

MONROE TOWN BOARD MEETING MINUTES

— 10/16/2023

MONROE TOWN BOARD MEETING AGENDA (Monday, October 16, 2023)

Generated by Valerie Bitzer (Public Hearings transcribed by Deputy Town Clerk 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

Information: 1.2 Moment of Silence

To hear Supervisor Cardone RE Moment of Silence, please go on-line to Board Doc's Video Clip #1.2, 0:0:15.

2. Motion to Open Town Board Meeting

Action (Resolution): 2.1 Motion to Open Town Board Meeting of October 16, 2023

2023-#501

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Town Board Meeting of October 16, 2023, at 7:02 PM.

Motion by Sal Scancarello, second by Mary Bingham.

Final Resolution: Motion Carries

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

3. Community Announcements

Information: 3.2 Community Trunk or Treat Event

To hear Councilman Scancarello RE Community Trunk or Treat Event, please go on-line to Board Doc's Video Clip #3.2, 0:2:41.

Information: 3.3 Town of Monroe Food Truck Festival

To hear Councilman Scancarello RE Town of Monroe Food Truck Festival, please go on-line to Board Doc's Video Clip #3.3, 0:3:34.

Action (Resolution), Information: 3.4 Electronics/Tire Recycling and Shredding Day

To hear Town Clerk Valerie Bitzer RE Electronics/Tire Recycling and Shredding Day, please go on-line to Board Doc's Video Clip #3.4, 0:4:06.

2023-#502

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion Made a Motion to approve Electronics/Tire Recycling and Shredding Day to be held at the Town of Monroe Highway Garage located at 87 Mine Rd., on Saturday, November 4, 2023, from 9:00AM-12:00PM.

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

Final Resolution: Motion Carries

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

Information: 3.5 Fearless: Clothesline Project

To hear Councilwoman Houle RE Fearless: Clothesline Project, please go on-line to Board Doc's Video Clip #3.5, 0:4:59.

4. Public Hearing

Action (Resolution): 4.1 Motion to Open the Continuation of the Public Hearing RE: 2024 Town Benefit Assessment Rolls

2023-#503

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Continuation of the Public Hearing RE: 2024 Town Benefit Assessment Rolls.

Motion by Supervisor -Tony Cardone, 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: 2024 Town Benefit Assessment Rolls. To hear their comments, and Board Members responses, please go on-line to Board Doc's Video Clip #4.1, 0:6:00.

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

- Town Clerk Valerie Bitzer: No public comment.
- Supervisor Cardone: No public comment, anything on your behalf Madam Clerk?
- Town Clerk Valerie Bitzer: We have not received any more phone calls, questions, so if the board is comfortable closing, I'm fine with that.

Action (Resolution): 4.2 Motion to Close the Continuation of the Public Hearing RE: 2024 Town Benefit Assessment Rolls

2023-#504

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Close the Continuation of the Public Hearing RE: 2024 Town Benefit Assessment Rolls.

Motion by Dorey Houle, second by Sal Scancarello.

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 Public Hearing RE: 2024 Town of Monroe Preliminary Budget

2023-#505

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Public Hearing RE: 2024 Town Budget.

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

Final Resolution: Motion Carries

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

The following signed up to speak during the Public Hearing RE: 2024 Town of Monroe Preliminary Budget. To hear their comments, and Town Board members responses, please go on-line to Board Do's Video Clip #4.3, 0:6:57.

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

- Town Clerk Valerie Bitzer: No public comment.

- Supervisor Cardone: No public comment. Okay, so you were presented today with the second version of the preliminary budget and that was done (inaudible) reduction. I'm just going to go over the basics here. In the change of the percent, we were over 100% increase in the initial budget, which is usually always the case, not necessarily that high but pretty much always the case. We're pretty high. So, we're down to 49 % in the town and 29% in the village for an increase. Those will be dwindled down below the cap by, I want to say the end of this month. (inaudible) Adjustment we added a little to the fund balance and we also made some cuts where we felt cuts needed to be made. A lot of places (inaudible) lines where there was an exorbitant amount that was budgeted for this year that was not used. So that's the basis for many of the cuts.

2023-#506

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to accept V-2 of the 2024 Town Preliminary Budget.

Motion by Dorey Houle, second by Sal Scancarello.

Motion Carries

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

Discussion: 4.4 Smith's Clove Park 2024 Budget

- Town Supervisor Cardone: Let's see, Smith Clove Park 2020. Chris, did you want to speak on the budget or you guys are okay?
- Christian Sullivan: No
- Town Supervisor Cardone: Okay.

