudible) every Friday (inaudible). So that's why why we should not have the option (inaudible) in the Village to choose a meter. There's a there's a reason why there's (inaudible) meters because there's different sizes.

- Supervisor Cardone: I.

- Lieby Bickel: (Inaudible)

- Supervisor Cardone: I don't know. I don't know if Mr. Protter can explain that.

- Lieby Bickel: Why when I call him.

- Supervisor Cardone: Mr. Protter.

- Lieby Bickel: O&R.

- Supervisor Cardone: Can you un-mute yourself.

- Mr. Protter: Yeah there are no single family homes in the Village that have 1" meters as far as I know. They all have 3/4.
- Lieby Bickel: So I'm a Plumber and I do a lot of services (inaudible) homes. There's many 1" meters in the houses and not only 1" model 70 (inaudible) meter. So why over here after struggling four years to getting water not the whole Village it start to be like something's going on with their meter. I don't want to have a restriction of flow. And everyone knows in the Village on Friday afternoons and every holiday there's a problem with water. Everyone have the same habits. Everyone goes in the shower in the same time. So why over here why we should not have the option to ask. Why only the (inaudible) I don't understand what is the goal? What is the? With O&R if they're asking for a specs what da ya have in the house? This what they giving. I have a 40450 meter. Many homes most don't have 250 meters. It just a size. And this is still in the residential. Serious. It's not a commercial model. This is a residential model.
- Supervisor Cardone: The are you are you concerned about the size of it or the actual model now?
- Lieby Bickel: I'm I'm my concern is about flow because I believe the flow in the main line gonna change from Wednesday to Friday. They're not going to be the same pressure on the main line. This will effect this will be the same. The (inaudible) should be higher in a low flow than a higher flow. Things are changing. And in the Vi therefore people in the Village have different meters. It's not a uncommon thing to have a 1" meter in the Village.
- Supervisor Cardone: Well the only thing I could tell ya Lieby just from a laments term here is you're closer to the well than the Village is so you'll get the water first.
- Lieby Bickel: Ok I hope.
- (Laughter)
- Supervisor Cardone: I mean listen let let's wait. I understand what you're saying. Let's wait for our Engineer's report and ya know we can you know see what they say.
- Lieby Bickel: Ok. Thank you very much for the help of everything until now. Thank you.
- Supervisor Cardone: Alright thank you.
- Counsel John Kolesar: Ok next up we have Mr. Fusco. Mr. Fusco you're on.
- Mr. Fusco: Yes. I'm just trying to confirm they're stating we're gonna billed \$6.00/1000 gallons. Is that correct?
- Supervisor Cardone: I believe that's the number. I think was six even?
- Mr. Fusco: I don't have the paperwork in front of me (inaudible) just ya know.
- Supervisor Cardone: Yeah. I I believe it was in the \$6.00 range. Yep.
- Mr. Fusco: Now is that an average cost/1000?
- Supervisor Cardone: Well that's what it's gonna cost you/1000. That's not a it's not an average. So if you use 10000 gallons you're gonna pay \$66.00 or \$60.00.
- Mr. Fusco: So the water I've been pumping for free all these years now I have to pay for it?
- Supervisor Cardone: No nope. There's a four year.
- Councilman Colon: Non-pay pay waiver of payment.

- Supervisor Cardone: (Inaudible). If if your well is Bryan can you I don't have the Agreement in front of me. So I I can't. I don't have the details in front of me but there was a four year period of no payments. There were some parameters with-in that.

- Mr. Fusco: And that's in it's in the meetings or the Minutes or the paperwork that.

- Supervisor Cardone: No it's it's in the Agreement.

- Mr. Fusco: It's in the Agreement. Ok.

- Supervisor Cardone: Yes.

- Mr. Fusco: And the (inaudible) well Michele Dixler brought up also about the road. (Inaudible) it is pretty bad and it's right where every line they dug it seems like it sunk down and (inaudible) one spot it actually sunk down across the whole road about 4". So it's pretty substantial.

