MONROE TOWN BOARD MEETING MINUTES

— 12/09/2019

MONROE TOWN BOARD MEETING AGENDA (Monday, December 9, 2019)

Generated by Valerie Bitzer

Members present
Supervisor -Tony Cardone, Councilman - Rick Colon, Mike McGinn, Mary Bingham, Sal Scancarello

1. Call to Order

Discussion, Procedural: 1.1 Pledge to the Flag

2. Community/Announcements

Information: 2.1 Stocking Stuffers For Troops

Town Hall and the Senior Center are collection sites for the Stocking Stuffers for Troops program. Sponsored by TOWNS 4 TROOPS, the goal is to provide a filled stocking to all single warriors stationed in the Hudson Valley. To hear Supervisor Cardone's discussion please go to Board Doc's Video Clip #2.1, 0:1:03.
Information: 2.2 Santa's Toy Box

Town Hall is a collection site for Santa's Toy Box, the annual toy drive for the children of Orange County, sponsored by Orange County Department of Parks, Recreation & Conservation. To hear Supervisor Cardone's discussion please go to Board Doc's Video Clip #2.2, 0:2:27.
Information: 2.3 Mombasha Fire Company Christmas Tree Sale Fundraiser

The Mombasha Fire Company is selling live Christmas trees at the main firehouse located on 17M through Christmas Eve with proceeds supporting the firehouse. Trees are available during the following hours:

Thursdays: 5 - 8 p.m.
Fridays: 5 -9 p.m.
Saturdays: 10 a.m. -8 p.m.
Sundays: 9 a.m. - 5 p.m.

To hear Supervisor Cardone's discussion please go to Board Doc's Video Clip #2.3, 0:2:45.
Information: 2.4 Santa Pancake Breakfast at Harriman Engine Company

Harriman Engine Company #1 is sponsoring a Pancake Breakfast and Picture with Santa on Sunday, December 15th from 7 a.m. - 12 p.m. To hear Supervisor Cardone's discussion please go to Board Doc's Video Clip #2.4, 0:3:18.

Information: 2.5 Constant Contact

Residents are encouraged to sign up for the Town's Constant Contact to stay up-to-date on the latest community events and important Town information. Sign-up is available by visiting our website, www.monroeny.org and scrolling to the Constant Contact button located on the bottom right portion of the homepage. To hear Supervisor Cardone's discussion please go to Board Doc's Video Clip #2.5, 0:3:45.
3. Motion to Open Town Board Meeting of December 9, 2019

Action (Resolution): 3.1 Motion to Open Town Board Meeting

2019-#566
BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Town Board Meeting of December 9, 2019.

Motion by Councilman - Rick Colon, second by Sal Scancarello.

Final Resolution: Motion Carries

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

4. Public Hearing

2019-#567
BE IT RESOLVED that the Town Board of the Town of Monroe Motion to Open the Continuation of the Public Hearing for the Proposed Amendment of Ch. 57 of the Town Code.

Motion by Mary Bingham, second by Councilman - Rick Colon.

Final Resolution: Motion Carries

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

Action (Resolution), Discussion: 4.1 Motion to Open the Continuation of the Public Hearing for the Proposed Amendment of Ch. 57 of the Town Code

The following residents spoke during Public Comment regarding the Continuation of the Proposed Amending of Ch. 57 of the Town Code. To hear their comments, and Board Members responses please go on-line to Board Docs Video Clip #4.1, 0:5:03.

- Ward Brower

- Supervisor Cardone: Councilman McGinn.
- Councilman McGinn: Ok, do you wanna see if there's any Public Comment first or?
- Supervisor Cardone: Yeah, sure.
- Councilman McGinn: Alright.

- Supervisor Cardone: Anybody sign up?
- Deputy Town Clerk: Ward Brower.
- Ward Brower: Ward Brower, private citizen. I just (inaudible) what status we're makin. Been on a long time on that Agenda. And before we get to that, after reading the Photo News, and seeing what's happening in Chester, and where the Governor, and the Attorney General actually (inaudible) calls that Community Anti-Se-medic because they're only concerned about, most of them (inaudible) probably some Anti Semi's. There no question about it. But most of them are not. They're just concerned about their lives, running out of water, (inaudible). So, to avoid that (inaudible) you really need, cause we're sort of set in that same trend.
- Supervisor Cardone: I, I, I listen Ward if you're gonna get back and forth with what we're doin here, that's farthest thing from the case. We're not settin that trend. If you want to talk about Ch. 57.
- Ward Brower: Well, we are in a way cause we're not addressing the Town how you do occupancy vs bedroom count. In a bedroom count, you get these numbers that are meaningless, and then when the infrastructure doesn't support that, then you get called into Court for being Anti-Se-medic because you tried to update your infrastructure. I'm just saying, you need an accurate count. A bedroom count (inaudible), first of all it's time consuming, it's hard to measure, it's expensive, and it invites lawsuits, and you infrastructure is based on (inaudible). Everything. That whole SEQRA process. That's what I'm saying. (Inaudible), my proposal is you let the developer state how many people he wants in that building. Then, who's he gonna sue, himself? You know, and it makes the engineering so much simpler. Because once you have a number, a definitive number, then the engineer's can do the calculation. Tell you what you infrastructure. Just makes a whole lot simpler. Takes out that guesswork, cause (inaudible) multipliers, guesswork, and that doesn't work too well. That's my concerns. Thank you.
- Councilman McGinn: Thank you.
- Councilman Scancarello: Thanks Ward.
- Deputy Town Clerk Valerie Bitzer: That's all that signed up.
- Councilman McGinn: Anybody else Val, or?
- Deputy Town Clerk Valerie Bitzer: Nope, that's it.
- Councilman McGinn: Alright, just before I have a Resolution for the, if you remember at the last, at the last meeting when we had the Public Hearing open on Ch. 57 for the CCR we discussed the Scoping which was had been conducted in the months prior to that, and the Town Planner had submitted the Scoping, his Scoping findings to us, so we just wanted to take another two weeks to make sure everyone on the Board had a chance to read it, and we have. So, I have the Resolution to accept the Scoping findings from the Town Planner. Just to kind of, all the other stuff, I'm not even gonna address because it probably wouldn't be in our best interest to do so. The legal matters that are going on in Chester, and elsewhere, but I can tell you that what happens now with the Ch. 57, the CCR is that from here goes, once we

