

MONROE TOWN BOARD MEETING MINUTES

— 11/20/2023

MONROE TOWN BOARD MEETING AGENDA (Monday, November 20, 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

2. Motion to Open Town Board Meeting

Action (Resolution): 2.1 Motion to Open Town Board Meeting of November 20, 2023

2023-#555

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Town Board Meeting of November 20, 2023, at 7:00 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

Information: 2.2 Info RE End of 11/8/2023 Meeting

To hear Supervisor Cardone comment on Info RE End of 11/8/2023 Meeting, please go on-line to Board Doc's Video Clip #2.2, 0:1:15.

3. Community Announcements

Information: 3.1 Breakfast with Santa, Harriman Engine Co.

To hear Councilman Scancarello RE Breakfast with Santa, Harriman Engine Co., please go on-line to Board Doc's Video Clip #3.2, 0:2:37.

4. Public Hearing

Action (Resolution), Discussion, Information: 4.1 Motion to Adopt the 2024 Town of Monroe Preliminary Budget

To hear Supervisor Cardone's presentation RE the Adoption of the 2024 Town of Monroe Preliminary Budget, please go on-line to Board Doc's Video Clip #4.1, 0:24:21.

2023-#556

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Adopt the

2024 Town of Monroe Preliminary Budget.

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: 4.2 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-#557

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 #4.2, 0:33:52.

- Dennis Fordham

- Town Clerk Valerie Bitzer: Dennis Fordham.

- Supervisor Cardone: What was that?

- Town Clerk Valerie Bitzer: Dennis Fordham.

- Supervisor Cardone: Young man, you are welcome to leave because you have a lot of homework you have to do and you have to get to bed before 9:00. But seriously, you can leave. Thank you for coming in, I appreciate it.

- Councilwoman Houle: Did you get your form signed?

- Young Man: Yes.

- Supervisor Cardone: All right, good, and tell your Government teacher that we said to give you an A.

- Young Man: Thank you, have a good night.

- Supervisor Cardone: Thank you, you too.

- Town Clerk Valerie Bitzer: Just a reminder, there's 5 minutes for public comment.

- Dennis Fordham: With due respect, I think on this subject, we might need more, or maybe not but I would hate to be restricted to 5 minutes. Okay, I just wanted to, I think, you know, this is a significant issue.

- Supervisor Cardone: Ok, let's go ahead.
- Dennis Fordham: We received the latest revision of the tree code last Thursday. I submitted further comments this morning which I think that I copied all of you. They may seem extensive, they're really not. A lot of them are pretty much just defining minor issues of which I know that Max would agree with. Most of them, maybe one or two, whether we have some discussion and I would like to do that with him, with Dorey, just as we did before and resolve these issues as quickly as possible because I know you want to get this tree code passed as soon as possible.
- Supervisor Cardone: We would like to pass it at our December 4th meeting.
- Dennis Fordham: Right, that's not long and as long as we can get Max on board, I think that's a good idea.
- Supervisor Cardone: It's 2 weeks.
- Dennis Fordham: I think that's a good idea. We're almost there but others have to agree to that. The other concern that I have is that, really the only person that's given any significant comments to this draft tree code is me. Other people that will be involved are Ben Maldonado, the Building Inspector, the Planning Board. I'm not aware, maybe they have submitted their comments and gone through this in detail because it will affect them in detail. It's going to change and what we've been doing on the old tree code.
- Supervisor Cardone: When you say people, are you talking about the Board? Or are you talking residents?
- Dennis Fordham: I'm not concerned with residents. I think that they've had their chance to comment. The two elements that will get involved from here on are the Building Inspector, just as before and the Planning Board. The requirements pertaining to what they have to do for various numbers of trees and so on, are changing. I just want to make sure that they have read this and understand what these changes are implying for their responsibilities.
- Supervisor Cardone: I can tell you this, I know the Planning Board Chair, and the Assistant Chair have both reviewed it. I know that I have made comments to Max, every time I make a comment to Max or talk to Max or Brian and I have a conversation with Max, you're not aware of that so we have discussed a lot of this. It's not just we are removing ourselves from that. We are trying to move it forward.
- Dennis Fordham: I appreciate that.
- Supervisor Cardone: I know that Dorey has too. Dorey has been in on a lot of the conversations.
- Dennis Fordham: Going forward, we on paper, according to the law, will be getting involved in almost every project that involves taking down trees. So, it makes more responsibility on us, so I just want to make sure that it's the best it can be and that everybody's on board.
- Supervisor Cardone: I understand where this tree code is going, and why it's going in that direction, I personally think it's a little overkill for the Conservation Commission.
- Dennis Fordham: I would tend to agree with you but honestly, it is what it is.
- Supervisor Cardone: It is what it is and I think that the Planning Board will get it to a point,

while they're reviewing plans, where 90% of the work will probably be done and the other 10% will be placed on your shoulders.