- Supervisor Cardone: Yeah I even I wonder if the tamped it down.

- Highway Superintendent John Scherne: Well I know they tamped it Tony but (inaudible) I don't know what the hold-up is with these guys. I mean I think they're a necessity right now to get out there and get this thing fixed you know. If I start putting material in there we're gonna have to start charge them back or somethin but I want to make sure we get our money before I put anything in there.

- Supervisor Cardone: Ok. Mr. Protter can you can you please work on that with the Construction Company?

- Mr. Protter: Yes. I will I will take these comments back tonight and communicate them.

- Supervisor Cardone: Alright thank you very much.

- Mr. Protter: You're welcome.

- Mr. Fusco: So my other question regarding the people that currently have water or reduced water pressure are we gonna be hooked up eventually or it's the people without the water first and then is gonna be staging for later on for the water?

- Supervisor Cardone: Yeah people without the water first and then based on your the drop in your pressure I think if you're below 3 gallons I think it is you'll you'll be able to get hooked up. Danny if if you wanna to call me tomorrow I'll I'll I'll go over the cause I apologize. I just don't have the Agreement (inaudible).

- Mr. Fusco: Yeah no problem. No problem. Thank you very much for your time.

- Supervisor Cardone: Alright thank you Dan.

- Counsel John Kolesar: Ok next up we have Jacob Bickel. Jacob you're on if you wanna make a comment.

- Jacob Bickel: Yes hi.

- Counsel John Kolesar: Hi.

- Jacob Bickel: Thank you for the Town special they came down when there was 3/4" in almost installed and they came down with a plan and it showed that it need to be as agreed to the 1" service line to the house and I would appreciate if possible so we can have a choice if (inaudible) wants to have a 1" meter if possible. But I appreciate everything you did and everybody (inaudible) I'm excited to have this installed (inaudible).

- Supervisor Cardone: Ok. Alright thank you.
- Jacob Bickel: Thank you so much.
- Counsel John Kolesar: Next up is Ward Brower. Ward Brower if you'd like to make a comment.
- Ward Brower: No comment on this one thank you.
- Counsel John Kolesar: Ok. Mr. Berkowitz. Mr. Berkowitz if you'd like to make a comment.
- Supervisor Cardone: (Inaudible). Move on.
- Counsel John Kolesar: Ok well move on. And that's it Mr. Supervisor.
- Supervisor Cardone: Ok thank you. Thank you John. Ok so with that said Brian would you like to phrase the Motion for the closing of the Public Hearing?
- Counsel Nugent: Sure Supervisor. **2020-#286**

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion Authorizing the Supervisor to execute the Inter-Municipal Agreement (IMA) with the Village of Kiryas Joel for the Old Country Road Water District in a form satisfactory to Town Counsel and the Town Supervisor.

Motion by Mary Bingham second by Sal Scancarello.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 4.6 Possible Motion to Keep Open the Continuation of the Public Hearing Regarding Old Country Road WD

2020-#287

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to close the Public Hearing regarding Old Country Road Water District for oral comments with a period for written comment to remain open until June 29th.

Motion by Supervisor -Tony Cardone second by Councilman - Rick Colon.

Final Resolution: Motion Carries

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

Information: 4.7 Public Hearing Notice: Petition to Amend Zoning Ordinance Monroe Nininger LLC

2020-#288

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Public Hearing regarding the Petition to Amend Zoning Ordinance Monroe Nininger LLC.

Motion by Mary Bingham second by Mike McGinn.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 4.8 Motion to Open the Continuation of the Public Hearing Regarding the Petition to Amend Zoning Ordinance Monroe Nininger LLC

The following spoke on the Zoom Video/Tele Conference during Public Comment regarding the Public Hearing for the Petition to Amend Zoning Ordinance Monroe Nininger LLC. To hear their comments and Board Members responses please go on-line to Board Docs Video Clip #4.8 1:12:08.

