

MONROE TOWN BOARD MEETING MINUTES

— 06/17/2024

MONROE TOWN BOARD MEETING AGENDA (Monday, June 17, 2024)

Generated by Valerie Bitzer

Members present

Supervisor -Tony Cardone, Mary Bingham, Sal Scancarello, Dorey Houle

Town Counsel Brian Nugent and Dylan Lockyer

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 June 17, 2024

2024-#349

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Town Board Meeting of June 17, 2024, at 7:04 PM.

Motion by Sal Scancarello, second by Mary Bingham.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Mary Bingham, Sal Scancarello, Dorey Houle

3. Community Announcements

Presentations: 3.1 Amanda Primiano, Monroe Free Library

To hear Amanda Primiano, Monroe Free Library, please go on-line to Board Doc's Video Clip #3.1, 0:1:33.

Presentations: 3.2 Boy Scout Troop 440

To hear Boy Scout Troop 440 presentation, please go on-line to Board Doc's Video Clip #3.2, 0:7:42.

Information: 3.3 Orange County Association of Towns, Villages & Cities Annual Golf Outing & Clambake

To hear Supervisor Cardone RE Orange County Association of Towns, Villages & Cities Annual Golf Outing & Clambake, please go on-line to board Doc's Video Clip #3.3, 0:14:28.

Information: 3.4 Soles 4 Souls Shoe Drive

To hear Supervisor Cardone RE Soles 4 Souls Shoe Drive, please go on-line to Board Doc's Video Clip #3.4, 0:15:18.

Information: 3.5 Village of Monroe Farmers Market

To hear Councilman Scancarello RE Village of Monroe Farmers Market, please go on-line to Board Doc's Video Clip #3.5, 0:16:24.

Information: 3.6 Village of Monroe Summer Concert Series

To hear Councilwoman Bingham RE Village of Monroe Summer Concert Series, please go on-line to Board Doc's Video Clip #3.6, 0:17:00.

4. Public Hearing

Action (Resolution), Discussion, Information: 4.1 Motion to Open the Continuation of the Public Hearing RE: Local Law H-V1 of 2022 to Amend Chapter 57 (Zoning) Concerning the Regulations Governing Tree Preservation

2024-#350

BE IT RESOLVED, that the Town Board of the Town of Monroe Made a Motion to Open the Continuation of the Public Hearing RE: Local Law H-V1 of 2022 to Amend Chapter 57 (Zoning) Concerning the Regulations Governing Tree Preservation.

Motion by Supervisor -Tony Cardone, second by Dorey Houle.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Mary Bingham, Sal Scancarello, Dorey Houle

The following residents signed up to speak during Public Comment for the continuation of the Public Hearing RE: Local Law H-V1 of 2022 to Amend Chapter 57 (Zoning) Concerning the Regulations Governing Tree Preservation. To hear their comments, and Board Members responses, please go on-line to Board Doc's Video Clip #4.1, 0:17:43.

*NO PUBLIC COMMENT AT THIS TIME

- Town Clerk Valerie Bitzer: No Public Comment.
- Supervisor Cardone: Okay. Anybody here have anything to say?
- Councilwoman Houle: I think we had a fruitful discussion between the Planner, and Bonnie, and the Conservation Commission. So, I was happy to see that it's progressing.
- Supervisor Cardone: Okay. Are we, are we, are we ready to close this or should we keep it open?
- Councilwoman Houle: Are we at our final iteration?
- Supervisor Cardone: I believe we are.
- Councilwoman Houle: Okay so then if we're at a final iteration, and we had that good meeting, then I think we can close it.
- Supervisor Cardone: Okay. All right. You want to?
- Councilwoman Houle: Sure.

Action (Resolution): 4.2 Motion to Close the Continuation of the Public Hearing RE: Local Law H-V1 of 2022 to Amend Chapter 57 (Zoning) Concerning the Regulations Governing Tree Preservation

2024-#351

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Close the Continuation of the Public Hearing RE: Local Law H-V1 of 2022 to Amend Chapter 57 (Zoning) Concerning the Regulations Governing Tree Preservation.

Motion by Dorey Houle, second by Supervisor -Tony Cardone.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Mary Bingham, Sal Scancarello, Dorey Houle

Action (Resolution): 4.3 Motion to Open the Continuation of the Public Hearing RE: Short Term Rental Application, 21 Front Street (SBL: 16-3-1)

2024-#352

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Continuation of the Public Hearing RE: Short Term Rental Application, 21 Front Street (SBL: 16-3-1).

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

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Mary Bingham, Sal Scancarello, Dorey Houle

The following residents signed up to speak during Public Comment for the Continuation of the Public Hearing RE Short Term Rental Application, 21 Front St. (SBL: 16-3-1). To hear their comments, and Town Board Members responses, please go on-line to Board Doc's Video Clip #4.3, 0:20:05.

*NO MPUBLIC COMMENT AT THIS TIME

- Town Clerk Valerie Bitzer: No Public Comment.
- Supervisor Cardone: No Public Comment. Okay.
- Councilwoman Houle: Mr. Connolly said that he wasn't ready for tonight's meeting.
- Supervisor Cardone: Okay. Yea. I, I just want to make sure.
- Councilwoman Houle: We should probably keep it open.
- Supervisor Cardone: Okay.

Action (Resolution): 4.4 Possible Motion to Keep Open the Continuation of the Public Hearing RE: Short Term Rental Application, 21 Front Street (SBL: 16-3-1)

2024-#353

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Keep Open the Continuation of the Public Hearing RE: Short Term Rental Application, 21 Front Street (SBL: 16-3-1) until July 15, 2024, at 7:00 pm or soon there-after.

Motion by Supervisor -Tony Cardone, second by Dorey Houle.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Mary Bingham, Sal Scancarello, Dorey Houle

Action (Resolution), Discussion, Information: 4.5 Motion to Open the Continuation of the Public Hearing RE: Zone Change Petition RE: Project 230160 18 Stair Way (SBL: 3-1-25)

2024-#354

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Continuation of the Public Hearing RE: Zone Change Petition RE: Project 230160 18 Stair Way (SBL: 3-1-25).

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

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Mary Bingham, Sal Scancarello, Dorey Houle

The following signed up to speak during Public Comment for the Public Hearing RE: Zone Change Petition RE: Project 230160 18 Stair Way (SBL: 3-1-25). To hear their comments, and Board Members responses, please go on-line to Board Doc's Video Clip #4.5, 0:20:56.

*NO PUBLIC COMMENT AT THIS TIME

- Dave Higgins: (Inaudible)
- Supervisor Cardone: Talk. Just speak into the mic.
- Councilwoman Houle: Oh, is it not on? Slide it toward you. (Inaudible).
- Supervisor Cardone: Yeah. That was my fault.
- Councilwoman Houle: There we go.
- Dave Higgins: Okay. So, again David Higgins from Lanc & Tully Engineering and Surveying. I was here two weeks ago for the application. It's a Petition made by Alice Surpi and Nick Gordon. This is for the property 18 stairway. And just to re, rehash where we were, we had an application that was made to the Planning Board for a site plan for an existing garage located on the property, and essentially the garage which is in place and being used by the owner for landscape storage. Turns out is not permitted in the, the GB zoning District. So, in Lieu of making an Application to the Zoning Board of Appeals for a Variance, we elected to make a Petition to the Town Board to change the Zoning District in the GB District to allow landscape and contractor storage in that District. So, that's the Application. I believe the Public Hearing was open. There was a, I believe a request. A referral to the Orange County Department of

Planning under the 239. I believe the response came back. I think it was this morning. Hopefully, the Town received a copy of that.

- Supervisor Cardone: Yes.

- Counsel Nugent: (Inaudible)

- Supervisor Cardone: Okay. I didn't have a chance to (inaudible). I would like to do that.

- Town Counsel Nugent: I've also forwarded it to the planner Max for his review.

- Supervisor Cardone: Yeah.

- Town Counsel Nugent: The comment. Even though it was a recommendation, was Local Determination, there was a comment from the County recommending that it should be either a Use Variance, or that they should allow it as a special permitted use, rather than I guess it's listed as a right, right now.

- Supervisor Cardone: Oh Okay.

- Town Counsel Nugent: But again, that's not a binding comment, but that was a recommendation from the County.

- Supervisor Cardone: Okay.

- Town Counsel Nugent: So, I forwarded that to Max, but I have not heard back.

- Supervisor Cardone: Okay. So, then.

- Town Counsel Nugent: I mean Mr. Higgins, do you guys have any comment on that or, the, you saw the GML?

- David Higgins: Yeah I think we anticipated, I guess maybe it was not worded quite properly I think in the petition, that it be a permitted use. I think it was understood anyway they would probably if it was going to be included by this board it would probably be subject to Site Plan approval and Special Use Permit from the, the Planning Board as is the case, I believe in the Light Industry and the Heavy Industry Districts. So, we certainly would have no objection to that. That's essentially, I think what we anticipated, although it may not have made that clear in the, the original Petition. But that's, that's what we anticipated.

- Supervisor Cardone: Okay. All right. I, I mean, I hate to do this to you, but because it came in today, I don't know if anybody else had a chance.

- Councilman Scancarello: I did not.

- Councilwoman Houle: I didn't have a chance to take a look at it.

- Supervisor Cardone: Yeah.

- Councilwoman Houle: No.

- Supervisor Cardone: Yeah. So, I'm gonna say that we keep open the continuation of the Public Hearing regarding the Zone Change Petition project number 230160 at 18 Stair Way to July 15, 2015, 2024 at 7PM or immediately thereafter.

- Dave Higgins: Understood. Okay.

- Town Counsel Nugent: If you guys are good with it, then maybe we'll have Max make that change you know as a Special Permitted Use this way it'll be in a form that could be approved at the next meeting.

- David Higgins: Okay.

- Supervisor Cardone: You okay with that?