accept this tonight, assuming the Board accepts it tonight. Once we accept it tonight, then the next thing will be the DGIS which will be sometime in January into February, and then from that the FEIS, and so forth, so. So we're moving along with that. You know I, I, you know just basically the timelines are, are what they are (inaudible) this far as what you have to do with it. So, just, that's, that's where we are with that. You know? So.
- Ward Brower: Thank you.
- Councilman McGinn: No, no problem. So, as far as the Resolution I guess we'll, Counsel, I guess I can go ahead with this right now. Alright, so I'm not gonna read the Whereas's, although the Whereas's are incorporated therein so. The last Whereas is (SEE RESOLUTION).
- (SEE MOTION)
- Councilwoman Bingham: I'll second for discussion.
- Councilman McGinn: Sure.
- Supervisor Cardone: Go head.
- Councilwoman Bingham: Ok. I have some documents, and I gave them out to the Board Members, and Council tonight. One was from Jay Beau, a letter written to Jay Beaumont from the NYS Department of Environmental Conservation, and it was in regards to sewer. So that's in the packet, and the other one was from the Department of Health from.
- Supervisor Cardone: John Petronella.
- Councilwoman Bingham: No, Brock Rogers to Mr. Sort, Shortell. It does talk about bedroom counts, and it talks about multiplier effect. So I just wanna be sure that our Planner includes references from these two departments to be sure that the Scope is, well when they do the DGEIS, and the final Environmental Impact Statement, that we have some hard facts from these two Government Agencies to substantiate what we're talking about, and we have water, and sewer.
- Councilman McGinn: Ok. Yeah, I believe that, that these can still be incorporated into the DGIS, and of course the FEIS, or, or be used while he's you know drafting that. I know we closed the Written Comment on it back on November.
- Supervisor Cardone: 25th.
- Councilman McGinn: No, I think the Public Comment was closed before the 25th. I think it was, or Written Comment was closed before then, so it wouldn't be included in the Scoping Document, but it'll be included in the.
- (Inaudible)
- Councilman McGinn: DGIS.
- Councilman Colon: Yeah.
- Councilwoman Bingham: Because the Village was concerned that we would have some hard facts from agencies, and it's not all based on just what the Planner is assuming.
- Councilman McGinn: Right.
- Councilwoman Bingham: So that's why I wanna make sure that our Planner Max has.
- Councilman McGinn: Sure.
- Councilwoman Bingham: These two Agencies that he could reach out to.

- Councilman McGinn: Yep, Absolutely. And the, the Planner, the, as you know from reading the Scoping Document, so you know the Village of Monroe did retain its own Planner to, to review the CCR, and his or that, that firms concerns were, were addressed in the Scoping Document, so.
- Supervisor Cardone: Anything else? Alright, call to question. **2019-#568**
BE IT RESOLVED that the Town Board of the Town of Monroe made the following Resolution by Councilman McGinn, and seconded by Councilwoman Bingham.

RESOLUTION ADOPTING A FINAL SCOPE IN ACCORDANCE WITH THE
NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT ("SEQRA")
FOR THE PROPOSED AMENDMENTS TO CHAPTER 57 (PROPOSED CONSERVATION CLUSTER RESIDENTIAL FLOATING ZONE)
WHEREAS, a proposed Local Law to amend Chapter 57 of the Town Code concerning a proposed Conservation Cluster Residential Floating Zone ("CCR Zone Amendments") Local Law was introduced on April 15, 2019; and
WHEREAS, a Public Hearing concerning the CCR Zone Amendments was opened on May 6, 2019; and
WHEREAS, the Town Board declared itself Lead Agency with respect to adoption of the CCR Zone Amendments, determined that the action was a Type I Action, and directed preparation of a Full Environmental Assessment Form ("FEAF"); and
WHEREAS, the provisions of 6 NYCRR 617 require the Town to engage in the scoping process prior to preparation of an Environmental Impact Statement ("EIS"); and
WHEREAS, the Town directed its planner to prepare a Draft Scoping Document by Resolution dated September 23, 2019; and
WHEREAS, a Public Hearing concerning the Draft Scoping Document on the CCR Zone Amendments was opened on October 7, 2019 and continued on October 21, 2019 in order to allow all interested parties to be heard; and
WHEREAS, the Draft Scoping Document was sent to all interested parties and agencies for the submission of comments; and
WHEREAS, the Public Hearing on the Draft Scoping Document was continued for an additional ten (10) days for the purpose of allowing any comments to be submitted;
WHEREAS, the Town Planner has reviewed any and all comments submitted in response to the Draft Scoping Document and has incorporated responses to any and all such comments;
WHEREAS, the Town Planner has prepared and submitted a November 25, 2019 Final Scoping Document to the Town Board outlining the scope of the proposed Draft Generic Environmental Impact Statement (DGEIS") pertaining to the CCR Zone Amendments.
NOW, THEREFORE, BE IT RESOLVED: that:
Section 1. All "Whereas" clauses are hereby incorporated by reference as though set forth in full herein.

Section 2. Pursuant to the provisions of SEQRA, the Town Board hereby adopts the Final Scoping Document dated November 25, 2019, entitled “Final Scope for Preparation of a Draft Generic Environmental Impact Statement for the Proposed Conservation Cluster Residential Floating Zone” as the Final Scoping Document for preparation of such Draft Generic Environmental Impact Statement for the CCR Zone Amendments.
Section 3. The Town Board directs the Town Clerk and any other official or employee as directed by the Town Supervisor to file, distribute and publish the Final Scoping Document in accordance with the requirements of 6 NYCRR 617.
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 Mike McGinn, second by Mary Bingham.

Final Resolution: Motion Carries

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

Action (Resolution), Discussion: 4.2 Possible Motion to Keep Open the Continuation of the Public Hearing for the Proposed Amendment of Ch. 57 of the Town Code

2019-#569
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 the Proposed Amendment of Ch. 57 of the Town Code.

Motion by Mike McGinn, second by Sal Scancarello.

Final Resolution: Motion Carries

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

2019-#570
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 the Proposed Amendment of Ch. 57 of the Town

Code until January 22, 2020 at 7:00pm.

Motion by Mike McGinn, second by Mary Bingham.

Final Resolution: Motion Carries

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

Action (Resolution), Discussion: 4.3 Motion to Open the Continuation of the Public Hearing for Proposed Changes to Article XIV of the Town of Monroe Zoning Local Law

2019-#571
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 Supervisor -Tony Cardone, second by Mike McGinn.

The following residents spoke during Public Comment regarding the Continuation of the Public Hearing for 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 #4.3, 0:15:25.

- Ward Brower

- Supervisor Cardone: Any public speakers?
- Deputy Town Clerk Valerie Bitzer: Ward Brower.
- Ward Brower: Ward Brower, private citizen. Again, contact this morning with a couple of my neighbors who are here past months. They just wanna know when they gonna get a Grandfather Clause. (Inaudible) saying we were promised months ago, and this was first introduced back in June I believe. So, it's half a year. Just wanna know what the time frame is. Thank you.
- Deputy Town Clerk Valerie Bitzer: That's all that signed up.
- Councilman McGinn: Ok.
- Supervisor Cardone: You wanna comment on it?
- Councilman McGinn: Yeah we'll, we'll, we'll hopefully be taking that up on the.
- Councilman Colon: 22nd.
- Councilman McGinn: 22nd as well. So, that's the plan.
- Ward Brower: Thank you.
- Supervisor Cardone: Anyone else?
- Councilman Colon: No.

Action (Resolution), Discussion: 4.4 Possible Motion to Keep Open the Continuation of the Public Hearing for Proposed Changes to Article XIV of the Town of Monroe Zoning Local Law

2019-#572
BE IT RESOLVED that the Town Board of the Town of Monroe Motion to Keep Open the Continuation of the Public Hearing for Proposed Changes to Article XIV of the Town of Monroe Zoning Local Law until January 22, 2020 at 7:05pm.