Discussion: 4.5 Town of Monroe Justice Court 2024 Budget

- Supervisor Cardone: Town of Monroe Justice Court, Justice McKnight, come on up. You're the next contestant on the budget is right.
- Justice McKnight: Thanks Tony. I don't know it's always a great board to speak to. Although I don't know any other boards, so take that for what it's worth. Not just that I had gotten the preliminary budget and looked at it, compared to last year and everything looks fine. I had discussed beforehand that I didn't see an increase for the clerks yet but I heard that you hadn't done the employees yet.
- Supervisor Cardone: Yeah, we usually do the employees at the last moment.
- Justice McKnight: Okay. 5% (inaudible) you find in the budget?
- Councilman McGinn: Judge, we realize that inflation's been tough on all the town employees and of course those that are part of collective bargain agreements, you know their increases are fixed. But we definitely want to make sure that we (inaudible) included.
- Supervisor Cardone: Yeah and we realize that we need to invest in those that are here so they stay. We get that.
- Justice McKnight: (inaudible)
- Town Clerk Valerie Bitzer: Just speaking to the mic.
- Justice McKnight: Oh, I've enjoyed the quality of their work while I've gotten a chance to work with them so I'm just happy that it's being recognized by the board so thank you very, very much guys.
- Supervisor Cardone: Thank you very much Judge. All right.
- Justice McKnight: Thanks .

Information: 4.6 Monroe Volunteer Ambulance Corp. (MOVAC)

- Town Supervisor Cardone: MOVAC, Monroe ambulance. Right. Round of Applause for our EMT.
- [Applause]
- Town Supervisor Cardone: You didn't think we were going to let you come up and get by that easy, did you? So for those of you that don't know, Wayne earned the EMT of the year in the country, basically the United States.
- Wayne Chan: Thank well.
- Town Supervisor Cardone: A well-deserved honor.
- Wayne Chan: Thank you very much.
- Town Supervisor Cardone: Absolutely. We cut your budget by 40% thank you very much, take care.

- Wayne Chan: It's all right, I got my award. First of all, I'd like to thank everybody, Town board for your continued support. We've had a great relationship over the years. You've supported us to no ends. I'd also like to thank the people of the Monroe Volunteer Ambulance Corps. They're a great group and they make me look good, that's how I won my award.

- Town Supervisor Cardone: Giving others credit Wayne, that's great.

- Councilman Scancarello: Wayne had told me before the meeting, I went over to him and congratulate him, he said he thought it was a joke when he got the email, he didn't believe it.

- Wayne Chan: Yes, what happened was they sent me three emails. I thought it was a scam, so I didn't answer them. They called me, I didn't answer him.

- Town Supervisor Cardone: That's so great. Tell them what you told me about when you called them up and said hey you could save a little money.

- Wayne Chan: I did after I found out I won the award because Nancy Peifer put me up for the award. So, we were talking she said you actually won that award? I said it's not a scam? She says no, so I called up right away. I said I accept the award but when I called the woman, I had to travel to New Orleans to get the award. So, I called the woman in charge, I said listen I'll make you a deal, send me the award, the \$1,000 I am supposed to get for spending money, I'll save you 1,200 on traveling expenses and she says no way, get your butt down there.

- Town Supervisor Cardone: Which is good.

- Wayne Chan: Not only did I have to go down there, I didn't know, they didn't tell me, I had to give a speech. I had to speak in front 5,000 people.

- Councilwoman Houle: Oh, you're a pro at that though Wayne.

- Wayne Chan: What's that?

- Councilwoman Houle: You're a pro at that.

- Wayne Chan: Yeah okay.

- Town Supervisor Cardone: Great job.

- Councilman McGinn: Congratulations, that's awesome.

- Wayne Chan: Thank you. Getting on to business. Monroe Ambulance Corp, by any means, we don't think we're perfect, right but we strive to be every day. Okay the Ambulance Corp is a constant struggle, as you know, running business, being businessmen, balancing budgets, supply chain shortages, long waits for supplies while trying to bring the most advanced and best medical care to the community. Right now, EMS, EMTs and paramedics are the front of the front lines. We see more in a few days than most people see in a lifetime but EMS in Orange County is struggling a lot after the pandemic. A lot of EMTs and paramedics quit due to emotional stress. So, there's a shortage of paid people and volunteers. It's even worse, getting people to come out and we offer to train them but still the other problem is mental health is a big one. We get new members. They take a bad call and we don't see them again. So, with that being said, some of our overhead this year we're looking into getting mental health for our members. A mental health service where they can call on a hotline if they have a problem. We were fortunate enough to get a \$95,000 grant from Senator Skoufis, thanks to

Nancy Piefer, she put a grant in. It took two years to get but that money (inaudible) So, we were able to buy Life Pack, 15 defibrillators to do 12 leads when people have chest pains but the cost of those defibrillators were \$33,000 a piece and we were able to buy three. Also, we bought three new lifting devices for \$9,000 to help us lift with heavy people. We have three new Striker stretchers; two new Striker stair chairs we had to buy because ours were getting old and the company wouldn't service them anymore. So, that was a total of \$114,000. Striker was nice enough to give us a contract, right, 0% for five years. We worked a deal with them. We have to order a new ambulance because in a rotation schedule were due for one. The cost has shot up, I think when we bought the last one, you paid for was like two 260, right? So right now, we put an order for one, the same ambulance, \$300,000 and a two-year wait. So, our total equipment cost this year is \$522,400 and that's just the equipment we had to buy, it doesn't include the cost of maintenance of our ambulances, medical supplies, building materials, personal protective equipment and equipment readiness. Unfortunately, when insurance companies pay us, they pay us per mileage and a small fee for the call. They don't account for equipment preparedness and keeping equipment up. Okay, we're also fortunate enough that assemblyman Eachus put in for a \$250,000 grant for us to replace our rehab vehicle. Our rehab vehicle had to be taken out of service because it's so old and was unsafe. Rehab vehicle goes to second alarm structure fires to rehab for firemen, it goes to MCI disasters and to any disaster that we're called to. Okay, what I'm asking for you is, if you can, in any way to help us acquire the grant by calling Assemblyman Eachus or I'm going to call Senator Skoufis and ask them because Assemblyman Eachus is putting it in for \$250,000.