- David Higgins: Absolutely. Yes.
- Supervisor Cardone: Okay. All right good.
- David Higgins: Okay. All right. Thank you.
- Supervisor Cardone: Thank you.
- David Higgins: Have a good night.
- Supervisor Cardone: We gotta vote on that. No. Do I have a second?
- (Inaudible)
- Town Clerk Valerie Bitzer: There's no Public Comment for that.
- Supervisor Cardone: Okay.

Action (Resolution): 4.6 Possible Motion to Keep Open the Continuation of the Public Hearing
RE: Zone Change Petition RE: Project 230160 18 Stair Way (SBL: 3-1-25)

2024-#355

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Keep Open the Continuation of the Public Hearing RE: Zone Change Petition RE: Project 230160 18 Stair Way (SBL: 3-1-25) until July 15, 2024, at 7:00 PM or soon there-after.

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

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Mary Bingham, Sal Scancarello, Dorey Houle

Action (Resolution), Discussion, Information: 4.7 Motion to Open the Continuation of the Public Hearing: Proposed Local Law E-V1/2023 Ch. 41 (Sewage Systems) Revisions

2024-#356

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Continuation of the Public Hearing: Proposed Local Law E-V1/2023 Ch. 41 (Sewage Systems) Revisions.

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

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Mary Bingham, Sal Scancarello, Dorey Houle

The following residents signed up to speak during Public Comment on the Continuation of the Public Hearing: Proposed Local Law E-V1/2023 Ch. 41 (Sewage Systems) Revisions. To hear their comments and Town Board Members responses, please go on-line to Board Doc's Video Clip #4.7, 0:25:34.

*NO PUBLIC COMENT AT THIS TIME

- Town Clerk Valerie Bitzer: No Public. No Public Comment.
- Supervisor Cardone: No Public Comment. Anything to add Mary?
- Councilwoman Bingham: I did speak to Shawn. He was very tied up the past week with Planning Board, and WIIA Grant Applications. So, he was gonna try to get it to us today. I did not see it in my email. So, I'm gonna ask for a continuation to July 15th.
- Supervisor Cardone: Okay. Are you making that Motion?

Action (Resolution): 4.8 Motion to Keep Open the Continuation of the Public Hearing:
Proposed Local Law E-V1/2023 Ch. 41 (Sewage System Revisions)

2024-#357

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Keep Open the Continuation of the Public Hearing: Proposed Local Law E-V1/2023 Ch. 41 (Sewage System Revisions) until July 15, 2024, at 7:00 PM or soon there-after.

Motion by Mary Bingham, second by Sal Scancarello.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Mary Bingham, Sal Scancarello, Dorey Houle

Action (Resolution), Discussion, Information: 4.9 Motion to Open the Public Hearing RE: Short Term Rental, 8 Keith Lane (SBL: 3-3-4)

2024-#358

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Public Hearing RE: Short Term Rental, 8 Keith Lane (SBL: 3-3-4).

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

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Mary Bingham, Sal Scancarello, Dorey Houle

The following residents signed up to speak on the Public Hearing RE: Short Term Rental, 8 Keith Lane (SBL: 3-3-4). To hear their comments and Town Board Members responses, please go on-line to Board Doc's Video Clip #4.9, 0:26:33.

- Diane Egan
- Albert Wunder
- Mary Stroh-Walsh
- Julio Cotto

- Susan Pendergast
- Kathleen Bayer
- Patricia Salazar
- Jonathan De Joy

- Supervisor Cardone: Madame Clerk.

- Town Clerk Valerie Bitzer: So, with Public Comment, I'm going to call the first Speaker. I'm then going to read the Speaker who will be up after them so you're prepared to, to speak. And just a reminder, you'll have five minutes. So, first is going to be Diane Egan. - Supervisor Cardone: Just state your name and your address. Where you live, please. Thank you. Who's next?

- Town Clerk Valerie Bitzer: I'm sorry. Albert Wunder will be next,

- Diane Egan: All right. Good evening. Can you hear me? Okay. Diane Egan, Montauk Road, Monroe, Round Lake Park. Supervisor Cardone, members of the Town Board. I'm a member of Round Lake Park Association and I've been a resident for 40 years. I favor keeping open and continuing the Public Hearing on 8 Keith Lane. It's my understanding that an Application for a Short-Term Rental Permit with the intent to provide accommodation for rent to no more than 12 people at one time and for lengths of time not in excess of 30 days is being made. As a member of Round Lake Park Association, this change affects not just that property and the immediate neighbors, but also the entire community of Round Lake Park and possibly the delicate ecosystem of Round Lake. The zoning of the property that has made the application is single family occupancy as far as I understand. Any change in zoning that impacts the community should have a compelling reason for that change. Again, that's my understanding. If the owner wishes to be a Landlord, there are many places that they can buy other than this neighborhood which is zoned for single families. I understand our foundational individual rights to own property, but communities have rights as well. And those are reflected in the Zoning Laws that are passed by our Representatives. To buy property, and then try to subvert those Law governing that property, and completely change the nature of the community seems to make a mockery of that notion of self-rule. What's the point of having Laws when Variances to those Laws are granted for no compelling reason except for one's profit? Seems to me, that this is how a Town dies. A death by a thousand cuts, or a thousand Variances. It's a Town assisted suicide. Why should it be so hard to deny this Application? I say let's enforce the Zoning Laws that are there, and have been put there with the consent of the Government. Thank you for this opportunity to speak, and I would advocate that you keep this Public Hearing open. Thank you.

- Supervisor Cardone: All right. Thank you very much.

- (Applause)

- Councilwoman Houle: Thank you.

- Town Clerk Valerie Bitzer: Albert Wunder. Albert Wunder. After Albert will be Mary Stroh-Walsh.

- Supervisor Cardone: You're moving fast tonight Al, I noticed.
- (Laughter)
- Albert Wunder: Albert Wonder. Round Lake Park. I live on Keith Lane. Keith Lane is not a road. It's my driveway. They have a right of way. They live. Our driveway, is a quarter mile long. They live a tenth of a mile off of that in a right. They can never find it, because they come in so fast. They go down to our driveways, turn around. Knock things down. Go across the Lawn. They took out six mailboxes one time. And then they finally get there, and when they wake up in the morning they go the wrong way again. And it starts all over. I've been fighting this for four years. And I, with my observation, if one car is there, there's between five and seven people in one car, if you include kids. You have two cars there, you're almost at a limit of six. I've seen 14 cars. 10 cars. 6 cars. They don't even have an app. They don't even have a Permit. And they've been doing this for four years. I waited the whole time with the dots of the I's, and the T's. You passed the Law. I called Ben. I finally put a written complaint in. He went down. Found all these violations. Told him not to do it I called him back, and told him they were there. He went down, and put a sign on and said you can't have nobody there. It hasn't stopped. Last weekend, there were six cars all weekend long. Who's gonna enforce the Law? What's the sense in having the Law? That's all I want to know. I, (inaudible), people in Round Lake Park don't even know. It's a driveway. It's not a road. The Town made them put that sign up there when they ran out of space for mailboxes on Round Lake Park Road. Our, our address was always Round Lake Park Road. But they changed it, and now it's Keith Lane.
- Supervisor Cardone: I think when they did the development there, is when it got changed.
- Albert Wunder: There's no development.
- Supervisor Cardone: Well, the subdivision.
- Albert Wunder: There's no subdivision.
- Supervisor Cardone: Yeah, there, there, there, there's a subdivision.
- Albert Wunder: There's no subdivision. There was two houses there. I've been there for 45 years. Myzel's owned the property.
- Supervisor Cardone: Right.
- Albert Wunder: You used to have to get through O' Gorman's property, which I don't know if anybody knows about it. You used to have to come all the way down, around the lake, and go to them houses. 8 Keith Lane is landlocked. Myzel bought the, the building lot in Round Lake Park to make that driveway. Until 25 years ago, you couldn't even find that driveway. He gave the right away to Ginsburg's who lived there, and after that it's sold two times and finally they acquired it.
- Supervisor Cardone: Just to clarify, the reason it's called Keith Lane.
- Albert Wunder: Is because.
- Supervisor Cardone: Is because, when Keith was there.
- Albert Wunder: Right.
- Supervisor Cardone: They subdivided that into two parcels. That's how.

- Albert Wunder: It was always. They didn't subdivide it. You have. Myzel's bought. (Inaudible) has 10 acres. He bought it all off of Judge O' Gorman. Judge O' Gorman was in an iron lung. Every time he needed money, Myzel's bought another acre of land. So, they moved the property lines. They didn't subdivide. They put Lynn's house on four acres, and Keith's house on four acres. The six acres, they left me on. It was never subdivided. There's only two extra houses there in the last 45 years.

- Supervisor Cardone: All right. Maybe, I'm using the wrong term. I thought, I thought there was a subdivision there for Keith Lane.

- Albert Wunder: (Inaudible). Never a subdivision. Because it was just. You can move property lines within your own property without doing a sub. There's no subdivision.

- Supervisor Cardone: Oh. You have to apply for it. You have to fill out a form with the Building Department.

- Albert Wunder: Yeah, but, but there was no subdivision.

- Supervisor Cardone: Okay. That's fine.

- Albert Wunder: He built a house for his mother.

- Supervisor Cardone: I.

- Albert Wunder: And he built a house for himself.

- Supervisor Cardone: I stand corrected.

- Albert Wunder: But. They haven't stopped going there. They haven't stopped bringing people in there. I mean, I've had Kiryas Joel school buses dropping people off. And then they try to turn around, and our, down by our house, to go out. They make em back up. They have vans comin in. You know, big vans. 20 people at a time gettin out of em. I mean, it's got to stop. I just want to know who who's going to enforce a Law? What's the sense of waitin all this time to make a Law, that nobody's enforcing. That's all I got to say.

- Supervisor Cardone: Okay. Thank you.

- Albert Wunder: Okay.

- Councilwoman Houle: Thank you.

- (Applause)

- Town Clerk Valerie Bitzer: Mary Stroh-Walsh. After Mary, will be Julio Cotto.

- Mary Stroh Walsh: I am Mary Stroh-Walsh. That's my legal name. I've been, oh thank you. Can everyone hear me?

