

MONROE TOWN BOARD MEETING MINUTES

— 10/07/2019

MONROE TOWN BOARD MEETING AGENDA (Monday, October 7, 2019)

Generated by Valerie Bitzer

Members present

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

1. Call to Order

Discussion, Procedural: 1.1 Pledge to the Flag

Action (Resolution): 1.2 Motion to Open Town Board Meeting

2019-#411

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Town Board Meeting of October 7, 2019.

Motion by Sal Scancarello, second by Mary Bingham.

Final Resolution: Motion Carries

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

2. Public Hearing

Action (Resolution), Discussion: 2.1 Motion to Open the Continuation of the Public Hearing for the Proposed Amendment of Ch. 57 of the Town Code / Motion to Open the Public Hearing Concerning the Draft Scope for Preparation for a Draft Generic Environmental Impact Statement (Proposed Local Law No. 4)

2019-#412

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

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

Final Resolution: Motion Carries

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

2019-#413

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Public Hearing Concerning the Draft Scope for Preparation for a Draft Generic Environmental Impact Statement (Proposed Local Law No. 4)

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

Final Resolution: Motion Carries

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

The following residents spoke during Public Comment regarding the Continuation of the Proposed Amending of Ch. 57 of the Town Code / Public Hearing Concerning the Draft Scope for Preparation for a Draft Generic Environmental Impact Statement (Proposed Local Law No. 4). To hear their comments, and Board Members responses please go on-line to Board Docs Video Clip #2.1, 0:1:18.

- Max Stach
- Mike Endrizzi
- Mike Goldstein
- Jeff Manson
- Lorraine Loening
- Ward Brower
- Jim Rogers
- Larry Bennett
- James O'Donnell
- Mayer Neil Dwyer
- John Karl

- Supervisor Cardone: Max.

- Max Stach: Mr. Supervisor, Town Council-members, I'm here to present tonight for the Town of Monroe Conservation Cluster Residential Floating Zone Text Amendment. Tonight is the opening of the SEQRA Scoping Public Meeting. So, the purpose of this meeting is to gather input on the environmental review that will be conducted on the Conservation Cluster Residential Floating Zone which I believe was already made the subject of a previous hearing. Is that correct?

- Supervisor Cardone: Yes.

- Councilman McGinn: Yes, several.

- Max Stach: So, I'm going to begin by a brief overview of the, what the Floating Zone amendment does. So, the basics of the CCR Floating Zone Amendment is that it's a clustering amendment. It allows for a clustered mixed residential developments at an overall density of two units per acre, similar to the current SR20 Zoning District, but it requires significant clustering. More than 65% of the lot to be clustered in it, (inaudible) exact. Meaning all development must be on 35% of the lot, and it must be on that portion of the lot that's closest to existing villages, and the idea in doing this is that it will establish a growth edge, an area where you have a little bit more density, a little bit more housing choice closer to the villages, and you're preserving the majority of the lot which allows for preservation of the more outlying rural areas of the Town. This is really intended to discourage sprawling development which is what the current zoning scheme allows which is large lot zoning across most of what's left of the Town, and it's really a transition from some of the larger lots zoning that was instituted in

the last master plan, and the higher densities that are allowed in the villages. Again, it's (inaudible) to preserve natural open space, and two key factors of the development is it requires 15% of housing be reserved for seniors which is defined as one member being over 55, and no members being under 18 members of the household. Additionally, it requires 20% workforce housing, and workforce housing would be defined as a family earning 100% of area median income for Orange County which is at last measurement, and about \$96,000/year. So, it's not very affordable housing, and it's not luxury housing. It's really meant to be 20% workforce housing. The CCR Floating Zone, why it's called a Floating Zone is because it's establishing a Zoning District that actually is not mapped in the Town. It floats. It exists in the code, but in order to actually build under this you have to come back to the Town Board, and ask for it to be mapped or landed. The process of landing the zoning is actually more discretionary on the part of the Town Board than a standard zone change because unlike a standard zone change, the floating zone change has certain eligibility requirements, one of which is the applicant must submit a concept master plan to the Town Board. So they're gonna show you, they're gonna look at the code. They're gonna look at the provisions. They're gonna prepare a concept development including elevations. They're gonna come to you, and say Town Board we'd like you to Zone this tract for CCR, and here's what we're looking to build. So you're gonna see it in advance before you give them the zoning. Some of the eligibility requirements for the zoning is that it must be at least 80 plus acres in size. 80 or more, and at least 40 of those acres must be within a half mile of the Villages of Monroe or Harriman, and all the residential structures that are being built under this CCR zone if you land it, must be within that half mile. Additionally, we talked before 65% of the lot must be preserved as open space either through dedication to the Town as parkland or through a Conservation Easement, and the track, we talk about tracks, that track cannot consist of more than eight existing lots. So, you can't continue this you know endlessly across the Town. You come in with your eight lot track of 80 acres or more, and that's it. We did an initial assessment of areas of the Town that would qualify for CCR, and those areas are initially identified in blue on that map there. Again, there's a lot of standards that go along with the CCR zoning. It requires buffers from existing roads, and existing adjoining lands. It requires submissions of elevations, and architectural review. Referral to the Planning Board. It must have existing public water, and sewer. A traffic study is required. A fiscal impact study is required. There's a maximum average of 2.25 bedrooms with no more than 20% having more than 3 bedrooms, and it allows a range of housing types including single-family detached, single-family attached which is Townhouses. Multifamily, Assisted Living, Hotel / Spa Conference Facilities, and up to 5% of service, and retail commercial. So it allows you to have a small General Store as part of the project or maybe a Salon or Spa in the development. So, going through those CCR Requirements, I want to tell you where we are now in the process. So, this is the SEQRA time-frames here, and we're really at the beginning of the process. We're actually that first arrow heading down toward that time-line where it says, filed Notice of Positive Declaration, Negative Declaration, and Draft Scope. That's where we are tonight. So, you can see this is a lengthy process that we're undertaking, and we're just starting off here.

This is the first opportunity for public input in the SEQRA process as I was noted before you've already allowed public input on the Draft Law. After this meeting tonight, after we hear from the public, we'll develop a final Draft scope. The Draft Scope itself is a Table of Contents for what will be included in that Draft Generic Environmental Impact Statement that we're going to prepare. That DGEIS will identify the areas within the Town that will be eligible for this development, and we'll pick one of those areas as a test case development scenario, and this will at least now be an area that's already received past development interest in the Town. Following the preparation of the DGEIS, that document will be made public. The public will have an opportunity to comment on it, and on the environmental impacts described in that document, and then you'll have to prepare a final Generic Environmental Impact Statement in which you'll respond to every comment that you've received on the EIS. Lastly, any future landing of this zone on a particular parcel will require further environmental review under SEQRA with the exception that the test case site will have established development thresholds under which can proceed to a site plan. We've already gone through in the Draft Scope identify several areas of impact that will be explored in the DGEIS. There will be a traffic study. There will be consideration of topography, and soils, groundwater, surface water, storm water, wetlands, ecology, plants, and animals, habitat, historic, and archeological resources, land use, and zoning. How does this compare with existing impact on community services, community character, visual resources, the potential to induce growth, induce growth in other areas of the Town, impact on energy utilization, and greenhouse gasses. And, what we're going to do is compare this proposed zoning and development under this proposed zoning with the development that could proceed under the existing zoning in the test case area. And lastly, we're gonna look at how that compares with what exists today. So, again the purpose of tonight's meeting is to inform the public of the project which is the adoption of the zoning, and to allow input on that, to identify areas of potential environmental impact that should be explored in the upcoming DGEIS, and also as we just did to inform the public of the process.