- Town Supervisor Cardone: So, here's what I'll tell you. You can use our grant writers, they would be happy to help assist you in the paperwork associated with it. They're working on a couple of them as we speak and we actually had a conference call today on some of the grants.

- Wayne Chan: Thank you very much.

- Town Supervisor Cardone: I'm gonna to send you an email along with Taran right now.

- Wayne Chan: Okay. Accomplishments this year, we've done standby for community events, we run a yearly blood drive, respond to multiple fire standbys through CPR Courses, Narcan courses and stop the bleed courses. We also supply for Monroe Woodbury, along with Woodbury Ambulance Corps, football standbys, we'll be there this Thursday. Okay, we do speaking engagements at the high school, we coordinate various mass casualty events in Rockland County. Every year we help coordinate Rockland County's mass casualty event. We take numerous medical calls and provide mutual aid to neighboring communities. Our Argo Vehicles went up to the flooding when the town of Highlands was cut off. We just send our Argos up there, our Argos do land, water and ice so the county requested them. So, we sent them up there for almost two days. Okay, I'd like to take this opportunity while I'm on camera to thank Blooming Grove, KJ, Woodbury, Greenwood Lake for their support answering calls in Monroe. When we can't respond these other Corps are helping us pick up the call volume because we're doing about 18-19. Other than that, our budget request is the same thing that we ask for every year. The only problem may be is our contractual agreement with our day

crew, we pay people to come in from 6 AM to 6 PM because everybody's working, that cost might go up labor cost and insurance.

- Town Supervisor Cardone: What do you expect?

- Wayne Chan: That I don't know. I have a call in to them. Right now, we're using Blooming Grove.

- Town Supervisor Cardone: If you just give me a percentage.

- Wayne Chan: I'll get you the number and other than that, we're good.

- Town Supervisor Cardone: Okay.

- Wayne Chan: And we appreciate the support that you give us all the time.

- Councilman McGinn: We appreciate what you guys and gals do.

- Councilman Scancarello: Wayne, how short are you guys on volunteers?

- Town Supervisor Cardone: So short that there were only two people in the country that were nominated for the award.

- Wayne Chan: We're short people coming in. The problem is retention, as you know, retention and some of the problem with retention is they try it out and it's not for them. It's very demanding. We have a lot of online classes we have to take, there's a lot of training that's involved and the state requirements (inaudible).

- Town Supervisor Cardone: Thank you very much.

- Councilman McGinn: Thank you.

[Applause]

-Town Supervisor Cardone: Anyone else here to speak on behalf of the budget? Okay.

Action (Resolution): 4.7 Possible Motion to Keep Open the Public Hearing RE: 2024 Town of Monroe Preliminary Budget

2023-#507

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Keep Open the Public Hearing RE: 2024 Town Budget until November 8, 2023, at 7:00 PM or soon there-after.

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

Final Resolution: Motion Carries

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

Action (Resolution): 4.8 Motion to Open the Continuation of the Public Hearing for Proposed Local Law F-V1 to Amend Ch. 47 of the Town Code RE: Tax Exemptions for Volunteer Firefighters/Ambulance Workers

2023-#508

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Continuation of the Public Hearing for Proposed Local Law F-V1 to Amend Ch. 47 of the Town Code RE: Tax Exemptions for Volunteer Firefighters/Ambulance Workers.

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

Final Resolution: Motion Carries

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

The following signed up to speak during Public Comment on the Continuation of the Public Hearing for Proposed Local Law F-V1 to Amend Ch. 47 of the Town Code RE: Tax Exemptions for Volunteer Firefighters/Ambulance Workers. To hear their comments and Town Board members responses, please go on-line to Board Doc's Video Clip #4.8, 0:21:16.

