

MONROE TOWN BOARD MEETING MINUTES

— 02/15/2023

MONROE TOWN BOARD MEETING AGENDA (Wednesday, February 15, 2023)

Generated by Valerie Bitzer

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 February 15, 2023

2023-#118

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Town Board Meeting of February 15, 2023, at 7:04 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

Discussion, Information: 3.1 2023 Tax Season Information

To hear Town Clerk Valerie Bitzer RE: 2023 Tax Season Information, please go on-line to Board Doc's Video Clip #3.1, 0:1:23.

Information: 3.2 Monroe Open House

To hear Councilwoman Houle RE: Monroe Open House, please go on-line to Board Doc's Video Clip #3.2, 0:2:17.

4. Public Hearing

Action (Resolution), Discussion, Information: 4.1 Set Public Hearing RE: DG Management Park District

2023-#119

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Set a Public Hearing Date RE: DG Management Park District for March 6, 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

5. Acceptance of Minutes

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

2023-#120

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to accept the February 6, 2023 Minutes.

Motion by Dorey Houle, second by Mary Bingham.

Final Resolution: Motion Carries

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

Abstain: Supervisor -Tony Cardone

6. Audit of Claims

Action (Resolution): 6.1 General Fund Abstract

2023-#121

BE IT RESOLVED that the Town Board of the Town of Monroe requests approval of Abstract #23-03 General Fund containing Check # 29803 - 29828 totaling \$11,401.11.

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: 6.2 Cash Transfers to Investment Funds Abstract

2023-#122

BE IT RESOLVED that the Town Board of the Town of Monroe requests approval of Abstract #CASH 2023-01, Cash Transfers to Investment Funds, totaling \$6,528,000.00.

DATE OF AUDIT: FEBRUARY 15, 2023 ABSTRACT #CASH 2023-01

DATE GL NO. DESCRIPTION Account Trans To Trans From
2/15/2023 Consolidated Savings A Fund A000-0201 2,000,000.00
NYCLASS Investment A Fund A000-0240 2,000,000.00

Consolidated Savings B Fund B000-0201 400,000.00
NYCLASS Investment B Fund B000-0240 400,000.00

Consolidated Savings DA Fund DA00-0201 300,000.00

NYCLASS Investment DA Fund DA00-0240 300,000.00

Consolidated Savings DB Fund DB00-0201 1,000,000.00

NYCLASS Investment DB Fund DB00-0240 1,000,000.00

Consolidated Savings H010 Fund H010-0201 200,000.00

NYCLASS Investment H010 Fund H010-0240 200,000.00

Consolidated Savings H011 Fund H011-0201 35,000.00

NYCLASS Investment H011 Fund H011-0240 35,000.00

Consolidated Savings SL00 Fund SL00-0201 50,000.00

NYCLASS Investment SL00 Fund SL00-0240 50,000.00

Consolidated Savings SR00 Fund SR00-0201 1,400,000.00

NYCLASS Investment SR00 Fund SR00-0240 1,400,000.00

Consolidated Savings SW00 Fund SW00-0201 50,000.00

NYCLASS Investment SW00 Fund SW00-0240 50,000.00

Consolidated Savings SW01 Fund SW01-0201 100,000.00

NYCLASS Investment SW01 Fund SW01-0240 100,000.00

Consolidated Savings SW02 Fund SW02-0201 60,000.00

NYCLASS Investment SW02 Fund SW02-0240 60,000.00

Consolidated Savings SW07 Fund SW07-0201 40,000.00

NYCLASS Investment SW07 Fund SW07-0240 40,000.00

Consolidated Savings SW08 Fund SW08-0201 300,000.00

NYCLASS Investment SW08 Fund SW08-0240 300,000.00

Consolidated Savings SW10 Fund SW10-0201 50,000.00

NYCLASS Investment SW10 Fund SW10-0240 50,000.00

Consolidated Savings SW12 Fund SW12-0201 100,000.00

NYCLASS Investment SW12 Fund SW12-0240 100,000.00

Consolidated Savings SW14 Fund SW14-0201 100,000.00

NYCLASS Investment SW14 Fund SW14-0240 100,000.00

Consolidated Savings SW15 Fund SW15-0201 50,000.00
NYCLASS Investment SW15 Fund SW15-0240 50,000.00

Dial A Bus Reserve H029 Fund H029-0201 65,000.00
NYCLASS Investment H029 Fund H029-0240 65,000.00

Park Reserve H012 Fund H012-0201 100,000.00
NYCLASS Investment H012 Fund H012-240 100,000.00

Road Opening DA00-0206 Fund DA00-0206 50,000.00
NYCLASS Investment T002-0240 Fund T002-0240 50,000.00

Mombasha A000-0214 Fund A000-0214 78,000.00
NYCLASS Investment A000-0246 Fund A000-0246 78,000.00

6,528,000.00 6,528,000.00

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

7. New Business

Action (Resolution), Discussion: 7.1 John Mulligan, Smith's Clove Park Resignation

2023-#123

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Resolution accepting the resignation of John Mulligan, Working Supervisor (Parks), at Smith's Clove Park, effective February 22, 2023. John has been approved for the position of Heavy Equipment Operator 1, Highway Department, by Town Board resolution dated February 6, 2023.