- Ward Brower

Supervisor Cardone: So nothin nothin to add here because nothing's done and they're still before the Planning Board. So I I I think that the thought is to move this Public Hearing to the August meeting. You know I don't I don't know if anybody out there wants to raise their hand and speak about anything regarding this. And then John if you want to ask Ward cause he's on the phone.

- Counsel Kolesar: Ok. Mr. Brower you're permitted to talk if you'd like to comment.

- Ward Brower: I've been following the Planning Board level. I realize it's still proceeding along and that's all I can say.

- Supervisor Cardone: Thank you.

- Ward Brower: You're welcome.

- Supervisor Cardone: Ok. No one else has their hand raised. Madam Clerk can you can you confirm the meeting date in August. I I believe it's the 10th.

- Town Clerk Mary Ellen Beams: And I'm going to have to agree with you on that it's the 10th.

- Supervisor Cardone: It's the 10th.

- Town Clerk Mary Ellen Beams: But I'm double checking. Calendar. If you wanna go on I'll just double check it but I believe it is the 10th. I'm working on checking it.

- Supervisor Cardone: Yeah the only thing is I have to make a Motion for the.

- Town Clerk Mary Ellen Beams: Alright just one second. Why is. (Inaudible).

- Supervisor Cardone: Valerie you don't happen to know do ya?

- Town Clerk Mary Ellen Beams: (Inaudible)

- Deputy Town Clerk Valerie Bitzer: I'm showing I'm showing August 3rd.

- Supervisor Cardone: Oh you're showing August.

- Town Clerk Mary Ellen Beams: 3rd?

- Supervisor Cardone: You're showing August 3rd? Ok.

- Deputy Town Clerk: Two meetings in August.

- Town Clerk Mary Ellen Beams: Oh ok. That's why. (Inaudible).

- Deputy Town Clerk: Because of Labor Day.

- Supervisor Cardone: Oh right because of Labor Day. Correct. Ok.

Action (Resolution) Information: 4.9 Possible Motion to Keep Open the Continuation of the Public Hearing Regarding the Petition to Amend Zoning Ordinance Monroe Nininger LLC

2020-#289

BE IT RESOLVED that the Town Board of the Town of Monroe Made Motion to Keep Open the Continuation of the Public Hearing Regarding the Petition to Amend Zoning Ordinance Monroe Nininger LLC until August 3 2020 at 7:00 PM or soon there-after.

Motion by Supervisor -Tony Cardone second by Councilman - Rick Colon.

Final Resolution: Motion Carries

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

5. Audit of Claims

Action (Resolution) Discussion: 5.1 General Fund Abstract

2020-#290

BE IT RESOLVED that the Town Board of the Town of Monroe requests approval of Abstract #20-18 General Fund containing Check #s 25698-25738 totaling \$236942.43.

Motion by Mary Bingham second by Councilman - Rick Colon.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 5.2 Escrow Abstract

2020-#291

BE IT RESOLVED that the Town Board of the Town of Monroe requests approval of Abstract #20-08 Escrow containing Check #s 1913-1914 totaling \$2448.75.

Motion by Sal Scancarello second by Councilman - Rick Colon.

Final Resolution: Motion Carries

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

6. Budgetary Transfers

Action (Resolution) Discussion: 6.1 Building Department

2020-#292

BE IT RESOLVED that the Town Board of the Town of Monroe approves the budgetary transfer request from the Building Dept as follows:

Transfer from: B000-3620-4500-00 Safety Inspections Contractual \$200.00 To: Safety

Inspection Equipment.

Motion by Supervisor -Tony Cardone second by Councilman - Rick Colon.

Final Resolution: Motion Carries

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

2020-#293

BE IT RESOLVED that the Town Board of the Town of Monroe approves the budgetary transfer request from the Building Dept as follows:

Transfer from: 3620-4189-00 Safety Inspection Education Dues Mtg \$600.00 To:
B000-3620-4223-00 Public Safety IT Maintenance.

Motion by Supervisor -Tony Cardone second by Councilman - Rick Colon.