- Supervisor Cardone: Thank you Max.

- Councilman Scancarello: Thank you.

- Supervisor Cardone: Anybody have any questions?

- Councilman McGinn: Very thorough.

- Supervisor Cardone: Thorough.

- Councilman McGinn: In your presentation there, and certainly appreciate that. Again, you know we, when we envisioned this it was just something to give, give us flexibility, and create economic development, and keep open space, and mostly you know answer the need for Senior Housing, and local workforce housing. So these are all great things that you have put into this plan, and we certainly appreciate it. Thank you for your work on it thus far cause there's a lot more work (inaudible).

- Supervisor Cardone: Yes.

- Councilman McGinn: So thank you.

- Supervisor Cardone: Ok. Do we have anybody that wanted to speak Madam Clerk?

- Town Clerk Mary Ellen Beams: Madam (laughter), Mike Endrizzi. Sorry Mike.
- (Laughter).
- Supervisor Cardone: Madam Endrizzi.
- Town Clerk Mary Ellen Beams: Sorry Mike.
- Councilman McGinn: Madam Endrizzi, come on down.
- Mike Endrizzi: Morning, I'm back.
- Councilman McGinn: Thank God.
- Mike Endrizzi: Mike Endrizzi, Monroe, NY by Belmont Drive. We've had a good morning everybody, and by the way you had a great funeral unfortunately.
- Supervisor Cardone: Let's we'll talk about that later. So let's yeah.
- Mike Endrizzi: So anyway I just wanted to thank you's. I didn't know if you were gonna bring that up later.
- Supervisor Cardone: Yep.
- Mike Endrizzi: We have had several Moratoriums to study, and then loopholes. Master plans, the Morat, and again to review the Moratoriums. The Moratoriums to study, and review the master plans. I think the Floating Zone, this is creating loopholes which can be abused, and create all kinds of lawsuits. It can open up existing projects that have been approved, and throw, people could throw their hats in. So you have a lot of projects you think have already been finalized. We fought the fight. We've had all kinds of studies done, and now you're turning around by creating this so-called new Clustering Law where everybody can say wait, he got it, I want it too. Well why'd you give it to him, and not me? So when you use the word floating, I think that's a problem because it's always me too, me too, me too. So, here we designed it. We got rid of existing accessory apartments. We got rid of, we increased the acreage of the lots. Now, it seems like we're going backwards. So, I think by it opening up existing projects that are going to be could, or would definitely request approval, it would definitely allow people to throw their hats in, and that's why I was just trying to explain. Studies have already been done, and now you may be allowing clustering, and high density bonus. Listening to what you've said in the past couple of meetings it might make sense if you say, ok we just want to add a salon, or a spa, or one extra store, but you know as well as I know that over the years the laws have been abuse greatly, and it gets pushed the laws to the max. So, you really gotta take that into consideration. Again, we got rid of the accessory apartments. You already have, we increased the lot sizes again. All this to prevent what we're talking about, and now you're saying let's bring it back. Again, I don't think it makes sense. But we'll enforce the 30/70%. Who will decide who gets it, and who doesn't. What are the parameters or the basis for who would get it? Who, and how, who and how will it, the green space be protected. Will we make it parkland to prevent it from being used later on. Will we put it on a proposed ballot, and let's say let 2/3's of the voters decide. An example to me again instead of saying he's ranting on, and on would be Berry Park Road. That was bought by public funds, and it's still not deemed parkland. So, if in a few years you get a different Board than what we have now, we have a good atmosphere, but if Board's that we might have had in the past or

who knows what we're gonna have in the future, how do you protect that? Another example would be, we'll just bring up Rye Hill Road. (Inaudible) we did this (Inaudible) corridor, and I fought the fought, fight with all the neighbors. We've had numerous meetings. We even closed a couple of meetings down. And after all that we got the projects approved. Everybody seemed happy. In theory, when I'm reading this 39 page document, you can turn around and put this right back to all those, that whole Rye Hill Corridor. In theory. And if you do that, then what was the point of all these years of fighting, getting it approved under one set of circumstances, and now you're gonna have the whole Rye Hill Corridor possibly changed whether it be the accessory apartments or this clustering. All those properties. It's not just one property. 49. it's 49, 49, 49, 49, 49. If you approve clustering in a few years down the road, and the land gets done, again everything's good, and you say you kept this green space but how do you prevent another Board down the road from saying oh look, she got high density here, we want high density as well. So I think that's a problem. I think floating, zoning is a mistake. It can be abused. You could buy land where half of the land is worthless. Side of a cliff, swampland, and all you're doing is taking land that's really worthless, and allowing people to take that other half, and get the high density bonus that they should have never gotten. So, I think that's a mistake, and all that's gonna do is benefit some of the people that have this land that we're talking about. A couple of more things just to emphasize. Larkin Drive. When the market was hot, and they built these condos right by Target, the big push for the Board was we want affordable housing, affordable housing, affordable housing, and they deemed 20% to be affordable housing. All of a sudden, again not this Board. Not this current Board. You guys are doing great, I appreciate it, but again history repeat itself. 20% was supposed to be affordable housing. The market got so hot that the builders actually went to the Board. Said we'll give you a million bucks if you get rid of the affordable housing, and then they allowed them to sell them at top dollar. The Board got the million dollars when, and they were allowed to do whatever they wanted. Not you guys personally, but it's sitting in a bank account somewhere, and they got to do whatever they want to do with that. So, again whether it be abused or not it's history repeats itself. This could be done. So how do you protect what what you're saying now. In good faith you might be trying to do the right thing but the Board's in the future can turn around and can't think of the word right now but exploit it or whatever the case may be, that might be the way to go. So, you're pushing the you know again the 20% affordable housing. Where's the affordable housing for all these people we were saying we wanted to give it to? He just brought it up again. That's nice words. Politician words. Sounds great to get it approved, and then down the road where did it go? So if history repeats itself that green space can be given away and built on. Another example, and the last one would be parkland. I remember when they were putting that Larkin Drive. We're talking about BJ's, all that shopping area there, and they said oh we're gonna put parkland over there. We're gonna have memorials. We're gonna have trees. We're gonna have benches. We're gonna have beautiful parkland. I drive by every day. I don't see any parkland, because they kept getting reduced. Smaller, and smaller. Ah you know what, let's allow them to build a wall. Let's allow them to do this. Let's allow that. Let's allow a little bit bigger buildings, smaller parking. Again.