- Councilwoman Houle: Yes.

- Councilman Scancarello: Yes.

- Mary Stroh-Walsh: Okay. I am Mary Stroh-Walsh. That's my legal name. I've been corresponding with you under the name I normally go by which is Molly Walsh Stroh. I am a longtime resident of Round Lake Park which I believe is in fact the oldest development in all of Monroe. My family have had property there since the 1920's. The, uh I'm gonna, I'm gonna read from one of my letters here just to reiterate a point here. Uh, the stated legislative intent of the Town cold code 40-1 purports to allow and regulate transient rental uses of residential dwellings and to preserve the town's appropriately

balanced and residential nature and unique tranquil neighborhoods. Uh, neighborhood character as enacted by the town zoning and to protect and ensure the safety of its current and future residents and to prevent to the greatest extent practicable Public Safety risks including but not limited to noise, trash, traffic, and parking impacts associated with unregulated short-term dwellings. Wording that would seem to indicate and recognize the role of zoning in the preservation of the character of the community and recognize the possibility that there that, that might be in conflict with the allowance of transient rental property operation such as is proposed by the permission for a short-term rental at Keith Lane. I have a Petition that is signed by 49 people. Signatures gathered in uh just the past two days of people who object to uh the um short-term rental on the grounds that it would increase the traffic.

- Supervisor Cardone: Pass that Petition to the Clerk after you're done. Please.

- Mary Stroh-Walsh: Okay. All right. Now, um I understand that, um that in the chapter 40, uh the section 40-15, covers operation without a permit. I'm wondering whether violations were issued after my 20th of May letter that included a, an ad for the lake house as they call it, done by King David Mansions that I found online, online, and I would, I would note that I am also asking about whether a violation was issued uh for the 10th of May. Um, uh notice from David Carrera's which was, which contained the video from the King David Mansion LLC I guess uh, which featured the lake house in the video. So, they have, they have not uh discontinued advertising, and in fact I saw that um that video again today. It's still up online. Um, okay. I have, uh I have um photographs of um, of people, uh coming to the, the lake house, that are from the 1st of June. There are five cars parked there and there's a family going inside. Would that be of interest to you?

- Supervisor Cardone: Yes.

- Councilman Scancarello: Yeah. Absolutely.

- Mary Stroh-Walsh: Okay. And then there's another photograph that's a little bit fuzzy because it's taken from the video that, and it was done I believe just today. So, I will give you this packet of information. Um, so, I don't know whether notices of violation were sent after the 20, 20th of March, or the 10th of May, but it seems to me that uh, uh the operation without a permit, uh wording in Chapter 40, would require that, uh they had to be sent um violation notices, and I, and if they have, then they have um violated uh the, the Application Permit. I would also draw your attention to a, um, an advertisement that is from uh the, the computer. And, and in this advertisement, they specifically, uh have the Lakehouse featured here. It, uh, the permit they've applied for, is uh for a 12-person occupancy. This ad, uh declares that they sleep 20, at that house. So, that would be fraudulent, mis- representation.

- Councilman Scancarello: What's the date on that ad?

- Mary Stroh-Walsh: The date on the thing. This is from, um from when I found it. It's March, uh 19th. So, um that was my original one. And then there's, a there's a bit of a text here that says that it has eight bedrooms, and 20 beds. So.

- Town Clerk Valerie Bitzer: Time is up.

- Mary Stroh-Walsh: So, they've continued to advertise this place. And in fact they've

continued operating all through uh their permit application process and through the resolution of some violations that I guess interfered with their application for a while and thus we had a delay on this. I understand that um these violations of um, of uh, advertising uh without having a permit and the fraudulent representation of things should, should.

- Town Clerk Valerie Bitzer: Time is up.

- Mary Stroh-Walsh: Should result in a 24 month, uh, uh, a moratorium on their being able to complete the application.

- Supervisor Cardone: Okay. Unfortunately, your time is up. So, I have, I have to cut you off.

- Mary Stroh-Walsh: Okay. Thank you very much.

- Supervisor Cardone: Thank you very much.

- Councilwoman Houle: Thank you.

- Mary Stroh-Walsh: Can I give? Who can I give?

- (Applause)

- Councilman Scancarello: (Inaudible)

- Supervisor Cardone: Give it, give it to Valerie.

- Mary Stroh-Walsh: Valerie.

- Councilman Scancarello: (Inaudible)

- Town Clerk Valerie Bitzer: Julio Cotto.

- Supervisor Cardone: Give it give it to Valerie. She's the one in.

- Town Clerk Valerie Bitzer: After, Julio.

- Supervisor Cardone: The blue suit with the pink tie.

- Town Clerk Valerie Bitzer: Will be Sue Pendergast.

- Supervisor Cardone: Good evening.

- Town Clerk Valerie Bitzer: Thank you.

- Julio Cotto: Julio Cotto, 268 Cromwell Hill Road.

- Councilwoman Houle: You can turn that up if, if it's more comfortable for you.

- Julio Cotto: I've lived there for the past five years. Um, Supervisor Cardone (inaudible) Board. My name is Julio Cotto, and I'm the President of the Round Lake Park Association speaking on behalf of approximately 185 properties in the SR15 Community known as Round Lake Park. Together we oversee a 3.6 acre lakefront property within our neighborhood. I would like to ask the members of Round Lake Park here present today to please stand up.

- Councilman Scancarello: Good looking crew.

- Councilwoman Houle: Hmm.

- Julio Cotto: Thank you. Supervisor Cardone, as you know as a owner in our, in our residence, Round Lake Park is accessible via four roads with no through traffics to other neighborhoods except for Keith Lane which lies outside our legal boundary. Keith Lane operates akin to a shared driveway perpendicular to Round Lake Park Road, serving, serving its homes. Residents of Keith Lane depend on Round Lake Park for essential services such as mail delivery and waste collection, significantly increasing traffic and waste management demands on our community. While most (inaudible) Keith Lane residents are familiar and respect our communities' norms, the Short-term Rental property at 8 Keith Lane introduces

unfamiliar guests who often speed through our streets. In fact, data shows that vehicles associated with Short-term Rentals exceed the posted 30 mph limit by an average of 15 mph significantly endangering our (inaudible) our communities safety. Moreover these guests frequently exceed trash limits contributing to environmental concerns and fire risk as evidenced by an increase in reported waste related incidents since the property began operating as a Short-term Rental. I would like to point out that the property is currently in operation with occup occupants having resided on the property as recently as last weekend. Enforcement of community regulations regarding speed limits noise levels trash disposals and other standards remain ambiguous. Residents seek clear guidance on enforcement responsibilities reporting procedures and penalties for repeated violations. The proximity of the Short-term Rental property at 8 Keith Lane to our community's lakefront property which is collectively owned and cherished by Round Lake Park residents amplifies these concerns. The lakefront property falls within the 500 proximity of notification to 8 Keith Lane. So every resident of Round Lake Park must be properly notified of such developments. It is crucial to maintaining Community Harmony and safety. Round Lake Park Association has a registered address with the Town for tax purposes. The same address can be used to notify the community of such necessary developments in our community. In conclusion Round Lake Park Community values the privacy and exclusivity of our lakefront property for dues paying members and their guest. However operational practices at the Short-term Rental property at 8 Keith Lane including capacity discrepancies and compliance with Town codes raise significant concerns among residents. As mentioned before online advertisements including but not limited to videos advertise 8 Keith Lane as a lakefront property with 20 beds. If every bed contains the unlikely one person per bed that property is already operating at 166 capacity violating the 12-person maximum associated with the home. The property targets multiple family vacationers which easily will put its capacity at even higher rate. We are not confident that the owners and operators of 8 Keith Lane will follow codes and procedures as they have shown to ignore limitations involving the property in their ad campaigns. The property has been fully operational. Has a temporary permit been granted allowing the property to operate while its permit application is under review or have the owners yet again taken liberties with a disregard for the policies already in place. In the Town Code of operation without a permit section 40-15 Part B says advertising for a Short-term Rental um sorry advertising for Short-term Rental home without a valid permit number is prohibited and constitutes a violation of this chapter. In section C it further states that evidence of operation may include advertising such as video rental agreements and reviews. Such which you can find online if you look up the property under King David Mansions. Therefore we urge the denial of the Short-term Rental Permit for 8 Keith Lane and call for immediate legislative action to address escalating traffic issues particularly with summer approaching and children's activities intensifying in our neighborhood. Additionally we request enhanced (inaudible) enforcement measures and transparent reporting mechanisms to safeguard our community's wellbeing. I appreciate for take taking the time to listen to my statement and I speak on behalf of the Round Lake Park Community. Thank you so much.

