

MONROE TOWN BOARD MEETING MINUTES

— 08/14/2023

MONROE TOWN BOARD MEETING AGENDA (Monday, August 14, 2023)

Generated by Barbara Singer

Members present

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

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 August 14, 2023

2023-#382

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Town Board Meeting of August 14, 2023, at 7:05 pm.

Motion by Mike McGinn, second by Mary Bingham.

Final Resolution: Motion Carries

Aye: Mike McGinn, Mary Bingham, Sal Scancarello, Dorey Houle

3. Community Announcements

Information: 3.1 Pride of the Hudson Monroe Lions Club Fundraising Cruise

To hear Councilwoman Bingham speak about the Pride of the Hudson Monroe Lions Club Fundraising Cruise, please go on-line to Board Doc's Video Clip #3.1, 0:1:27.

Information: 3.2 Hope Rocks For Kids Community Concert

To hear Councilwoman Bingham speak about the Hope Rocks For Kids Community Concert , please go on-line to Board Doc's Video Clip #3.2, 0:2:18.

Information: 3.3 Monroe Lakeside Fire & Rescue Co. Community Garage/Yard Sale

To hear Councilwoman Houle speak about the Monroe Lakeside Fire & Rescue Co. Community Garage/Yard Sale, please go on-line to Board Doc's Video Clip #3.3, 0:2:58.

Information: 3.4 Village of Monroe Cheese Festival

To hear Councilwoman Houle speak about the Village of Monroe Cheese Festival, please go on-line to Board Doc's Video Clip #3.4, 0:2:45.

Action (Resolution), Discussion: 3.5 Community Trunk or Treat Event

To hear Councilwoman Houle speak about the Community Trunk or Treat Event, please go on-line to Board Doc's Video Clip #3.5 0:4:20.

2023-# 383

BE IT RESOLVED that the Town Board of the Town of Monroe Made A Resolution approving the use of town owned O&R Park for the Community Trunk or Treat Event on Saturday, October 21st from 6-8 p.m.

Motion by Mike McGinn, second by Dorey Houle.

Final Resolution: Motion Carries

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

Information: 3.6 Town of Monroe Food Truck Festival

To hear Councilman Scancarello speak about the Town of Monroe Food Truck Festival, please go on-line to Board Doc's Video Clip #3.6, 0:6:02.

4. Public Hearing

Action (Resolution), Discussion: 4.1 Motion to Open the Continuation of the Public Hearing
RE: Palloti Village Conservation Cluster Zone Application

2023-# 384

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Continuation of the Public Hearing RE: Palloti Village Conservation Cluster Zone Application.

Motion by Sal Scancarello, second by Mary Bingham.

Final Resolution: Motion Carries

Aye: Mike McGinn, Mary Bingham, Sal Scancarello, Dorey Houle

The following residents signed up to speak during Public Comment for the continuation of the Public Hearing RE: Palloti Village Conservation Cluster Zone Application. To hear their comments, and Board Members responses, please go on-line to Board Doc's Video Clip #4.1, 0:7:14.

-Councilman McGinn: Any public comment?

-Deputy Town Clerk Barbara Singer: Antoinette Kerins.

-Councilman McGinn: If you could just state your first and last name that'd be great.

-Antionette Kerins: My name is Antoinette Kerins. I live in the town of Monroe at the Cromwell Hill Commons. This is my third time appearing here, I feel like I'm part of the Board but I'd like to thank the Board for allowing me to appear once again. I was on the internet and saw one person who wrote that was not in favor of the Palloti Village senior housing and in the comment, she wrote how many people were at the last meeting; and stated there were a few friends of the Palatines in favor of the project. Yes, we are friends of the Palatines and like the sisters, we also believe in this project because of our concern for affordable housing for senior

citizens. We are not just here representing us as their friends. It is very clear in all that I read and talking to many seniors, that affordable housing market is not keeping up with the demands and the need for the aging seniors in the Hudson Valley and especially Monroe as far as I know. Might be worse somewhere else but I don't know about that. Many are on fixed incomes and inflation in high cost rents in the area drives them out of Monroe and in some cases out of the Hudson Valley. They have to leave the town that they knew and move into areas where they have little support in comparison to the support they would have here. In looking up some of the data, I found that in the Hudson Valley including Monroe, the average studio apartment rent is \$1733 per month and the average one-bedroom is \$2082 a month. For many seniors, especially if their income only comes from Social Security, they cannot pay for it to pay that much for rent which leave them very little money for food, clothing and medical needs and other necessary needs. Affordable housing for seniors' rents are based on a senior spending approximately 30% of their income for housing costs. Obviously, the above rents are way above 30% of many Social Security checks. Do we have a responsibility to our seniors, who in many cases have lived here for most of their lives and had wonderful contributions to Monroe and to our community? And yet when they age, we have no way to help them to remain part of our community. I personally know of four seniors that are in need of these apartments because of changes in their income. Especially when a spouse passes and they only have one social security check and rather than two to cover the expenses they had when they were two incomes coming into the household. This is our opportunity to answer a problem that is critical in Monroe and the Hudson Valley. I understand many people here are concerned about the environment and the effects any development will have on the Town, like aesthetics, water, traffic and etc. We've been fighting that for 60 years. I've lived here for 60 years but there are engineers and professionals along with the Town that are working hard to head off some of these concerns. I recommend rather than coming here to fight a good deserving project for seniors, they should approach the Town with possible solutions or get answers to their questions and concerns but don't lose sight of the need for affordable housing. I just want to end this by saying that the Palatine sisters did not enter this project lightly. They have had professionals helping them research this project for many, many years. This is a similar project which happens in Rockland County that has been very successful and they are hoping that we can offer the same wonderful community to the many seniors here in Monroe and the surrounding area. Thank you so much and I hope that eventually this will become

an opportunity for our residents. Thank you and God bless.

-Councilman McGinn: Thank you. Madam Clerk?

-Deputy Town Clerk Barbara Singer: The next person we have is the Laura Horn.

-Laura Horn: Hello and good evening. Thank you for allowing me to speak. My name is Laura Horn. I'm very much in favor of the proposed Palloti Village project; for a number of reasons. Foremost, the population of aging individuals continues to rise. There is a tremendous need for safe, supportive, affordable housing for these people of whom many of these have spent their entire lives here in this community supporting their community. I have been a native of

this area for nearly 40 years. As newlyweds, my husband and I were renting in Rockland County. My husband worked at the pharmaceutical company Siva Geiger. I was teaching multiple handicapped children in Middletown. My employer, residing in Monroe, kept saying move here, move here I will show you around. My husband and I came we saw, we liked, and we raised our three children here. Our son as a teen and young adult worked at the grounds of Mansion Ridge Golf Course. I love the times that I assisted in his commute. The area was quiet, pretty with homes well-kept pristine lawns and nearby lakes. I'm with you all, I want this area to remain lovely. I strongly trust that the Sisters of Charity Housing Development Corporation will preserve the tranquility of this parcel of land. I am confident that they will ensure the functioning of the watershed, that the wells, water supply and treatment plants are up to par, refurbished and up to code compliance. I trust that they will be upfront and transparent on these crucial needs. I believe that Harriman Heights Road can reach even higher heights of notoriety with a well-planned, pretty landscape with buildings that preserve their history and uniqueness of this area. I believe that these quiet seniors can enrich us with their unique stories of days long ago. This area can remain quiet, beautiful and lovely and as a side note I believe the job opportunities could arise for people that would be in a nice environment for them to begin a career, in a job. I thank you for letting me speak. Thank you.

-Councilman McGinn: Thank you.

-Deputy Clerk Barbara Singer: Next speaker is Rory, I can't say your last name, I'm sorry.

-Councilman McGinn: She'll let us know when she gets up here. How are you ma'am? Can you state your first and last name and what town you live in please?

