

MONROE TOWN BOARD MEETING MINUTES

— 05/16/2022

MONROE TOWN BOARD MEETING AGENDA (Monday, May 16, 2022)

Generated by Barbara Singer And 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. Moment of Silence

3. Motion to Open Town Board Meeting

Action (Resolution): 3.1 Motion to Open Town Board Meeting of May 16, 2022

2022-#265

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Town Board Meeting of May 16, 2022 at 7:02pm.

Motion by Mary Bingham, second by Sal Scancarello.

Final Resolution: Motion Carries

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

4. Community Announcements

Information: 4.1 Free Movie Showing for Veterans, Top Gun: Maverick Screening

To hear Supervisor Cardone regarding Free Movie Showing for Veterans, Top Gun: Maverick Screening please go to Board Docs video clip # 3.1, 0:1:53.

Information: 4.2 Dog Park Recap

To Hear Board Members Discussing Dog Park Recap, Please go online to Board Doc Video Clip 4.2, 0:3:00.

5. Motion From The Floor

Action (Resolution), Discussion, Information: 5.1 Use of Town Hall Meeting Room, Eagle Scout Ceremony

2022-#266

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion To Change The Use of Town Hall Meeting Room For The Eagle Scout Ceremony From June 12, 2022 to Friday July 8, 2022.

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: 5.2 Planning Board Alternate Appointment (BJ's Application)

To hear Supervisor Cardone's discussion regarding Planning Board Alternate Appointment (BJ's Application), please go online to Board Docs video clip # 5.2, 0:5:31.

2022-#267

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion To Appoint Steven Thau To Planning Board Alternate Slot #1 To Handle The BJ'S Application Only.

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

Final Resolution: Motion Carries

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

6. Public Hearing

Action (Resolution): 6.1 Motion to Open the Continuation of the Public Hearing in Relation to the Increase and Improvement of Facilities of the Water District No. 14

2022-# 268

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 Dorey Houle.

Final Resolution: Motion Carries

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

The following signed up to speak during 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 #6.1, 0:7:04.

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

- Supervisor Cardone: Nothing new to be reported, other than Mike spoke about last month about the fact we didn't get WIIA Grants associated with our Water Districts. So, right now we're in a holding pattern, and we're gonna be reapplying for the September round of WIIA Grants. I actually had a conversation set up for tomorrow with Millenium. So, that said, I would

like to, did, did anybody sign up to speak on that Barb?

- Deputy Town Clerk Barbara Singer: No.

- Supervisor Cardone: (Inaudible). Okay.

Action (Resolution): 6.2 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

2022-#269

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Keep Open the Public Hearing in Relation to the Increase and Improvement of Facilities of the Water District No. 14 until July 11, 2022 at 7:00 PM or soon there-after.

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

Final Resolution: Motion Carries

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

Action (Resolution): 6.3 Motion to Open the Continuation of the Public Hearing in Relation to the Increase and Improvement of Facilities of the Water District No. 8

2022-#270

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 #6.3, 0:8:33.

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

- Supervisor Cardone: Similar situation here, there's there are some improvements that could actually work with the BJ's application pertaining toward (inaudible). So I think that we will discuss that as we move along with the BJ's application (inaudible).

- Councilwoman Bingham: Supervisor, in order to improve our chances to get the WIIA Grant, we might need to look to fund a hydrogeology report for that area just so like I said to improve our chances to show the EFC that we're really committed to this project and we can discuss that in the future when I have a little more detail.

- Supervisor Cardone: That'd be great, thank you for that information councilwoman, okay.

Action (Resolution): 6.4 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

2022-#271

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Keep Open the Public Hearing in Relation to the Increase and Improvement of Facilities of the Water District No. 8 until July 11, 2022 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): 6.5 Motion to Open the Continuation of the Public Hearing regarding Proposed Amendments to LOCAL LAW D-V1 AMENDING CHAPTER 57 (ZONING) TO AMEND THE SPECIAL PERMIT REQUIREMENTS APPLICABLE TO HOTELS (210825)

2022-#272

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Continuation of the Public Hearing regarding Proposed Amendments to LOCAL LAW D-V1 AMENDING CHAPTER 57 (ZONING) TO AMEND THE SPECIAL PERMIT REQUIREMENTS APPLICABLE TO HOTELS (210825).

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

Final Resolution: Motion Carries

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

The following signed up to speak during Public Comment for the Continuation of the Public Hearing regarding Proposed Amendments to LOCAL LAW D-V1 AMENDING CHAPTER 57 (ZONING) TO AMEND THE SPECIAL PERMIT REQUIREMENTS APPLICABLE TO HOTELS (210825). To hear their comments, and Board Members responses, please go on-line to Board Docs Video Clip #6.5, 0:10:09.