- Councilman McGinn: Mr. Endrizzi, can I ask you just to wrap it up. We have other people.
- Mike Endrizzi: So basically history repeating itself. So I gave several examples. The last few sentences are, they say history repeats itself. I say learn from past mistakes. Do not allow the floating law, clustering, high density bonuses, and let the voters decide. Also protect open space by designating it Parkland. Thank you.
- Supervisor Cardone: Thank you.
- Councilman Scancarello: Thank you.
- Town Clerk Mary Ellen Beams: Mile Goldstein.
- Mike Goldstein: Good evening, Mike Goldstein. I had a question originally. This is Chapter 57 has been kicking around for a few months. I'm wondering why we didn't bring it to a vote. But now does this have to take care of the Draft Environmental Impact Statement first before you vote on this, that was discussed tonight. Where a Public Hearing for the preparation of the Draft Generic Environmental Impact, was that part of that?
- Councilman McGinn: We'll answer it when you, when you're done.
- Mike Goldstein: Ok, thank you.
- Town Clerk Mary Ellen Beams: Jeff Manson.
- Jeff Manson: Good evening, Jeff Manson, Oreco Terrace Town of Monroe. A few different things you know some of them are comments on the 57 Amendment itself but wanting to kind of talk about the scoping. So the test site that's chosen to be the workhorse for the scope is along that Rye Hill Corridor. Several properties, I think 6 or 7 were chosen out of the 40 or so that are eligible for the zoning, and so I'd like the scope to talk to this, these properties, and why this area was chosen as the test site. Seems to be four different areas of the Town. There's certainly some diversity in those different areas. You had to pick a representative sample to do the EIS but I would like the EIS to address why this was chosen up front. What are the similarities between this area, and the other areas that are under consideration for the floating zone. Where are the differences because I think that's kind of important in evaluating that this is a good test. I think part of what the EIS needs to explore is well, it'd be nice if you could explore the willingness but if not simply the ability of local water providers, and the sewer district to handle because the law's gonna require that it have municipal water, and have municipal sewer. I didn't have a sense so much in reading the 39 page document that it was gonna explore that topic enough. I know we're kind of under pressure in the sewer district. There's things going on there, you know the County has to address so if we're gonna say these larger properties are going to be subject to that. It's certainly only food for your purposes if you're gonna possibly consider granting the law somewhere that there is a possibility of them accessing that sewer service, and the water service. Without that ability the law is sort of moot because the law requires that or the law at least is written in that way right now. I think it's also important that when doing the draft EIS that a consideration is given if the properties that are in the area of the test site that have approvals either conditional or final approval from the Town were built out as intended how that would impact the test site because there are properties around the test site I believe that have approvals already on

them. So, I think that just important to consider ok. So when you're doing that worst case scenario analysis, if everything that was really built was built, and the test site was granted the floating zone, and what that's gonna look like would that work from an environmental standpoint. Community Services, in reading through the list of Community Services that would be considered, what I thought was notably absent, and maybe it just wasn't listed there, was how it was gonna impact Town services like the Highway Department, possibly the Senior Center. Right? We're setting aside 15% of the housing minimally for Senior Housing, so that might create an additional demand right here in this very room, and I think that those things are almost the most important Community Services that we take consideration on. So, that's all. In kind of in relation to that, I understand both from my reading, and from tonight's presentation there's a requirement that 15% of the housing be Senior Housing. 20% be workforce housing, and I guess what my question is, is that 15, and 20% distinct or is there a possibility through the way an agreement is written up that the same land could serve both that 15%, and 30%. You know certainly people in Senior Housing it might be below that median income line so they might fall, the same families might fall, be qualified for both those housings depending again on how it's written. So, I guess I just want to know if those are distinct. If it's 35% of the land is gonna be set aside, or 15% for this, and 20% for this, or if it's possible to kind of overlay those and have 20% of the land. (Inaudible). I think that just needs to be clarified. I don't think it's a bad thing one way or another. Frankly, I think supporting workplace housing, and Senior Housing are both great initiatives. You know in my reading of the law, and my reading of the EIS, I was personally very pleased to see that there were a lot of things written into there that really support current planning philosophy, and current learning, and the kinds of things that are being talked about in seminars, and by the NY Planning Federation, by the American Planning Federation. Thanks to you all. I've had a fair amount of opportunity to kind of get in depth there. I think that the current Board is well served to consider this kind of thing. I think it certainly is very helpful that we have a past Planning Chair on the Board for something like this but, all of five of you have gotten well versed in planning through the annexation process, through the Comprehensive Plan, that kind of thing, and I was really glad to see some of the things like those set aside for workplace, and for Senior Housing. Since you brought it up, the 2.5 bedrooms.

- Supervisor Cardone: You got about another minute ok.

- Jeff Manson: One thing, and I'm done.

- Supervisor Cardone: Yep, yep.

- Jeff Manson: The 2.5 bedrooms, and I don't really know if there's a way to on average. Bedrooms can be really different sizes. They can contain different numbers of people. It's something we kind of you know talk about here, and there but I don't know if limiting number of bedrooms or average sizing number of the bedrooms really serve to kind of give us an indication of what the population in that possible floating zone is gonna be. So, I'm not quite sure that's the measure, or I'm not quite sure if we need to define that a little more if that's even a-possible, or b-illegal. Thank you very much.

- Supervisor Cardone: Thank you Jeff.

- Councilman McGinn: Thank you.

- Supervisor Cardone: Anyone else?

- Town Clerk Mary Ellen Beams: Lorraine Loening.

- Lorraine Loening: Good evening. Lorraine Loening, Village of Monroe. First I want to thank you for keeping the Public Hearing open for so long. The, it was good to go back, and forth, and it gave me the opportunity to get some questions answered, and to look more deeply into the project. Some of my concerns, the permanence or not so permanence of the green space. Green space could possibly end up deeded to the Town, and down the road could be subject to sale or development, and I'm also concerned about the enforcement of Senior, and workforce housing. It seems to me if it's left to a developer that it's unlikely. And if it's left to a Town Board, it might not happen. I'm also concerned with the lack of conformity to our community normal. This sort of housing is not what people who live here are used to, and people come from other areas perhaps more urban areas craving (inaudible) the suburban feel of this community. They're looking for the colonial, or bi-level on a plot of land so that the kiddos can play with football, and they can have their vegetable and hummingbird gardens. That's why I moved up here almost 30 years ago, and those who don't want that environment, and who don't mind neighbors on the other side of the wall there's already existing housing for that within the Village already. The next thing I have is there is a requirement that these clusters would need to be in close proximity to other municipalities. Usually the Villages. Because of the clustering, the Villages would need to supply services primarily water, and sewer. Effectively, the Town is abdicating its role in planning, and relying on the benevolence of that municipal neighboring municipality. A development could be hamstrung, and determined by our neighbor not by the Town. That seems like a big red flag to me. Residents of the Village, more so than those in the unincorporated Town will be more impacted by these clusters. The density of this housing rather than being spread over a larger tract of land could or might have a greater traffic burden in the Village, to the Village resident. I know that once connected to the Village water, and sewer those homes will definitely impact our district #1, and the burden to update or expand that sewer district will be spread amongst all who live in the district currently. We hear a lot that municipalities should be good neighbors. They should build what t existing community in mind. The existing type of feel to the community. I'm not sure that plopping a housing complex on the edge of a Village is being a good neighbor. After weighing a lot of the factors, I am opposed to this cluster zoning. Thank you.

- Town Clerk Mary Ellen Beams: Ward Brower.