Final Resolution: Motion Carries

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

Action (Resolution): 6.2 Oil Water Separator

2020-#294

BE IT RESOLVED that the Town Board of the Town of Monroe approves the budgetary transfer to fund the purchase of the wash bay oil separator as follows:

From: A000-1990-000-00 Contingency \$18525.00 To: A000-5132-4303.00 Highway Garage Bldg. repair & maintenance in the amount of \$9262.50.

To: A000-5630-4303-00 Bus Operations Bldg. Repair & Maintenance \$9262.50

Motion by Supervisor -Tony Cardone second by Councilman - Rick Colon.

Final Resolution: Motion Carries

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

7. Acceptance of Minutes

Action (Resolution): 7.1 Acceptance of June 1 2020 Minutes

2020-#295

BE IT RESOLVED that the Town Board of the Town of Monroe accepts the Minutes of June 1 2020.

Motion by Sal Scancarello second by Councilman - Rick Colon.

Final Resolution: Motion Carries

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

8. New Business

Action (Resolution) Discussion: 8.1 Detective Brian Mulkeen-Dedication of a Portion of State Highway

2020-#296

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to name a portion of state highway in memorial of NYPD Detective Brian Mulkeen.

A10376 Summary:

BILL NO A10376

SAME AS SAME AS S08490

SPONSOR Schmitt

COSPNSR Brabenec Byrne

MLTSPNSR

Add 344-I Hway L

Designates a portion of the state highway system as the "Detective Brian C. Mulkeen Memorial Bridge".

Motion by Mike McGinn second by Supervisor -Tony Cardone.

Final Resolution: Motion Carries

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

Action (Resolution): 8.2 Smoke-Free Zone On Town of Monroe Property

2020-#297

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 CREATING SMOKE-FREE ZONES ON CERTAIN TOWN PROPERTIES AND PARKS

WHEREAS the Town of Monroe Town Board hereby finds that the use of tobacco and related products constitute a public health issue and continue to cause death and disease including chronic lung disease coronary heart disease and stroke and cancer of the lungs larynx esophagus and mouth; and

WHEREAS smoking as well as the use of electronic cigarettes vape pens and vaping and secondhand smoke exposure are health hazards and secondhand smoke is responsible for tobacco-related illnesses in nonsmokers each year; and

WHEREAS smokeless tobacco is not a safe alternative to smoking and can lead to death and

disease;

WHEREAS the Town Board hereby finds that exposure to secondhand smoke has negative health impacts and exposure to secondhand smoke occurs at significant level outdoors; and

WHEREAS the Town Board hereby further finds that cigarette butts are a source of litter on Town property and in Town parks; and

WHEREAS the Town Board hereby desires to create smoke free zones throughout the Town on Town property and in Town parks which are public spaces where children and adults congregate and that the creation of smoke free zones will protect the health safety and welfare of the residents of the Town and the general public; and

WHEREAS the Town Board hereby desires to create smoke free zones throughout the Town on Town property and in Town parks to protect the environment from tobacco-related litter and to discourage the behavior of smoking around non-smokers and to protect the public from exposure to secondhand smoke and to encourage healthy lifestyle by promoting a healthy environment; and

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 designates certain areas of the Town including Town of Monroe Town Hall and the surrounding Town Hall property the Town of Monroe Senior Center and the surrounding property Mombasha Park the Alex Smith Pavilion on Round Lake the Orange & Rockland Park and the Faber Farm/Berry Road Park as Smoke Free Zones.

Section 3. The Town Board hereby prohibits the smoking and the use of Tobacco and Tobacco-related products in all outdoor areas on any part of the Town properties or in the Town parks that are designated as Smoke Free Zones.

Section 4. The Town Board hereby prohibits the placement of any ash can ashtray or smoking waste receptacle in any area on Town property and in any part of the Town parks designated as Smoke Free Zones.