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

Final Resolution: Motion Carries

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

Information: 4.5 Public Hearing Notice: Proposed Introductory Local Law No. 8 - Amemd Article III, Ch. 51 of the Town Code (Trucks and Buses Exclusions)

2019-#573
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 Introductory Local Law No. 8 - Amend Article III, Ch. 51 of the Town Code (Trucks and Buses Exclusions) / Continuation of the Public Hearing of Proposed Amendments to Ch. 51 of the Town Code (Overweight Vehicles). Lake Region Boulevard & School Road.

Motion by Supervisor -Tony Cardone, second by Councilman - Rick Colon.

Final Resolution: Motion Carries

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

Action (Resolution), Information: 4.6 Motion to Open the Continuation of the Public Hearing for Proposed Introductory Local Law No. 8 - Amend Article III, Ch. 51 of the Town Code (Trucks and Buses Exclusions) / Continuation of the Public Hearing of Proposed Amendments to Ch. 51 of the Town Code (Overweight Vehicles)

The following residents spoke during Public Comment regarding the Continuation of the Public Hearing for Proposed Introductory Local Law No. 8 - Amend Article III, Ch. 51 of the Town Code (Trucks and Buses Exclusions) / Continuation of the Public Hearing of Proposed Amendments to Ch. 51 of the Town Code (Overweight Vehicles). To hear their comments, and Board Members responses please go on-line to Board Docs Video Clip #4.6, 0:16:54.

- Ward Brower

- Supervisor Cardone: So, our Highway Superintendent John Scherne apologizes for not being here this evening. He had a Fire District Meeting, and some training I believe. So, his thought process here is that School Road is a heavily traveled road. It was just re-done, as was Lake Region, and he would like a weight limitation placed on that road, and that will be excluding trucks, and buses for obvious, for obvious reasons. Counsel, do you have the

actual, is it an 11 ton weight limit?
- Counsel Don Feerick: Tony, I don't have it (inaudible).
- Councilman Colon: (Inaudible).
- Supervisor Cardone: What?
- Councilman Colon: He didn't put the weight down. I know we discussed the weight though.
- Supervisor Cardone: Yeah.
- Councilman McGinn: Probably bring it up in Board Docs if we.
- Councilwoman Bingham: (Inaudible).
- Ward Brower: It was 18,000 pounds.
- Councilman Colon: To a max of 18? Except for local deliveries.
- Ward Brower: (Inaudible).
- Councilman Scancarello: So, (inaudible).
- Ward Brower: (Inaudible).
- Councilwoman Bingham: Yeah, it's Town Code Section 51-6. It's listed in there.
- Supervisor Cardone: And what's it say?
- Town Board Members: (Inaudible).
- Councilwoman Bingham: It says Trucks & Buses having a gross weight in excess of 18,000 pounds shall hereafter be prohibited from using the following streets at the locations indicated.
- Supervisor Cardone: Ok.
- Councilman Colon: Alright.
- Supervisor Cardone: Ok, so we're looking at a 9 ton or 18,000 pound weight limit for those two roads with the exclusion of.
- Councilman McGinn: Local deliveries.
- Councilman Colon: Local deliveries
- Supervisor Cardone: Local delivery trucks, and buses. Any other comments? Antone from the public want to comment?
- Deputy Town Clerk Valerie Bitzer: Ward Brower. Supervisor, this is, this is the two combined that I have.
- Supervisor Cardone: Yes.
- Deputy Town Clerk Valerie Bitzer: Ok.
- (Inaudible)
- Deputy Town Clerk Valerie Bitzer: Yep. Ward, I have you signed up, and Mr. Protter.
- Ward Brower: Since you've lumped them all together, it's a little confusing. Ward Brower, private citizen. Again, I was confused by why we had two separate codes, apparently trying to do the same thing.
- Supervisor Cardone: Yes.
- Ward Brower: And the other thing you had, Tony, I think you clarified.
- Supervisor Cardone: Yeah.
- Ward Brower: And that is except local deliveries.
- Supervisor Cardone: Correct.
- Ward Brower: And I guess picking up the garbage will be considered a local deliveries

because those guys exceed that, and they're almost 80,000 pounds.
- Councilman Scancarello: Oh yeah.
- Supervisor Cardone: Yeah.
- Councilman Scancarello: Those are big trucks.
- Ward Brower: I think that's what.
- Supervisor Cardone: Yep.
- Councilman McGinn: Yeah it's.
- Supervisor Cardone: Thank you.
- Councilwoman Bingham: Yeah, Mr. Supervisor, do you want me to read where Ward's concern is addressed? It is in the code. It's 51-7. This (inaudible) shall not apply to commercial vehicles making house deliveries to residents along said roads, school buses, municipally (inaudible).
- Laughter.
- Councilwoman Bingham: No, municipally operated vehicles, and or public utility vehicles.
- Supervisor Cardone: Ok.
- Councilwoman Bingham: So it's covered.
- Town Board Member: - (Inaudible) salt trucks.
- Councilwoman Bingham: Yes.
- Supervisor Cardone: Mr. Protter.
- Councilman McGinn: Of course salt trucks.
- Councilman Scancarello: Yes, yes. (laughter), and salami ones.
- Town Board Members: (Inaudible).
- Mr. Protter: Yes, good evening. I'm here on behalf of the Village of Kiryas Joel, and the Village just has some concerns about the law. We'd just like to see a copy of it, and you've identified the roads now for us which is very helpful. So, if we could see a copy of the proposed law, we'd like to have the ability to comment if we think (inaudible).
- Supervisor Cardone: You can, you can actually go on line.
- Mr. Protter: Is the draft of the proposed law on line?
- Supervisor Cardone: No, no. No, that's actually the Local Law. We're just amending the roads.
- Councilwoman Bingham: We're adding two more roads.
- Supervisor Cardone: We're adding two more roads.
- Mr. Protter: (Inaudible) two more roads.
- Supervisor Cardone: Yeah.
- Councilman Colon: Yeah, it's, everything's on line.
- Supervisor Cardone: Everything is on line.
- Mr. Protter: Ok, fine.
- Councilman McGinn: Yeah, I think, I think the concern was Seven Springs.
- Mr. Protter: Yes, that was a concern.
- Councilman McGinn: And, and, and I think that's a discussion we need to have.
- Mr. Protter: Understood.

- Councilman McGinn: Because of the, the excess construction traffic that's coming out onto 208, and these again, these are citizen's concerns, that we you know complaints that we've gotten, so I think that's just a conversation we have to have.
- Mr. Protter: Understood.
- Councilman McGinn: With the Village to kinda reign some of that in, or re-direct it to other, other areas, or other roads.
- Mr. Protter: (Inaudible) appreciate having that conversation.
- Councilman McGinn: Yeah, absolutely. Absolutely.
- Mr. Protter: (Inaudible)
- Councilman McGinn: Yeah, we'll figure that out.
- Mr. Protter: I'll check the law, and I appreciate the reference (inaudible).