- Ward Brower: Ward Brower, private citizen. A little sidebar. My friend Jeff, if he hadn't announced, I didn't know if he came as a member of the Planning Board, or as a member of a private citizen, or as a private citizen. He had some great points. I just don't know where he was coming from. He should have announced it. Nothing personal, Just I. My comments are not from the Conservation Commission. My comments are from Ward Brower. Ok, cluster. Always in favor of cluster. Always in favor of looking at new ways of development. Two key issues touched upon by Mike Endrizzi, Madam Endrizzi, and Jeff, and that is the numbers. I've

been harpin on this for years now, five years. We do a bedroom count, meaningless numbers. We should have a maximum number build out number of people otherwise we can't tabulate drain on water, and sewer. Burden on traffic. Burden of Firematics. Burden on the (inaudible) recreation. We don't know. We need to know those hard facts, not just number of bedrooms. Bedrooms mean, number that means nothing. The other thing is the green space. I've been harpin on it. The only way I could evolve that the green space could be green space, and make their wishes of the community happy would be to put it before the voters. Putting it before the Town Board as it's already been commented on means every two years that Town Board can change its composition, and what was a great Town Board can be a disastrous Town Board. I'm sure some of the developers like the LLC's, they love this concept. We have these vague numbers. We have the green space that's not really perpetually green because it can change on the (inaudible) of a Board. Those are really two key issues. Nailing down the total number of people that are going to be in these dwellings so we can do it accurate SEQRA which we have not done in this Town ever. Case in point, we have people from Old Country Road. It's because of poor planning who are planning because they didn't know the numbers. They don't know the numbers because no one knows where the bedroom means. If we have a vague out idea of how many people in a bedroom but it's not exact. Those are really the two critical things I think. Otherwise, the concept could be great, but we need to know what they are. Otherwise, we pay a severe price. Thank you.

- Supervisor Cardone: Thank you Ward.

- Town Clerk Mary Ellen Beams: Jim Rogers.

- Jim Rogers: Jim Rogers, Town of Monroe.

- Supervisor Cardone: Are you here as a citizen or a former Town Board Member?

- Jim Rogers: (laughter) I'd just like to clarify what Mike Endrizzi brought up about the affordable housing. It was years ago, at Meadow Glen. 400 units. They were selling at \$400,000 but 20%, 80 units had to be sold for \$320,000. So, who went in there? Anybody that worked for us? Baloney. It's \$320,000. It's not \$80,000 affordable housing area. No highway department, or school bus people can buy that stuff. All it was, was a break for somebody to come out in the city, and they got an \$80,000 on a \$400,000 unit. So, the Board at the time turned around, and got a million dollars which I think this Board still has the million dollars. They can spend that anyway they want, which will go over for all the residents, not 80 people from we don't know where on the so-called affordable housing. I just want to clarify that.

- Supervisor Cardone: Thank you.

- Councilman Scancarello: Thank you.

- Town Clerk Mary Ellen Beams: Supervisor that's all that signed up.

- Supervisor Cardone: Come on up.

- Larry Bennett: Quick question?

- Supervisor Cardone: Nope you gotta come up to the mic.

- Councilman Scancarello: (inaudible) wearing the Yankee hat.

- Supervisor Cardone: Yeah.

- Larry Bennett: Larry Bennett Town of Monroe.

- Councilman McGinn: State your name?
- Larry Bennett: I was just wondering.
- George Carney: Talk into the mic.
- Larry Bennett: If Mike Endrizzi could speak on my behalf?
- Councilman McGinn: He can't he can't give time to somebody else.
- Supervisor Cardone: Yeah.
- Mike Endrizzi: It's the same thing. It's just I'm reading rather than him speaking. (Inaudible).
- Councilman McGinn: There'll be other opportunities you can you know.
- Supervisor Cardone: Yeah.
- Councilman McGinn: There's other meetings and.
- Supervisor Cardone: Yeah. That's it. Anybody else? No.
- Town Clerk Mary Ellen Beams: We have Mayer Dwyer.
- Supervisor Cardone: Come on up.
- James O'Donnell: James O'Donnell Monroe resident over 50 years. I just like to know one question. When is there a vote on Article XIV? The Zoning Law. Amend you know.
- Supervisor Cardone: It might be kept open tonight so I couldn't tell you factually when (inaudible) definitively.
- James O'Donnell: Is there any tentative date set?
- Supervisor Cardone: No there's no definitive date set.
- Councilman McGinn: I mean sir you mean the law we're discussing right now?
- James O'Donnell: I'm talking about article XIV. You know the houses they're gonna be grandfathered back in.
- Councilman McGinn: Alright that's coming up in a little bit.
- James O'Donnell: Today?
- Supervisor Cardone: No he wants to know when the vote is.
- James O'Donnell: When the vote will be.
- Supervisor Cardone: The vote we might vote on it tonight. We might not vote on it tonight.
- Councilman McGinn: Yeah. We'll be that will be the next Public Hearing.
- James O'Donnell: You think it'll be (inaudible) Public Hearing?
- Councilman McGinn: Yeah.
- James O'Donnell: Alright I'll be (inaudible).
- Councilman McGinn: Which is.
- Supervisor Cardone: No which is right after this.
- Councilman McGinn: This evening. Yep. You got it.
- Supervisor Cardone: Thank you. Mayor Dwyer.
- Mayor Neil Dwyer: Good evening and thanks for the opportunity to speak to the Board this evening I'm just gonna read a statement. I know the Public Hearing is being kept open till the 25th.
- Supervisor Cardone: Yep.
- Mayor Neil Dwyer: Yep. So.

- Supervisor Cardone: Well written comments till the 25th.
- Mayor Neil Dwyer: Exactly.
- Supervisor Cardone: Yeah.
- Councilman McGinn: The 21st.
- Supervisor Cardone: Cause the 21st is our meeting.
- Councilman McGinn: Right.
- Supervisor Cardone: The 21st is our next meeting.
- Councilman McGinn: The 25th is the.
- Supervisor Cardone: For the Written Comments. Yeah.
- Mayor Neil Dwyer: Right?
- Supervisor Cardone: Yes.
- Mayor Neil Dwyer: So as the Town Board of the Town of Monroe has proposed enactment of a Local Law amending the Zoning Law of the Town and wishes to establish a new Conservation Cluster Residential Floating Zone in the Town has chosen to study the proposal in an EGIS. DGEIS is currently undergoing the public scoping which is what we're doing this evening in accordance to NYS codes rules and regulations. The State Environmental Quality Review Act. The Town has prepared a Draft Scope for preparation of this DE DGEIS for the proposed conservation cluster residential zone which was issued September 23 2019 and it was requested comments of great interest to the Village of Seven parcels of land within the Town that directly abut the Villages boundaries. These parcels are generally along the south side of Rye Hill Road and they are proposed in the Draft Scope to be subject the test case also known as the reasonable worst case development scenario.
- Supervisor Cardone: Speak into the mic.
- Mayor Neil Dwyer: Ok.
- Supervisor Cardone: Thank you.
- Mayor Neil Dwyer: I apologize. (Inaudible) can I read that back.
- Supervisor Cardone: Yeah go ahead.
- Councilman McGinn: Yeah sure.
- Mayor Neil Dwyer: So these parcels are generally along the south side of Rye Hill Road and they are proposed in the Draft Scope to be subject the test case also known as the reasonable worst case development scenario. As specified these parcels because of the proposed Zoning Amendments are anticipated to facilitate the development of properties that may benefit from the DGEIS process in the future they should be proposed by developments by their owners. The Village is concerned as to the effects of this project or projects and the zoning of including both the impacts both positive and negative. The Village has engaged a plan to review all the documents to date as well as from the information presented this evening in the scoping session and does intend to file a set of written comments in this regard to the Town. Thank you.
- Supervisor Cardone: Thank you.
- Councilman McGinn: Thank you Mr. Mayor.