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: 7.2 Award of Bid, Septage Cleaning & Hauling Services, Moodna Basin Joint Operations Commission

2023-#124

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Resolution authorizing award for bid regarding septage cleaning and hauling services for 2023 for the Moodna Basin

Joint Operations Commission subject to Waiver of Subrogation and Additional Insured for Completed Operations in favor of Town of Monroe also be evidenced on the COI's.

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: 7.3 Engineering Agreement, Water District 1 Tank & Pump House Modifications

To hear Councilwoman Bingham RE: Engineering Agreement, Water District 1 Tank & Pump House Modifications, please go on-line to Board Doc's Video Clip #7.3, 0:9:23.

2023-#125

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion authorizing the Supervisor to sign the Engineering Agreement for Pressure Tank Replacement and Various Pump Station Modifications for Water District #1.

Motion by Mary Bingham, second by Mike McGinn.

Final Resolution: Motion Carries

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

8. Old Business

Action (Resolution), Discussion: 8.1 Motion to Amend the Fee Schedule to Reflect the Changes Regarding the Adoption of Local Law 3/2023 RE: the Establishment of a Registry of all Rental Properties in the Town

To hear Town Board's discussion RE: Amending the Fee Schedule to Reflect the Changes Regarding the Adoption of Local Law 3/2023 RE: the Establishment of a Registry of all Rental Properties in the Town, please go on-line to Board Doc's Video Clip #8.1, 0:12:59.

2023-#126

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to amend the Fee Schedule to reflect the changes regarding the Adoption of Local Law 3/2023 RE: the Establishment of a Registry of all Rental Properties in the Town.

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

2023-#127

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to amend the Fee Schedule to reflect the changes regarding the Adoption of Local Law 3/2023 RE: the Establishment of a Registry of all Rental Properties in the Town with a date of May 1, 2023 to

be in compliance.

Application Fee: \$500/unit

Initial Approved Permit Fee: \$100/unit

Annual Renewal Fee: \$50/unit

Initial Inspection/Fire: \$100/unit

Motion by Mike McGinn, second by Dorey Houle.

Final Resolution: Motion Carries

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

Discussion: 8.2 Lake Sapphire Drainage District

To hear Supervisor Cardone, and Town Counsel Dave McCartney RE: Lake Sapphire Drainage District, please go on-line to Board Doc's Video Clip #8.2, 0:22:40.

Information: 8.3 Highway Update

To hear Highway Superintendent James "Pat" Patterson RE Highway Update, and Board Members comments please go on-line to Board Doc's Video Clip #8.3, 0:25:31.

9. Public Comment

Information: 9.1 Rules for Public Comment

Discussion, Information: 9.2 Public Comment

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

Carol Hawxhurst previously emailed that she would like to speak during Public Comment, but opted not to.

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

Action (Resolution), Information: 10.1 Enter into Executive Session

2023-#128

BE IT RESOLVED, that the Town Board of the Town of Monroe Made a Motion to enter into an Executive Session to discuss Litigation Settlements.

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

11. Return to Regular Meeting

Action (Resolution), Information: 11.1 Return to Regular Meeting

2023-#129

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 Sal Scancarello.

Final Resolution: Motion Carries

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

12. Motions From the Floor

Action (Resolution): 12.1 Music for Humanity Gaming Application

2023-#130

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to deny the Gaming Application for Music for Humanity dated January 10, 2023.