- Dennis Fordham: That is true and with the new law it's more than 25 trees where they have to, where it becomes a tree plan permit project and when they've gone through their requirements which obviously don't just concern trees. There are all other aspects of what's going on at that site, then it's supposed to come to us for final review. I just want to make sure that everybody's on the same.

- Supervisor Cardone: Just remember the slower you move the higher the tax rate goes because we'll get rate-ables from a development.

- Dennis Fordham: Okay, that's all I wanted to say.

- Councilwoman Bingham: And the fatter the tree grows.

- Supervisor Cardone: Listen, Dennis, you know I'm joking about that because I know you've put a lot of time and effort in to this over the last year.

- Dennis Fordham: And I've got to tell you, I've learned an awful lot from when we started with this and then, you know, asking for advice, looking things up and so on. For example, we have to come up, under the Code, as it was before to come up with a list of native, protected, specimen trees. We will do that. We're going to do that. We already have a list of native trees; which Max has helped us produce. That's quite a lot of work in doing that. We're going to do that and going forward, I would like to see this tree code really be used effectively for the benefit of all of us.

- Supervisor Cardone: Okay, thank you. A quick funny story, I'm out putting up the Flags for Heroes about two weeks ago, and I hear "Hey Tony, hey, Tony" and I look up and there's this that looks like he just finished a tour de France and I'm like "Yeah, can I help you?" And he goes, "It's me, Dennis".

- Dennis Fordham: Yeah, I'm pretty serious cyclist.

- Supervisor Cardone: I love it.

- Dennis Fordham: We need a code for cyclist. No, we're okay on that.

- Councilwoman Houle: That's the next one. You kept your comments under five minutes, by the way. That was excellent.

- Dennis Fordham: Just as a side note, going back to talking about the school, but talking about the new heating systems, heat pumps and so on. All of those can be credits for the climate smart. I just wanted to say that.

- Councilwoman Houle: Yes, it could be.

- Dennis Fordham: Can I just say one other thing? We got three applicants, as you know, we've seen all of them. I will have a recommendation very shortly on the one that we want to pick. Definitely prior to the next meeting.

- Supervisor Cardone: Okay.

- Dennis Fordham: So, the next meeting, I'm assuming you can approve that person.

- Supervisor Cardone: We would probably wait until the January re-org meeting. But it would be nice to have it before then.

- Dennis Fordham: You'll have it immediately after Thanksgiving.

- Supervisor Cardone: Okay, perfect. Thank you, Dennis. Have a good evening.
- Councilman McGinn: Thank you, Dennis.
- Town Clerk Valerie Bitzer: That's all for public comment.
- Supervisor Cardone: Okay. Does anybody else have any other comments?

Action (Resolution): 4.3 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-#558

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 December 4, at 7:00 PM or soon there-after.

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

Final Resolution: Motion Carries

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

Action (Resolution): 4.4 Motion to Open the Continuation of the Public Hearing in Relation to the Increase and Improvement of Facilities of the Water District No. 14

2023-#559

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open Continuation of the Public Hearing in Relation to the Increase and Improvement of Facilities of the Water District No. 14.

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 regarding the Continuation of the Public Hearing in Relation to the Increase and Improvement of Facilities of the Water District No. 14. To hear their comments, and Board Members responses, please go on-line to Board Docs Video Clip #4.4, 0:41:58.

****NO PUBLIC COMENT AT THIS TIME**

- Supervisor Cardone: Madam Clerk?
- Town Clerk Valerie Bitzer: No public comment.
- Supervisor Cardone: No public comment. Does anyone have any public comment here?
- Councilwoman Bingham: I wish we would get some grants.

- Supervisor Cardone: Yeah, we're working on them. We're going to keep this open. What's the Board's flavor as far as keeping it open? You want to go into next year?
- Councilwoman Houle: January, yeah.
- Councilwoman Bingham: January.
- Supervisor Cardone: So, let's go to January 17th 2024 at 7pm or immediately thereafter.

Action (Resolution): 4.5 Possible Motion to Keep Open the Continuation of the Public Hearing in Relation to the Increase and Improvement of Facilities of the Water District No. 14

2023-#560

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Keep Open the Continuation of the Public Hearing in Relation to the Increase and Improvement of Facilities of the Water District No. 14 until January 17, 2023, at 7:00 PM or soon there-after.