- Supervisor Cardone: Anyone else?
- Town Clerk Mary Ellen Beams: John Karl.
- Supervisor Cardone: John Karl come on up.
- John Karl: Good evening.
- Councilman McGinn: Good evening.
- John Karl: Good evening.
- Supervisor Cardone: State your name.
- John Karl: John Karl Village of Monroe.
- Supervisor Cardone: Thank you.
- John Karl: Going through the proposed draft my main concern is a Village of Monroe Resident is first of all these clusters are going to be within 1600 feet of the Village boundaries. It mentions in here access off of County roads and if it doesn't meet that criteria 600 feet from a Village boundary like one of the folks here before said that's going to put more of a burden on the Village of Monroe Services. People here in this community have no idea. They think the Monroe Village of Monroe Police Department patrols everything. They don't. One of the comments or things that I've seen in here and I've seen it a few times it's something that developers always use is it goes on about the 2 1/4 bedroom bedrooms on average. If my wife and I wanted to to sell my four bedroom home and purchase over here in one of these so-called units according to this it limits the impacts of the school resources. Well if I'm selling my four bedroom home who am I selling it to? Probably somebody with children so it will be putting a burden on the school system. I've seen this tactic used many many times before. If people are if people are looking to downsize and go into smaller units and they're selling their homes four or five bedrooms most likely they're selling to somebody with children in it. It also mentions in here that and (inaudible) rather confusing. Maybe you can answer that for me. Regarding the developments or these units being. Um let me just find it here. I know I just had it. Close to a central water and sewer system. Well if these cluster units or this development's being built next to a Village are they relying on the Village of Monroe Water in order to feed these complexes? The Village of Monroe has enough problems with its water now for its its own growth. And to bring cluster housing into this and expect the Village to service it with water it's going to be an issue. Sewer Orange Co. Sewer District I think we all know it's a problem that's coming up. It's rearing its ugly head and at some point we're going to pay the price for additional sewer. Regarding the workforce housing again the comments were made about Meadow Glen. I watched when that whole thing transpired many years ago. There was supposed to be 20% set aside. That never happened. The money talked and no workforce housing for volunteer firemen for local municipal employees. Wasn't there. They took the money instead. Hope that doesn't happen again. Just there's one other thing. I apologize I got here late. There was a fire drill. But again I think the Town needs to sit with the two Villages to see where exactly they're looking to go with this. Again you make no mention of Town roads just County roads and if you're within 600 feet of a Village well then that road I would assume is gonna come through a Village road into these cluster developments. Again another burden

to the Village of Monroe Tax Payer and I'm here to protect the Village of Monroe. Thank you.

- Councilman McGinn: Thank you.

- Councilman Scancarello: Thank you.

- Supervisor Cardone: Thank you. Anyone else? Anyone want to comment?

- Councilman McGinn: So I think probably our best thing to do at this point since this is a scoping session we will be holding over to the next meeting is to or to the next Public Hearing on it is to allow the Planner to gather these comments people made here this evening and use that in his DGIS that he'll be putting together as part of this.

- (Inaudible).

- Max Stach: Just to be clear when we adopt the final scope any information that was asked for tonight that is not incorporated into the final scope we have to provide a reason for why we're not adopting it into the final scope in that document. So all the comments from tonight will be reviewed. The ones that are relevant to the Environmental Impact. Not I don't like it but you know this will have higher population impacts. That kind of comment we will account for. We'll either drop draft revise the draft scope to account for that comment or we'll write why we did not in the final scope. So there will be a full accounting of responses in that document.

- Councilman McGinn: Alright thank you.

- Supervisor Cardone: Good. Thank you Max. Anyone else. No.

Action (Resolution) Discussion: 2.2 Motion to Keep Open the Public Hearing for the Proposed Amendment of Ch. 57 of the Town Code / Motion to Keep Open the Public Hearing Concerning the Draft Scope for Preparation for a Draft Generic Environmental Impact Statement (Proposed Local Law No. 4)

2019-#414

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to keep open the Public Hearing for the Continuation of the Proposed Amendment of Ch. 57 of the Town Code until October 21 2019 at 7:00pm.

Motion by Mike McGinn second by Mary Bingham.

Final Resolution: Motion Carries

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

2019-#415

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Keep open the Public Hearing Concerning the Draft Scope for Preparation for a Draft Generic Environmental Impact Statement (Proposed Local Law No. 4) until October 21 2019 at 7:00pm.

Motion by Supervisor -Tony Cardone second by Mike McGinn.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 2.3 Motion to Open the Continuation of the Public Hearing for Proposed Changes to Article XIV of the Town of Monroe Zoning Local Law

2019-#416

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

Motion by Mike McGinn second by Sal Scancarello.

Final Resolution: Motion Carries

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

The following residents spoke during Public Comment regarding the Proposed Changes to Article XIV of the Town of Monroe Zoning Local Law. To hear their comments and Board Members responses please go on-line to Board Docs Video Clip #2.3 0:48:39.

- Ward Brower
- Mike Goldstein
- Mike O'Donnell

- Town Clerk Mary Ellen Beams: Ward Brower.
- Ward Brower: Ward Brower private citizen. Just to clarify...this is the one (inaudible).
- Councilman McGinn: Non-conforming.
- Supervisor Cardone: Non-Conforming Lots.
- Ward Brower: And we're gonna try and do it tonight.
- Councilman McGinn: Do you mean are we gonna try to adopt it tonight?
- Ward Brower: Yeah.
- Councilman McGinn: I mean I don't think were.
- Supervisor Cardone: No I don't think we're ready to adopt it.
- Councilman McGinn: This is more Public Comment on it.
- Ward Brower: (Inaudible). My main concern is what date are we looking at for a final.
- Supervisor Cardone: We don't we can't have a date. If we do it too fast we get push-back. If we do it too slow we get push-back. I can't give you an answer when we're gonna adopt it.
- Councilman McGinn: We're getting towards the end of the process but we're not quite there yet.
- Supervisor Cardone: Yeah it's towards the end.
- Councilman McGinn: I mean Ward just for instance we had the ZBA wanted to weigh in on some of it and we're waiting for comments back from them so we still have a little ways to go.
- Ward Brower: As long as (inaudible).
- Councilman McGinn: But we'd like to get it done.

- Ward Brower: I understand but I wanna know why what was the prospect of it coming to fruition.
- Councilman McGinn: Yeah no it's gonna come to fruition.
- Supervisor Cardone: Yeah.
- Councilman McGinn: It's a matter of.
- Ward Brower: Because it does affect a lot of people who are.
- Councilman McGinn: Yeah no absolutely.
- Ward Brower: Thank you.
- Supervisor Cardone: Thank you.
- Councilman McGinn: That's why we put it out there.
- Town Clerk Mary Ellen Beams: Mike Goldstein.
- Mike Goldstein: Mr. Ward asked my question.
- Town Clerk Mary Ellen Beams: Ok thank you Mike. That's all we have signed up unless Mr. O'Donnell do you want to does he want to comment.
- Supervisor Cardone: Mr. O'Donnell did you want to comment on that?
- Mike O'Donnell: Just I think it was kind of cleared up. It's gonna be in the future?
- Supervisor Cardone: Yes.
- Mike O'Donnell: Alright.
- Councilman McGinn: Yes sir. I mean did you want to come up and comment?
- Mike O'Donnell: (Inaudible).
- Supervisor Cardone: Ok thank you.