- Supervisor Cardone: Thank you very much.
- Councilwoman Houle: Thank you Mr. Cotto.
- (Applause)
- Town Clerk Valerie Bitzer: Sue Pendergast. After Sue Pendergast will be Kathleen Bayer.
- Supervisor Cardone: Good night. It's on.
- Susan Pendergast: Hi. My name is Susan Pendergast. I live at 28 Tephonic Avenue. Um I have been a resident in that house for 20 no I'm sorry 64 years. All right. I am speaking today in response to the Public Notice Short-term Rental Permit Application my husband and I received in in the mail. We live close to Keith Lane. The individual um applied for a Short-term Rental Permit to allow rental of a single-family house located on 88 Keith Lane in Monroe. The Public Notice stated that the house has six bedrooms and the request is to allow rental with a maximum occupancy of 12 people for periods of 30 days or less. In an email I received by Mr. Maldonado Mr. Maldonado he stated that we meaning those in receipt um of the Public Notice would be notified when this hearing would be scheduled. He wrote that the Town Clerk would advertise it and the applicant is obligated to send out mailings and would need to show proof of those mailings to the Town Board. No one as of today I asked all the people that I know that received those um rental the application for the rental permit if they received any kind of Notice from the Applicant and no one has at at this time. Also the Applicant needed to show proof of those mailings to the Town Board. And like I said no one received those (inaudible) uh those mailings as of tonight. I am not understanding why this meeting has been scheduled for for today when the applicant failed to meet his obligation to give us the proper Notice as required by our Monroe Town Board. The house on Keith Lane has been used for Short-term Rental in the past negatively impacting impacting our quiet and rural community Residents witnessed an increase in traffic at all hours of the night including both cars vans and trucks as there is only one-way um to enter and exit this property. We have a lot of young children in the neighborhood who like to ride bikes and play as well as a lot of adults who enjoy walking. With the prospect of having increased traffic on our peaceful neighborhood roads safety for our children pets and ourselves is a huge concern. And I have questions. For one how will the maximum occupancy of the Short-term Rental be monitored as 8 Keith Lane is advertised on social media as The Lakehouse with seven bedrooms plus one kids' room and and sleeping 20 as opposed to six bedrooms sleeping 12 that's stated on the application for the short-term rental permit we received? Also who will be monitoring the maximum occupancy and number of days rented as it is stated on the application for the Short-term Rental Permit? Number three how can we contact those who will be monitoring the Short-term Rental property if any issues arise? Number four will renters be allowed to invite guests to stay at the house on 8 Keith Lane during their time renting? Number five how will this be monitored and who will be checking to ensure that additional people will not be added within each 30-day time frame? Number six will there be penalties imposed for unlawfulness or violations as per chapter 40 of the registration and permitting of the property Amendment if

more than 12 people occupy the Short-term Rental and or um I'm sorry for the time exceeding 30 days? And I'd like to know what kind of penalties? Um will there be a cancellation of this Permit all together if violations exceed a specified number of times? Another question is will the rental manager be available to the residents of Round Lake Park if a problem arises? Number 10 how are we to contact the rental manager if there is a problem or concern? Another question is who do we contact if we are not able to connect with the rental manager to have a problem addressed in a speedy manner not 24 hours after or 48 hours after? Will there be background checks on those who are renting Short-term? Who will monitor these checks? Many of the residents in Round Lake Park are members of a Lake Association. Our beach area on Round Lake is a private beach for those who live within a spe a specific boundary area and pay pay yearly dues. If trespassing on Round Lake Park Beach becomes an issue as it has in the past who are we to contact for assistance? I request request that this Short-term Rental um for 8 Keith Lane be denied because of such a permit will negatively impact our quality of life in our peaceful Round Lake Park Community as we all know it. Thank you very much for your time.

- Councilman Scancarello: Than you.

- Supervisor Cardone: Thank you. Thank you Sue.

- Councilwoman Houle: Thank you Sue.

- (Applause)

- Town Clerk Valerie Bitzer: Kathleen Bayer. After Kathleen will be Patricia Salazar.

- Kathleen Bayer: Good evening.

- Supervisor Cardone: Good evening.

- Kathleen Bayer: My name is Kathleen Bayer. Whoops. I live at 446 Round Lake Park Road. I purchased my home 2 years ago and I've come to love my community and my neighborhood. I'm here tonight because a Short-term Rental Application has been submitted for 8 Keith Lane. Keith Lane is a few steps down the block for me. This application and tonight's hearing were brought to my attention from members of the Round Lake Park Association to to which I belong. I'm opposed to this application for a number of reasons. Living within 500 feet of 8 Keith Lane I should have been notified of the Short-term Rental Application and of tonight's hearing. I received no such notification. I am a member of Round Lake Park Association. The Association's property is within 500 ft of of 8 Keith Lane. Round Lake Park Association members were not notified of the Short-term Rental Application nor tonight's hearing. 8 Keith Lane continues to have renters even though they currently have no Permit for Short-term Renters to my knowledge. The Applicant continues to advertise for renters at a Keith Lane even though they have no Short-term Rental Permit. I'm concerned that there is currently little or no enforcement of our Code Regulations. Since this Applicant shows such blatant disregard for our codes and disrespect to our neighborhood I believe this Application should be rejected. It's my understanding that if an applicant knowingly violates our community Code the Applicant should be immediately stopped. The Application sorry. The Application should be immediately stopped and put on hold for two years. I stand in support of my neighbors who spoke in opposition to this application of a Short-term Rental at 8 Keith Lane. I strongly urge

that you reject this Application for Short-term Rental at 8 Keith Lane and I thank you for your time and consideration.

- Supervisor Cardone: Thank you very much.

- (Applause)

- Town Clerk Valerie Bitzer: Patricia Salazar. After Patricia will be Jonathan DeJoy.

- Patricia Salazar: I'm petite so. I'm just.

- Supervisor Cardone: Go head. That's fine.

- Patricia Salazar: Okay. Okay.

- Supervisor Cardone: How are you?

- Patricia Salazar: Hi everyone. Good evening Supervisor Cardone and Board of members of the Board. Um my name is Patricia Salazar. I live on Montauk Road. I am part of the Round Lake Park Community. I am relatively new to the community. I am a mother to a six-year-old boy who I adore um and many of you have seen me in walking around with him. Um and for me Round Lake Park I understand it to be a gem. Right? I moved here. I invested in Monroe specifically this community because I see the beauty of this town. The beauty of the community. The beauty of the area. And so I am concerned that I am investing in a community that may not be investing in the safety of my child. Um only because as many of my you know community members have mentioned traffic. Safety. You know. Of my child is obviously my most priority as well as the other children in the area. Um and I think for me I I want to see enforcement. Um I moved up here because I want safety. I want the community that is Round Lake Park and the Town of Monroe. Um and and I want to be reassured that laws that are in place can be enforced and the safety of our children are a priority for the Town. Um and that's basically what I want to share.

- Supervisor Cardone: Thank you very much.

- Councilwoman Houle: Thank you.

- (Applause)

- Town Clerk Valerie Bitzer: Jonathan DeJoy.

- Jonathan DeJoy: Good evening everyone Jonathan DeJoy. Uh.

- Supervisor Cardone: Good evening.

- Jonathan DeJoy: Attorney for the Applicant uh from the Law Firm Catania Mahon and Rider. Um obviously there have been a lot of objections from the public tonight so maybe I will ask you if you'd like me to try to address some of those or if you'd like to ask me questions first.

- Supervisor Cardone: (Inaudible) uh how come nobody was notified of the Public Hearing?

- Jonathan DeJoy: Uh that I don't know. As far as I know there were uh the mailings were sent out. Um I.

- Supervisor Cardone: When were they when were they sent out?

- Jonathan DeJoy: I'm not I wasn't involved with them. So I'm not sure. But I did see a a copy of the Short-Term receipt.

- Supervisor Cardone: So.

- Councilwoman Houle: Who who sent them out?

- Supervisor Cardone: Who who wait wait wait. I'm sorry. You're not involved it but you're

representing the Applicant?

- Jonathan DeJoy: No. I'm representing the Applicant. I didn't do the mailings?

- Supervisor Cardone: Did the Applicant do the mailings?

- Jonathan DeJoy: Yeah. I mean I saw a Return Receipt. They uh they showed me a copy of one.

- Supervisor Cardone: Do you have a copy of it here?

- Jonathan DeJoy: No.

- Councilwoman Houle: Go head Dorey. Sorry.

- Councilwoman Houle: Well that's that was my question. Who who sent out the mailings?

- Jonathan DeJoy: My client did.

- Councilwoman Houle: Your client sent out the mailings.

- Jonathan DeJoy: Yeah.

- Councilwoman Houle: And you have a a a receipt of that? Your client sent out the mailings for for the Short-Term Rental Application and also for the Public Hearing?

- Jonathan DeJoy: Uh I wasn't involved when they applied. So I can't say for sure about the Application. But they showed me a copy of a return receipt for tonight. I didn't look at each individual mailing. So I can't speak to that.

- Councilwoman Houle: What was the date of the receipt?

- Jonathan DeJoy: I don't remember.

- Supervisor Cardone: I just can't believe that you you being an Attorney and them showing you a copy of it you didn't at least take a photograph with your phone.

- Jonathan DeJoy: No.

- Supervisor Cardone: Okay.

- Jonathan DeJoy: I mean if it needs to be re-noticed. Uh I assume the Board is.

- Supervisor Cardone: To me it's to me it's too late.

- Jonathan DeJoy: Yeah.

- Supervisor Cardone: From from where I stand it's too late. Plus the fact you know your client was notified multiple times after violations from our Building Department that he was not allowed to rent it.

- Jonathan DeJoy: And from what I understand it has not been rented at all since then.

- (Laughter/Comments from audience)

- Jonathan DeJoy: There are (inaudible).

- Supervisor Cardone: Listen. I I got to laugh too cause I drive by there every day.

- Jonathan DeJoy: If if I may. The owners and their families have been using the home. Not as a rental But like any other.

- Supervisor Cardone: Quiet please. Please. Okay. So uh Counsel. I I have one other uh part. In in the Application there are uh statements from the owners. Uh both both of them uh of BNS Fortune Realty that essentially you know are to say who the representatives of the corporation are. So on on one of them it says I Jacob Deutsch and then it's signed by Jacob Deutch. On page three it says I Jacob Deutsch and it's signed by Levy Mayer. I mean to to me that that doesn't obviously sit well. It's incorrect. And and and I would think.