-Rory Ciorciari: It's Rory Ciorciari. I live on Jones Drive in Highland Mills, New York. I am currently the recording secretary for the Catholic Daughters of the Americas Court Margaret Mary 768. We are based out of Sacred Heart Church in Monroe. Sister Michelle Ruggiero, a Palatine nun, is our spiritual advisor. It's difficult to embrace change but sometimes change is necessary. Please know that the Palatine nuns have very prayerfully decided that the property in question needs to be sold. The Palatine nuns have been very responsible in their research about the best way for this property to be used. In order to be advantageous for the area. Of course, they could have just outright sold it and let things go where they will. No, that is not their way. Palloti Village will mostly be made available for senior citizens in the area who would be looking for an apartment; and please note I may just be one of those people in the future when I sell my house. And keeping the community in mind, there will be a soccer field available for Monroe residents. I watched the video from the July 6th town meeting regarding this Palloti Village project. Michael Morganti, the Consulting engineer for this project, gave a very comprehensive presentation regarding Palloti Village. There were some folks who were concerned about the water supply for Palloti Village and the impact on the surrounding area. Mr. Morganti gave reassuring information about these concerns and is still available if residents have any other concerns. There probably will be some issues, there always are with any project that have to be resolved. None of which are insurmountable. So, considering where things could have gone, I am hoping that the Board and Monroe residents will be able to accept and embrace this project. Thank you for your time.

-Councilman McGinn: Thank you.

[Applause]

-Deputy Town Clerk Barbara Singer: Helene Shepherd.

-Helene Shepard: Helene Shepherd, I live in Washingtonville. I've been up here and I've spoken before since 1957. I am a retiree of Monroe Woodbury Central Schools since 1995. So, if you do the math you see I'm here a long time. I speak in favor of the project. The Sisters have worked on this not only the past three years but prior to that, planning for this has been going on. So, it's something that a lot of thought has been given to it. One way or another, the property needs to be sold. You know that's the reality. I would hope at this point that I don't have to spend all of fall coming to these Town Hall meetings. I would hope that this dream, this vision, could become a reality for the Palatine sisters and for the good of the Monroe Community. I would hope that we could bring closure to it and see the fruits of the labors of the Sisters for the past hundred years. Thank you for giving me this opportunity to speak here.

-Councilman McGinn: Thank you ma'am.

[Applause]

-Deputy Town Clerk Barbara Singer: Matthew Ladka.

-Matthew Ladka: Matthew Ladka, Orange Turnpike Monroe New York. Let's see. You, the Town Board and our Town Planning Board are in a vital position to change the way Monroe has developed right now and in the future. You have to make it right. Any mistakes that possibly might happen Now, will definitely cost us in the future. What do I mean by that statement? I have many concerns in this matter but the three I'm going to talk about today are traffic, water and aesthetics. What do I mean by traffic? And you can almost bundle traffic and water together. I understand that we have had experts, upon experts and reports and this has been going on many years. However, I don't believe them because I could tell you right now as far as traffic is concerned, in the last month, last two months since we've had the massive flooding and the storms the traffic pattern in Monroe and it had nothing to do with Monroe, has changed and it has increased right out here on orange turnpike. So much that it takes me, at five o'clock in the morning to go to work, in extra five minutes to get out of my driveway. That's something that has happened that not in this area; many, many miles away but it's part of our community as well with that that happened. Here is something being developed right here a mile away from my house. They're trying to tell me that there's not going to be any impact in traffic? This can all be the same with the water. They're guaranteeing me that my well is not going to run dry. I don't believe them. What's going to happen if my well goes dry? Who's going to pay for that? Why can't we have this developer put money in escrow? Put money in bonds that protect the local people around here so that if and when something goes wrong and it possibly might, it very well might, we go back to them and hold them responsible. Not that they're done when it's full occupancy and they walk away and then five years later we say oh no we should have done this. We don't know what the future is going to bring here in Monroe with all the developments that's being proposed but let's hold the developer accountable for their actions of what they're trying to develop because we don't know what it's

going to do, right? Finally, the last thing aesthetics. What do I mean by that? I was looking through the plans on Monroe just like probably everyone else you know the Town Board and maybe I'm not using the right word to describe it, but those buildings are cookie cutters. They are not aesthetically pleasing or fitting to the Monroe décor. Why can't we hold them accountable and make them make something for the seniors, which I'm for, make something for the other development they want to plan across the road that state of the art. That's something that the people of Monroe are not fighting but we're proud, of that people want to come here, seniors want to come and live here. All right, that's important. Why can't we have them, again, be held accountable? That's the tone of my whole statement here. Hold them accountable for what they want. And we have the opportunity, right Now, to do that and it's up to you guys to do that. Now I look, and the other thing that really surprised me, is everyone's talking about the undeveloped land you know we have X percentage that's going to be buildings, that's X percentages that's going to be put into open lands and we're talking about putting a soccer field. I find that kind of funny. Why does a senior want to play soccer? Why do they want to do that? I understand the concept but why don't we go to the seniors and ask them what they want. Maybe they want a garden, a vegetable garden, maybe they want a flower garden, where they can have all the tools at hand to develop that garden. Something that they have interest in, something that they can be proud of. If we want to develop a soccer field or fields, sports fields, walking trails? Again, why can't we tell the developer, listen we want this done? But instead of developing it here, you're going to put the money back into our parks and recreation here, Smith Club Park. Why can't we use the money? Why do we got to put a soccer field over here? That's going to cause more traffic. Why can't we put that money into our own community?

-Brain Nugent, Attorney: Matthew, it's been five minutes, you just need to wrap up.

-Matthew Ladka: Well I pretty much just did but thank you.

-Brian Nugent: You got it. Thank you.

-Councilwoman Houle: Thanks Matt.

[Applause]

-Deputy Town Clerk Barbara Singer: Angela Curtis.

-Angela Curtis: Angela Curtis, I live at 129 Wildcat Road in Monticello New York, but I have lots of opportunities to visit Monroe and I'm very happy when I come down and visit my friends and take part in different activities. But it's definitely a challenge to see that this would definitely be a positive product and project for Monroe and I would be very happy to see it go through because it would answer a lot of helpful needs and it's not been done as been said before with slate planning at all and very, very thoughts to the community. And it would definitely be a positive thing for the community and I know personally, many people who would be able to take advantage of a nice, affordable housing. And Monroe is a beautiful place and it's a chance to help support the people who want to stay here and be here. Thank you for the opportunity to speak.

-Councilman Scancarella: Thank you.

-Deputy Town Clerk Barbara Singer: Maureen Richardson.

-Maureen Richardson: Hi, my name is Maureen Richardson. I live in the Town of Monroe. I live on Harriman Heights Road, right down the block from this project, actually, and I was not included as a community member, in the brainstorming aspect, at all, despite my address being on Harriman Heights Road because I'm not within 300 feet of the project. I think on the internet, I also made the joke that the raccoons who are within the 300 feet of the project would request that all garbage be left with lids off so that access is easier for them and I'm pretty sure the three other people who got mailers for the public Zoom meeting where the community needs were considered in the survey required. I don't think that they represent the community at large that Matt has referred to being affected because Harriman Heights is actually a throughway that connects to Orange Turnpike, the Village of Harriman, the Pine Tree Elementary School Road is up that way and many accidents occur in that intersection as it is I think most people who've spoken are all in favor of this being a project for seniors and our question is, is it going to be affordable? Is it going to be safe? Is it going to be for seniors? And fit their needs? Because we don't see how that's possible and we don't see how it's going to be environmentally conscious or that that has taken a back seat to the developer who did consider a community's needs but maybe not our community's needs when they designed this. In terms of affordability, correct me if I'm wrong, but my understanding is that the rent is actually calculated on the median or average income of this area which is going to remain high unless Rockabill is doing something where their program is setting rents lower than what a prior speaker listed it as. That can't really be changed. There's a set number and if it's not actually affordable housing but it's actually workforce housing, that's an even higher percentage. So, if you actually calculate that, and I think I have at one point, it's not very reasonable and it is probably still out of the price range of many seniors. So, unless Rockabill is doing something to accommodate for that, I don't see it being affordable but once again, if there are seniors who do need it and can afford it, we should have units dedicated to them, more units dedicated to them, less units overall. A prior speaker, at prior meetings, had said just have a couple buildings. We don't really need CCR, the way that it's written, and I agree. I would like to see one half of Harriman Heights Road permanently preserved, the half by Blythia Lake, because I think that that's actually what OCLT and OSI, which are looped into our code, but who haven't been consulted from the start. It creates this black hole of legality where if you're incorporating entities that need to hold land easements and the Planning Board is dictating that they need to hold land easements for Rye Hill. How is that possible that they aren't being involved from the start and dictating and being a part of that process? I don't even know where that black hole goes, actually. That's one of my thoughts. Time wise? And as far as safety, I'll just reiterate. I don't think that we have the volunteerism for EMT or fire right now. That it would take for the current designs as well as just how we looked at this impact has the planning board done these studies incorporating the overall? The, for like, predicted for Rye Hill? It's going to be 491 units, supposedly, and 180 units being constructed roughly around the same time. Have we even done studies that shows that impact in that major construction on the same ground water table? Have we done that? I don't think we have