Action (Resolution) Discussion: 2.4 Motion to Keep Open the Public Hearing for Proposed Changes to Article XIV of the Town of Monroe Zoning Local Law

2019-#417

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Keep Open the Public Hearing for Proposed Changes to Article XIV of the Town of Monroe Zoning Local Law until October 21 2019 at 7:10pm.

Motion by Mike McGinn second by Sal Scancarello.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 2.5 Motion to Open the Continuation of the Public Hearing for the Formation of a Town Water District to be known as Smith Farm Water District

2019-#418

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Continuation of the Public Hearing for the Formation of a Town Water District to be known as Smith Farm Water District.

Motion by Supervisor -Tony Cardone second by Mike McGinn.

Final Resolution: Motion Carries

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

The following residents spoke during Public Comment regarding the Continuation of the Public Hearing for the Formation of a Town Water District to be Known as Smith Farm Water District. To hear their comments and Board Members responses please go on-line to Board Docs Video Clip #2.5 0:51:02.

- Counsel Ron Kossar
- Mike Goldstein
- Ward Brower
- Mayor Dwyer
- Donald Weeks

- Supervisor Cardone: Mr. Kossar how are you tonight?

- Counsel Ron Kossar: Good good evening.

- Supervisor Cardone: Good evening.

- Counsel Ron Kossar: You're Ronald Kossar for the petitioner BMG Monroe One LLC. I believe we've addressed all of the comments raised by the Board. I think we have a fully submitted application. I don't know if you have any other questions. I don't know if there's any more comments from members of the public but we would like to try to (inaudible) wrap this up tonight.

- Supervisor Cardone: Yeah. I understand that you and Mr. Nugent spoke today and there was the one issue.

- Counsel Ron Kossar: That wasn't an issue That was a question.

- Supervisor Cardone: A question ok.

- Counsel Ron Kossar: Right.

- Supervisor Cardone: Alright just want to make sure.

- Counsel Ron Kossar: Informational question.

- Supervisor Cardone: Yes and it was just a whereas and it was an estimate so.

- Counsel Ron Kossar: Right.

- Supervisor Cardone: Right ok.

- Counsel Ron Kossar: I just didn't know how it was calculated. Figure it out.

- Supervisor Cardone: Yeah. Ok. Anyone have any comments? Is there anybody signed up to speak?

- Town Clerk Mary Ellen Beams: I have Mike Goldstein.

- Supervisor Cardone: Ok we'll bring you back up.

- Counsel Ron Kossar: Ok thank you.

- Mike Goldstein: Mike Goldstein Town and Village Resident. I was wondering where the Town was gonna get the water to supply for this Water District. As far as I know we don't have a water source and if you're looking to take the money for the water from the Village I don't

think it's gonna happen. Thank you.

- Town Clerk Mary Ellen Beams: Ward Brower.

- Ward Brower: Ward Brower private citizen. Again echoing the same comments still don't see how we can enter into a Water District without knowing the maximum number of gallons a day we're gonna be committed to since we don't have an endless supply of water. In fact we don't have any water at all. The Village has Reservoir Well. We have don't have that source. So now we're talking about residents of the Town of Monroe who happen to be part of this project who are not in the Village of Monroe. (Inaudible) Attorney made comments that the Village will supply endless amount of water. That's they're only obligated to supply water to their Village residents not the residents of the Town of Monroe. So that leaves the District in Monroe if push comes to shove and we get to a drought emergency or something and the Village says ho whoa our residents come first. Then we're in a predicament. We have to supply water and where you gonna get it from? We don't know. First of all we don't know how much we're gonna need and it's and it's not an endless amount. You can't have endless amounts. The Attorney (inaudible) he's back 20 years ago before we thought about water would possibly run out. What is running out? We need to know a finite amount that we're committed to and it's not in here. It's nice to know about roof lines. It's nice to know about concerned citizens who have worry about a buffer zone going through their lawns area which they cannot use and I understand there's a complaint but fundamentally for the Town and residents these will be Town residents. They need to know about the prospect of them being having enough water and where we gonna get it from and we don't know how much we need. We need to have a finite number what we're gonna be committed to in this district. You just can't form a district with a bottom line (inaudible) we're gonna supply water and no concept of how much water we have to supply. Thank you.

- Town Clerk Mary Ellen Beams: Supervisor that's all who signed up.

- Supervisor Cardone: That it?

- Town Clerk Mary Ellen Beams: Yes sir.

- Supervisor Cardone: Mayor Dwyer Mayor Dwyer did you want to comment because it's obviously it's obvious that the two prior speakers are not well versed on the approvals for the project. I appreciate you coming up. I don't mean to put you on the spot.

- Mayor Neil Dwyer: That's alright. No problem. So back in 2005 the Village of Monroe through the planning process agreed to supply water to Smith Farm. To Smith Farm. Can you hear me better?

- Supervisor Cardone: Yeah.

- Mayor Neil Dwyer: Right here. Ok. Testing. And that was an agreement made back then. We've lived up to that agreement. We've signed onto that agreement. Mr. Kossar who's here this evening knows very well about that agreement and can look at the pros and cons of every bit of it. We're planning lack of planning whatever but we're obligated legally to supply water to that project. There was a 50000 gallon per day number floated out during the SEQRA process. How do you quantify that: You can't shut the water off after they get to 51000. Maybe there's another trigger that we can utilize. I'm not sure but that's in the picture. But yeah so

2005. That's gone through probably four iterations before we just recently signed it.

- Supervisor Cardone: Ok.

- Councilman McGinn: Mr. Mayor can I just ask you a quick question? Are is the Village water supply are you running out of water?

- Mayor Neil Dwyer: No we're not running out of water but but you gotta keep an eye on it.

- Councilman McGinn: Ok.

- Mayor Neil Dwyer: We have a plant that processes so much per day.

- Councilman McGinn: Right.

- Mayor Neil Dwyer: We have wells that produce we have one well. We have multiple wells.

We have one that we use for the consumption of potable water known as well number four in the park and that produces a certain and is treated as well as is the water from the reservoir but the we have a certain number that we have to be within in the way of production. After that we get into you know expansion of that treatment plant.

- Councilman McGinn: Right.

- Mayor Neil Dwyer: Very similar to what we're talking about when we discuss sewer right and.

- Councilman McGinn: Right.

- Councilwoman Bingham: Yeah I have one other question for the Mayor.

- Mayor Neil Dwyer: Please.

- Councilwoman Bingham: Is there an IMA between the Village and the Town?

- Mayor Neil Dwyer: To?

- Councilwoman Bingham: To have this Water District for you to supply water via this Water District.

- Mayor Neil Dwyer: (Inaudible).

- Supervisor Cardone: We we have spoken about it and our Attorney's are aware of it.

- Councilwoman Bingham: Ok.

- Mayor Neil Dwyer: Yeah.

- Councilwoman Bingham: It's still in the process.

- Mayor Neil Dwyer: Still in the process. That's correct.

- Supervisor Cardone: Yeah.

- Mayor Neil Dwyer: Hopefully it will close up soon and I guess all the I's will be dotted the T's crossed. So that's definitely one piece of it though 2005.

- Supervisor Cardone: Ok. Thank you.

- Councilman Scancarello: Thank you Mr. Mayor.

- Councilman McGinn: Thank you sir.

- Donald Weeks: (Inaudible) can I just ask one question (inaudible).

- Supervisor Cardone: Sure come on up.

- Donald Weeks: Don Weeks Village of Monroe. I just wanna know if what we brought up last month about the wells that were near us did we resolve that? That they're not gonna be used.