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

- Town Supervisor Cardone: Anyone sign up?
- Town Clerk Valerie Bitzer: No public comment.
- Town Supervisor Cardone: No public comment. [Laughter] Okay, I would like to keep this open for a couple of reasons. Number one, our assessor wants to discuss it a little further because we don't know if it's going to affect the 24 budget or the 25 budget. It's obviously something that needs to get done. Also, I've had conversations with the county and the county would like that all the municipalities within a municipality, such as Villages, do the same thing so that it's not difficult for them when it comes to working the finances out. I have sent an email out to both Mayors, there was a small exchange between Mayor Dwyer and myself and I reached out to Lou Medina because I want to make sure he got my email because I don't remember seeing an email back from him and Lou's usually good. So, I would like to hold this off till November 8th at 7:00 p.m. or immediately thereafter.
- Councilman McGinn: Second.
- Town Supervisor Cardone: Go ahead.
- Councilman McGinn: So, is the county looking for a like a uniform percentage from like the municipalities, towns and villages?
- Town Supervisor Cardone: The county would like a uniform percentage, not only from the municipalities, they're looking for that from the school district as well.
- Councilman McGinn: Okay.
- Town Supervisor Cardone: If we give 10% and then the villages let's say give 5%, it also makes an accounting nightmare for the assessor. So, I think we should all be on the same page moving forward with it.
- Councilwoman Houle: So, then for us..
- Councilman McGinn: Good luck with getting 38 municipalities that we have.
- Town Supervisor Cardone: No, no . I'm just worried about the two Villages and us and the school district.
- Councilwoman Houle: And then also Woodbury because they're part of that same school district.
- Town Supervisor Cardone: Yeah .

Action (Resolution): 4.9 Possible Motion to Keep Open the Continuation of the Public Hearing for Proposed Local Law F-V1 to Amend Ch. 47 of the Town Code RE: Tax Exemptions for Volunteer Firefighters/Ambulance Workers

2023-#509

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 Local Law F-V1 to Amend Ch. 47 of the Town Code RE: Tax Exemptions for Volunteer Firefighters/Ambulance Workers until November 8, 2023, at 7:00 PM or soon there-after.

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

Final Resolution: Motion Carries

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

Action (Resolution), Discussion, Information: 4.10 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-#510

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

Motion by Supervisor -Tony Cardone, second by 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: 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 #4.10, 0:24:10.

- Maureen Richardson

- Town Clerk Valerie Bitzer: Maureen Richardson. Just a reminder for public hearings there's five minutes to speak.

- Maureen Richardson: Hi my name is Maureen Richardson I live on Harriman Heights in Monroe. I specifically wanted to talk about adding, if there is not one already with the building inspector or inherent in the tree code revisions, a mechanism for reporting hazard trees. Like if there's a large, dead tree on say a neighbor's property. Just from my own experience, walking around town, like I had mentioned there are many trees that have been eaten by insects and many homeowners probably can't afford to take care of all of them at once and I understand that. It's a burden because I actually had to take down many, many dead trees on

my property and it's a large expense. It really is but specifically trees that if they fell down. I live on a hill, beneath someone who's above me, and they have a couple trees that is a large expense but a tree specialists essentially advised me that if it does come down it is going to crash over my entire pool, the fence that we had to in reinstall because another tree fell on it ,you know and damaging an inground pool is like hundreds of thousands of dollars and heading that off before, you know, insurance and all of that gets involved because you don't know what they're going to cover and not, and usually, you know, neighbor to neighbor you can work that out and of course I'm not saying that's a problem but in the case where potentially you know it's something that has to go through the town because perhaps the person just doesn't understand the importance or is unwilling that if it's determined by the code enforcement officer that this is absolutely a hazard and it needs to be taken care of within a certain time frame because like I said it can cause massive property damage. Just walking around town like there's certain areas where there actually like five or six dead trees that are very mature ash trees that could come down on power lines in a neighborhood off of Harriman Heights but it is on private property and I'm not sure that it falls technically within like the 3 to six feet purview of the town. So, I would just recommend that there be some kind of mechanism for extreme hazard trees where if the person has been, you know, notified that or the town or the code enforcement officer notifies the homeowner that you know you've got an extreme hazard tree, will you take care of this and if they don't get it done within a certain time frame that the town and the code enforcement officer can act and possibly force that because it would just cause massive power line damage and massive property damage to like abutting neighbors.

- Town Supervisor Cardone: Who's paying for the cost?

- Maureen Richardson: The homeowner if it's on their own property but that's what I'm saying. It's a difficult situation.

- Town Supervisor Cardone: If they can't afford it.

- Maureen Richardson: I don't know, so that's the thing. I have a situation where I think that is the problem because we've alerted them of this massive, dangerous issue that's looming over my property and I see the crack expanding, expanding, expanding upward and it's gigantic. It's a massive problem and it's going to come down and it might even hit my house, like the tip. They even said that it might hit my home. So, what do you do? -Councilwoman Houle: We had something like this happen in the village of Monroe and we talked with the building department, the Village building department, and unfortunately because it's on private property, it's a property owner, it's a civil issue.

- Maureen Richardson: So, I'm saying in the tree preservation rewrite, is it legal and could we look into potentially, if that's legal to have? If there is a hazard tree, an extreme hazard tree, could we enforce that they must take care of it?

- Councilwoman Houle: And that was the challenge that we had in the village. The Village was wasn't able to enforce that. We can talk with (inaudible).

- Maureen Richardson: To create it, they can't enforce what's not there. So, that's what I'm proposing, is that perhaps if it is possible.