looked at Harriman Heights and Orange Turnpike and the Village of Harriman and that section leading out by the McDonald's and that intersection as a whole. With what the developer has been considering in this area. So, again I request that change is necessary, change CCR code. Thank you.

-Councilwoman Houle: Thank you.

-Deputy Clerk Barbara Singer: No more speakers.

-Councilman McGinn: Mr. Morgante, would you like to comment on the project relevant to the comments made by the speakers?

-Michael Morgante: Sure, I'd be glad to. Thank you for the opportunity. For the record my name is Michael Morgante. I'm the project engineer for this application. So, we were here, I was here, July, I think it was 7th. We heard a lot of the community's concerns at that public hearing and then in my absence on the 10th, I think there was another meeting. I watched that meeting and reviewed the comments. I would like to remind the Board that you have a unique situation here where we've actually come to you with a project where the Planning Board is actually finalized the SEQRA process. We kind of flipped the script on the Town Board on this one and went to the Planning Board first. So, I do want the Board to understand we had a public information meeting where we had like a hundred people at that meeting and went through a lot of questions, we gathered a lot of information, we prepared responses. There are a lot of the same questions we're hearing tonight and then as a result of that, the Town, the Planning Board prepared that SEQRA document, gave it to the Town Board also prepared a referral, gave it to the Town board endorsing in their own way that the project was complete from an environmental impact State standpoint. We also listened to again, in the July meetings, the concerns from the public. We wrote them down and we've prepared responses again, and have provided those to this Town Board in writing. I would like to remind this Town Board that we conducted well testing during a time period when we were on a drought. We pumped the wells at maximum daily demand for three times longer 72-hour straight period with no draw down, significant drawdown on excuse me, any of the neighboring wells and we've conducted an in-depth traffic study that Orange County Department of Public Works themselves, who actually has ultimate jurisdiction, didn't even require us to do a traffic study. Let me repeat that, they did not require us to do a traffic study. we would not have triggered minimum thresholds for a traffic study to even be conducted. But at the Town's request through the SEQRA process, we honored the Town's request to do a traffic impact study. The Town's consultant reviewed that and found it to be in strict concurrence with what our recommendations were. There were some dot your eyes across your t's kind of things, but overall whatever the results were that we've found in that study were deemed appropriate and accepted by the Town. So, this is undergone 18 months of review at the Planning Board, very thorough comprehensive review by your Planning Board and all their consultants. We've come here now before the Town Board and have heard a lot of these same concerns. We've, again, we've provided all those responses in writing. I think the responses are adequate and consistent with what we had originally provided during the SEQRA process, so at the very least, I would make my case to the Board tonight that you consider, at the very least, consider

closing this public hearing with the potential for a resolution of some sort to be considered in the future. Those are my closing statements for tonight unless the Town Board has any of the concerns or questions for me.

-Councilman McGinn: Thank you Mr. Morgan. Before we (inaudible) here this evening.

-Councilwoman Houle: I would like to address the affordability of the project. So, I had an opportunity to sit down and talk with Nicole Anderson at Community Development because I wanted to get a better understanding of what this project and other projects like it would mean from the affordability standpoint, from the affordable housing, workforce housing and such. This project has gotten approval for funding from the federal government, specifically because of the way that it's designed and the communities that it's meant to provide opportunities to. So, yes, there is workforce housing. Yes, there is senior housing. They're not the same thing. So, the senior housing is going to be financed through Rockabill, through the Sisters of Charity, through that portion and then there will be another portion of the housing that is not associated with the senior housing. That will fall under workforce housing and that is going to be monitored, federally. There will be communication between the property developers and, I believe, it's ILAC is the acronym for this particular program. So, these are two separate things the seniors are not expected to pay the workforce housing because, as one of our speakers did say, workforce housing is 100%, 80 to 100% of the average median income. That's not what the senior housing is going to be priced at. So, I just wanted to make that clarification that those are two separate things.

-Councilman McGinn: Couple of comments and these came up at the last public hearing. The soccer field is not intended for the seniors, I'm not saying that the seniors certainly couldn't get out there on a soccer field but it is intended for the soccer leagues that are here in town. That there is a lack of field space. There previously was a soccer field that was on Harriman Heights Road. I used to coach soccer there, my kids played there. Having a soccer field there, I think, would be a great thing for the seniors because you know what, maybe they'll come out and see their grandkids play on the field. Maybe I'll see my old grandkids play in that field someday. So, you know and if not, they can go out they can walk around it. It does lend itself to recreation activity. So, again the soccer field wasn't intended for the senior's use but of course they'd be more than welcome to use it. Traffic, yes traffic was heavier over the last six weeks and that was largely due to the rain. I take Orange Turnpike every day going into work, every day going home. I take it down 17 to the Thruway across the Tappan Zee down in the Bronx. Yes, the traffic was horrendous. Traffic was horrendous because the 10,000 cars a day that go over the Bear Mountain Bridge were all using the Thruway and it screwed up traffic all over town and made it horrendous. It took me an hour and a half hour, an hour 45 minutes, two hours some days to get to and get home from work and that was not going at eight o'clock in the morning. I've noticed since the Palisades Route 6 have now opened that that traffic situation is has definitely died down some. So, yes it was terrible you know after the storms. I commend DOT or whoever got the roads open in pretty good time. So, even though Rye Hill wasn't on this is, I was a Rye Hill Public Hearing, one of the speakers pointed up and I'll restate again something that I've said numerous times, Orange County Land Trust was

involved with it from the beginning. So, it's kind of say that, we'd never consulted OSI or Orange County Land Trust or any of these other entities is just plainly false. That's not the case. Emergency Services, they've all weighed in, they are more than capable of handling the development that would go in at Palloti Village. Fire, EMS, police, no problem. They're able to handle it. So, while that might be an opinion of a person that's not the actual fact based on what the first responders themselves, their Chiefs and line officers are telling us.

Action (Resolution): 4.2 Possible Motion to Keep Open the Continuation of the Public Hearing RE: Palloti Village Conservation Cluster Zone Application

2023-# 385

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: Palloti Village Conservation Cluster Zone Application until 9/5/2023 at 7:00 PM or soon there-after.

Motion by Mike McGinn, second by Dorey Houle.

Final Resolution: Motion Carries

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

Action (Resolution), Discussion: 4.3 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

2023-# 386

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 Mike McGinn, second by Mary Bingham.

Final Resoution: Motion Carries

Aye: Supervisor -Tony Cardone Mike McGinn 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 #4.3 0:49:03.

-Councilman McGinn: Madam Clerk any speakers?