Section 5. The Town Board hereby directs the Town Supervisor or any other employee as directed by the Town Supervisor to place signage on and around Town properties and Town parks designated as Smoke Free Zones advising the public that smoking and the use of Tobacco and Tobacco-related products including electronic cigarettes vape pens and other

vaping devices is prohibited in such Smoke Free Zones.

Section 6. 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 7. 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] [] [] []

Town of Monroe properties and parks including:

Town of Monroe Town Hall and the surrounding Town Hall property

Town of Monroe Senior Center and the surrounding property

Mombasha Park

Alex Smith Pavilion on Round Lake

Orange & Rockland Park

Faber Farm/Berry Road Park

Motion by Supervisor -Tony Cardone second by Mary Bingham.

Final Resolution: Motion Carries

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

2020-#298

BE IT RESOLVED that the Town Board of the Town of Monroe Amends prior Motion that Town Board consider waiving such provision for special events as deemed appropriate by the Board.

Motion by Mike McGinn second by Sal Scancarello.

2020-#299

BE IT RESOLVED that the Town Board of the Town of Monroe Made an Amendment to the Resolution just passed that Town Board allow smoking at certain public events to be determined before each event by the Town Board as reasonable.

RESOLUTION CREATING SMOKE-FREE ZONES ON CERTAIN TOWN PROPERTIES AND PARKS

WHEREAS the Town of Monroe Town Board hereby finds that the use of tobacco and related products constitute a public health issue and continue to cause death and disease including chronic lung disease coronary heart disease and stroke and cancer of the lungs larynx esophagus and mouth; and

WHEREAS smoking as well as the use of electronic cigarettes vape pens and vaping and secondhand smoke exposure are health hazards and secondhand smoke is responsible for tobacco-related illnesses in nonsmokers each year; and

WHEREAS smokeless tobacco is not a safe alternative to smoking and can lead to death and disease;

WHEREAS the Town Board hereby finds that exposure to secondhand smoke has negative health impacts and exposure to secondhand smoke occurs at significant level outdoors; and

WHEREAS the Town Board hereby further finds that cigarette butts are a source of litter on Town property and in Town parks; and

WHEREAS the Town Board hereby desires to create smoke free zones throughout the Town on Town property and in Town parks which are public spaces where children and adults congregate and that the creation of smoke free zones will protect the health safety and welfare of the residents of the Town and the general public; and

WHEREAS the Town Board hereby desires to create smoke free zones throughout the Town on Town property and in Town parks to protect the environment from tobacco-related litter and to discourage the behavior of smoking around non-smokers and to protect the public from exposure to secondhand smoke and to encourage healthy lifestyle by promoting a healthy

environment; and

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 designates certain areas of the Town including Town of Monroe Town Hall and the surrounding Town Hall property the Town of Monroe Senior Center and the surrounding property Mombasha Park the Alex Smith Pavilion on Round Lake the Orange & Rockland Park and the Faber Farm/Berry Road Park as Smoke Free Zones. The Town Board may consider a request for a smoking area at public events which shall be reviewed by the Town Board.

Section 3. The Town Board hereby prohibits the smoking and the use of Tobacco and Tobacco-related products in all outdoor areas on any part of the Town properties or in the Town parks that are designated as Smoke Free Zones.

Section 4. The Town Board hereby prohibits the placement of any ash can ashtray or smoking waste receptacle in any area on Town property and in any part of the Town parks designated as Smoke Free Zones.

Section 5. The Town Board hereby directs the Town Supervisor or any other employee as directed by the Town Supervisor to place signage on and around Town properties and Town parks designated as Smoke Free Zones advising the public that smoking and the use of Tobacco and Tobacco-related products including electronic cigarettes vape pens and other vaping devices is prohibited in such Smoke Free Zones.

Section 6. 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 7. 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] [] [] []

Motion by Mike McGinn second by Sal Scancarello.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone Councilman - Rick Colon Mike McGinn Sal Scancarello

Nay: Mary Bingham

Action (Resolution) Discussion: 8.3 Michael Portanova Eagle Scout Project At Town Hall

2020-#300

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to approve proposed Eagle Scout Project for landscaping at Town Hall to be completed by Michael Portanova of Troop 440.