- Councilwoman Houle: Right, but it wasn't and what I'm trying to tell you is that it wasn't possible for us to initiate something like that to put that into part of the property management.
- Maureen Richardson: Okay.
- Councilwoman Houle: And the property maintenance law that the village created but we can talk with Council and find out exactly what jurisdiction we have. Based on my past experience when it's on private property the municipality really doesn't have anything much further than saying you have this issue you have to take care of it.
- Maureen Richardson: But there are other codes and I can also send in examples of other towns code where they talk about hazard trees and what people are responsible for because obviously if there's another building inspector violate, that's essentially what all code enforcement on private property is if they're violating private property ordinances then you do have to.
- Town Clerk Valerie Bitzer: Excuse me, Maureen, I'm going to interrupt just because time is up. I'm going to leave it to the board to make a motion to continue public comment.
- Town Supervisor Cardone: I don't have to make a motion.
- Councilman McGinn: You finish your conversation.
- Maureen Richardson: Just because Dorey, obviously, was trying to be helpful and we wound up going back and forth which cut into, you know, but thank you for that but also just wanted to complete my thought. Just that I have seen, I believe I've seen, in other maybe Long Island or across you know New York, that there are Hazard tree ordinances and it would be good to explore that because my argument really, preliminarily I'm not a lawyer, would be that all code enforcement issues on private property obviously do violate some kind of ordinance and then the code enforcement officer enforces it. Right under penalty of the law so if I can find a precedent in another town I'll send that to you guys with the hearing notes and that's just my concern, is there's a lot of dead trees and if we can think of anything because I think that's going to be a problem so thank you.
- Town Supervisor Cardone: Thank you.
- Town Clerk Valerie Bitzer: That's all for public comment.
- Town Supervisor Cardone: Any comments?
- Councilwoman Houle: So, Dennis and I had a very good conversation with Max Stack, our planner. Max was able to clarify some of the questions that Dennis posed to him and to the board that he referenced when he would come up here for public comment and whatever could not, if there were reasons for instance, we talked about the list of trees, we were able to clarify where that list of trees would come from. So, we expect to see the revisions come from Max by November 1st, so my recommendation is that we keep this open. I'd like to keep it open until the following one.

Action (Resolution): 4.11 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-#511

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 November 20, 2023, at 7:00 PM or soon there-after.

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: 4.12Set Public Hearing Date: Amendment of Chapter 18 of the Town Code

2023-#512

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Set a Public Hearing Date for November 82023 at 7:00 PM or soon there-after regarding the Amendment of Article I of Chapter 18 of the Town Code (Animals).

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

5. Acceptance of Minutes

Action (Resolution)Discussion: 5.1 Acceptance of October 22023 Minutes

2023-#513

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to accept the October 22023 Minutes.

Motion by Supervisor -Tony Cardone 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-#514

BE IT RESOLVED that the Town Board of the Town of Monroe requests approval of Abstract #23-15 General Fund containing Check #30683 - 30742 totaling \$473675.59.

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: 6.2 General Fund Abstract

2023-#515

BE IT RESOLVED that the Town Board of the Town of Monroe requests approval of Abstract #23-16 General Fund containing Check #30743-30811 totaling \$434938.34.

Motion by Supervisor -Tony Cardone second by Sal Scancarello.

Final Resolution: Motion Carries

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

7. Cash Transfer Requests

Action (Resolution) Discussion: 7.1 Cash Transfer Abstract

2023-#516

BE IT RESOLVED that the Town Board of the Town of Monroe requests approval of Abstract #2023-07 Cash Transfer to \$677000.

CASH TRANSFERS TO/FROM INVESTMENT FUNDS TOWN OF MONROE

DATE OF AUDIT: October 16 2023 #2023-07

DATE GL NO. DESCRIPTION Account Transf to Transf from

To move cash back to funds from NYCLASS investments to cover future expenditures in 2023

Consolidated Savings A000 Fund A000-0201 200000.00

NYCLASS Investment A000 Fund A000-0240 200000.00

Consolidated Savings DB00 Fund DB00-0201 200000.00

NYCLASS Investment DB00 Fund DB00-0240 200000.00

Consolidated Savings SL00 Fund SL00-0201 9000.00

NYCLASS Investment SL00 Fund SL00-0240 9000.00

Consolidated Savings SR00 Fund SR00-0201 218000.00

NYCLASS Investment SR00 Fund SR00-0240 218000.00

Consolidated Savings SW12 Fund SW12-0201 50000.00

NYCLASS Investment SW12 Fund SW12-0240 50000.00

677000.00 677000.00

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

8. New Business

Discussion: 8.1 Round Lake Park Association

To hear Members of Round Lake Park Association's discussion (Olga Radulov-Pilla /self and reading on behalf of Susan Pendergast and Sailaja Siva). To hear their comments and Board

Members responses please go on-line to Board Doc's Video Clip #8.1 0:36:11.

Action (Resolution)Information: 8.2 Employee Resignation Christopher Rand Heavy Equipment Operator Highway Department

To hear Town Highway Superintendent Pat Patterson regarding Employee Resignation Christopher Rand Heavy Equipment Operator Highway Department please go on-line to Board Doc's Video Clip #8.2 0:51:57.

2023-#517

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Resolution accepting the resignation of Christopher Rand Heavy Equipment Operator Highway Department effective October 13 2023.