-Deputy Town Clerk Barbara Singer: Maureen Richardson.

-Maureen Richardson: Maureen Richardson Harriman Heights Road in Monroe. This is for tree preservation right?

-Councilman McGinn: Yes ma'am.

-Maureen Richardson: Okay basically I think we have decided as a Town to focus on the punitive issues for tree preservation do the basics slap on you know a pretty good tree code.

Actually since the rest of the county when I hop onto these County meetings always talk about how they copied Monroe legislation. So it's pretty surprising when the public hearing open in the first place talking about how it was vague or undefined or you know aside from the fact that the specialized species list was never completed. Many towns actually use our code as a jumping off point so to then attempt to make that what I perceived to be more simplistic in a more developer friendly way and less progressive in what I would expect to see over an eight-year time period with what's going on environmentally globally in terms of climate change. I think I've come a bunch of times and spoken about die-off during the drought last year. Those orange trees you'll see them driving down the highway up to Albany down to Jersey you'll see the mountains they're just littered with dead trees now. So I've submitted a couple written comments. The gist is that I think that we need to keep working on this. In not only a stronger more punitive way of actually cracking down on what people complain at ShopRite at the drugstore to each other just standing in line that how can we be letting these people come in? Developers come in and cut down all the trees? That's the one complaint that I hear all over town all the time my entire life growing up here. Where have all the trees been going to? Why are we not getting money for all those trees? On top of it imagine all those dollars that we could have had. So I think (a) turning our one resource of maybe land that will be developed because we are going to be turning into a desirable commuter area relatively quickly. I think just due to the demographics of Covid and everything like that and becoming more desirable and we do have to protect against over development in that way and predict it and adapt. Again I would have just expected much more modernization so I think that we have to do leaps and bounds now to catch up with it and I think a town like Kinnelon in New Jersey I submitted last night. Basically there's an interesting tree law case where someone decided they were going to remove 30 trees from a neighbor's property and they thought that they could get away with the thousand dollar fee per 30 trees and it turns out that they had to pay for the entire restoration and irrigation process and if that's a standard in a city that's only about 45 to 50 minutes away from us in the same vicinity away from New York City I think we need to be asking our planner to not only just adopt what we have and modernize just the language within our mind frame our mind's eye and the frame that we box ourselves into. We need to be expanding out to what's actually going on again globally environmentally culturally and start thinking ahead and planning what we want to see here instead of what we don't want to happen. So there's beneficial aspects to having a tree law as well where you can require plantings and design the future of Monroe as well as stop destruction. So I would just request that we not only continue this but do more research into that side of things. Thank you.

-Deputy Town Clerk Barbara Singer: There are no more speakers.

-Councilman McGinn: Dennis do you have anything on it or on the tree code?

-Dennis Fordham: Dennis Fordham a Conservation Commission chairperson. I have submitted comments to the Board and to Max Stack from February through June. We've had some go around and some response. I understand it he's extremely busy however I think we need to try and wrap this up and get in the next version of the of the tree preservation law out

there to respond to comments just as Maureen Richardson was saying. I think what may be a good idea because I have so many comments over a number of periods of time I'll submit those again over the next few days in one concise document and then try and get this brought to a head.

-Councilman McGinn: Okay thank you we'll follow up the planner.

-Brian Nugent Attorney: And yeah I just want to let you know it late this afternoon he did send an updated draft but obviously not in time for us to do anything with it tonight but he did send the draft today. We'll get that out there and share that. It said he Incorporated the comments from the commission so.

-Dennis Fordham: Well it'll be interesting to see that.

-Councilman McGinn: I didn't see it either so.

-Brian Nugent: It just came in before the meeting.

-Dennis Fordham: So will that be available tomorrow?

-Brian Nugent: Sure it can be yeah.

-Councilman McGinn: Sure okay. Do you get a copy of it from Max? Does he email it to you direct?

-Dennis Fordham: No.

-Councilman McGinn: No? We'll get it to you.

-Dennis Fordham: No maybe last time you did.

-Councilman McGinn: We'll get it to you. Yeah absolutely.

-Dennis Fordham: Okay thank you.

-Councilman McGinn: You got it.

-Councilwoman Houle: Thank you Dennis.

Action (Resolution): 4.4 Possible Motion to Keep 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

2023-# 387

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: Local Law H-V1 of 2022 to Amend Chapter 57 (Zoning) Concerning the Regulations Governing Tree Preservation until September 5 2023 at 7:00 PM or soon there-after.

Motion by Mike McGinn second by Dorey Houle.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 4.5 Motion to Open the Continuation of the Public Hearing for Proposed Arrow Park Water District

2023-# 388

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 Arrow Park Water District.

Motion by Mike McGinn second by Sal Scancarello.

Final Resolution: Motion Carries

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

The following residents signed up to speak during Public Comment for the continuation of the Public Hearing RE: Proposed Arrow Park Water District. To hear their comments and Board Members responses please go on-line to Board Doc's Video Clip #4.5 0:49:55.

-Councilman McGinn: Do you have any anyone comment?

-Deputy Town Clerk Barbara Singer: There's no public comment.

-Councilman McGinn: All right. Well I did speak to the Supervisor before this and so we based on how long it's going to take to get the engineering studies and some other work done. His recommendation is that we put it off until or continue the public hearing on December 4th at 7 pm or shortly thereafter.

Action (Resolution): 4.6 Possible Motion to Keep Open the Continuation of the Public Hearing for Proposed Arrow Park Water District

2023-# 389

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 Arrow Park Water District until December 4 2023 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 Mike McGinn Mary Bingham Sal Scancarello Dorey Houle

Action (Resolution) Discussion: 4.7 Order After Public Hearing RE: Lake Sapphire Drainage District

To hear Councilman McGinn and Town Council Nugent regarding Order After Public Hearing RE: Lake Sapphire Drainage District please go online to Board Doc clip 0:50:39.

2023-# 390

BE IT RESOLVED that the Town Board of the Town of Monroe Made the Following Resolution by Councilman McGinn and seconded by Councilwoman Houle regarding Lake Sapphire Drainage District:

TOWN BOARD: TOWN OF MONROE
ORANGE COUNTY NEW YORK

In the Matter of the Formation of a Drainage

District to Be Known as ORDER AFTER
PUBLIC HEARING
LAKE SAPPHIRE DAM DRAINAGE DISTRICT

Pursuant to the Provisions of
Article 12-A of the Town Law

WHEREAS there was been filed with the Town Board a Map Plan and Report by MHE ENGINEERING ("MHE") 33 Airport Center Drive Suite 202 New Windsor New York 12553 dated May 42023 submitted in support of the formation of a drainage district in the Town in a residential area known as the LAKE SAPPHIRE DAM DRAINAGE DISTRICT ("DISTRICT") located in the Town containing the information required by law ("MPR"); and

WHEREAS said Map Plan and Report was made available for inspection by the public at the office of the Town Clerk of the Town of Monroe 1465 Orange Turnpike Monroe New York 10950 during Town business hours; and

WHEREAS the boundaries of the proposed drainage district are set forth in the MPR and are set forth below in this Order as Schedule "A"; and

WHEREAS the DISTRICT consists of an area including 131 parcels identified in the MPR and located along Bower Road Lake Shore Drive Northpoint Road Premium Point Road Glen Road Pine Road Cedar Road Forest Glen Road Wood Road and Heights Road in the Town of Monroe; and

WHEREAS said DISTRICT includes Lake Sapphire Dam ("DAM") a NYSDEC low hazard (Hazard Classification A) private dam DEC Dam Identification No. 195-5729 which is currently owned and operated by the Residence Association of Lake Sapphire ("RALS"); and

WHEREAS such DAM is an earthen impoundment of a Class C (T) unnamed tributary to the Ramapo River; and