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

Final Resolution: Motion Carries

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

Action (Resolution): 4.6 Motion to Open the Continuation of the Public Hearing in Relation to the Increase and Improvement of Facilities of the Water District No. 8

2023-#561

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Continuation of the Public Hearing in Relation to the Increase and Improvement of Facilities of the Water District No. 8.

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

The following signed up to speak during Public Comment regarding the Continuation of the Public Hearing in Relation to the Increase and Improvement of Facilities of the Water District No. 8. To hear their comments, and Board Members responses, please go on-line to Board Docs Video Clip #4.6, 0:42:57.

****NO PUBLIC COMENT AT THIS TIME**

- Town Clerk Valerie Bitzer: No public comment.
- Supervisor Cardone: No public comment. A similar situation, awaiting grants. I'll say we should probably push this one back to February 5th, so we'll keep this continuation of this Public Hearing in relation to increase and improvement of facilities in Water District #8 to February 5, 2024.

Action (Resolution): 4.7 Possible Motion to Keep Open the Continuation of the Public Hearing in Relation to the Increase and Improvement of Facilities of the Water District No. 8

2023-#562

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Keep Open the Continuation of the Public Hearing in Relation to the Increase and Improvement of Facilities of the Water District No. 8 until February 5, 2023, at 7:00 PM or soon there-after.

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

Final Resolution: Motion Carries

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

Action (Resolution), Information: 4.8 Amendment to the Date of 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-#563

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Amend the Date of 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 from Tuesday, January 16, 2024, to Wednesday January 17, 2024.

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

5. Acceptance of Minutes

Action (Resolution): 5.1 Acceptance of November 8, 2023, Minutes

2023-#564

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to accept the November 8, 2023, Minutes.

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

Final Resolution: Motion Carries

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

Abstain: Dorey Houle

6. Audit of Claims

Action (Resolution), Information: 6.1 General Fund Abstract

2023-#565

BE IT RESOLVED that the Town Board of the Town of Monroe requests approval of Abstract

#23-18 General Fund containing Check # 30948 - 31006 totaling \$495,199.76.

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

7. New Business

Action (Resolution), Discussion: 7.1 2024 Town Board Meeting Schedule

2023-#566

BE IT RESOLVED, that the Town Board of the Town of Monroe Made a Motion to approve proposed 2024 Town Board Meeting Schedule.

2024 Town Board Monthly Meeting Schedule

1465 Orange Turnpike

Monroe, New York 10950

*All Town Board Meetings begin at 7 p.m.

January 2, 2024, Re-org Meeting, (Tuesday)

January 17, 2024, (Wednesday)

February 5, 2024, (Monday)

March 4, 2024, (Monday)

March 18, 2024, (Monday)

April 1, 2024, (Monday)

April 15, 2024, (Monday)

May 6, 2024, (Monday)

May 20, 2024, (Monday)

June 3, 2024, (Monday)

June 17, 2024, (Monday)

July 15, 2024, (Monday)

August 12, 2024, (Monday)

September 3, 2024, (Tuesday)

September 16, 2024, (Monday)

October 7, 2024, (Monday)

October 21, 2024, (Monday)

November 7, 2024, (Thursday)

November 18, 2024, (Monday)

December 2, 2024, (Monday)

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

Final Resolution: Motion Carries

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

Action (Resolution), Discussion: 7.2 Elevator Repair, 34 Millpond Parkway

2023-#567

BE IT RESOLVED, that the Town Board of the Town of Monroe Made a Motion accepting the proposal from Orange County Elevator to repair the elevator at town owned building located at 34 Millpond Parkway (theater). Repair involves addressing oil leaking in the motor room from the elevator pipeline at a cost of \$4,500.

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: 7.3 Employee Handbook Revision, Section 809, Optical Plan

2023-#568

BE IT RESOLVED, that the Town Board of the Town of Monroe Made a Resolution approving the following amendment to the Town of Monroe Employee Handbook, Section 809, effective January 1, 2024: Employee and Elected Officials reimbursement for approved optical care expenses shall not exceed \$500 per year per family. The previously approved maximum reimbursement amount was \$400 per year per family.

Amount of Reimbursement – Reimbursement for approved optical care expenses shall not exceed \$400 per year for each full-time employee and Elected Official including eligible family members. “Eligible family members” include the employee’s spouse and family members residing in the employee’s household who have not yet reached age 25. The reimbursement shall not exceed \$400 per year per family. The Town Board reserves the right to change the amount of reimbursement at any time. Requests for reimbursement should be submitted to the Secretary to Supervisor and must include appropriate receipts for applicable charges.