Project includes:

Rock Wall Border Around Electronic Town Hall Sign

Addition of mulch to front of building

Replacement of shrubs at Town Hall entrance

Removal of bushes located in triangle area outside upper level entrance. Addition of three hydrangea bushes on either side of the original tree as well as brown mulch.

Motion by Supervisor -Tony Cardone second by Sal Scancarello.

Final Resolution: Motion Carries

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

Action (Resolution): 8.4 John Mardula Removal From Probation

2020-#301

BE IT RESOLVED that the Town Board of the Town of Monroe approves the removal of Town of Monroe Moodna employee John Mardula from probationary status with no rate change at this time effective June 9 2020.

Motion by Mary Bingham second by Councilman - Rick Colon.

Final Resolution: Motion Carries

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

9. Old Business

Information: 9.1 Old Country Road Water District IMA

DISCUSSED AND EXECUTED DURING PUBLIC HEARING ITEM #4.5 0:50:10. Action (Resolution) Discussion: 9.2 Water District 12 Agreement (McGoey Hauser & Edsall)

2020-#302

BE IT RESOLVED that the Town Board of the Town of Monroe authorizes the Supervisor to sign the Water District #12 Agreement with McGoey Hauser and Edsall.

Motion by Mary Bingham second by Councilman - Rick Colon.

Final Resolution: Motion Carries

Aye: Councilman - Rick Colon Mike McGinn Mary Bingham Sal Scancarello

Abstain: Supervisor -Tony Cardone

Action (Resolution) Discussion: 9.3 Proposed Local Law#2 of 2020-Amendment of Article III Chapter 51 of the Town Code

2020-#303

BE IT RESOLVED that the Town Board of the Town of Monroe approves to Adopt Local Law # 2 of 2020.

The following Resolution was duly offered by Supervisor Cardone and seconded to wit by Councilman Scancarello:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF MONROE ADOPTING A LOCAL LAW AMENDING CHAPTER 51 OF THE TOWN CODE RELATING TO WEIGHT RESTRICTIONS ON CERTAIN TOWN ROADS

WHEREAS the Town Board of the Town of Monroe ("Town Board") has proposed a Local Law to amend Article III of Chapter 51 of the Town Code; and

WHEREAS the purpose of the proposed Local Law is to improve and promote the health safety and general welfare of the Town by regulating the use of Town roads by certain buses and trucks because certain Town roads are not designed for use by buses and trucks exceeding 18000 pounds gross vehicle weight; and

WHEREAS the Town Board duly noticed and held a Public Hearing on December 92019 and heard all interested parties on the proposed Local Law; and

WHEREAS pursuant to Part 617 of the NYCRRR adoption of the proposed Local Law is a Type II action; and

WHEREAS the Town Board after due deliberation hereby finds it in the best interest of the Town to adopt the Local Law.

NOW THEREFORE BE IT RESOLVED that:

Section 1. The above "WHEREAS" clauses are incorporated herein by reference as if set forth fully herein.

Section 2. The Town Board hereby determines that the adoption of the Local Law is a Type II action as defined by Part 617 of the NYCRR pertaining to the State Environmental Quality Review Act.

Section 3. The Town Board hereby adopts the Local Law entitled "A Local Law to amend Article III Chapter 51 of the Town Code of the Town of Monroe entitled 'Trucks and Buses Exclusions'" a copy of which is attached hereto and made a part hereof.

Section 4. The Town Board hereby directs the Town Clerk to enter the Local Law in the minutes of the Town Board meeting to enter the Local Law into the Local Law Book of the Town and to give due notice of the adoption of the Local Law to the Secretary of State.

Section 5. The Town Supervisor and any Town official or employee as directed by the Town is authorized to take any actions necessary to carry out the provisions of this Resolution.

Section 6. 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 Sal Scancarello.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 9.4 Memorial Day Donation Requests

2020-#304

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Table the matter regarding Memorial Day Donation Requests. Date to be determined at a later date.