WHEREAS the Town of Monroe in the interest of the public health safety and welfare of residents of the DISTRICT and its environs desires to acquire jurisdiction of the dam in order to lead maintenance and repairs to the DAM as well as provide the ability to gain better access to long term funding grants that may otherwise be unavailable to RALS; and

WHEREAS a detailed engineering review was prepared by MHE dated October 10 2022 and is attached to the MPR as Appendix B. The report identifies a number of deficiencies that

were identified by NYSDEC together with some recommendations for the repairs of those deficiencies; and

WHEREAS property owners within the DISTRICT shall be financially responsible to ensure that proper maintenance and repair of the DAM is performed; and

WHEREAS the costs of any improvements will be borne solely by the owners of the DISTRICT properties except where such costs are funded by grants and other available sources; and

WHEREAS no costs shall be borne by the Town of Monroe and a schedule of the typical maintenance costs and operations have been provided in said MPR the total estimated annual cost of maintaining stormwater management facilities is estimated to be \$10 with the average annual cost per property owner within the DISTRICT estimated to be \$76.34 per user; and

WHEREAS the total costs associated with any capital improvements including construction costs engineering costs legal fees financial and administrative costs are to be borne by the DISTRICT subject to approval by the Town of Monroe; and

WHEREAS the Town may adjust these fees if the actual costs vary from the estimate; and

WHEREAS there has been filed with the Town a map entitled "RALS DRAINAGE DISTRICT" dated April 27 2023 as prepared by Gary Rich 24 Lang Drive Pine Bush New York 12566 which depicts the location of the property and the borders of the parcels located in the proposed DISTRICT and is included as Appendix A of the MPR along with the legal metes and bounds descriptions for the boundaries of the DISTRICT.

WHEREAS an Order Calling for a Public Hearing was published on June 9 2023 in the Town's official newspaper (Times-Herald Record) and posted by the Town Clerk in accordance with applicable law; and

WHEREAS a Public Hearing was opened and conducted on June 21 2023 before the Town Board of the Town of Monroe; and

WHEREAS all persons interested were afforded an opportunity to be heard; and

WHEREAS the Town Board hereby desires to establish such DISTRICT.

Now therefore on Motion of Councilman McGinn and seconded by Councilwoman Houle it is FOUND ORDERED and DETERMINED as follows:

1. That the Notice of Hearing was published and posted as required by law and is otherwise sufficient; and
2. The Town Board of the Town of Monroe determines that it is in the public interest to establish the DISTRICT and that all of the property property owners and interested persons within said proposed DISTRICT are benefited thereby and that all property or property owners benefited are included therein and that no property or property owners or interested persons benefited thereby have been excluded therefrom; and
3. That Town Clerk shall after the expiration of the time for the filing of a petition for a permissive referendum and subject to any required approvals record a copy of this Order in the office of the County Clerk of the County of Orange County and such Clerk shall cause a certified copy thereof to be filed in the Office of the State Department of Audit and Control; and
4. That this Order shall be effective immediately subject to the provisions of paragraph six and seven below; and
5. That the LAKE SAPPHIRE DAM DRAINAGE DISTRICT be established in the Town of Monroe as describe in the Map Plan and Report and to include the following property set forth in Schedule "A" below; and
6. That pursuant to New York State Town Law § 209-e this Order establishing the DISTRICT shall be subject to permissive referendum in accordance with Article 7 of the New York State Town Law. In the event of a valid and timely petition the question of the establishment of the LAKE SAPPHIRE DAM DRAINAGE DISTRICT shall be placed as a proposition on an election ballot to be considered by the voters during the November 2023 General Election; and
7. The establishment of the LAKE SAPPHIRE DAM DRAINAGE DISTRICT shall be subject to receipt of a final order of approval of the NYS Comptroller's Office pursuant to regulations set forth in 2 NYCRR 85 et seq. following submission of an application and accompanying documents in accordance with such regulations.

Dated: August 14 2023

PRESENT AND VOTING ON THIS ORDER:

Yea Nay Abstain Absent

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

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

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

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

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

Certified by the Town Clerk's office on the 24TH day of August 2023

Valerie Bitzer Town Clerk

SCHEDULE "A"

DESCRIPTION OF PROPOSED LAKE SAPPHIRE DAM DRAINAGE DISTRICT

All that plot piece or parcel of land situate lying and being in the Town of Monroe Orange County New York bounded and described as follows:

Beginning at a point in tax map section 24-1-76.21 at the intersection of the easterly side of Orchard Hill Road and the northerly side of Sapphire Road and running; thence

1. In a southeasterly direction along the division line between the northerly side of Sapphire Road and tax map section 24-1-76.21 on the north to a point in tax map section 35-3-19; thence

2. Continuing in a southeasterly direction along the division line between tax map section 35-3-19 on the south and tax map section 24-1-76.22 on the north to a point; thence

3. In a northeasterly direction along the division line between tax map section 35-3-19 on the east and tax map section 24-1-76.22 on the west to a point in tax map section 24-1-86; thence

4. In an easterly direction along the division line between tax map section 35-3-19 on the south and tax map section 24-1-86 on the north to a point; thence

5. In a southerly direction along the division line between tax map section 35-3-19 on the west and tax map sections 24-1-86 and 24-1-88 on the east to a point; thence

6. In a southeasterly direction along the division line between tax map section 35-3-19 35-3-20 36-1-9 36-1-10 36-2-2 and 36-2-6.2 on the west and tax map section 24-1-88 on the east to a point in tax map section 24-1-89.2; thence

7. In a southwesterly direction along the division line between tax map section 36-2-6.2 36-3-34 and 36-3-29 on the west and tax map section 24-1-89.2 and 33-2-4 on the east to a point in tax map section 33-2-3; thence

8. In a southeasterly direction along the division line between tax map section 33-2-3 on the

south and tax map section 33-2-4 on the north to a point; thence

9. In a southwesterly direction along the division line between tax map section 33-2-3 on the west and tax map section 33-2-4 on the east to a point in the division line between tax map section 33-2-3 on the north and the Town of Tuxedo on the south; thence

10. In a southwesterly direction along the division line between tax map section 33-2-3 and 36-10-11 on the north and the Town of Tuxedo on the south to a point in Heights Road; thence

11. In a southwesterly direction through Heights Road to a point in tax map section 36-10-5.1; thence

12. In a southwesterly direction along the division line between tax map section 36-10-5.1 36-10-5.2 36-10-6 36-10-7 and 36-10-8 on the north and the Town of Tuxedo on the south to a point in Wood Road; thence

13. In a southwesterly direction through Wood Road to a point in tax map section 36-11-3; thence

14. In a southwesterly direction along the division line between tax map section 36-11-3 and 36-11-4 on the north and the Town of Tuxedo on the south to a point in tax map section 36-11-4; thence

15. In a northwesterly direction along the division line between tax map section 36-11-4 on the east and tax map section 33-1-9.2 on the west to a point in Forest Glen Road; thence

16. In a northwesterly direction through Forest Glen Road to a point in tax map section 36-12-2; thence

17. In a northwesterly direction along the division line between tax map section 36-12-2 and 33-1-4 on the north and tax map section 33-1-9.2 on the south to a point in the most westerly corner of tax map section 33-1-4; thence

18. In a northeasterly direction along the division line between tax map section 33-1-4 on the southeast and tax map section 33-1-9.2 and 33-1-13.2 on the northwest to a point in tax map section 33-1-1.21; thence

19. In a southeasterly direction along the division line between tax map section 33-1-4 on the south and tax map section 33-1-1.21 and tax map section 33-1-1.1 on the north to a point in tax map section 33-1-3.2; thence

20. In a northeasterly direction along the division line between tax map section 33-1-3.2 on the east and tax map section 33-1-1.1 on the north to a point in tax map section 33-1-3.2; thence

21. In an easterly direction along the division line between tax map section 33-1-3.2 and 33-1-12 on the south and tax map section 33-1-1.1 on the north to a point; thence