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): 12.2 Tax Certiorari Settlement RE: FBG Shop Ctr LLC c/o Home Depot No. 1284 v. T.O.M. et al Index No. 004061-22

2023-#131

BE IT RESOLVED that the Town Board of the Town of Monroe Made the following Resolution by Councilwoman Bingham, and seconded by Supervisor Cardone:

RESOLUTION AUTHORIZING SETTLEMENT

WHEREAS, the Town of Monroe, New York ("Town") in the year 2022 made assessments of real property by the Town Assessor; and

WHEREAS, litigation was commenced by property owners seeking a review of such assessments; and

WHEREAS, the Town Board is empowered and authorized to review any proposed settlement of tax certiorari matters and reject or approve such settlements as recommended by professionals employed by the Town; and

WHEREAS, Special Counsel Feerick Nugent MacCartney PLLC, for the Town has approved the settlement of this matter as recommended by the Town Assessor and all professionals employed by the Town recommend that it is in the best interest for the Town to resolve the litigation entitled FBG Shop Ctr LLC c/o Home Depot #1284 v. Town of Monroe et al. under Orange County Supreme Court Index No.: 004061/22 pursuant to the terms and conditions

set forth in the settlement documents annexed hereto as Exhibit "A".

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. Special Counsel for the Town is hereby authorized to execute a Consent Judgment to resolve FBG Shop Ctr LLC c/o Home Depot #1284 v. Town of Monroe upon the terms and conditions set forth in the settlement documents annexed as Exhibit "A" because such a settlement of the Litigation is in the best interest of the Town.

Section 3. 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 Mary Bingham, second by Supervisor -Tony Cardone.

Final Resolution: Motion Carries

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

Action (Resolution): 12.3 Tax Certiorari Settlement RE: Hubco Inc c/o CBRE/Bulos Prop Mgmt c/o TD Banknorth No. TDC0436 v. T.O.M. et al Index No. 004062/22

2023-#132

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

RESOLUTION AUTHORIZING SETTLEMENT

WHEREAS, the Town of Monroe, New York ("Town") in the year 2022 made assessments of real property by the Town Assessor; and

WHEREAS, litigation was commenced by property owners seeking a review of such assessments; and

WHEREAS, the Town Board is empowered and authorized to review any proposed settlement of tax certiorari matters and reject or approve such settlements as recommended by professionals employed by the Town; and

WHEREAS, Special Counsel Feerick Nugent MacCartney PLLC, for the Town has approved the settlement of this matter as recommended by the Town Assessor and all professionals employed by the Town recommend that it is in the best interest for the Town to resolve the litigation entitled Hubco Inc. c/o CBRE/Boulos Prop Mgmt c/o TD Banknorth #TDC0436 v. Town of Monroe et al. under Orange County Supreme Court Index No.: 004062/22 pursuant to the terms and conditions set forth in the settlement documents annexed hereto as Exhibit "A".

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. Special Counsel for the Town is hereby authorized to execute a Consent Judgment to resolve Hubco Inc. c/o CBRE/Boulos Prop Mgmt c/o TD Banknorth #TDC0436 . Town of Monroe upon the terms and conditions set forth in the settlement documents annexed as Exhibit "A" because such a settlement of the Litigation is in the best interest of the Town.

Section 3. 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 Mary Bingham.

Final Resolution: Motion Carries

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

Action (Resolution): 12.4 Tax Certiorari Settlement RE: Centro NP Monroe Plaza LLC c/o Brixmor #1144, c/o TD Banknorth #TD0436 v. Town of Monroe et al Index No. 004056/22

2023-#133

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

RESOLUTION AUTHORIZING SETTLEMENT

WHEREAS, the Town of Monroe, New York ("Town") in the year 2022 made assessments of real property by the Town Assessor; and

WHEREAS, litigation was commenced by property owners seeking a review of such assessments; and

WHEREAS, the Town Board is empowered and authorized to review any proposed settlement of tax certiorari matters and reject or approve such settlements as recommended by professionals employed by the Town; and

WHEREAS, Special Counsel Feerick Nugent MacCartney PLLC, for the Town has approved the settlement of this matter as recommended by the Town Assessor and all professionals employed by the Town recommend that it is in the best interest for the Town to resolve the litigation entitled Centro NP Monroe Plaza LLC c/o Brixmor #1144, c/o TD Banknorth #TD0436 v. Town of Monroe et al. under Orange County Supreme Court Index No.: 004056/22 pursuant to the terms and conditions set forth in the settlement documents annexed hereto as Exhibit "A".

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. Special Counsel for the Town is hereby authorized to execute a Consent Judgment to resolve Centro NP Monroe Plaza LLC c/o Brixmor #1144 c/o TD Banknorth #TD0436 v. Town of Monroe upon the terms and conditions set forth in the settlement documents annexed as Exhibit "A" because such a settlement of the Litigation is in the best interest of the Town.

Section 3. 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 Sal Scancarello.

Final Resolution: Motion Carries

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

13. Adjournment

Action (Resolution): 13.1 Adjournment of Meeting

2023-#134

BE IT RESOLVED that the Town Board of the Town of Monroe adjourns the meeting of February 15, 2023, at 8:24 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