Action (Resolution), Discussion: 4.7 Possible Motion to Keep Open the Continuation of the Public Hearing for Proposed Introductory Local Law No., 8 - Amend Article III, Ch. 51 of the Town Code (Trucks and Buses Exclusions) / Continuation of the Public Hearing of Proposed Amendments to Ch. 51 of the Town Code (Overweight Vehicles)

2019-#574
BE IT RESOLVED that the Town Board of the Town of Monroe Motion to close the Continuation of the Public Hearing for Proposed Introductory Local Law No., 8 - Amend Article III, Ch. 51 of the Town Code (Trucks and Buses Exclusions) / Continuation of the Public Hearing of Proposed Amendments to Ch. 51 of the Town Code (Overweight Vehicles) *School Road, and Lake Region Boulevard*

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

Final Resolution: Motion Carries

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

Information: 4.8 Order Calling For Public Hearing - Old Country Road Water District

2019-#575
BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Public Hearing Regarding the Continuation of Old Country Road WD.

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

Final Resolution: Motion Carries

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

Action (Resolution), Information: 4.9 Motion to Open the Public Hearing Regarding the Continuation of Old Country Road WD

The following residents spoke during Public Comment regarding the Continuation of the Public Hearing of Old Country Road. To hear their comments, and Board Members responses please go on-line to Board Docs Video Clip #4.9, 0:24:00.

- Mr. Protter
- Michale Dixler
- David Dixler

- Supervisor Cardone: Mr. Protter.
- Mr. Protter: (Inaudible) good evening again. Howard Protter on behalf of the Village of Kiryas Joel. A number of questions arose at the Public Hearing on November 25th, and as requested by the Town we'd like to respond to those. I'm gonna go through them in what I believe was the order which they were raised. Number 1 - the Town raised concerns seeking some sort of compensation for the property owners who have suffered as a result of a use of their wells. The loss of the use of their wells. The Village proposes that any single family residential property whose well has failed will be connected to the Village Water Main at no cost, and will receive free water for two years. If a single family residential property owner does not want to connect now because they have a functioning well, but that well fails in the future, the Village will connect that single family residential property to the Village Mains at no cost, and that single family property owner at that time will receive free water for two years. Those properties that have water but wanna connect within six months of the District formation, the Village will connect them to the Village Water Main at no cost to the property owner, but the Village will not provide them with free water. Number 2 - the Town raised concerns regarding connection fees when there are additions to existing properties. The Village proposes that there will be a new fee payable where (1), there is a conversion of a single family residence to a two or more family residence. (2), there is an increase in the footprint of the single family residence by more than 10%. (3), there is an increase of two or more bedrooms. And (4), there is a change to a non-residential use. Number 3 - The Town asked if the Village could do something to speed up the installation of the Main, and connection of the current homes without water. No one should be without water. The Village has contacted the owner of #24, to provide that property with water immediately. Those conversations are still ongoing. The Department of Health has provided comments on the submission of our plans, and specifications of the proposed Mains, and we're in process of addressing those concerns. We're working with the Department of Health to get their approval. They're, they're somewhat hung up on the hydrants, ok which we, we, we proposed that they be functioning fire protection hydrants. At some point we may have to say that they'll only be blow offs if it's gonna delay it too long. Ok, but our intent has been, and remains to make them fully functional fire protecting hydrants. The construction schedule identified in the contract allows for 30 days of for completion. That's and aggressive schedule cause this will be winter time. However, the construction will still be expedited to the greatest extent possible. The Pre-Bid Meeting with potential contractors was held on the 6th. The due date for the Bids is the 16th, so we're anticipating

moving rather quickly. The Town asked when numbers 46, and 55 were connected to the Village Water System. Tose properties were previously connected pursuant to agreements with with the Village. The agreement with one of those properties was in exchange for an Easement to cross their property with a Water Main. The other was pursuant to an agreement that contemplated the property would be in the District when the District's formed. Both properties are proposed to be in the proposed District. When the District is formed they'll be paying the same out of District rates as everybody else in the District. The Town asked about the Police Barracks. That property is owned by the Town of Monroe and pursuant to an agreement between the communities when the Village needed to cross Larkin Drive and obtain that Easement from that other property owner it also needed to obtain an Easement from the Town for (inaudible) to cross the State Police Barracks property. Pursuant to that agreement the Village agreed to provide the Town with water service for that facility. The Town asked if existing private wells could continue to be used. Upon completion upon connection to the Village Water Main the private wells are going to be required to be physically and permanently disconnected to avoid the potential for cross contamination with the Village Public Water Supply. The physical and permanent disconnection will involve the removal of a section of pipe and the power supply between the private well and the residence. Number 7 - The Town and Mrs. Dixler house #45 asked about who pays for the work to disconnect the private wells. The Village will pay to physically disconnect the existing wells to render them inoperable. There was some discussion by the Town Board regarding rates charged for the water service. Residential customers in the Village pay $3.75/1000 gallons. Their rates are lower than that proposed for the out of Village customers because the actual cost to deliver water is greater than that provided by the rates. The Village residents pay taxes and a portion of those taxes pays for much of the administrative cost and overhead of for operating the water system. Property owners in this proposed District do not pay will not pay Village taxes. So there's an adjustment in rates to try to reflect that shortfall and to more closely approximate the actual costs for the delivery of water supply. That is a very typical arrangement in Villages throughout the County and throughout the State when they're providing water outside of their boundaries. Typically locally we have this case of Village of Monroe Harriman Cornwall-on-Hudson Goshen etc. They all charge a higher premium because if they borrow money for the water system it's the full (inaudible) Village property owners that are (inaudible) and there's a lot of other administrative costs such as that that are not covered by rates.

- Supervisor Cardone: What is that rate?
- Mr. Protter: Six.
- Supervisor Cardone: Six.
- Mr. Protter: The Village cannot guarantee that rates will never go up. The water rates may go up over time. All costs go up. However the cost to out of Village users will only go up proportionally with increases in rates to the Village residents. Rates to the District will not go up separately from those charged to the Village residents. I've been in lastly I've been in communication with your Counsel regarding the IMA. I'm told that Counsel your Counsel is

drafting it and I'm awaiting to receive that. I'm (inaudible) happy to take any questions.
- Supervisor Cardone: (Inaudible) just so you had made reference to the fact that we were concerned about the water rates. I I don't think it was us more than it was one of the residents that was there.
- Mr. Protter: That may be.
- Supervisor Cardone: Yeah.
- Mr. Protter: I know there was some discussion (inaudible) the Board Members though.
- Supervisor Cardone: Yeah.
- Mr. Protter: Which which spoke to maybe the Public Service Commission having some involvement and that's not actually accurate. The Public Service Commission doesn't regulate the rates for Municipal Water Supply.
- Town Board Member: Right.
- Councilman McGinn: (Inaudible).
- Supervisor Cardone: So my my question and and maybe you can clarify this only because I have not seen it I have just heard. The Bid that went out for the for doing this work only included the main. Did not include any laterals or curb valves and I just don't understand why you would just put a main in. In fact one of the potential Bidder's actually said to me I actually thought there was a page missing in it because it doesn't make sense just to put a main in. Because here's what's gonna happen and I've already spoken to our Highway Super on it. Now you're gonna be diggin up the road every time you need to put a curb valve or lateral in and.
- Mr. Protter: This is news to me.
- (Laughter)
- Mr. Protter: I will find out.
- Supervisor Cardone: Can you.
- Councilman McGinn: It was news to us too.
- Mr. Protter: Yes.
- Supervisor Cardone: Yeah and I just found this out yesterday so I didn't I didn't even tell any of the Board Members.
- Mr. Protter: I will find out.
- Supervisor Cardone: Alright. Alright.
- Town Board Members: (Inaudible).
- Mr. Protter: I understand completely.
- Supervisor Cardone: That's fine.
- Councilman McGinn: (Inaudible).
- Supervisor Cardone: Anybody else?
- Councilwoman Bingham: Yeah I have.
- Councilman McGinn: Yeah.
- Councilwoman Bingham: A question.
- Councilman McGinn: After you Mary please. Councilwoman Bingham.
- Councilwoman Bingham: Go back to the State Trooper Barracks.