22. In a northerly direction along tax map section 33-1-1.1 to a point; thence

23. In an easterly direction along tax map section 33-1-1.1 to a point in tax map section 33-1-2; thence

24. In a northerly direction along the division line between tax map section 33-1-2 on the east and tax map section 33-1-1.1 on the west to a point in tax map section 35-3-18; thence

25. In the following directions along the division line between tax map section 35-3-18 and tax

map section 33-1-1.1: southwesterly southerly southwesterly westerly northwesterly westerly northwesterly northerly easterly and northerly to a point; thence

26. In a southeasterly direction along the division line between tax map section 35-3-18 on the southwest and tax map section 35-3-3 on the northeast to a point in tax map section 35-3-3; thence

27. In a northerly direction along the division line between tax map section 35-3-18 on the east and tax map section 35-3-3 and 35-3-4 on the west to a point in tax map section 35-3-6.1; thence

28. In a northeasterly direction along the division line between tax map section 35-3-18 on the east and tax map section 35-3-6.1 on the west to a point in tax map section 35-3-7; thence

29. In a southeasterly direction along the division line between tax map section 35-3-18 on the south and tax map section 35-3-7 on the north to a point in tax map section 35-3-21; thence

30. In an easterly direction along the division line between tax map section 35-3-18 on the south and tax map section 35-3-21 on the north to a point in tax map section 35-3-22; thence

31. In a southeasterly direction along the division line between tax map section 35-2-18 on the west and tax map section 35-3-22 and 35-3-23 to a point in tax map section 35-3-16; thence

32. In an easterly direction along the division line between tax map section 35-3-16 on the south and tax map section 35-3-23 on the north to a point in tax map section 35-3-16; thence

33. In a northerly direction along the division line between tax map section 35-3-16 35-3-15 and 35-3-14 on the east and tax map section 35-3-23 on the west to a point in tax map section 35-3-14; thence

34. In a northwesterly direction along the division line between tax map section 35-3-14 on the north and tax map section 35-3-23 on the south to a point in tax map section 35-3-14; thence

35. In a northerly direction along the division line between tax map section 35-3-14 on the east and tax map section 35-3-23 on the west to a point on the southerly side of Sapphire Road; thence

36. In a northerly direction through Sapphire Road to the BEGINNING POINT.

Motion by Mike McGinn second by Dorey Houle.

Final Resolution: Motion Carries

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

5. Acceptance of Minutes

Action (Resolution) Discussion: 5.1 Acceptance of July 6 2023 Minutes

2023-# 391

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to accept the July 62023 Minutes.

Motion by Mary Bingham second by Dorey Houle.

Final Resolution: Motion Carries

Aye: Mike McGinn Mary Bingham Sal Scancarello Dorey Houle

Abstain: Supervisor -Tony Cardone

Action (Resolution) Discussion: 5.2 Acceptance of July 10 2023 Minutes

2023-# 392

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to accept the July 10 2023 Minutes.

Motion by Mary Bingham second by Sal Scancarello.

Final Resolution: Motion Carries

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

6. Audit of Claims

Action (Resolution) Discussion: 6.1 General Fund Abstract

2023-# 393

BE IT RESOLVED that the Town Board of the Town of Monroe requests approval of Abstract #23-12 General Fund containing Check #30431 - 30588 totaling \$1267782.50.

Motion by Sal Scancarello second by Mary Bingham.

Final Resolution: Motion Carries

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

7. Cash Transfers

Action (Resolution) Discussion: 7.1 Cash Transfer Abstract RE: Tax Collector No. 2023-01

2023-# 394

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to approve Abstract #2023-01 Tax Collector Cash Transfer totaling \$262.27.

DATE OF AUDIT: August 14 2023 ABSTRACT # 2023-01

DATE GL NO. DESCRIPTION Account Tranf In Transf Out 7/12/2023 Tax Collector

Contractual A000-1330-4500-00 262.27 Tax Collector Education Dues Meetings

A000-1330-4189-00 262.27

262.27 262.27

Motion by Mike McGinn second by Mary Bingham.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 7.2 Cash Transfer Abstract RE: Tax Collector No. 2023-02

2023-# 395

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to approve Abstract #2023-02 Tax Collector Cash Transfer totaling \$847.27.

DATE OF AUDIT: August 14 2023 ABSTRACT # 2023-02

DATE GL NO. DESCRIPTION Account Tranf In Transf Out 8/14/2023 Town Clerk

Enumeration A000-1410-4890-00 204.58 Tax Collector Education Dues Meetings

A000-1330-4189-00 204.58 8/14/2023 Tax Collector Education Dues Meetings

A000-1330-4189-00 344.91 Tax Collector Roll & Bill Prep. A000-1330-4102-00 297.78

8/14/2023 Tax Collector Education Dues Meetings A000-1330-4189-00 642.69

847.27 847.27

Motion by Mike McGinn second by Mary Bingham.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 7.3 Cash Transfer to Investment Funds Abstract

2023-# 396

BE IT RESOLVED that the Town Board of the Town of Monroe requests approval of Abstract #2023-04 Cash Transfer to move cash back to funds to cover future expenditures in 2023 totaling \$880000.00.

DATE OF AUDIT: August 14 2023#2023-04

DATE GL NO. DESCRIPTION Account Transf to Transf from

To move cash back to funds to cover future expenditures in 2023

Consolidated Savings A000 Fund A000-0201600000.00

NYCLASS Investment A000 Fund A000-0240600000.00

Consolidated Savings SR00 Fund SR00-0201220000.00

NYCLASS Investment SR00 Fund SR00-0240220000.00

Consolidated Savings SW12 Fund SW12-020150000.00

NYCLASS Investment SW12 Fund SW12-024050000.00

Consolidated Savings SW15 Fund SW15-020110000.00

NYCLASS Investment SW15 Fund SW15-024010000.00

880000.00 880000.00

To move cash to investment Fund NYCLASS

NYCLASS Investment B000 Fund B000-0240 500000.00

Consolidated Savings B000 Fund B000-0201 500000.00

500000.00 500000.00

Motion by Mary Bingham second by Mary Bingham.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 7.4 Cash Transfer to Investment Funds Abstract

2023-# 397

BE IT RESOLVED that the Town Board of the Town of Monroe requests approval of Abstract #2023-04 Investment Funds Cash Transfer to move cash to Investment Fund NYCLASS totaling \$500000.00.

DATE OF AUDIT: August 14 2023#2023-04

To move cash back to funds to cover future expenditures in 2023

Consolidated Savings A000 Fund A000-0201 600000.00

NYCLASS Investment A000 Fund A000-0240 600000.00

Consolidated Savings SR00 Fund SR00-0201 220000.00

NYCLASS Investment SR00 Fund SR00-0240 220000.00

Consolidated Savings SW12 Fund SW12-0201 50000.00

NYCLASS Investment SW12 Fund SW12-0240 50000.00

Consolidated Savings SW15 Fund SW15-020 110000.00

NYCLASS Investment SW15 Fund SW15-0240 10000.00

880000.00 880000.00

Motion by Mike McGinn second by Sal Scancarello.

Final Resolution: Motion Carries

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

8. Budget Transfer Requests

Action (Resolution) Discussion: 8.1 Budget Transfer Abstract #23-15

2023-# 398

BE IT RESOLVED that the Town Board of the Town of Monroe requests approval of Budget Transfer Abstract #23-15 to transfer Park Land Fees to Mombasha Park to cover Pickleball Courts expenditures totaling \$129307.20.

DATE OF AUDIT: August 14 2023ABSTRACT 23-15 To Transfer Park Land Fees to Mombasha Park to cover Pickleball Courts expenditures

Park Land Fee DepositsA000-688364653.60 Other LiabilitiesA000-0221 64653.60

Consolidated Savings A000-020164653.60 Mombasha Park Repair & MaintenanceA000-7121-4303-00 64653.60

129307.20 129307.20

Motion by Sal Scancarello second by Mary Bingham.