- Supervisor Cardone: They're not. Yeah they're not gonna be used.

- Donald Weeks: Ok that's all we wanna know.

- Supervisor Cardone: Yeah.

- Donald Weeks: Thank you very much.
- Councilman McGinn: Yeah.
- Supervisor Cardone: Ok.
- Councilman McGinn: It was a that was a an override error.
- Supervisor Cardone: Uh yeah yeah. No no no no the wells wasn't an override error. The number was the override error.
- Councilman McGinn: Yeah.
- Supervisor Cardone: Yeah. Ok.

Action (Resolution): 2.6 Imposition of Administrative Fee-Smith Farm Water District

2019-#419

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 AUTHORIZING THE IMPOSITION OF ADMINISTRATION FEES FOR PROCESSING AND ADMINISTRATING WATER BILLING FOR USERS IN THE THE SMITH FARM WATER DISTRICT

WHEREAS pending before the Town Board for the Town of Monroe ("Town Board") is a petition to establish the Smith Farm Water District; and

WHEREAS in addition to any costs associated with the formation of the District once such District is established the Town will incur administrative costs in administering the water billing for the users of the Smith Farm Water District; and

WHEREAS the Town Board desires to impose a Thirty-Five Dollar (\$35.00) administration fee per user water billing for the administrative costs associated with administration of the water billing for such District;

NOW THEREFORE BE IT RESOLVED by the Town Board that:

Section 1. All "WHEREAS" paragraphs are incorporated herein by reference as though set forth in full herein.

Section 2. The Town Board hereby authorizes that imposition of an administration fee of thirty-five dollars (\$35.00) per user per billing for the users of the Smith Farm Water District.

Section 3. This resolution shall also authorize and direct the Town Clerk to add this fee to the Town fee schedule. The Town Clerk and any other official 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 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] [] [] []

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

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

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

The Resolution was thereupon duly adopted.

Motion by Supervisor -Tony Cardone second by Mary Bingham.

Final Resolution: Motion Carries

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

Action (Resolution) Information: 2.7 Order after Public Hearing: Smith Farm Water District

2019-#420

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

TOWN BOARD: TOWN OF MONROE

ORANGECOUNTY: NEW YORK

In the Matter of the Formation of a Town Water
District to Be Known as ORDER AFTER
PUBLIC HEARING
SMITH FARM WATER DISTRICT

Pursuant to the Provisions of
Article 12 of the Town Law

WHEREAS there has been filed with the Town Board a Map Plan and Report by Pietrzak & Pfau Engineering & Surveying PLLC dated March of 2019 revised June 122019 and revised June 28 2019 in support of the formation of a water district in the Town in a residential subdivision known as Smith Farm located in the Town containing the information required by law; and

WHEREAS said Map Plan and Report are 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 water district are in such Order stated below; and

WHEREAS the improvements proposed in said district are 1) construction of three connection to the existing Village of Monroe water main located in Gilbert Street and High Street; 2) two wet tap connections will be made to the Village of Monroe water main in Gilbert Street at each of the project entrance roads; 3) a third wet tap connection will be made to the existing main in High Street at the High Street – Cooper Drive intersection via an easement over adjoining parcels; 4) one pressure reduction valve and valve pit will be provided at approximately elevation 719 to ensure a working pressure below 100 psi is maintained; 5) 11140 ± linear feet of 8-inch diameter ductile iron pipe water mains (8640± linear feet in the Town of Monroe) will be installed generally within the limits of the on-site roads; 6) gate valves will be installed along the distribution system so that each section can be isolated for maintenance and/or repair; 7) fire hydrants conforming to the Fire District Standards will be installed at a maximum distance of 500' feet apart throughout the development for fire protection purposes; 8) a minimum of 10 foot horizontal and 18 inch vertical separation has been provided for all water mains and house services; 9) the water main will be provided with a minimum cover of 4.5 feet to prevent freezing; and 10) individual house connections will consist of 3/4 to 2 inch diameter Type K copper with curb stops; and

WHEREAS the costs of such improvements will be financed solely by the developer of the Smith Farm Subdivision; and

WHEREAS no costs shall be borne by the Town of Monroe; and

WHEREAS there has been filed with the Town Clerk a detailed explanation of how the estimated costs associated with the improvements and service for a typical one or two family home and a non user (vacant) property recited below have been computed which may be examined in the same manner as the aforesaid Map Plan and Report; and

WHEREAS the estimated costs associated with the formation of said district are as follows:

The maximum amount to be spent for all improvements: \$2257724.00.

The cost to a typical one or two family home in the district for the first year of service including the cost of water operation and maintenance and debt repayment in the first year of service: \$1414.00.

The cost to a typical property (non user) in the district for the first year of service including operation and maintenance and debt repayment in the first year of service: \$614.00

WHEREAS a Public Hearing was held on September 23 2019 in the manner described at which time all persons interested in the subject matter were given an opportunity to be heard; and

WHEREAS such Public Hearing was continued to October 7 2019 at 7:00 p.m. at which time all persons interested in subject matter were given an opportunity to be heard; and

NOW THEREFORE upon the evidence given at the Public Hearing described herein it is hereby determined as follows:

1. The Notice of the Public Hearing described in the preambles hereof was posted and published as required by law and is in all respects sufficient; and
2. The Petition filed is signed and acknowledged by the owners of real property aggregating at least one-half of the assessed valuation of all the taxable real property of said proposed district as shown upon the latest completed assessment roll of said Town and including resident owners in said proposed district owning taxable real property aggregating at least one-half of the assessed valuation of all the taxable real property of said proposed district owned by resident owners according to the latest completed assessment roll of said Town situated in the proposed Smith Farm Water District as required by law; and
3. The creation of the Smith Farm Water District and the construction of the improvements hereinabove described is in the public interest; and
4. That all property and property owners within Smith Farm Water District are benefitted by the proposed improvements; and
5. That all property and property owners that are benefitted by the proposed improvements are included within the limits of Smith Farm Water District; and

6. That the costs of construction shall be borne by the Developer and the Developer shall bear the expense of the improvements; and

7. The Town Clerk shall record a copy of this Order in the office of the County Clerk of the County of Orange County as required under Section 195 of the Town Law of the State of New York; and

8. The Town shall explore potential easement to access Smith Farm Water District wells which were abandoned by property owner subject to review by Town counsel.

9. This Order shall be effective immediately.

Dated: October 7 2019

Yea Nay Abstain Absent

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

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

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

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

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

Motion by Supervisor -Tony Cardone second by Sal Scancarello.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 2.8 Motion to Open the Continuation of the Public Hearing for Proposed Local Law No. 6 - Addition to Article VIII of Chapter 53 of the Code of the Town of Monroe (Cross-Connection Control)

2019-#421

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Continuation of the Public Hearing for the Proposed Local Law No. 6 - Addition to Article VIII of Chapter 53 of the Code of the Town of Monroe (Cross-Connection Control)

Motion by Mike McGinn second by Sal Scancarello.

Final Resolution: Motion Carries

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

- Councilwoman Bingham: Last meeting we had actually agreed to Table it till the 21st. So I don't know if anybody signed up for it. Oh there were revisions to the Cross-Connection Law and our Counsel Mr. Nugent at that time said it needed to be available for eight days prior which we weren't going to make the timeline for this meeting necessarily but that's why we Tabled it till the 21st.

- Supervisor Cardone: Ok.