- Town Counsel Nugent: No. It's defective at the least.
- Supervisor Cardone: Defective.
- Town Counsel Nugent: Yeah.
- Supervisor Cardone: Okay. Okay.
- Town Clerk Valerie Bitzer: Supervisor if I can just comment. I had emailed um Mr. Deutsch and the other gentleman on um June 5th. And that Notice of Publication was in the paper on June 9th. So my email indicated about the um mailing and the return of the cards to my office for the mailing.
- Supervisor Cardone: Okay. Okay. So wait wait wait. But the cards were never sent to the residents?
- Town Clerk Valerie Bitzer: I had emailed Mr. Deutsch and the other gentleman on June 5th to "Please find the attached Public Hearing Notice for your Short-Term Rental Application." I indicated the date it would be published and he "Will need to contact the Town Assessor as far as getting the names of those residents within 500 ft if he does not already have them. He will need to do a Certified Mailing of the Public Notice to those (inaudible) residents provided by the Assessor. Once mails to please send me copies of the Certified Mailing. I will need the green cards once they are returned. Please let me know if you have any questions."
- Supervisor Cardone: (Inaudible) get a response?
- Councilman Scancarello: That was the 5th of June.
- Supervisor Cardone: No. It's the 5th of June. Okay. Uh Brian. (Inaudible) listen. I'm. I'm I'm gonna say that aside from the the defective aspect of it and the fact that uh the public and the residents weren't weren't notified. I shouldn't say the public. The residents weren't notified via mail. Does that constitute enough of a defect that we can deny it this evening?
- Town Counsel Nugent: I don't know (inaudible). I don't know if you need to deny it. The the Board could just declare that the Application's defective. Um because one of the requirements of the Application itself is proof of the mailing which is supposed to be submitted with the Application. So it's not a matter of denial which would be a decision on the merits but the fact that the Application's defective for some of the reasons you stated and the fact that there was not mailing under the Code and Proof of Mailing to the residents.
- Councilwoman Bingham: Question. If we find it defective can the Applicant still come back before us in the future with a new Application?
- Town Counsel Nugent: Yeah. There wouldn't be anything prohibiting that. Or at the Board's you know discretion you can continue the Hearing and require compliance with all provisions before you continue it. It's really up to the Board in that case.
- Councilwoman Houle: So I'm looking through this Application packet. And there are two receipts here. They're both for the same thing. They're both dated the same day and the same time and they're both for stamps.
- Jonathan DeJoy: Uh.
- Councilwoman Houle: Somebody bought 30 stamps on January 26th at noon. And then they submitted a second receipt for the same thing. Now. You could argue that the stamps would

be Proof of Mailing. However that needs to be sent out via Certified Mail correct? When when your Applicant was supposed to notify these residents about this this Application it was supposed to be sent out via Certified Mail. And generally and you know this because you.

- Town Counsel Nugent: I just want to correct it. It's Proof of Mailing.

- Councilwoman Houle: Proof of Mailing.

- Town Counsel Nugent: Proof of Mailing.

- Councilwoman Houle: Okay. Generally we do get a Proof of Mailing for each individual address.

- Town Counsel Nugent: Yeah.

- Councilwoman Houle: Right?

- Town Counsel Nugent: You can send something and just get Proof of Mailing from the Post Office. I don't the receipt wouldn't constitute Proof of Mailing.

- Councilwoman Houle: Now the second (inaudible) the second receipt is for the same thing dated the same day. I would presume that this second receipt is supposed to be submitted for the Public Hearing which would never have been mailed out January 26th.

- Jonathan DeJoy: Yeah. I I don't know what the the receipts are for. I wasn't involved back then so I can't speak to that. Um if there was an issue with the mailings uh or the Applications otherwise defective we're happy to redo it.

- Supervisor Cardone: Your your uh client is not here?

- Jonathan DeJoy: No.

- Supervisor Cardone: Okay. Any any particular reason why he didn't come?

- Jonathan DeJoy: No.

- Supervisor Cardone: Okay. Cause he does he does one of them lives in Monroe. One of them lives in Highland Mills.

- Jonathan DeJoy: Yeah (inaudible).

- Supervisor Cardone: Okay.

- Jonathan DeJoy: They asked me to be here.

- Supervisor Cardone: And and on multiple times our Building Inspector in red on email said "As a reminder you are not to USE the house as an STR until a permit is issued."

- Jonathan DeJoy: Correct. And there was a violation issued. Uh that's in Town Court. And as part of those proceedings my client was told to apply for a permit.

- Councilman Scancarello: He's using it without a permit.

- Jonathan DeJoy: Well not as a Short-term Rental.

- Councilman Scancarello: (Inaudible) said use.

- Jonathan DeJoy: As a Short-term Rental.

- Councilman Scancarello: (Inaudible).

- Supervisor Cardone: As an STR. (Inaudible). I I'll let I'll let Counsel decide that definition. (Laughter). Uh.

- Town Counsel Nugent: (Inaudible) provision is I mean the 7-Day Notice I didn't understand what you were saying it was used for.

- Jonathan DeJoy: I'm sorry.

- Town Counsel Nugent: (Inaudible) it wasn't rented? What was it? What was he doing with it?
- Jonathan DeJoy: Used for for family.
- Town Counsel Nugent: (Inaudible) that's a matter of proof obviously. I can't speak to the factually what happened there. But once a Notice went out a violation after 7 days there couldn't be any further rentals under the Code.
- Supervisor Cardone: Okay. Uh I'm gonna make a Motion to deny the permit. Base.
- (Applause)
- Councilman Scancarello: Second.
- Supervisor Cardone: Based ba based on the amount of defects in the Application. Uh and uh the fact that the owner has not reached back out to our Clerk multiple times. Did you second?
- Councilman Scancarello: Couns. Yeah. I'll second. Counsel has no information whatsoever either to to.
- Jonathan DeJoy: Well I don't. I I haven't heard any proof that the mailings weren't done.
- (Laughter).
- Town Counsel Nugent: Well the let me just speak to that Supervisor.
- Councilwoman Bingham: The residents are saying (inaudible).
- Supervisor Cardone: (Inaudible). Quiet. Please. Please. Quiet.
- Town Counsel Nugent: The Code requires proof with the Application.
- Supervisor Cardone: Yeah.
- Town Counsel Nugent: So you do need proof.
- Supervisor Cardone: Okay. So we have a Motion. We have a second.
- Councilwoman Houle: Yep.
- Supervisor Cardone: Any other discussion? Call to question?
- Councilwoman Bingham: Bingham Aye.
- Councilman Scancarello: Scancarello Aye.
- Supervisor Cardone: Cardone Aye.
- Councilwoman Houle: Houle Aye.
- Supervisor Cardone: Okay. So moved. The Application is denied. Thank you Mr. LaJoy.
- (Applause)
- Supervisor Cardone: Okay. Uh next item up is the acceptance of the June 3rd 2024 Minutes.
- Town Clerk Valerie Bitzer: Supervisor can I just interrupt? I know you rejected the Application but do you have to Close the Public Hearing or no?
- Supervisor Cardone: Uh.
- Councilwoman Houle: Yes.
- Supervisor Cardone: Yeah. I would say so.
- Councilwoman Houle: Right. We've made a decision on it.
- Town Counsel Nugent: Amend the Motion to make it one in the same. Close the Public Hearing (inaudible).
- Supervisor Cardone: So I'll amend the Motion to make it that we Close the Public Hearing on uh 8 Keith Lane and deny the Application. Yep. One second. Uh.

- Councilman Scancarello: I'll second.
- Supervisor Cardone: Call to question.
- Councilwoman Bingham: Bingham Aye.
- Councilman Scancarello: Scancarello Aye.
- Supervisor Cardone: Cardone Aye.
- Councilwoman Houle: Houle Aye.
- Supervisor Cardone: Okay. Just go come up to the mic. I'm not gonna take everybody. You're the first one to ask. So. Is it about enforcement now? I I knew you were gonna.
- Kathleen Bayer: I'm just wondering what we do with the renters that are coming to our neighborhood.
- Supervisor Cardone: We we will have our Building Department handle it. And if there's if there's an issue there's a few of you out there that have my cell number. You contact me and I will make sure that uh the State Police are called there. Sue you're killing me. I didn't want to get into this. Real quick. Hurry up. Last one. Sorry.
- Susan Pendergast: My argument my argument with the fact that it's family members that are there. I have family that come and visit me. I don't advertise my house as Round Lake Park home.
- Supervisor Cardone: Right.
- Susan Pendergast: Or anything like that.
- Councilwoman Houle: Mmm Hmm.
- Susan Pendergast: Whereas this house is has been advertised as the Lake House.
- Supervisor Cardone: Gotcha.
- Susan Pendergast: Not meant for family.
- Supervisor Cardone: Right. We denied. Thank you.

Action (Resolution): 4.10 Motion to Close the Public Hearing RE: Short Term Rental 8 Keith Lane (SBL: 3-3-4)

2024-#359

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Deny the STR Application Regarding the Public Hearing for 8 Keith Lane (SBL: 3-3-4).

Motion by Supervisor -Tony Cardone second by Sal Scancarello.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone Mary Bingham Sal Scancarello Dorey Houle

2024-#360

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Close and Deny the STR Application Regarding the Public Hearing for 8 Keith Lane (SBL: 3-3-4).

Motion by Supervisor -Tony Cardone second by Sal Scancarello.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone Mary Bingham Sal Scancarello Dorey Houle

5. Acceptance of Minutes

Action (Resolution): 5.1 Acceptance of June 3 2024 Minutes

2024-#361

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to accept the June 3 2024 Minutes.

Motion by Supervisor -Tony Cardone second by Mary Bingham.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone Mary Bingham Sal Scancarello Dorey Houle

6. Audit of Claims

Action (Resolution) Discussion: 6.1 General Fund Abstract

2024-#362

BE IT RESOLVED that the Town Board of the Town of Monroe requests approval of Abstract #24-08 General Fund containing Check # 35385 - 35430 totaling \$63669.19.

Motion by Supervisor -Tony Cardone second by Sal Scancarello.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone Mary Bingham Sal Scancarello Dorey Houle

Action (Resolution) Discussion: 6.2 Escrow Fund Abstract

2024-#363

BE IT RESOLVED that the Town Board of the Town of Monroe requests approval of Abstract # 24-03 Escrow Fund containing Check # 2141 - 2153 totaling \$128295.28.