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

- Supervisor Cardone: Anything to add Councilman McGinn?

- Councilman McGinn: So, I see we got the response back from the County, they had no negative comments. So that being said, I think we can. I just want to speak to council here. Here you go for public comments for ten days and then vote on the next meeting. How's that does that sound? Good, all right. So, I'll make that motion. We know if anybody signed up for that? Sorry.

- Deputy Town Clerk Barbara Singer: No.

- Councilman McGinn: I'm sorry, I forgot to check with you first.

Action (Resolution): 6.6 Possible Motion to Keep Open the Continuation of the Public Hearing Regarding Proposed Amendments to LOCAL LAW D-V1 AMENDING CHAPTER 57 (ZONING) TO AMEND THE SPECIAL PERMIT REQUIREMENTS APPLICABLE TO HOTELS (210825)

2022-#273

BE IT RESOLVED that the Town Board of the Town of Monroe Motion to Keep Open the Continuation of the Public Hearing Regarding Proposed Amendments to LOCAL LAW D-V1 AMENDING CHAPTER 57 (ZONING) TO AMEND THE SPECIAL PERMIT REQUIREMENTS APPLICABLE TO HOTELS (210825) until June 6, 2022 at 7:00 PM or soon there-after.

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

Final Resolution: Motion Carries

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

Action (Resolution), Discussion: 6.7 Motion to Open the Continuation of the Public Hearing for Proposed Arrow Park Water District

2022-#274

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 Arrow Park Water District.

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 for Proposed Arrow Park Water District. To hear their comments, and Board Members responses, please go on-line to Board Docs Video Clip #6.7, 0:11:35.

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

- Supervisor Cardone: So, Arrow Park was one of the districts we did apply for with the WIIA grants. So, we're going to go try that again in the September round. Actually, I'm still waiting for the review after the Millennium circle back with the state. So hopefully I will get an update on that tomorrow. So that said, anybody sign up to speak for it?

- Deputy Town Clerk Barbara Singer: No

- Supervisor Cardone: Okay.

Action (Resolution): 6.8 Possible Motion to Keep Open the Continuation of the Public Hearing for Proposed Arrow Park Water District

2022-#275

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

the Continuation of the Public Hearing for Proposed Arrow Park Water District until August 15, 2022 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), Discussion: 6.9 Set Public Hearing, Rental Registry

2022-#276

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Set a Public Hearing Regarding Rental Registry For June 21, 2022 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

7. Acceptance of Minutes

Action (Resolution): 7.1 Acceptance of May 2, 2022 Minutes

2022-#277

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to accept the May 2, 2022 Minutes.

Motion by Mary Bingham, second by Sal Scancarello.

Final Resolution: Motion Carries

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

Abstain: Supervisor -Tony Cardone

8. Audit of Claims

Action (Resolution): 8.1 General Fund Abstract

2022-#278

BE IT RESOLVED, that the Town Board of the Town of Monroe requests approval of Abstract #22-09 General Fund containing Check #28542 - 28614 totaling \$255,830.86.

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

Final Resolution: Motion Carries

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

Action (Resolution), Discussion: 8.2 Escrow Fund Abstract

2022-#279

BE IT RESOLVED, that the Town Board of the Town of Monroe requests approval of Abstract #22-03 Escrow containing Check #2018 - 2028 totaling \$35,742.24.

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

9. Budget Transfer Requests

Action (Resolution), Discussion: 9.1 Highway Department

2022-#280

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion Approving Highway Department Budget Transfer Request. (Transfer For Needed Funds)

Transfer From:

Account No. Account Name Amount

DB 5110-4103 General Repairs Tools & Tool Rental \$1,500.00

Transfer To:

Account No. Account Name Amount

DB 5110-2000 General Repairs Equipment \$1,500.00

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

Final Resolution: Motion Carries

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

Action (Resolution), Discussion: 9.2 Tax Collector

2022-#281

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion Approving Tax Collector Budget Transfer Request. (For NYSATRC Membership)

Transfer From:

Account No. Account Name Amount

A000-1330-4102-00 Tax Collector Tax Roll And Bill Preparation \$25.00

Transfer To:

Account No. Account Name Amount

A000-1330-4189-00 Tax Collector Education, Dues, Meetings \$25.00

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

10. New Business

Discussion: 10.1 Rye Hill Preserve

To hear Smith, Buss & Jacobs LLP and Town Board members discuss the Rye Hill Preserve, please go on-line to Board Docs video clip # 10.1, 0:16:29.