2019-#422

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Table the Continuation of the Public Hearing for the Proposed Local Law No. 6 - Addition to Article VIII of Chapter 53 of the Code of the Town of Monroe (Cross-Connection Control) until October 21 2019 due to revisions and Counsel said it needed to be available for eight days prior which we weren't going to make the timeline for the October 7 2019 meeting.

Motion by Mary Bingham second by Supervisor -Tony Cardone.

Final Resolution: Motion Carries

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

3. Community/Announcements

Discussion: 3.1 Community Thank You-NYPD Officer Brian Mulkeen

To hear Councilman McGinn Supervisor Cardone and Moment of Silence please go to Board Doc's Video Clip #3.1 1:12:00. Action (Resolution) Discussion: 3.2 Town of Monroe Food Truck Festival-October 19th

To hear Councilman Scancarello's discussion regarding the Food Truck Festival please go to Board Doc's Video Clip #3.2 1:18:36. **2019-#423**

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to approve Town of Monroe Food Truck Festival to take place on Saturday October 19 2019 from 11 a.m. - 6 p.m. at Town of Monroe owned land located at 61 O&R Road. This community oriented event will honor Make-A-Wish Hudson Valley.

Motion by Sal Scancarello second by Mike McGinn.

Final Resolution: Motion Carries

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

4. Audit of Claims - NO ACTION AT THIS TIME.

5. Acceptance of Minutes

Action (Resolution) Discussion: 5.1 Acceptance of September 23 2019 Minutes

2019-#424

BE IT RESOLVED that the Town Board of the Town of Monroe accepts the Minutes of September 23 2019.

Motion by Mary Bingham second by Sal Scancarello.

Final Resolution: Motion Carries

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

6. New Business

Information: 6.1 Preliminary Budget

To hear Supervisor Cardone's discussion on the 2020 Preliminary Town Budget please go to Board Doc's Video Clip #6.1 1:21:10.

Proposed Budget Meeting dates are:

- October 15 2019 7:00pm
- October 29 2019 7:00pm
- November 19 2019 7:00pm Action (Resolution): 6.2 Boy Scout Troop #440 seeks permission to use Berry Road Park for Camping

2019-#425

BE IT RESOLVED that the Town Board of the Town of Monroe grants permission to Boy Scout #440 to utilize Berry Road Park for an overnight camping event beginning Saturday 10/19/2019 @ 9am until Sunday 10/20/2019 @ 10am.

Motion by Supervisor -Tony Cardone second by Mary Bingham.

Final Resolution: Motion Carries

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

Discussion: 6.3 Litigation Agreement

NO ACTION WAS TAKEN AT THIS TIME. MATTER HELD OVER UNTIL EXECUTIVE SESSION. Action (Resolution) Discussion: 6.4 Waiving of Marriage License Fees For Active Military Members

2019-#426

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion waiving Town of Monroe local fee of \$17.50 for active military members for Marriage Licenses.

Motion by Mary Bingham second by Mike McGinn.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 6.5 Return of Project Escrow

2019-#427

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to return the Escrow of \$3722.21 (Post Planning) and the Planning Board Project #0155-2017 in the amount of \$2746.00 for Professional Square for a total amount of \$6468.21.

Motion by Mary Bingham second by Sal Scancarello.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 6.6 Transfer of Project Escrow

2019-#428

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion that RD Management has authorized the transfer of \$2500.00 from one escrow account #13-010 to a new escrow account HBP Lot 4 Bld B1 project #0181-2019. The amount in the current account is \$11802.31. The balance will be left for current and future projects at the Upper Harriman Business Park area.

Motion by Supervisor -Tony Cardone second by Mike McGinn.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 6.7 Proposed Amendments to Chapter 51 (Overweight Vehicles)

2019-#429

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to set a Public Hearing for the Proposed Amendments to Chapter 51 (Overweight Vehicles) for October 21 2019 at 7:15pm.

Motion by Mike McGinn second by Sal Scancarello.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 6.8 CDBG FY-2019

2019-#430

BE IT RESOLVED that the Town of Monroe is hereby submitting its Application for consideration under the FY-2019 Orange Urban County Consortium Community Development Program and that the chief elected official or executive officer is hereby authorized to submit this Application. They further certify that they have read and understood the Orange Urban County Consortium Community Development Guidelines for the FY-2019 program year and

have met all of its applicable requirements and that the information contained in the Application is accurate and true to the best of their knowledge.

Motion by Supervisor -Tony Cardone second by Mary Bingham.

Final Resolution: Motion Carries

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

7. Old Business

Action (Resolution) Information: 7.1 RealTerm Energy Proposal

2019-#431

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to approve the Professional Services Agreement between the Town of Monroe and Real Term Energy U.S. for the Conversion of Public Street Lighting to L.E.D. in a form approved by our Counsel and authorizes the Supervisor to Execute the Agreement subject to Town Counsel Review.

Motion by Supervisor -Tony Cardone second by Mike McGinn.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 7.2 Old Country Road-Proposed Water District

2019-#432

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to set a Public Hearing for October 21 2019 for the Proposed Water District for Old Country Road at 7:20pm.

Motion by Supervisor -Tony Cardone second by Mary Bingham.

Final Resolution: Motion Carries

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

8. Public Comment

Information: 8.1 Rules for Public Comment

Discussion Information: 8.2 Public Comment

The following residents spoke during Public Comment. To hear their comments and Town Board members responses go online to Board Doc's to Video Clip #8.2 1:37:16.

- Mike Endrizzi
- David Dixler
- Ward Brower
- Lorraine Loening

- Mr. Bickel

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

Action (Resolution): 9.1 Enter into Executive Session

2019-#433

BE IT RESOLVED that the Town Board of the Town of Monroe approves to enter into an Executive Session to discuss pending Litigation.

Motion by Supervisor -Tony Cardone second by Mary Bingham.

Final Resolution: Motion Carries

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

10. Return to Regular Meeting

Action (Resolution): 10.1 Return to Regular Meeting

2019-#434

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 Mary Bingham.

Final Resolution: Motion Carries

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

11. Motions From the Floor

Action (Resolution) Information: 11.1 Litigation Agreement

2019-#435

BE IT RESOLVED that the Town of Monroe Made a Motion authorizing our Attorney in this matter of Chab Five v. Town of Monroe and Golden Ray v. Town of Monroe authorize Leo Dorfman of Sokoloff Stern LLP to sign the Federal Tolling Agreement between ourselves and the Plaintiffs.

Motion by Mike McGinn second by Mary Bingham.

Final Resolution: Motion Carries

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

Action (Resolution) Information: 11.2 Bids for Town Hall Modifications

2019-#436

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to approve all low Bidders for the Town Hall Modifications as per McGoey Hauser and Edsall's recommendations so we can move forward with the modifications.

- Darlind: General Contractor \$658000
- S & O Construction Services: Plumbing & Heating \$45062
- Harry Rotolo and Son: Electric \$56498
- Joe Lombardo Plumbing & Heating: Plumbing \$28727

Motion by Supervisor -Tony Cardone second by Sal Scancarello.

Final Resolution: Motion Carries

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

12. Adjournment

Action (Resolution): 12.1 Adjournment of Meeting

2019-#437

BE IT RESOLVED that the Town Board of the Town of Monroe adjourns the meeting of October 7 2019 at 9:30pm.

Motion by Supervisor -Tony Cardone second by Sal Scancarello.

Final Resolution: Motion Carries

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

"