Motion by Supervisor -Tony Cardone second by Dorey Houle.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone Mary Bingham Sal Scancarello Dorey Houle

7. Budget Transfer Requests

Action (Resolution) Discussion: 7.1 Budget Transfer Abstract

2024-#364

BE IT RESOLVED that the Town Board of the Town of Monroe approves Budget Transfer Abstract #24-13 in the amount of \$1239.38. (2024 Dial-A-Ride Expenditure Adjustments)

ABSTRACT OF BUDGET TRANSFERS

TOWN OF MONROE

DATE OF AUDIT: June 17 2024 ABSTRACT 2024-13

2024 Dial A Ride Expenditure Adjustments

Requested By: Ed Morales

DATE GL NO. DESCRIPTION Account Trans In Trans Out

6/17/2024 Dial A Ride Education Dues & Meetings A000-5630-4189-00 739.38

Dial A Ride Software Maintenance A000-5630-4226-00 500.00

Dial A Ride IT Support A000-5630-4223-00 1239.38

1239.38 1239.38

Motion by Supervisor -Tony Cardone second by Sal Scancarello.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone Mary Bingham Sal Scancarello Dorey Houle

8. Community Announcements Continued

Information: 8.1 Recap Town of Monroe Food Truck Festival

To hear discussion RE Recap Town of Monroe Food Truck Festival please go on-line to Board Doc's Video Clip #8.1 1:10:50.

9. New Business

Action (Resolution) Discussion Information: 9.1 Resolution Establishing Policy Prohibiting Unscheduled In-Person Visits to Certain Town Offices

To hear discussion RE Resolution Establishing Policy Prohibiting Unscheduled In-Person Visits to Certain Town Offices please go on-line to Board Doc's Video Clip #9.1 1:18:20.

2024-#365

BE IT RESOLVED that the Town Board of the Town of Monroe Made the following Resolution by Councilwoman Houle and seconded by Councilwoman Bingham:

RESOLUTION ESTABLISHING POLICY PROHIBITING UNSCHEDULED IN-PERSON VISITS TO CERTAIN TOWN OFFICES

WHEREAS the Town of Monroe ("Town") desires to ensure a safe and harmonious working environment; and

WHEREAS the Town Board desires to minimize disruption to its employees and officials and the services that they provide; and

WHEREAS certain employees have reported being uncomfortable with conduct and disruptions from Town Councilperson Maureen Richardson appearing in-person at their Town offices often without notice disrupting their ability to properly perform their Town work; and WHEREAS such unexpected in-person visits to the offices of Town Employees disrupt the Town work being performed by such employees; and

WHEREAS pursuant to Town Law § 64(3) the Town Board has management custody and control of Town lands buildings and property; and

WHEREAS the Town Board desires to ensure such disruptions are minimized.

NOW THEREFORE BE IT RESOLVED that

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

Section 2. Based on concerns expressed by certain employees the Town Board hereby determines that Councilwoman Richardson shall not be permitted to access the Town offices of the Secretary to the Supervisor the Town Finance office or the office of the Recreation Director in-person without prior notice and appointment.

Section 3. Nothing herein shall be construed to limit Councilperson Richardson's access to Town records and information which shall continue to be provided in the same manner in which other Councilpersons are provided such information but shall only prohibit access to such offices without advance notice/scheduling of an appointment.

Section 4. Such scheduling and notice of in-person visits shall be handled through the Town Supervisor's office.

Section 5. In the event of any dispute in carrying out the provisions of this Resolution the Town Board shall be the body authorized to render determinations to resolve any disputes.

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] [] [] []

Dorey Houle Councilperson [X] [] [] []

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

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

Maureen Richardson Councilperson [] [] [] [X]

The Resolution was thereupon duly adopted.

Motion by Dorey Houle second by Mary Bingham.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone Sal Scancarello Dorey Houle

Nay: Mary Bingham

Action (Resolution): 9.2 Employee Retirement Victor Thompson Maintenance Department

2024-#366

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to accept the Retirement/Resignation of Victor Thompson Maintenance Department effective June 14 2024.

Motion by Supervisor -Tony Cardone second by Sal Scancarello.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone Mary Bingham Sal Scancarello Dorey Houle

Action (Resolution) Discussion: 9.3 Employee Resignation Marcus Colon Moodna

2024-#367

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Resolution accepting the resignation of Marcus Colon Seasonal Laborer (Moodna) effective May 31 2024.

Motion by Mary Bingham second by Dorey Houle.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone Mary Bingham Sal Scancarello Dorey Houle

Action (Resolution) Discussion: 9.4 Steven Schaefer Laborer Moodna

2024-#368

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Resolution approving Steven Schaefer for the position of Full-Time Laborer Moodna at an hourly rate of \$25 and anticipated start date of July 1 2024. Orange County Department of Human Resources has pre-approved Steven's employment.

Motion by Mary Bingham second by Supervisor -Tony Cardone.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone Mary Bingham Sal Scancarello Dorey Houle

Action (Resolution) Discussion: 9.5 Smith's Clove Park 2024 Youth Activity Camp Staff Hires

2024-#369

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Resolution approving the following individuals for employment with the Youth Activity Camp at Smith's Clove Park for the seasonal period indicated below pending preapproval by Orange County Department of Human Resources.

L. Name F. Name Start Date Position Hourly

Anderson James 7/1/24 - 8/9/24 Camp Health Director \$20.00

Baxter Reese 7/1/24 - 8/9/24 Recreation Aide \$15.00

Behringer John 7/1/24 - 8/9/24 Recreation Aide \$15.00

Braunagel Emma 7/1/24 - 8/9/24 Recreation Aide \$15.50

Campbell Tyler 7/1/24 - 8/9/24 Recreation Aide \$16.50

Campbell Valerie 7/1/24 - 8/9/24 Recreation Aide \$16.50

Campbell Kathleen 7/1/24 - 8/9/24 Recreation Attendant \$20.00

Capen Kasey 7/1/24 - 8/9/24 Recreation Attendant \$25.00

Coddington Matthew 7/1/24 - 8/9/24 Recreation Aide \$15.00

Cuddiffe Caitlin 7/1/24 - 8/9/24 Recreation Aide \$15.00

Dolan Reese 7/1/24 - 8/9/24 Recreation Aide \$16.50

Espisito Victoria 7/1/24 - 8/9/24 Recreation Aide \$15.50

Gutierrez Cynthia 7/1/24 - 8/9/24 Recreation Aide \$15.00

Hudson Richard 7/1/24 - 8/9/24 Recreation Aide \$16.50

Jacoby Michael 7/1/24 - 8/9/24 Recreation Aide \$16.50

Klein Selena 6/20/24 - 8/16/24 Recreation Attendant \$18.00

Murphy Deanna 7/1/24 - 8/9/24 Recreation Aide \$15.00

Newcomb Colin 7/1/24 - 8/9/24 Recreation Aide \$15.00

Pantazopoulos Kristina 7/1/24 - 8/9/24 Recreation Aide \$15.50

Pena Shirle 7/1/24 - 8/9/24 Recreation Attendant \$18.00

Piazza Katie 7/1/24 - 8/9/24 Recreation Aide \$15.00

Portney Sam 7/1/24 - 8/9/24 Recreation Aide \$15.00

Riad Nathalie 7/1/24 - 8/9/24 Recreation Aide \$15.00

Rojas Matthew 7/1/24 - 8/9/24 Recreation Aide \$15.50

Rosado Maximus 7/1/24 - 8/9/24 Recreation Aide \$15.50

Ross Ari 7/1/24 - 8/9/24 Recreation Aide \$15.00

Ross Elisheva 7/1/24 - 8/9/24 Recreation Aide \$16.50

Ross Mendy 7/1/24 - 8/9/24 Recreation Aide \$15.50

Schechtman Robyn 6/20/24 - 8/16/24 Recreation Aide \$18.00

Sikoryak Riley 7/1/24 - 8/9/24 Recreation Aide \$20.00
Sikoryak Jacqueline 6/20/24 - 8/16/24 Recreation Aide \$16.50
Sikoryak James 7/1/24 - 8/9/24 Recreation Aide \$15.00
Sullivan Brian 7/1/24 - 8/9/24 Recreation Aide \$16.50
Termini Brian 7/1/24 - 8/9/24 Recreation Aide \$16.50
Whitmore Katie 7/1/24 - 8/9/24 Recreation Aide \$16.50
Wolownik Maggie 7/1/24 - 8/9/24 Recreation Aide \$15.00
Wolownik Lily 7/1/24 - 8/9/24 Recreation Aide \$15.50

Motion by Supervisor -Tony Cardone second by Sal Scancarello.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone Mary Bingham Sal Scancarello Dorey Houle

Action (Resolution) Discussion: 9.6 NYSLRS Standard Workday Resolution

To hear discussion RE NYSLRS Standard Workday Resolution please go on-line to Board Doc's Video Clip #9.6 1:25:13.

2024-#370

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Resolution as required by the New York State and Local Retirement System (NYSLRS) for the following Town of Monroe employee job titles and corresponding standard workday hours.

Job Title Id Descript Standard Work Day

ACCOUNT CLERK 7
ASSESSOR'S CLERK 7
ASSISTANT COURT CLERK 7
ASST ASSESSOR 7
ASST BUILDING INSPECTOR III 7
ASST TO THE BUILDING INSPECTOR 7
BOOKKEEPER 7
BUILDING INSPECTOR III 7
CLERK 7
CLERK TO TOWN JUSTICE 7
CONF SECRETARY TO TOWN SUPERV OF HWY 7
COURT ATTENDANT 7
COURT CLERK 7
DATA ENTRY OPERATOR 7
DEPUTY TOWN CLERK 7
PROGRAM COORDINATOR 7
REAL PROPERTY DATA COLLECTOR 7

RECREATION AIDE 7
RECREATION COORDINATOR 7
SEC TO SUPERVISOR 7
SECRETARY TO PLANNING BOARD 7
TOWN HISTORIAN 7
WATER & WASTEWATER ADMINISTRAT 7
AUTOMOTIVE MECHANIC 8
BUS DRIVER 8
BUS DRIVER PT 8
BUS DRIVER PT 8
HEAD BUS DRIVER DIAL-A-RIDE 8
HEAVY EQUIPMENT OPERATOR 8
LABORER 8
MOTOR EQUIPMENT OPERATOR 8
WASTEWATER MAINTENANCE WORKER 8
WATCHGUARD 8
WORKING SUPERVISOR (PARKS) 8

Motion by Supervisor -Tony Cardone second by Mary Bingham.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone Mary Bingham Sal Scancarello Dorey Houle

Action (Resolution) Discussion: 9.7 Set Public Hearing Date: Bonding for Water District 1 Improvements

2024-#371

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Set Public Hearing Date: Bonding for Water District 1 Improvements for July 152024 at 7:00 PM or soon there-after.