Motion by Supervisor -Tony Cardone second by Mike McGinn.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 8.3 Gerald Fraioli Heavy Equipment Operator Highway Department

To hear Town Highway Superintendent Pat Patterson RE Gerald Fraioli Heavy Equipment Operator Highway Department please go on-line to Board Doc's Video Clip #8.3 0:53:29.

2023-#518

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Resolution approving Gerald Fraioli for the position of Heavy Equipment Operator Highway Department an hourly rate of \$30.25 and start date of October 17 2023. Gerald has been preapproved for this position by the Orange County Department of Human Resources.

Motion by Supervisor -Tony Cardone second by Dorey Houle.

Final Resolution: Motion Carries

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

Action (Resolution)Discussion: 8.4 Girl Scout Troop 307 Pancake Breakfast Fundraiser

2023-#519

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Resolution approving use of Town Hall Meeting Room by Girl Scout Troop 307 on Saturday October 21st from 9 a.m. - 12 p.m. for the purpose of a Pancake Breakfast Fundraiser in support of Gold Award Service Projects. The proceeds will benefit the following projects:

- Repainting the 50 States blacktop area at Pine Tree Elementary

- Lending Library of mental health/skills books at the Monroe Ponds

The required Certificate of Insurance has been provided and the room rental fee satisfied.

Motion by Supervisor -Tony Cardone second by Sal Scancarello.

Final Resolution: Motion Carries

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

Action (Resolution)Discussion: 8.5 Agreement for ATM Services Town of Monroe Food Truck Festival

2023-#520

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Resolution authorizing the Supervisor to sign the General Agreement Pertaining to the ATM and Merchant Services for the Town of Monroe Food Truck Festival on October 28 2023.

Motion by Dorey Houle second by Sal Scancarello.

Final Resolution: Motion Carries

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

Action (Resolution)Discussion: 8.6 Signage on Town Property

2023-#521

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 PROHIBITING PLACEMENT OF ANY OBSTRUCTIONS ON TOWN PROPERTIES OR RIGHTS-OF-WAY OF PROPERTIES OWNED BY THE TOWN

WHEREAS the Town of Monroe owed various properties in the Town and in the Village of Monroe; and

WHEREAS the Town Board desires to establish and confirm regulations prohibiting the posting of signs or placement of any obstructions on any Town property or in the rights-of-way along such Town properties that are maintained by the Town; and

WHEREAS the Town Board desires to establish procedures for the removal of any such obstructions and the return of any personal property to others; and

WHEREAS the Town Board in consultation with the Town Highway Superintendent determines that placement of obstructions around Town property or in rights-of-way maintained by the Town improperly interfere with Town operations including mowing and

other maintenance of Town property and presents a hazard to such operations.

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 establishes and confirms its existing and previously unwritten policy that no obstructions be placed on Town owned property and in the rights-of-way of Town owned property that are maintained by the Town including but not limited to signs vehicles debris or any other matter ("Obstruction") that would obstruct or impede the maintenance of Town property and rights-of-way by Town personnel.

Section 3. Nothing herein shall be construed to prohibit existing Obstruction that has been authorized and put in place for Town purposes or the placement of any future Obstruction that are specifically authorized by the Town for governmental purposes.

Section 4. The Town Board hereby authorizes the Town Highway Superintendent or other Town employees or officials to remove any unauthorized Obstruction placed on Town properties or in the rights-of-way of Town properties that would tend to impede or obstruct Town maintenance operations.

Section 5. If the person placing such Obstruction on the Town property or in the Town right-of-way can be determined the Town shall attempt to make notification to the person placing such item advising them of the location at which they may recover such Obstruction from the Town.

Section 6. In the event that the owner of the Obstruction cannot be determined or the owner does not respond after receiving contact by the Town the Town shall be authorized to dispose of any such Obstruction after a period of thirty (30) days.

Section 7. The owner of any such Obstruction may come to the Town Hall at any time and seek to recover the Obstruction from the Town which shall be provided with same if still in the Town's possession.

Section 8. The Town shall not be responsible for any loss association with the placement of unauthorized Obstruction.

Section 9. 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 Supervisor -Tony Cardone second by Mary Bingham.

Final Resolution: Motion Carries

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

Nay: Mary Bingham

Discussion Information: 8.7 2024/2025 Diligent Renewal Quote (Board Docs)

To hear Town Clerk Valerie Bitzer and Supervisor Cardone RE2024/2025 Diligent Renewal Quote (Board Docs) please go on-line to Board Doc's Video Clip #8.7 1:00:05.

Action (Resolution) Discussion: 8.8 Renewal Quote RE: Orange County Ulster BOCES Microfilm Storage

2023-#522

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to approve the Orange Ulster BOCES Microfilm Storage at a yearly cost of \$564.00.

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): 8.9 WeatherWorks Program

To hear Highway Superintendent Pat Patterson and Town Board Members RE WeatherWorks Program please go on-line to Board doc's Video Clip #8.9 1:5:45.