Motion by Supervisor -Tony Cardone second by Mike McGinn.

Final Resolution: Motion Carries

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

Discussion Information: 9.5 Highway Discussion: Chips Monies & Rye Hill Rd.

To hear Highway Superintendent John Scherne and Board Members discussion regarding Chips Monies and Rye Hill Road please go on-line to Board Doc's Video Clip # 9.5 1:47:15.

10. Public Comment

Information: 10.1 Rules for Public Comment

Discussion Information: 10.2 Public Comment

The following spoke on the Zoom Video/Tele-Conference during Public Comment. To hear their comments and Town Board members responses go online to Board Doc's to Video Clip #10.2 1:53:16.

- #031 (Ward Brower)

- Mr. Berkowitz (no comment)

- Lorraine Loening (no comment)

11. Possible motion to adjourn to Executive and or/ Attorney Client Session

Action (Resolution) Information: 11.1 Enter into Executive Session

2020-#305

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to enter into an Executive Session.

Motion by Supervisor -Tony Cardone second by Sal Scancarello.

Final Resolution: Motion Carries

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

12. Return to Regular Meeting

Action (Resolution) Information: 12.1 Return to Regular Meeting

2020-#306

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

Motion by Supervisor -Tony Cardone second by Mike McGinn.

Final Resolution: Motion Carries

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

13. Possible Motions From the Floor

Action (Resolution) Information: 13.1 Solar Farm Project

2020-#307

BE IT RESOLVED that the Town Board of the Town of Monroe made the following Resolution by Councilman Colon and seconded by Councilman McGinn.

RESOLUTION TO AUTHORIZE TOWN SUPERVISOR AND LEGAL COUNSEL TO FINALIZE DRAFT OF SOLAR FARM DOCUMENTS

WHEREAS in 2015 the Town entered into an agreement with OnForce Solar to purchase power from a Solar Farm to be constructed on Lakes Road in the Town of Monroe on the site of a former landfill; and

WHEREAS ownership of the Solar Farm has transferred to All Bright Electric Inc.; and

WHEREAS All Bright Electric Inc. now seeks to transfer ownership of the Solar Farm to Above Grid LLC; and

WHEREAS the Town has engaged in preliminary negotiations with Above Grid LLC for the amendment of the Power Purchase Agreement between the Town and the solar provider; and

WHEREAS in order to finalize any and all agreements and documents to bring the Solar Farm online the Town Board desires to authorize the Supervisor and Town Counsel to finalize any

terms for presentation to the Town Board of final documents.

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 Supervisor and the Town's Legal Counsel are authorized to finalize the terms of any and all agreements and documents required to bring the Solar Farm online and to provide such final documents to the Town Board for authorization for the Supervisor to execute same.

Section 3. Such documents include but are not limited to a First Amendment to ESA Lease or Easement Acknowledgement and Release Agreement and Opinion of Town Counsel.

Section 4. The Supervisor is authorized immediately to executed the NYSERDA Project Change Modification form.

Section 5. The Supervisor any other officer or employee as directed by the Town Supervisor are authorized to take any and all necessary actions to carry out the provisions of this Resolution.

Section 6. 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] [] [] []

Motion by Councilman - Rick Colon second by Mike McGinn.

Final Resolution: Motion Carries

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

Action (Resolution) Information: 13.2 Teamsters Local 445

2020-#308

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to authorize the Supervisor to sign a Memorandum of Agreement with the Teamsters Local 445 regarding the furlough for ninety days of two part-time employees.

Motion by Mike McGinn second by Sal Scancarello.

Final Resolution: Motion Carries

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

14. Adjournment

Action (Resolution): 14.1 Adjournment of Meeting

2020-#309

BE IT RESOLVED that the Town Board of the Town of Monroe adjourns the meeting of June 15 2020 at 9:26 PM.

Motion by Supervisor -Tony Cardone second by Sal Scancarello.

Final Resolution: Motion Carries

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

"