Revised and Approved by the Town Board on 4/18/16

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): 7.4 Danielle Adair: Resignation, Highway Department

2023-#569

BE IT RESOLVED, that the Town Board of the Town of Monroe Made a Resolution accepting the resignation notice for Danielle Adair, Confidential Secretary to Town Superintendent of

Highways. Danielle's last day of employment with the town will be December 1, 2023.

Motion by Mary Bingham, second by Dorey Houle.

Final Resolution: Motion Carries

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

Action (Resolution), Discussion: 7.5 Bald Hill

2023-#570

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

**RESOLUTION ACCEPTING DEDICATIONS AND APPROVING OTHER DOCUMENTS
RELATED TO THE BALD HILL DEVELOPMENT**

WHEREAS, Dubja Realty, Inc. previously applied and received approval for a five (5) lot subdivision, site plan and special exception use permit in the Town for S/B/L 1-3-25.2 and 27.12 in addition to Village of Monroe Tax Map Parcels 209-1-1 and 2 ("Project"); and

WHEREAS, pursuant to the Project Resolution of Approval, the applicant was required to comply with various conditions; and

WHEREAS, the applicant has submitted required documents in relation to the approval of the Project and the Town Board desires to accept dedications, approve document submissions and authorize the Town Supervisor to execute any and all necessary documents.

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 acceptance of the Offer of Dedication set forth in Condition No. 22 of the Resolution of Approval which dedication documents have been presented to the Town Board substantially in final form, subject to final review and approval by the Town Attorney and Town Engineer.

Section 3. The Town Board hereby approves the restrictive covenant required pursuant to Condition No. 11 of the Resolution of Approval for the Project, subject to Town Attorney review and further authorizes the Town Supervisor to execute such documents substantially

in the form presented to the Town Board.

Section 4. The Town Board hereby approves the Public Improvements Security Agreement required by Condition No. 16 of the Resolution of Approval for the Project, and authorizes the Town Supervisor to execute such document in the final form approved by the Town Attorney.

Section 5. The Town Board hereby approves the excerpt of HOA Bylaws required by the Project Resolution of Approval in Condition No. 8, Condition No. 20 and Condition No. 21.

Section 6. This Resolution is conditioned upon submission of any and all required fees, escrow or other conditions necessary to effectuate the purposes of this Resolution.

Section 7. This Resolution shall be effective immediately.

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

Yea Nay Abstain Absent

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

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

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

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

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

The Resolution was thereupon duly adopted.

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: 7.6 Set Public Hearing Date: Amendment of Chapter 51 of the Town Code RE Vehicles and Traffic

2023-#571

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to set Public Hearing Date: Amendment of Chapter 51 of the Town Code RE Vehicles and Traffic for December 4, 2024, at 7:00 PM or soon there-after.

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

Final Resolution: Motion Carries

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

8. Old Business

Discussion, Information: 8.1 2024/2025 Diligent Renewal Quote (Board Docs)

To hear Town Clerk Valerie Bitzer and Board Members discussion RE 2024/2025 Diligent Renewal Quote (Board Docs) / Diligent, please go on-line to Board Doc's Video Clip #0:54:23.

Discussion, Information: 8.2 Diligent Community Proposal

9. Motion From the Floor

Action (Resolution), Discussion, Information: 9.1 GML Review RE: 57-21-1E (Amending Zoning Chapter)

2023-#572

BE IT RESOLVED, that the Town Board of the Town of Monroe Made a Motion to forward letter to Orange County Planning Department for their info and feedback as well as to the Town Planning Board.

Motion by Mary Bingham, second by Dorey Houle.

Final Resolution: Motion Carries

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

10. Community Announcements Continued

Information: 10.1 Small Business Saturday

To hear Councilman Scancarello and Board Members discussion RE Small Business Saturday, please go on-line to Board Doc's Video Clip #10.1, 1:04:52.

11. Public Comment

Information: 11.1 Rules for Public Comment

Discussion, Information: 11.2 Public Comment

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

Information: 12.1 Enter into Executive Session

****NO ACTION TAKEN AT THIS TIME**

13. Return to Regular Meeting

Information: 13.1 Return to Regular Meeting

****NO ACTION TAKEN AT THIS TIME**

14. Adjournment

Action (Resolution): 14.1 Adjournment of Meeting

2023-#573

BE IT RESOLVED that the Town Board of the Town of Monroe adjourns the meeting of November 20, 2023, at 8:07 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