- Councilman McGinn: Oh that's what I was gonna ask you about yeah.
- Councilwoman Bingham: Yeah so they have an Easement. There's a separate IMA?
- Mr. Protter: I don't believe it was ever (inaudible).
- Supervisor Cardone: No.
- Councilwoman Bingham: No.
- Supervisor Cardone: No IMA.
- Councilwoman Bingham: No.
- Supervisor Cardone: Whatsoever. It was a handshake agreement.
- Mr. Protter: It was a handshake agreement.
- Councilwoman Bingham: So so will will they be in this Water District as well?
- Mr. Protter: No.
- Councilwoman Bingham: No.
- Councilman Colon: No. They're separate.
- Mr. Protter: They're separate.
- Councilwoman Bingham: They will be separate?
- Mr. Protter: They're gonna be they've been separate. They will continue to be separate.
- Councilman McGinn: So so that's kinda like.
- Mr. Protter: But we can provide (inaudible).
- Supervisor Cardone: (Inaudible) can clarify it.
- Mr. Protter: That's right.
- Councilman McGinn: Yeah cause here's my.
- Mr. Protter: (Inaudible) I don't even know if there's a written Easement.
- Supervisor Cardone: No there's not. I researched it.

(Inaudible)

- Councilman McGinn: So when you said as per agreement I was like I'd love to see that agreement cause we couldn't find it.
- Mr. Protter: (Inaudible)
- Councilman McGinn: But it is a handshake agreement I'm sure.
- Mr. Protter: Right.
- Councilman McGinn: Like a lot of things were back in the day.
- Mr. Protter: (Inaudible)
- Councilman McGinn: But I guess I guess what our concern is and what Councilwoman Bingham is probably getting to as well is if it's not in a District and the concerns we hear from our renters (inaudible) State Police is if they were in a District we know there'd be testing they would get water quality results and things like that.
- Mr. Protter: Right.
- Councilman McGinn: And (inaudible) they don't get that. You know what I mean? And we we would like them to we would like to know that just like a regular Water District what what the water quality tests (inaudible).
- Mr. Protter: Absolutely.

- Councilman McGinn: Come back on a quarterly basis and are there is there is this like a no charge type deal or cause I don't think we get bills on it.
- Mr. Protter: (Inaudible) do you pay? I'm not sure.
- Councilman McGinn: And I don't think they get bills on it either so.
- Supervisor Cardone: No.
- Councilman McGinn: And that's fine. You know we're we're fine with it. I'm sure they are but I think really the big concern was the water quality and where you know cause if it was part of a regular District then it would be it would fall under the regular deal we each.
- Mr. Protter: We're happy to have a an Inter-municipal Agreement with the Town that covers all of the concerns regarding that property and its use of water.
- Councilman McGinn: (Inaudible). Ok.
- Mr. Protter: (Inaudible)
- Councilman McGinn: Yeah.
- Mr. Protter: We that does not need to be tied to this District.
- Councilman McGinn: Right. They they're just they were you know they use bottled water for everything and they just cause they were they were a well then as per this handshake agreement back whenever it was.
- Mr. Protter: It goes back many years.
- Councilman McGinn: Yeah it goes back a lot of years.
- Mr. Protter: Yeah.
- Councilman McGinn: Back early 90's.
- Mr. Protter: Right. I think so.
- Councilman McGinn: Late 1980's or something.
- Mr. Protter: Yes I think it's over 20 years.
- Councilman McGinn: Yeah so.
- Mr. Protter: We're happy to clean that all up. Have have a paper a document that memorializes everything.
- Councilman McGinn: Yeah that' be great.
- Mr. Protter: That yes be happy to do that. I don't think it needs to be tied to this IMA regarding the District.
- Councilman McGinn: Right.
- Mr. Protter: But whatever protections or concerns you had we're happy to (inaudible).
- Councilman McGinn: Yeah cause we really don't wanna buy you know Poland Spring or bottled water (inaudible) so. If we don't have to.
- Mr. Protter: Mmm hmm.
- Councilwoman Bingham: I had two other questions.
- Councilman McGinn: Oh I'm sorry Mary I didn't mean to (inaudible).
- Councilwoman Bingham: I know you just jumped right in there because (inaudible).
- (Laughter)
- Councilwoman Bingham: I know.

- Councilman McGinn: Alright I'll shut up.
- Councilwoman Bingham: The Village of Kiryas Joel Resolution it's number 7A the Base Connection Fee. That listed very specific square footage. 2500 square feet and a maximum of 3000 square feet.
- Mr. Protter: Yeah we're going to.
- Councilwoman Bingham: But here you you just said a residential unit. And then piggyback on that is on the last page of the Resolution letter E it said Mother (inaudible) Mother-Daughter dwellings are considered two units. Even though currently right now it's (inaudible) it's not an accessory apartment it's a Mother-Daughter.
- Mr. Protter: Well (inaudible).
- Councilwoman Bingham: You're still counting it as two?
- Mr. Protter: Yes. Mother-Daughter's are really two two units. It's really a two family. The because if if it has a kitchen if it has a bathroom if it has bedrooms (inaudible) separate facilities it's it's really a two family. The fact that relatives are living in it doesn't necessarily change it.
- Councilwoman Bingham: So if somebody currently has a Mother-Daughter.
- Mr. Protter: (Inaudible)
- Councilwoman Bingham: You're gonna pay for one (inaudible) one hook-up free or you're going to allow 2 hook-ups if they do it with-in the six months?
- Mr. Protter: For existing.
- Councilwoman Bingham: Yes.
- Mr. Protter: Single family residents.
- Councilwoman Bingham: Existing single family. So the Mother-Daughter would have to pay the $25000 hook-up for the Daughter portion or the Mother portion or whatever.
- (Inaudible)
- Mr. Protter: I hate to think of it in those terms. I don't want to penalize Mother's or Daughter's but let me let me look into that.
- Councilwoman Bingham: Ok.
- Mr. Protter: Ok. And that's for existing. Now does your Zoning Code define Mother-Daughter's in a way differently than a two family?
- Councilwoman Bingham: I don't.
- Councilman Colon: (Inaudible) accessory.
- Councilwoman Bingham: Yeah it's more like an accessory apartment.
- Councilman Colon: Accessory apartment.
- Mr. Protter: Ok.
- Councilman McGinn: Yeah and I don't believe the accessory well I the accessory apartment (inaudible) doesn't doesn't address utilities.
- Councilwoman Bingham: Yeah.
- Councilman Colon: No.
- Councilwoman Bingham: Alright.