Motion by Supervisor -Tony Cardone second by Mary Bingham.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone Mary Bingham Sal Scancarello Dorey Houle

Discussion Information: 9.8 New York State Department of Transportation Letter Re: Speed Reduction Study (Lakes Rd.)

To hear Supervisor Cardone RE New York State Department of Transportation Letter Re: Speed Reduction Study (Lakes Rd.) please go on-line to Board Doc's Video Clip #9.8 1:27:55.

Action (Resolution) Discussion: 9.9 Short Term Rental Application 98 Osseo Park Road (SBL #20-10-22)

To hear discussion RE Short Term Rental Application 98 Osseo Park Road (SBL #20-10-22) please go on-line to Board Doc's Video Clip #9.9 1:29:35.

2024-#372

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to approve Short Term Rental Application 98 Osseo Park Road (SBL #20-10-22) and that the Town Board determines the factors in Section 40-8 have been met in the Short-Term Rental Law.

Motion by Supervisor -Tony Cardone second NONE.

Action (Resolution) Discussion: 9.10 Land Donation SBL #38-3-1

To hear discussion RE Land Donation SBL #38-3-1 please go on-line to Board Doc's Video Clip #9.10 1:31:27.

2024-#373

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Resolution authorizing a title search for SBL #38-3-1. This parcel is being donated to the Town of Monroe by Barbara & Wayne Wedderman. *Plus the cost of \$750.

Motion by Dorey Houle second by Supervisor -Tony Cardone.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone Mary Bingham Sal Scancarello Dorey Houle

Action (Resolution) Discussion: 9.11 Establishing Points of Contact for Consultants

To hear discussion RE Establishing Points of Contact for Consultants please go on-line to Board Doc's Video Clip #9.11 1:33:00.

2024-#374

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 ESTABLISHING POLICY FOR COORDINATION FOR COMMUNICATION WITH TOWN CONSULTANTS AND USE OF CONSULTANT SERVICES

WHEREAS the Town of Monroe ("Town") contracts with various consultants and professionals ("Consultants") for services to the Town; and

WHEREAS the Town Board desires to minimize duplication of services by Consultants; avoid the provision of unnecessary services by Consultants; prevent disorganized communications between the Town and Consultants; avoid confusion on the part of Consultants as to whom

they should communicate with from the Town; and to ensure a defined flow of communication between Consultants and the Town; and

WHEREAS the Town Board desires to ensure a streamlined process for managing Consultant communications that streamlines such services within the Town of Monroe enhancing operational efficiency and fiscal responsibility; and

WHEREAS the Town Supervisor of Monroe is the only full-time board member who is present and oversees the day-to-day operations of the Town; and

WHEREAS it is essential that consultants working for the Town of Monroe are provided with clear guidance on how they communicate with the Town Board to ensure consistent and efficient operations; and

WHEREAS in the absence of a policy coordinating communication with Consultants the Town will incur additional costs some that may be unnecessary in the absence of a coordinated and managed approach; and

WHEREAS the Town Board determines that it is in the best interests of the Town to establish a policy for communications with Consultants and Consultant activities.

NOW THEREFORE BE IT RESOLVED that

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

Section 2. Pursuant to the provisions of Town Law §§ 64(1) (23) and Town Law 29 (16) the Town Board hereby designates the Town Supervisor to act as the coordinator and primary point of contact for Consultants to the Town and shall be designated as the primary Town representative to engage in communications with the Consultants.

Section 3. The Town Supervisor shall be responsible for:

- a. Coordinating all communications between Consultants and the Town Board.
- b. Providing Consultants with necessary information and instructions to ensure their services are aligned with the Town's needs and objectives.
- c. Ensuring that any directives or questions from the Town Board are promptly relayed to the appropriate Consultant.
- d. Monitoring and managing the interactions with Consultants to prevent unnecessary expenditures and ensure that Consulting services are utilized efficiently.

Section 4. Consultants to the Town shall:

- a. Direct all reports inquiries and updates to the Town Supervisor's office.
- b. Refrain from contacting individual Town Board members directly unless explicitly authorized by the Town Supervisor or previously authorized to do so by the Town Board.

Section 5. Disputes in Administration of this Policy:

- a. In the event of a dispute in the administration of this policy the Town Board by resolution

may direct the activities of a Consultant or direct the Supervisor on any Consultant issue that arises.

b. In the event that a Town Board member asserts being improperly denied access to a Consultant for an authorized purpose the Town Board may by resolution authorize the Consultant to perform the requested service.

Section 6. The Town Board may amend this policy by a duly adopted resolution.

Section 7. This Resolution shall be effective immediately.

Motion by Supervisor -Tony Cardone second by Mary Bingham.

2024-#374A

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Table the Matter RE Establishing Points of Contact for Consultants.

Motion by Mary Bingham second NONE.

2024-#374B

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 ESTABLISHING POLICY FOR COORDINATION FOR COMMUNICATION WITH TOWN CONSULTANTS AND USE OF CONSULTANT SERVICES

WHEREAS the Town of Monroe ("Town") contracts with various consultants and professionals ("Consultants") for services to the Town; and

WHEREAS the Town Board desires to minimize duplication of services by Consultants; avoid the provision of unnecessary services by Consultants; prevent disorganized communications between the Town and Consultants; avoid confusion on the part of Consultants as to whom they should communicate with from the Town; and to ensure a defined flow of communication between Consultants and the Town; and

WHEREAS the Town Board desires to ensure a streamlined process for managing Consultant communications that streamlines such services within the Town of Monroe enhancing operational efficiency and fiscal responsibility; and

WHEREAS the Town Supervisor of Monroe is the only full-time board member who is present and oversees the day-to-day operations of the Town; and

WHEREAS it is essential that consultants working for the Town of Monroe are provided with clear guidance on how they communicate with the Town Board to ensure consistent and efficient operations; and

WHEREAS in the absence of a policy coordinating communication with Consultants the Town will incur additional costs some that may be unnecessary in the absence of a coordinated and managed approach; and

WHEREAS the Town Board determines that it is in the best interests of the Town to establish a policy for communications with Consultants and Consultant activities.

NOW THEREFORE BE IT RESOLVED that

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

Section 2. Pursuant to the provisions of Town Law §§ 64(1) (23) and Town Law 29 (16) the Town Board hereby designates the Town Supervisor to act as the coordinator and primary point of contact for Consultants to the Town and shall be designated as the primary Town representative to engage in communications with the Consultants.

Section 3. The Town Supervisor shall be responsible for:

- a. Coordinating all communications between Consultants and the Town Board.
- b. Providing Consultants with necessary information and instructions to ensure their services are aligned with the Town's needs and objectives.
- c. Ensuring that any directives or questions from the Town Board are promptly relayed to the appropriate Consultant.
- d. Monitoring and managing the interactions with Consultants to prevent unnecessary expenditures and ensure that Consulting services are utilized efficiently.

Section 4. Consultants to the Town shall:

- a. Direct all reports inquiries and updates to the Town Supervisor's office.
- b. Refrain from contacting individual Town Board members directly unless explicitly authorized by the Town Supervisor or previously authorized to do so by the Town Board.

Section 5. Disputes in Administration of this Policy:

- a. In the event of a dispute in the administration of this policy the Town Board by resolution may direct the activities of a Consultant or direct the Supervisor on any Consultant issue that arises.
- b. In the event that a Town Board member asserts being improperly denied access to a Consultant for an authorized purpose the Town Board may by resolution authorize the Consultant to perform the requested service.

Section 6. The Town Board may amend this policy by a duly adopted 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] [] [] []

Dorey Houle Councilperson [X] [] [] []

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

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

Maureen Richardson 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 Sal Scancarello Dorey Houle

Nay: Mary Bingham

Action (Resolution) Discussion: 9.12 Motion to Approve General Code Estimate to Update Town Code to Include Local Laws 1 thru 4/2024

2024-#375

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Approve General Code Estimate to Update Town Code to Include Local Laws 1 thru 4/2024. Estimate is between \$1645.00 and \$2015.00.

Motion by Supervisor -Tony Cardone second by Sal Scancarello.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone Mary Bingham Sal Scancarello Dorey Houle

Action (Resolution) Information: 9.13 Motion to Approve General Code eCode 360 Annual Maintenance

2024-#376

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Approve General Code eCode360 Annual Maintenance Invoice totaling \$1195.00.

Motion by Supervisor -Tony Cardone second by Mary Bingham.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone Mary Bingham Sal Scancarello Dorey Houle

10. Old Business

Action (Resolution) Discussion Information: 10.1 Short Term Rental Application 649 Lakes Road (SBL# 29-1-34.1)

To hear discussion RE Short Term Rental Application 649 Lakes Road (SBL# 29-1-34.1) please go on-line to Board Doc's Video Clip #1:44:34.

2024-#377

BE IT RESOLVED that the Town Board of the Town of Monroe made the following Resolution by Supervisor Cardone and seconded by Councilwoman Houle:

RESOLUTION DISAPPROVING SHORT-TERM RENTAL AT 649 LAKES ROAD SOUGHT BY APPLICANT: 651 LAKES LLC

WHEREAS the Town Board of the Town of Monroe New York ("Town Board") received an application dated July 20 2023 and revised September 4 2023 from 651 Lakes LLC ("Applicant") for approval of a Short-Term Rental at 649 Lakes Road ("Application") in the Town of Monroe ("Town"); and

WHEREAS the Town Building Inspector provided a report dated December 13 2023 regarding the Application and determined that the property was in substantial compliance with the Residential and Fire Code of New York State based on an inspection of the premises on December 5 2023; and

WHEREAS three objections to the granting of a Short-Term Rental permit were received by the Town and in accordance with Town Code § 40-8 a public hearing was scheduled for February 5 2024; and

WHEREAS the public hearing was opened and then continued on March 4 2024; April 1 2024; May 6 2024; and May 20 2024 at which time the public hearing was closed; and

WHEREAS during such public hearing and continuations thereof all persons interested in being heard were afforded an opportunity to be heard before the Town Board; and

WHEREAS the Applicant was afforded an opportunity to be heard and respond to comments from the public concerning such Application; and

WHEREAS the Town Board after consideration of the factors in the Town Code desires to disapprove the Application for a Short-Term Rental at 649 Lakes Road.