Final Resolution: Motion Carries

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

9. New Business

Action (Resolution) Discussion: 9.1 Rye Hill Corridor Termination And Abandonment of Contract

2023-# 399

BE IT RESOLVED that the Town Board of the Town of Monroe RESOLUTION CONFIRMING TERMINATION/ABANDONMENT OF RYE HILL CCR APPLICATION OF SUN BROOK PARTNERS LLC By Councilman McGinn and seconded by Councilman Scancarello:

WHEREAS beginning in February of 2022 and continuing through November of 2022 Sun Brook Partners LLC (■■■Sun Brook■■■) petitioned the Town of Monroe to apply the Town■■■s Conservation Cluster Residential Floating Zone (■■■CCR■■■) to seven parcels identified by section block and lot numbers: 31-1-1.11; 31-1-1.12; 31-1-2.4; 31-1-29; 31-1-18.31; 31-1-62 and 31-1-63 located in the Town of Monroe; and

WHEREAS the Town Planning Board and Town professionals reviewed such submissions pursuant to the Town Zoning Code; and

WHEREAS on or about January 52023 Attorney Jeffrey D. Buss attorney for Sun Brook emailed the Town and requested the Town to not place the Sun Brook application on any Town Board agenda unless Sun Brook requests such placement; and

WHEREAS the Town became aware of litigation between CHAB Five Realty LLC (■■■CHAB Five■■■) and Sun Brook commenced in the Orange County Supreme Court concerning a contract dispute between those parties related to the development of the land; and

WHEREAS on or about March 102023 the Town■■■s legal counsel sent correspondence to Attorney Jeffery D. Buss requesting a status update with respect to Sun Brook■■■s application and inquiring whether Sun Brook intended to move forward with its CCR application; and

WHEREAS no response was received to that letter from Sun Brook and no further communications or submissions were received from Sun Brook; and

WHEREAS the Town was subsequently advised by Attorney Gardiner Barone attorney for CHAB Five that the contract between the CHAB Five and Sun Brook had been terminated; and

WHEREAS the Town Board desires to formally recognize the termination and abandonment of the Sun Brook CCR application.

NOW THEREFORE BE IT RESOLVED: that:

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

Section 2. The Town Board hereby confirms that the CCR application of Sun Brook Partners LLC was abandoned and that the contract under which Sun Brook was pursuing such application was terminated and accordingly the Sun Brook CCR application is confirmed as abandoned.

Section 3. The Town Supervisor and any officer employee or consultant as directed by the Town Supervisor may take any and all necessary actions to carry out the provisions of this Resolution including recording the prior Sun Brook CCR application as abandoned and preventing any further action with respect to such application.

Section 4. The Town Board hereby determines that any future application filed by Sun Brook Partners with respect to the properties identified in their application is deemed a new submission of a CCR petition and Master Development Plan.

Section 5. This Resolution shall be effective immediately.

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

Yea Nay Abstain Absent

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

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

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

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

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

The Resolution was thereupon duly adopted.

Motion by Mike McGinn second by Sal Scancarello.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 9.2 Rye Hill Corridor Lead Agency Status

2023-# 400

BE IT RESOLVED that the Town Board of the Town of Monroe Made A RESOLUTION DECLARING LEAD AGENCY CONCERNING PURCHASE OF +/- 247 ACRES IN RYE HILL CORRIDOR by Councilman McGinn and seconded by Councilwoman Bingham:

WHEREAS the Town has participated in settlement discussions concerning CHAB Five Realty LLC v. Town of Monroe et al. (Orange County Index No. 000338-2017); Golden Ray LLC v. Town of Monroe et al. (Orange County Index No. 000300-2017); and CHAB Five Realty LLC et al. v. Town of Monroe et al. (SDNY Docket No. 7:17-cv-07300) (hereinafter collectively "the Litigations"); and

WHEREAS pursuant to such settlement discussions in the Litigations the Town desires to purchase the 7 parcels owned by Plaintiffs that were the subject of the Litigations and identified in the Town Tax Maps as SBLs: 31-1-1.11; 31-1.12; 31-1-2.4; 31-1-29; 31-1-18.31; 31-1-62 and 31-1-63 (hereinafter collectively "the Premises"); and

WHEREAS pursuant to the provisions of 6 NYCRR 617.4(b)(4) such proposed purchase is a Type 1 Action under SEQRA; and

WHEREAS the Town of Monroe is the only agency that can approve a purchase of property by the Town; and

WHEREAS the Town Board having reviewed the Part 1 Full Environmental Assessment Form desires to declare itself lead agency in this action.

NOW THEREFORE BE IT RESOLVED: that:

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

Section 2. The Town of Monroe Town Board hereby declares itself lead agency regarding the proposed action to purchase the Premises consisting of +/- 247 acres along the Rye Hill Corridor.

Section 3. The Town Supervisor and any officer employee or consultant as directed by the Supervisor is hereby authorized to take any and all actions necessary to carry out the provisions of this Resolution.

Section 4. This Resolution shall be effective immediately.

RESOLUTION DECLARING LEAD AGENCY CONCERNING PURCHASE
OF +/- 247 ACRES IN RYE HILL CORRIDOR

WHEREAS the Town has participated in settlement discussions concerning CHAB Five Realty LLC v. Town of Monroe et al. (Orange County Index No. 000338-2017); Golden Ray LLC v. Town of Monroe et al. (Orange County Index No. 000300-2017); and CHAB Five Realty LLC et al. v. Town of Monroe et al. (SDNY Docket No. 7:17-cv-07300) (hereinafter collectively “the Litigations”); and

WHEREAS pursuant to such settlement discussions in the Litigations the Town desires to purchase the 7 parcels owned by Plaintiffs that were the subject of the Litigations and identified in the Town Tax Maps as SBLs: 31-1-1.11; 31-1.12; 31-1-2.4; 31-1-29; 31-1-18.31; 31-1-62 and 31-1-63 (hereinafter collectively “the Premises”); and

WHEREAS pursuant to the provisions of 6 NYCRR 617.4(b)(4) such proposed purchase is a Type 1 Action under SEQRA; and

WHEREAS the Town of Monroe is the only agency that can approve a purchase of property by the Town; and

WHEREAS the Town Board having reviewed the Part 1 Full Environmental Assessment Form desires to declare itself lead agency in this action.

NOW THEREFORE BE IT RESOLVED: that:

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

Section 2. The Town of Monroe Town Board hereby declares itself lead agency regarding the proposed action to purchase the Premises consisting of +/- 247 acres along the Rye Hill Corridor.

Section 3. The Town Supervisor and any officer employee or consultant as directed by the Supervisor is hereby authorized to take any and all actions necessary to carry out the provisions of this Resolution.

Section 4. This Resolution shall be effective immediately. RESOLUTION DECLARING LEAD

AGENCY CONCERNING PURCHASE
OF +/- 247 ACRES IN RYE HILL CORRIDOR

WHEREAS the Town has participated in settlement discussions concerning CHAB Five Realty LLC v. Town of Monroe et al. (Orange County Index No. 000338-2017); Golden Ray LLC v. Town of Monroe et al. (Orange County Index No. 000300-2017); and CHAB Five Realty LLC et al. v. Town of Monroe et al. (SDNY Docket No. 7:17-cv-07300) (hereinafter collectively "the Litigations"); and

WHEREAS pursuant to such settlement discussions in the Litigations the Town desires to purchase the 7 parcels owned by Plaintiffs that were the subject of the Litigations and identified in the Town Tax Maps as SBLs: 31-1-1.11; 31-1.12; 31-1-2.4; 31-1-29; 31-1-18.31; 31-1-62 and 31-1-63 (hereinafter collectively "the Premises"); and

WHEREAS pursuant to the provisions of 6 NYCRR 617.4(b)(4) such proposed purchase is a Type 1 Action under SEQRA; and

WHEREAS the Town of Monroe is the only agency that can approve a purchase of property by the Town; and

WHEREAS the Town Board having reviewed the Part 1 Full Environmental Assessment Form desires to declare itself lead agency in this action.