- Mr. Protter: But it's more (inaudible) an accessory apartment?
- Supervisor Cardone: Yeah.
- Mr. Protter: Under your.
- Councilman McGinn: Right.
- Supervisor Cardone: Under ours.
- Councilman McGinn: Which we don't which we don't consider a two family.
- Supervisor Cardone: No.
- Councilwoman Bingham: No.
- Mr. Protter: Ok.
- Councilman McGinn: For our own purposes.
- Mr. Protter: I will I will look into that for you.
- Councilwoman Bingham: Thank you.
- Mr. Protter: I'll provide a response before hopefully before the next meeting.
- Councilman McGinn: Alright.
- Councilwoman Bingham: Thank you.
- Councilman McGinn: Thank you.
- Mr. Protter: Did you have a (inaudible).
- Councilwoman Bingham: Well that the other one was the size of the house.
- Mr. Protter: Oh ok.
- Councilwoman Bingham: The 3 maximum of 3000 square feet.
- Mr. Protter: Yeah.
- Councilwoman Bingham: And.
- Mr. Protter: We're gonna we're we're going to modify our Resolution based upon what I provided to the Board tonight. Ok because that needs to be reflected in the Resolution.
- Councilwoman Bingham: Right because tonight you said.
- Mr. Protter: That's our proposal for going forward. Yes.
- Councilwoman Bingham: Ok. Those those are my questions.
- Supervisor Cardone: Mike anything else?
- Councilman McGinn: No I'm good.
- Supervisor Cardone: The only other thing I'll comment on is I I will remain steadfast in feeling that these residents deserve four years of free water.
- Mr. Protter: Mmm hmm.
- Supervisor Cardone: I just feel they they've been burdened you know already and the infrastructure that they've invested in is probably anywhere between 8-$12000.00. And if you're looking at a water bill that's over a year that's maybe $1200 bucks you're really just about at 50% of what they're infrastructure is. So I understand. We could you know the the two year if you were hooking up after but if if these residents have had no water the two of them that don't have any water I just don't think it's important to them that they be compensated in some way.
- Mr. Protter: Mmm hmm. Absolutely will take that under advisement.

- Supervisor Cardone: Ok. Anyone else?
- Deputy Town Clerk Valerie Bitzer: I do have it looks like Mr. & Mrs. Dixler that signed up.
- Supervisor Cardone: Thank you Mr. Protter.
- Councilman McGinn: Thank you.
- Mr. Protter: You're welcome.
- Councilman Scancarello: Thank you.
- Councilwoman Bingham: Thank you.
- Michale Dixler: Hello everybody. We're here again.
- Councilman McGinn: How are you?
- Michale Dixler: I'm.
- Supervisor Cardone: State. Just state your name.
- Michale Dixler: I'm good.
- Supervisor Cardone: And where you live.
- Michale Dixler: My name is Michale Dixler. I live at 45 Old Country Road.
- Supervisor Cardone: Thank you.
- Michale Dixler: And uh Mr. Protter presented a lot of information so I haven't quite absorbed all of it but I did come with a couple of questions. And one was once the Kiryas Joel Aqueduct Pipe Line that's being brought from the Ashokan Reservoir New York City Water is completed what happens to the Brenner Wells and where are we then getting our water?
- Supervisor Cardone: From what we've been told Councilman McGinn and I had a conversation with Mr. Szegedin. Is that those wells will be disconnected from the Village Water but it will still.
- Councilman McGinn: Will be yeah they will be.
- Supervisor Cardone: Used.
- Councilman McGinn: Be on reserve.
- Supervisor Cardone: Right.
- Councilman McGinn: And not be used. Cause as per the the and I'm not gonna speak to the agreement that the D.E.P. has the city D.E.P. has with with the Village but they have to maintain a back-up water supply for in case of equal of equal volume in case the city has to cut off for some reason like they are right now when they're doing you know.
- Michale Dixler: Repairs.
- Councilman McGinn: A new repairs the Aqueduct and stuff like that so. So we we've been advised that those wells will only be used in case of emergency or to back-up that system.
- Michale Dixler: Ok speaking of cases of emergency I heard Mr. Protter say something about that not only will they disconnect our current wells but they will destroy them in a sense. They're removing a section of pipe. That concerns me because what happens if you know you have to re-connect if something happens to another water source? (Inaudible).
- Supervisor Cardone: (Inaudible) valid point. We just cap it.
- Michale Dixler: Why not just why not just disconnect it? Cap it.
- Supervisor Cardone: Yeah.

- Michale Dixler: Or whatever? I mean I have volunteered to have instruments in my well for the last 15 years or so and you know so I was doing that and it's been going down but it is still functional. And you know the thought of it being destroyed by having a piece of pipe removed I don't understand why that has to be done. It it sounds like we're gonna make you totally dependent on you know on something else.
- Supervisor Cardone: Totally understand your point.
- Michale Dixler: So I'd like that addressed.
- Supervisor Cardone: We'll we'll have our Counsel address that.
- Michale Dixler: Ok. As I said I currently have water but I am a two fam legally a two family house. So then do I have to fall under this other rule that if I want to have two connections it would cost $25000.00 to do so?
- Supervisor Cardone: As far as I'm concerned absolutely not but we have to we have to come to an agreement on that. Yeah I don't think it would be fair if you got charged.
- Michale Dixler: Ok so something perhaps will be in the Agree.
- (Inaudible).
- Michale Dixler: Final Agreement.
- Supervisor Cardone: That's what we have to discuss.
- Councilman Scancarello: Yeah.
- Michale Dixler: And I'm glad to hear that things are speeding up. So that's for num you mentioned number 24. Is that also number 34 I believe? So we have two houses. Pa Pastrano. Nelson Pastrono and Lieby Bickle.
- Supervisor Cardone: And Lieby Bickle.
- Michale Dixler: With having no water.
- Supervisor Cardone: Right.
- Michale Dixler: So it's both of those that will be getting it. When he says getting it.
- Supervisor Cardone: Presently.
- Michale Dixler: Soon. What does that mean?
- Supervisor Cardone: As as soon as the Water Main is completed which Mr. Protter what was what was the anticipation completion date? February?
- Mr. Protter: (Inaudible) of the Main?
- Supervisor Cardone: Yeah.
- Mr. Protter: January. Late January.
- Supervisor Cardone: Ok.
- Mr. Protter: One of those houses has water (inaudible).
- Councilman Colon: You have to speak into the microphone.
- Michale Dixler: Yeah.
- Mr. Protter: I'm sorry. One of those homes has temporary water supply already via the tank truck there. We're we've been in discussion with the other property owner about providing her with water but those discussions are on-going.
- Supervisor Cardone: Ok.