NOW THEREFORE BE IT RESOLVED: that:

Section 1. The above "WHEREAS" clauses are incorporated herein as if set forth in full.

Section 2. Pursuant to Town Code § 40-8(F) the Town Board must determine that five standards are met (if applicable) and if any factor is determined not to be met by the Town Board the Short-Term Rental Application must be denied. In the instant Application there is no expansion or constructions (Town Code § 40-8(F)(2)) so only the remaining factors need be addressed. The Town Board in reviewing the remaining four factors determines that:

A. With respect to the third factor the provisions of Town Code § 40-8(F)(3) require that the following standard is met:

The structure and lot are conforming to the requirements of this chapter or have received variances for any nonconformances and the lot and structure are not considered existing nonconforming uses or buildings.

In its submissions the Applicant's counsel in a May 6 2024 letter discussing the setbacks on the lot concedes that the current buildings are "legal pre-existing nonconforming." While the Applicant is correct that nonconforming buildings may lawfully continue in the absence of a Short-Term Rental the Town Board cannot determine that the above standard is met to allow issuance of a short term rental permit.

Accordingly the Town Board determines that under Town Code § 40-8(F)(3) the standard has not been met and the Application must be denied on such ground independent of any other determinations set forth herein.

B. With respect to the fourth factor the provisions of Town Code § 40-8(F)(4) require that the following standard is met:

Adjoining residences and their yards are not generally afforded a reasonable degree of privacy from view by occupants of the proposed vacation residence or partial vacation residence by the imposition of landscaping and privacy fencing.

Based on the Town Board's review of the submissions of the Applicant and objectors showing the relationship of the residences and yards with respect to landscaping and privacy fencing the Town Board determines that this standard has not been met. While the Applicant submitted certain documents concerning the submission of distances between residential buildings the Code is not limited to concerns of privacy relating to the residential structures only but also to the yards associated with those residential structures.

Accordingly the Town Board determines that under Town Code § 40-8(F)(4) the standard has not been met and the Application must be denied on such ground independent of any other determinations set forth herein

C. Town Code § 40-8(F)(1) requires the following standard to be met:

Adequate parking facilities are provided to meet the parking requirement of four off-street parking spaces which are provided in a manner that does not impact the residential character of the neighborhood.

The Town Board determines that this standard has been met.

D. Town Code § 40-8(F)(5) requires the following standard to be met:

The number of permitted short-term rentals surrounding the proposed property are not excessive in number so as to result in adverse character impacts to principal residences in the neighborhood.

The Town Board determines that this standard has been met.

Section 3. The Town Board hereby disapproves the Short-Term Rental Application for 649 Lakes Road for the reasons set forth herein.

Section 4. The Town Supervisor and any other officer or employee as directed by the Town Supervisor is hereby authorized to 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] [] [] []

Dorey Houle Councilperson [X] [] [] []

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

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

Maureen Richardson Councilperson [] [] [] [X]

The Resolution was thereupon duly adopted.

Motion by Supervisor -Tony Cardone second by Dorey Houle.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone Mary Bingham Sal Scancarello Dorey Houle

Discussion Information: 10.2 Short Term Rental Application 13 Ruby Road (SBL#35-2-2.1)

To hear discussion RE Short Term Rental Application 13 Ruby Road (SBL#35-2-2.1) please go on-line to Board Doc's Video Clip #10.2 1:55:29.

11. Motion to Take Break

Action (Resolution): 11.1 Motion to Take Quick Recess

2024-#378

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to take a quick recess.

Motion by Supervisor -Tony Cardone second by Sal Scancarello.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone Mary Bingham Sal Scancarello Dorey Houle

12. Motion to Return From Break

Action (Resolution): 12.1 Motion to Return From Quick Recess

2024-#379

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to return from quick recess.

Motion by Supervisor -Tony Cardone second by Sal Scancarello.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone Mary Bingham Sal Scancarello Dorey Houle

13. Motion From Floor

Action (Resolution) Information: 13.1 Motion to Approve Short Term Rental 13 Ruby Rd.

To hear discussion RE Motion to Approve Short Term Rental 13 Ruby Rd. please go on-line to Board Doc's Video Clip #13.1 1:58:37.

2024-#380

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to approve Short Term Rental 13 Ruby Rd. subject to non-conforming use confirmation.

RESOLUTION APPROVING SHORT-TERM RENTAL AT 13 RUBY ROAD APPLICANT:
ANDREW KOPELMAN

WHEREAS the Town Board of the Town of Monroe New York ("Town Board") received an application dated January 31 2024 from Andrew Kopelman ("Applicant") for approval of a Short-Term Rental at 13 Ruby Road ("Application") in the Town of Monroe ("Town"); and

WHEREAS the Town Building Inspector provided a report dated April 10 2024 regarding the Application and determined that the property was in substantial compliance with the Residential and Fire Code of New York State based on an inspection of the premises on March 19 2024 and April 10 2024; and

WHEREAS an objection to the granting of a Short-Term Rental permit was received by the Town and in accordance with Town Code § 40-8 a public hearing was scheduled for February 5 2024; and

WHEREAS the public hearing was opened on May 6 2024 and then continued on May 20 2024 and June 3 2024 at which time the public hearing was closed; and

WHEREAS during such public hearing and continuations thereof all persons interested in being heard were afforded an opportunity to be heard before the Town Board; and

WHEREAS the Applicant was afforded an opportunity to be heard and respond to comments from the public concerning such Application; and

WHEREAS the Town Board desires to approve the Application for a Short-Term Rental at 13 Ruby Road.

NOW THEREFORE BE IT RESOLVED: that:

Section 1. The above "WHEREAS" clauses are incorporated herein as if set forth in full.

Section 2. Pursuant to Town Code § 40-8(F) the Town Board hereby determines that:

- 1) Adequate parking facilities are provided to meet the parking requirement of four off-street parking spaces which are provided in a manner that does not impact the residential character of the neighborhood.
- 2) No new construction or expansion is proposed relating to the Short-Term Rental.
- 3) The structure and lot are conforming to the requirements of Chapter 40 of the Town Code and that the lot and structure are not considered existing nonconforming uses or buildings.
- 4) Adjoining residences and their yards are generally afforded a reasonable degree of privacy from view by occupants of the proposed vacation residence or partial vacation residence by the imposition of landscaping and privacy fencing.
- 5) The number of permitted short-term rentals surrounding the proposed property are not excessive in number so as to result in adverse character impacts to principal residences in the neighborhood.

Section 3. The Town Board hereby approves the Short-Term Rental Application for 13 Ruby Road subject to the following conditions:

- 1) Continued compliance with the provisions of the Town Code Chapter 40 and NYS Residential and Fire Code with respect to the rental location; and
- 2) Continued maintenance of the existing screening of the property and parking area; and
- 3) The approval of this Application ("Permit") shall expire three (3) years from the date of this resolution pursuant to Town Code § 40-9; and
- 4) That if the Applicant intends to renew the Permit after the three (3) year period the Applicant submits a renewal application at least sixty (60) days prior to the expiration of the Permit; and
- 5) The Permit may not be transferred except as indicated in Town Code 40-16; and

6) Applicant must report any proposed change in circumstances to the Building Department that would alter the analysis of the factors set forth in Town Code Chapter 40-8(F) relevant to the approval of the Short-Term Rental Permit except that the Applicant shall not be required to report any change in the number of short-term rentals surrounding the property (Town Code § 40-8(F)(5)).

Section 4. The Town Supervisor and any other officer or employee as directed by the Town Supervisor is hereby authorized to 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] [] [] []

Dorey Houle Councilperson [X] [] [] []

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

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

Maureen Richardson 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 Sal Scancarello Dorey Houle

Nay: Mary Bingham

14. Public Comment

Information: 14.1 Rules for Public Comment

Discussion Information: 14.2 Public Comment

The following spoke during Public Comment. To hear their comments and Town Board members responses please go on-line to Board Doc's Video Clip #14.2 1:59:26.

- Jeanette Carrico (decided not to speak)
- John Karl
- Tim Mitts
- Tom Lawrence

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

Action (Resolution) Information: 15.1 Enter into Executive Session

2024-#381

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

Motion by Supervisor -Tony Cardone second by Sal Scancarello.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone Mary Bingham Sal Scancarello Dorey Houle

16. Return to Regular Meeting

Action (Resolution) Information: 16.1 Return to Regular Meeting

2024-#382

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 Dorey Houle.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone Mary Bingham Sal Scancarello Dorey Houle

17. Motion From the Floor

Action (Resolution) Information: 17.1 Salary Adjustment RE: Ed Morales

To hear discussion RE Salary Adjustment RE: Ed Morales please go on-line to Board Doc's Video Clip #17.1 2:13:53.

2024-#383

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to adjust the salary which was approved at last meeting for Supervisor of Transportation Ed Morales. Originally approved at \$70000. Would like to make adjustment to \$73000. Contract for Bus Drivers would make it such that a dispatcher was making more than Supervisor of Transportation.

Motion by Supervisor -Tony Cardone second by Dorey Houle.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone Mary Bingham Sal Scancarello Dorey Houle

18. Adjournment

Action (Resolution): 18.1 Adjournment of Meeting

2024-#384

BE IT RESOLVED that the Town Board of the Town of Monroe adjourns the meeting of June 17 2024 at 10:10 PM.

Motion by Supervisor -Tony Cardone second by Dorey Houle.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone Mary Bingham Sal Scancarello Dorey Houle

"