2023-#523

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to authorize Highway Superintendent Pat Patterson to sign Contract with WeatherWorks a forecast and storm alert system subscription at a cost not to exceed \$2150.

Motion by Mike McGinn second by Mary Bingham.

Final Resolution: Motion Carries

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

9. Old Business

Action (Resolution)Information: 9.1 Parking Restrictions Town Property

To hear Supervisor Cardone RE Parking Restrictions Town Property please go on-line to Board Doc's Video Clip #9.1 1:11:55.

2023-#524

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

RESOLUTION ESTABLISHING PROHIBITION ON OVERNIGHT PARKING IN THE TOWN HALL PARKING LOT

WHEREAS the Town Board desires to establish regulations concerning the parking of vehicles in the Town Hall parking lot located at 1465 Orange Turnpike in the Town; and

WHEREAS the Town Board desires to prohibit the parking of overnight vehicles in the Town Hall parking lot other than authorized vehicles; and

WHEREAS the Town Board desires to enact and post signs reflecting such regulations.

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 establishes that overnight parking in the Town Hall parking lot at 1465 Orange Turnpike in the Town Hall be prohibited from the hours of 10:00 p.m. through 6:00 a.m. on all days of the week.

Section 3. The Town Supervisor Town Highway Superintendent and any other officer

employee or consultant are hereby authorized to take any and all action as necessary to carry out the provision of this Resolution including but not limited to the acquisition and posting of signs at appropriate locations to be determined by the Highway Superintendent on the Town Hall property to notify persons entering the Town Hall parking lots of this prohibition.

Section 4. The Town Highway Superintendent and any other officer or employee as directed by the Town Supervisor may cause the removal of any unauthorized vehicle by a tow company authorized by the Town. The cost of such removal and any related charges including storage fees shall be the responsibility of the vehicle owner. The Town Clerk's office shall notify any inquiring vehicle owner of the location of their removed vehicle.

Section 5. The regulations herein shall be effective upon the installation of signs notifying persons entering the Town Hall parking lot of the prohibition on overnight parking.

Section 6. This Resolution shall be effective immediately.

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

Yea Nay Abstain Absent

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

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

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

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

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

The Resolution was thereupon duly adopted.

Motion by Supervisor -Tony Cardone second by Mike McGinn.

Final Resolution: Motion Carries

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

Action (Resolution)Discussion: 9.2 Lake Sapphire Drainage District

2023-#525

BE IT RESOLVED that the Town Board of the Town of Monroe Mad a Resolution authorizing

preparation and issuance of Request for Proposals for Lake Sapphire Dam by Supervisor Cardone and seconded by Councilwoman Houle.

WHEREAS the Town Board based on the recommendation of the Town's engineering consultant desires to authorize a Request for Proposals from geotechnical firms to perform a study of the existing soils and provide a recommendation as the basis of design for the Lake Sapphire Dam repairs.

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 authorized the Town's Engineer MHE Engineering in consultation with Town Legal counsel and the Town Clerk to prepare and arrange for the issuance of a Request for Proposals seeking proposals from geotechnical firms to perform a study of the existing soils and provide a recommendation as the basis of design for the Lake Sapphire Dam repairs in a form approved by MHE Engineering and the Town's legal counsel.

Section 3. The Town Clerk is authorized to set any and all dates for issuance and return of the Requests for Proposals in consultation with the Town's legal counsel and MHE Engineering.

Section 4. This Resolution shall be effective immediately.

Motion by Supervisor -Tony Cardone second by Dorey Houle.

Final Resolution: Motion Carries

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

10. Motion From the Floor

Action (Resolution) Information: 10.1 Resolution Confirming and Ratifying the Authorization of the Town Supervisor to Execute Litigation Stipulation of Settlement Agreement and Contract of Sale Authorizing Town Purchase of +/-247 Acres in Rye Hill Corridor

To hear Councilman McGinn RE Resolution Confirming and Ratifying the Authorization of the Town Supervisor to Execute Litigation Stipulation of Settlement Agreement and Contract of Sale Authorizing Town Purchase of +/-247 Acres in Rye Hill Corridor please go on-line to Board Doc's Video Clip #10.1 1:16:24.

2023-#526

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

RESOLUTION CONFIRMING AND RATIFYING THE AUTHORIZATION OF THE TOWN

SUPERVISOR TO EXECUTE LITIGATION STIPULATION OF SETTLEMENT AGREEMENT
AND CONTRACT OF SALE AUTHORIZING TOWN PURCHASE OF +/- 247 ACRES IN RYE
HILL CORRIDOR

WHEREAS certain Plaintiffs CHAB FIVE REALTY LLC GOLDEN RAY LLC and EAGLE RIDGE ESTATES LLC ("Plaintiffs") previously commenced litigations against the Town of Monroe ("Town") concerning certain parcels owned by Plaintiffs; and

WHEREAS Plaintiff CHAB FIVE REALTY LLC is the owner of certain parcels in the Town of Monroe identified as Tax Map Section 31 Block 1 and Lots 18.312962 and 63; and

WHEREAS Plaintiff GOLDEN RAY LLC is the owner of certain parcels in the Town of Monroe identified as Tax Map Section 31 Block 1 Lots 1.11 and 1.12; and