- Michale Dixler: Alright. Whatever that means. Ok. Alright my well is at least 15 feet below where it used to be. The water level. And that has been caused we believe by the the.
- Supervisor Cardone: Brenner Wells.
- Michale Dixler: Brenner pumping. Am I then one of the distressed individuals or not?
- Supervisor Cardone: Well I understood when we met with Mr. Szegedin you have water right now.
- Michale Dixler: Yes I do.
- Supervisor Cardone: And his thought process and Mike correct me if I'm mis-interpret anything. His thought process here was that you have water. Once the Aqueduct is is hooked up those Brenner Wells will obviously re-charge a little bit. So if you were yielding six gallons per minute and now you're wells down 15 feet and maybe you're only yielding four gallons per minute you still have water. So he didn't feel hooking you up to the Main warranted getting free water when you already have water. But Mike pressed him and it was basically said well if that Well does go dry then that person should be entitled to free water.
- Michale Dixler: Well that Well is going to be.
- Councilman McGinn: And the free hook-up.
- Supervisor Cardone: Right.
- Michale Dixler: Yeah the free hook-up is definitely (inaudible). I mean we would do it with-in the six months. I'm not gonna pay $25000.00 to.
- Supervisor Cardone: Well you wouldn't have to pay $25000 if you went dry in the future.
- Michale Dixler: Really?
- Councilman McGinn: Yeah so if two years from now the you went and I'm not gonna throw the number out there cause I don't know if we're puttin a.
- Supervisor Cardone: There's no time frame on it.
- Councilman McGinn: Yeah if you went dry then then they would you would be connected to the to the a Water District being established by the Village and you'd get the two years of free water (inaudible).
- Michale Dixler: And and what would be the process? I mean this has been an on-going thing. We've been coming here for quite a while.
- Councilman McGinn: Yeah I know. We we know.
- Michale Dixler: I'd like to be done with it as I'm sure all of you would.
- Councilman McGinn: Yeah we we're working diligently too to make sure this gets you know.
- Supervisor Cardone: When you say what would be the process. So if your Well goes dry.
- Michale Dixler: I mean would I have to go through.
- Supervisor Cardone: They'd have to.
- Michale Dixler: Petition KJ?
- Supervisor Cardone: No. They'd probably have to hook up a tanker.
- Councilman McGinn: (Inaudible) if if if Ms. Dixler that happened we would you could call you could call the Village of Kiryas Joel Water Department or their Government Services. Let them know obviously you're a Town of Monroe resident. You could let us know and we would assist

you on your behalf with the Village to to move that along.
- Councilman Colon: May I may I make a point? At at this point it's all (inaudible) but I think we can put that in the IMA Agreement of exactly what steps to be taken. That's just a good idea. Right now everything is is preliminary. So once we get an IMA Agreement that would be I think a very good idea to put in.
- Michale Dixler: Ok.
- Supervisor Cardone: And in order for them to speed the process for them to hook you up maybe we could add like another two free years of water if you don't get hooked up.
- (Laughter)
- Michale Dixler: And if I choose to.
- Supervisor Cardone: In a certain period of time.
- Councilman McGinn: (Inaudible).
- Michale Dixler: If I choose to do it with-in the first six months I can.
- Councilman McGinn: Yes.
- Michale Dixler: I think it's a good thing to have Municipal Water rather than a precarious Well.
- Supervisor Cardone: You just won't get the free water if you do it.
- Michale Dixler: I understand.
- Supervisor Cardone: Ok.
- Councilman McGinn: Yeah.
- Michale Dixler: Well we're basically two people there.
- Supervisor Cardone: Right.
- Councilman McGinn: Yeah.
- Michale Dixler So ok. Alright I I.
- Supervisor Cardone: But I heard your husband takes very long showers.
- (Laughter)
- Michale Dixler: He's very clean.
- (Laughter)
- Michale Dixler: Thank you.
- Supervisor Cardone: Thank you.
- Councilman Scancarello: Thank you.
- Councilman McGinn: Thank you.
- Supervisor Cardone: Mr. Dixler. The long shower guy.
- (Laughter)
- Mr. Dixler: I'm certainly not gonna con contradict my wife. I just a question. We don't have a swimming pool. Eventually our properties going to you know with age we might move somewhere else. A lot of our neighb a lot of people do have swimming pools. Could we use at that time once we're we're hooked into the system could our own water Well which we would not be using for drinking or (inaudible) be used to fill a pool (inaudible) and uses like that which would not damage anyone else's system. Is that a problem?
- Supervisor Cardone: I I don't know. I can't answer that question. That's probably a

Department of Health.
- (Inaudible)
- Mr. Dixler: Because that's a that's a big (inaudible).
- Supervisor Cardone: (Inaudible) it's a good point.
- Councilman Colon: One second. Now you're you're pre-supposing what somebody else is gonna do on your property.
- Mr. Dixler: Well I might I might decide next year I want a pool. I'm just saying.
- (Inaudible)
- Councilman Colon: (Inaudible) you can always have a tanker come (inaudible).
- Mr. Dixler: But I have plenty of good water coming from the ground.
- Councilman Colon: Ok.
- Mr. Dixler: So let's say I certainly not gonna mix my water with a with a with a with a water system but I should be able to use that water to fill a pool.
- (Inaudible)
- Councilman McGinn: I mean realistically go ahead Rick.
- Councilman Colon: What's gonna happen is is that the Inter Inter-municipal Agreement if your Well has to be disconnected from the home that means you would probably have to have a specific single set-up. But we're gonna have to put that in a Municipal agreement. In other words with what you're asking for is a specific that we haven't reached yet that we will have to look at at the Inter-Municipal Agreement.
- Mr. Dixler: Alright but I don't want to destroy my Well (inaudible).
- Councilman Colon: Nobody (inaudible).
- Mr. Dixler: It's easy to disconnect it at this point and put it and.
- Councilman Colon: (Inaudible)
- Mr. Dixler: At some point in the future use it for another purpose. That's all I'm saying.
- Councilman Colon: I understand that.
- Supervisor Cardone: Totally totally we understand and (inaudible).
- Councilman Colon: That's a (inaudible) we have to put into the Municipal Agreement.
- Mr. Dixler: Well I think it's well I'm thinking it. I'm suggesting it.
- Councilman Colon: Alright. And then it's accepted as great suggestion.
- Mr. Dixler: Alright thank you very much.
- Supervisor Cardone: Thank you very much.
- Deputy Town Clerk Valerie Bitzer: That's all for Public Comment.
- Supervisor Cardone: Anyone else? No. Anyone on the Board have to comment anymore?

Action (Resolution) Discussion: 4.10 Possible Motion to Keep Open the Public Hearing Regarding the Continuation of Old Country Road WD

2019-#576

BE IT RESOLVED that the Town Board of the Town of Monroe to Keep Open the Public Hearing Regarding the Continuation of Old Country Road WD until January 22 2020 at 7:10pm.

Motion by Supervisor -Tony Cardone second by Councilman - Rick Colon.

Final Resolution: Motion Carries

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

Discussion Information: 4.11 Motion to Open the Continuation of the Public Hearing-Ambulance and Fire Protection Contracts

NO ACTION AT THIS TIME. To hear Supervisor Cardone's explanation please go to Board Doc's Video Clip #4.11 0:53:04. Action (Resolution) Information: 4.12 Possible Motion to Keep Open the Continuation of the Public Hearing for Ambulance and Fire Protection Contracts

2019-#577
BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to close the Continuation of the Public Hearing for Ambulance and Fire Protection Contracts

Motion by Mike McGinn second by Mary Bingham.