NOW THEREFORE BE IT RESOLVED: that:

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

Section 2. The Town of Monroe Town Board hereby declares itself lead agency regarding the proposed action to purchase the Premises consisting of +/- 247 acres along the Rye Hill Corridor.

Section 3. The Town Supervisor and any officer employee or consultant as directed by the Supervisor is hereby authorized to take any and all actions necessary to carry out the provisions of this Resolution.

Section 4. 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] [] [] []

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

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

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

The Resolution was thereupon duly adopted.

Motion by Mike McGinn second by Mary Bingham.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 9.3 Rye Hill Corridor Special Meeting Public Hearing

2023-# 401

BE IT RESOLVED that the Town Board of the Town of Monroe Made A Motion To hold a Special Town Board Meeting on Monday August 21 2023 at 7pm or shortly thereafter to Authorize Bonding To Purchase +/- 247 Acres in Rye Hill Corridor.

Motion by Mike McGinn second by Dorey Houle.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 9.4 Ernst Eristil Resignation Dial-A-Bus

2023-# 402

BE IT RESOLVED that the Town Board of the Town of Monroe accept the resignation of Ernst Eristil Dial-A-Bus effective July 28 2023.

BE IT FURTHER RESOLVED that the Supervisor or his designee is hereby authorized to take any and all action necessary to carry out the provisions of this Resolution.

Motion by Mike McGinn second by Dorey Houle.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 9.5 The Clothesline Project

2023-# 403

BE IT RESOLVED that the Town Board of the Town of Monroe Made A Resolution approving The Clothesline Project's use of the Town Hall Meeting Room on October 17 2023 from 9 a.m. - 3 p.m. The Clothesline Project is a visual display of t-shirts created by survivors of intimate partner violence or by the friends or family members of victims. By "walking the line" visitors help to increase awareness about the impact of violence in people's lives; celebrate the strength of survivors' and break the silence that often surrounds domestic violence.

The Clothesline Project was also displayed at Town Hall in October 2022.

Motion by Dorey Houle second by Mary Bingham.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 9.6 Electrical Conduit Repair 11 Stage Road

2023-# 404

BE IT RESOLVED that the Town Board of the Town of Monroe Made A Resolution approving proposal for the repair of the electrical conduit connecting service into the town owned building located at 11 Stage Road. This loss occurred on June 23 2023 and involved an unknown vehicle damaging the electrical conduit connecting service into the building. A claim was filed through New York Municipal Insurance Reciprocal (NYMIR).

Proposals for the repair were submitted by Alessandro Electric Inc. and DLux Electrical Projects LLC.

Alessandro Electric Inc.: \$6500

DLux Electrical Projects LLC.: \$12250.00

NYMIR has accepted the proposal in the amount of \$6500. The town's policy has a \$2500.00 deductible. Based on the Commercial Property deductible provision of policy form MPL116 11 06 Extensions of Coverage Section I. D. Deductible the net recoverable amount for this loss is \$4440.00.

Motion by Mike McGinn second by Sal Scancarello.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 9.7 114 West Mombasha Road STR Application Review

2023-# 405

BE IT RESOLVED that the Town Board of the Town of Monroe Made A Motion to set a Public Hearing after review of Short-Term Rental (STR) application for 114 West Mombasha Road (SBL 39-2-4); upon receipt of an Objection from a resident of the mailings. Public Hearing set for September 5 2023 at 7pm or shortly thereafter.

The Town of Monroe Building Department has received a written objection to this application. In accordance with Local Law #4 amending Chapter 40 of the Town Code (Short-Term Rentals) section 40-8 "Procedure for first permit issuance":

E. Upon receipt of an application for a first permit issuance of an STR for which an objection has been received the Town Board shall schedule a public hearing on the permit at a regularly scheduled Town Board meeting no less than 14 days and no more than 45 days from application receipt. The Town Board shall require that the applicant mail notice of the hearing in a form prescribed by the Town Clerk to all residents within 500 feet of the subject property. The Town Board may waive the public hearing if no objections are received and shall instead schedule the application for consideration at a regularly scheduled meeting no more than 45 days from application receipt.

BE IT RESOLVED that the Town Board of the Town of Monroe Make A Motion Upon Receipt of an Objection From a Resident of the Mailings a Public Hearing is Scheduled for September 5 2023 at 7pm or Shortly Thereafter.

Motion by Mike McGinn second by Sal Scancarello.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 9.8 203 Cromwell Hill Road STR Application Review

2023-# 406

BE IT RESOLVED that the Town Board of the Town of Monroe Made A Motion to table the Short Term Rental application for 203 Cromwell Hill Road Monroe until the September 5 2023 Town Board Meeting at 7pm or shortly thereafter.

Motion by Mike McGinn second by Sal Scancarello.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 9.9 137 Berry Road STR Application Review

2023-# 407

BE IT RESOLVED that the Town Board of the Town of Monroe Made A Motion to accept the application for Short Term Rental of 137 Berry Road Monroe.

Motion by Mike McGinn second by Sal Scancarello.

Final Resolution: Motion Carries

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

10. Old Business

Action (Resolution) Discussion: 10.1 Town Hall Fire Alarm System Proposal

To hear Councilman McGinn RE: Town Hall Fire Alarm System Proposal please go online to Board Docs Video clip # 1:26:04.

2023-# 408

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to approve the proposal provided by NAS for the fire alarm system at Town Hall.

CELLULAR FIRE RADIO MONITORING WITH 24 HOUR TEST Annually \$660.00

FIRE ALARM SYSTEM INSPECTION Annually \$720.00

Total Parts & Labor \$2095.00

Sales Tax \$0.00

Total Investment Price \$2095.00

Deposit Due at Proposal Signing \$1047.50

Balance Due at Completion \$1047.50

Total Annual Recurring Services \$1380.00

Motion by Mike McGinn second by Sal Scancarello.

Final Resolution: Motion Carries

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

11. Public Comment

Information: 11.1 Rules for Public Comment

Discussion Information: 11.2 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 #11.2 1:28:29.

****NO PUBLIC COMMENT AT THIS TIME**

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

Action (Resolution) Information: 12.1 Enter into Executive Session

2023-# 409

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

Executive Session to discuss litigation and Attorney / Client.

Motion by Dorey Houle second by Mike McGinn.

Final Resolution: Motion Carries

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

13. Return to Regular Meeting

Action (Resolution) Information: 13.1 Return to Regular Meeting

2023-# 410

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

Motion by Sal Scancarello second by Dorey Houle.

Final Resolution: Motion Carries

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

14. Motion From the Floor

Action (Resolution) Discussion: 14.1 876 Jerk Using O & R Park on August 19 2023 For A Food Fest

2023-# 411

BE IT RESOLVED that the Town Board of the Town of Monroe Made A Motion approving the use of O&R Park for 876 Jerk Food Festival on Saturday August 19th from 12 p.m. - 5 p.m.

Motion by Sal Scancarello second by Mike McGinn.

Final Resolution: Motion Carries

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

Action (Resolution): 14.2 Board of Ethics Complaint

2023-# 412

BE IT RESOLVED that the Town Board of the Town of Monroe accepts the report of the Board of Ethics regarding Complaint #2023-1.

Motion by Mike McGinn second by Sal Scancarello.

Final Resolution: Motion Carries

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

15. Adjournment

Action (Resolution): 15.1 Adjournment of Meeting

2023-# 413

BE IT RESOLVED that the Town Board of the Town of Monroe adjourns the meeting of August 14 2023 at 8:49pm.

Motion by Mike McGinn second by Sal Scancarello.

Final Resolution: Motion Carries

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

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