WHEREAS Plaintiff EAGLE RIDGE ESTATES LLC is the owner of a certain parcel in the Town of Monroe identified as Tax Map Section 31 Block 1 and Lot 2.4; and

WHEREAS the parcels owned by CHAB FIVE REALTY LLC GOLDEN RAY LLC and EAGLE RIDGE ESTATES LLC are collectively referred to as "the Property"; and

WHEREAS Plaintiff CHAB FIVE REALTY LLC commenced litigation against the Town and additional Defendants in the United States District Court for the Southern District of New York pending under Case No. 7:17-cv-07300; arising from the Town's enactment of a moratorium and certain zoning changes in the Town (the "Federal Litigation"); and

WHEREAS Plaintiff GOLDEN RAY LLC filed an Article 78 Petition and Complaint against the Town and additional Defendants in New York Supreme Court Orange County Index No. 000300-2017 arising from and challenging the enactment of a moratorium and certain zoning changes in the Town; and

WHEREAS Plaintiff CHAB FIVE REALTY LLC filed an Article 78 Petition and Complaint against the Town and additional Defendants in the New York State Supreme Court Orange County pending under Index No. 000338-2017 arising from and challenging the enactment of a moratorium and certain zoning changes in the Town; and

WHEREAS the GOLDEN RAY LLC and CHAB FIVE REALTY LLC proceedings filed in New York State Supreme Court are collectively referred to herein as the "State Litigations" and the State Litigations and Federal Litigation are collectively referred to herein as the "Litigations"; and

WHEREAS Plaintiffs and the Town previously entered into a global settlement of the pending

Federal Litigation and State with intent of resolving all pending and potential Federal Litigation and State Litigations disputes claims causes of action including any and all disputes controversies claims and causes of action that have been brought by Plaintiffs or that could be brought by the Plaintiffs against the Town in any Court or in any jurisdiction or in any administrative proceeding; and

WHEREAS the Town performed all required obligations under such settlement including the adoption of certain zoning enactments known as the Conservation Cluster Residential Zone ("CCR") and Plaintiffs subsequently entered into an agreement with Sun Brook Partners LLC ("Sun Brook") which involved Sun Brook acquiring and developing portions of the Property and preserving the majority of the Property as open space; and

WHEREAS litigation ensued between Sun Brook and Plaintiffs arising from a contract between Sun Brook and Plaintiffs which did not involve the Town ("Sun Brook Litigation"); and

WHEREAS Sun Brook failed to file an answer in the Sun Brook Litigation; and

WHEREAS following the initiation of the Sun Brook Litigation Sun Brook stopped responding to the Town and ceased pursuing the proposed CCR project; and

WHEREAS Plaintiffs requested that the Court remove the Litigation Hold that had been previously put in place as between the Town and Plaintiffs in the Litigations and Plaintiffs then sought to engage in settlement discussions with the Town; and

WHEREAS the Parties with the assistance of the State Court engaged in settlement discussions in an effort to resolve the pending Litigations; and

WHEREAS the Parties have reached a proposed settlement of the Litigations in which the Town would purchase the parcels owned by Plaintiffs in order to minimize development of the Property maintain the majority of the Property as open space protect the watershed consider active and passive recreation uses and reserve a small portion of the Property for future use to serve public purposes and to provide public benefits; and

WHEREAS the Town Board desires to authorize the Town Supervisor to execute the final Stipulation of Settlement and Contract of Sale in a form satisfactory to the Town's legal counsel that would authorize the purchase of the Property and discontinuance of the Litigation against the Town with prejudice; and

WHEREAS on August 14²⁰²³ the Town Board declared itself lead agency for SEQRA purposes and issued a negative declaration; and

WHEREAS on August 212023 the Town Board previously authorized the Supervisor to execute the settlement documents and the Town Board desires to confirm and ratify such authorization for the Town Supervisor to sign the Stipulation of Settlement and Contract of Sale as well as any other documents necessary to effectuate the transaction.

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 authorizes the Town Supervisor to execute the Stipulation of Settlement Contract of Sale substantially in the form presented to the Town Board and any other documents necessary to carry out the provisions of this Resolution in a final form approved by the Town's legal counsel.

Section 4. The Town Supervisor and any other officer employment or consultant as directed by the Town Supervisor is hereby authorized to take any and all actions necessary to carry out the provisions of this Resolution.

Section 5. This Resolution shall be effective immediately.

Motion by Mike McGinn second by Dorey Houle.

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

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

Discussion Information: 12.1 Enter into Executive Session

****NO ACTION AT THIS TIME**

13. Return to Regular Meeting

Discussion Information: 13.1 Return to Regular Meeting

****NO ACTION AT THIS TIME**

14. Adjournment

Action (Resolution): 14.1 Adjournment of Meeting

2023-#527

BE IT RESOLVED that the Town Board of the Town of Monroe adjourns the meeting of October 16 2023 at 8:38 PM.

Motion by Supervisor -Tony Cardone second by Sal Scancarello.

Final Resolution: Motion Carries

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

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