Final Resolution: Motion Carries

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

2019-#578
BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to authorize the Supervisor to sign the agreements in a form as approved by Counsel for the Ambulance and Fire Protection Contracts.

Motion by Mike McGinn second by Councilman - Rick Colon.

Final Resolution: Motion Carries

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

5. Audit of Claims

Action (Resolution) Discussion: 5.1 Escrow Abstract

2019-#579
BE IT RESOLVED that the Town Board of the Town of Monroe requests approval of Abstract #19-014 Escrow containing Check #'s 1886 - 1888 totaling $13639.34 providing there are three signatures.

Motion by Mary Bingham second by Sal Scancarello.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 5.2 General Fund Abstract

2019-#580
BE IT RESOLVED that the Town Board of the Town of Monroe requests approval of Abstract #19-018 General Fund containing Check #'s 24927 - 25057 totaling $403883.16 providing there are three signatures.

Motion by Councilman - Rick Colon second by Sal Scancarello.

Final Resolution: Motion Carries

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

6. Acceptance of Minutes

7. New Business

Action (Resolution) Discussion: 7.1 Bond Resolution-Financing of Highway Truck

2019-#589
BE IT RESOLVED that the Town Board of the Town of Monroe Made the Following Resolution by Supervisor Cardone and seconded by Councilman Colon.

“Bond Resolution of the Town of Monroe New York adopted December 92019 authorizing the acquisition of a truck for use by the Highway Department stating the estimated maximum cost thereof is $275 appropriating said amount for such purpose and authorizing the issuance of bonds of the Town in the principal amount of not to exceed $275000 to finance said appropriation”
an abstract of such bond resolution concisely stating the purpose and effect thereof being as follows:
FIRST: AUTHORIZING said Town to acquire a truck including apparatus and equipment used in connection therewith for use by the Highway Department; STATING the estimated maximum cost thereof including preliminary costs and costs incidental thereto and the financing thereof is $275000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds of the Town in the principal amount of not to exceed $275000 to finance said appropriation and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;
SECOND: AUTHORIZING the issuance of not to exceed $275000 bonds of the Town pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;
THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to

reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;
FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;
FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals thereof and other related powers; and
SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

Motion by Supervisor -Tony Cardone second by Councilman - Rick Colon.

Final Resolution: Motion Carries

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

Information: 7.2 2020 Town Board Meeting Dates

Proposed 2020 Town Board Meeting dates: January 8th January 22nd February 3rd February 10th March 2nd March 16th April 6th April 20th May 4th May 18th June 1st June 15th July 20th August 3rd August 31st September 21st October 5th October 19th November 2nd November 16th December 7th.
Action (Resolution) Discussion: 7.3 2020 Ethics Forms

2019-#581
BE IT RESOLVED that the Town Board of the Town of Monroe approves the updated Town of Monroe Annual Code of Ethics Certification Form and the Town of Monroe Disclosure Statement to be consistent with the 2019 Town of Monroe Ethics Code adopted March 182019 replacing the current forms (12/2017).

Motion by Mary Bingham second by Councilman - Rick Colon.

Final Resolution: Motion Carries

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

Discussion Information: 7.4 Planning Board Application Fees

Joel Mann of Brach & Mann has submitted a new project called Monroe Commons a 400000 square foot project a 4-story plus basement building for retail & office space and a hotel.
The application fee under the 2019 fee schedule would be approx. $50500. Joel Mann would like to have the project charged a fee using the net square footage instead of the gross square footage which would bring the fee down to $19000.
To hear Supervisor Cardone and Board Members comments please go to Board Doc's Video

Clip #7.4 1:02:37.

Discussion: 7.5 Road Dedication-Walton Terrace

The following residents spoke regarding Road-Dedication for Walton Terrace. To hear their comments and Town Board members responses go online to Board Doc's to Video Clip #7.5 1:06:37.

- Gina Connington Action (Resolution) Discussion: 7.6 Vacation Carry Over Requests

2019-#582
BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to approve Norinne McSweeney to carry over 5 vacation days from 2019 to 2020 to be used within the first quarter.

Motion by Mike McGinn second by Mary Bingham.

Final Resolution: Motion Carries

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

2019-#583
BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to approve Roberta McBride to carry over 5 vacation days from 2019 to 2020 to be used within the first quarter.

Motion by Councilman - Rick Colon second by Mike McGinn.

Final Resolution: Motion Carries

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

2019-#584
BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to approve Ann Marie Morris to carry over 3 vacation days from 2019 to 2020 to be used within the first quarter.

Motion by Mary Bingham second by Councilman - Rick Colon.

Final Resolution: Motion Carries

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

2019-#585
BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to approve Webster Johnson to carry over 2 vacation days from 2019 to 2020 to be used within the first quarter.

Motion by Councilman - Rick Colon second by Sal Scancarello.

Final Resolution: Motion Carries

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

2019-#586
BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to approve Victor Thompson to carry over 4 vacation days from 2019 to 2020 to be used within the first quarter.

Motion by Sal Scancarello second by Councilman - Rick Colon.

Final Resolution: Motion Carries

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

2019-#587
BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to approve Ben Maldonado to carry over 2 vacation days from 2019 to 2020 to be used within the first quarter.

Motion by Sal Scancarello second by Councilman - Rick Colon.

Final Resolution: Motion Carries

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

Action (Resolution): 7.7 Engagement Letter for Audits 2019-2021

2019-#588
BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Authorize the Supervisor to execute the Agreement with PKF O'Connor Davies LLP for the costs associated with the Audits for the following years:
2019 - $41500
2020 - $43000
2021 - $44500
This includes the Audits of the Town Justice Financial Statements.

Motion by Councilman - Rick Colon second by Sal Scancarello.

Final Resolution: Motion Carries

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

8. Old Business

9. Public Comment

Information: 9.1 Rules for Public Comment

Discussion Information: 9.2 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 #9.2 1:15:03.

- John Deschner
- Ward Brower 10. Announcements

Information: 10.1 Highway Department Recognition

To hear Supervisor Cardone and Town Board Members discussion regarding the Highway Department for their phenomenal job on clearing our roads due to the storm go online to Board Doc's to Video Clip #10.1 1:25:24. 11. Possible motion to adjourn to Executive and or/ Attorney Client Session

Action (Resolution): 11.1 Enter into Executive Session

2019-#590
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 Mike McGinn.

Final Resolution: Motion Carries

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

12. Return to Regular Meeting

Action (Resolution): 12.1 Return to Regular Meeting

2019-#591
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 Councilman - Rick Colon Mike McGinn Mary Bingham Sal Scancarello

13. Motions From the Floor

14. Adjournment

Action (Resolution): 14.1 Adjournment of Meeting

2019-#592

BE IT RESOLVED that the Town Board of the Town of Monroe adjourns the meeting of December 9 2019 at 8:36pm.

Motion by Councilman - Rick Colon second by Sal Scancarello.

Final Resolution: Motion Carries

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

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