Action (Resolution), Information: 10.2 June 2022 NYALGRO Town Clerk Conference

2022-#282

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion Approving Town Clerk Valerie Bitzer to attend the June 2022 NYALGRO Conference in Albany, NY from June 12th thru 14th.

Motion by Mike McGinn, second by Mary Bingham.

Final Resolution: Motion Carries

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

Action (Resolution), Discussion: 10.3 Water District 12 Wellhouse Improvements, Project Closeout

To hear Board Members discussion regarding Water District 12 Wellhouse Improvements, Project Closeout, please go on-line to Board Docs video clip #10.3, 0:33:15.

2022-#283

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Approve Change Order From McGoey. Hauser. Edsall From \$107,000.00 Reduced To \$98,779.58, for Water District 12 Wellhouse Improvements, Project Closeout.

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

2022-#284

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion To Release Final Payment to TM Brennan Regarding Water District 12 Wellhouse Improvements, Project in the Amount of \$18,979.58.

Motion by Mary Bingham, second by Mike McGinn.

Final Resolution: Motion Carries

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

Action (Resolution), Discussion: 10.4 MHE Task Orders

To hear Councilwoman Bingham and Supervisor Cardone discussion regarding MHE Task Order go to Board Docs video clip # 10.4, 0:35:06.

2022-#285

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion Approving \$10,000.00 for Task Order #22-06, Dry Weather Outfalls Review.

Motion by Mary Bingham, second by Dorey Houle.

Final Resolution: Motion Carries

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

2022-#286

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion Approving \$1,800.00 for Task Order #22-05, Town of Monroe Drainage District Maps.

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

Final Resolution: Motion Carries

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

Discussion: 10.5 Town e-Code Regarding Tree Preservation

To Hear Board Members Discussion On Town e-Code Regarding Tree Preservation Please Go To Board Docs Video Clip #10.5, 0:40:42.

Action (Resolution), Discussion: 10.6 Town of Monroe Landfill - Annual Post Closure Monitoring

2022-#287

BE IT RESOLVED that the Town Board of the Town of Monroe Made A Resolution authorizing the Supervisor to sign the proposal submitted by Sterling Environmental Engineering, P.C. to conduct the annual Town of Monroe Landfill Post-Closure Monitoring (PCM) Program. The Annual site inspection and PCM event is scheduled to be performed in June 2022. Total cost estimate is \$9,500.

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: 10.7 Monroe-Woodbury Jewish Community Center License Agreement

2022-#288

BE IT RESOLVED that the Town Board of the Town of Monroe Resolution authorizing the Supervisor to execute the License Agreement for town owned property located at 11 Stage

Road with the Town of Monroe as the Licensor and Monroe-Woodbury Jewish Community Center as the Licensee.

License term is one (1) Year Term commencing on June 1, 2022 and expiring on May 31, 2023 with two optional one-year extensions through May 31, 2025.

- \$1795.00 per month for the first year
- \$1900.00 per month for the second year
- \$2000.00 per month if entered into third year

Motion by Mary Bingham, second by Dorey Houle.

Final Resolution: Motion Carries

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

11. Old Business

Action (Resolution): 11.1 Motion to Approve General Code Estimate to Update Town Code to Include Local Laws 1 thru 4/2022

2022-#289

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Approve General Code Estimate to Update Town Code to Include Local Laws 1 thru 4/2022. Estimate is between \$1,950 and \$2,395. (Approving up to \$2500.00)

Motion by Mike McGinn, second by Sal Scancarello.

Final Resolution: Motion Carries

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

12. Public Comment

Information: 12.1 Rules for Public Comment

Discussion, Information: 12.2 Public Comment

The following spoke during Public Comment. To hear their comments, and Town Board members responses, please go on-line to Board Doc's Video Clip #12.2, 0:48:05.

- Ward Brower

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

Action (Resolution), Information: 13.1 Enter into Executive Session

2022-#290

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

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

Final Resolution: Motion Carries

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

14. Return to Regular Meeting

Action (Resolution), Information: 14.1 Return to Regular Meeting

2022-# 291

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 Dorey Houle.

Final Resolution: Motion Carries

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

15. Public Hearings Continued

Action (Resolution), Discussion: 15.1 Motion to Open the Continuation of the Public Hearing A-V1 to Consider the Adoption of Local Law to Amend Ch. 57 (Zoning) Concerning the Heavy Industry Zone (Proposed Amendments to the HI Zone)

2022-#292

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open Continuation of the Public Hearing to Consider the Adoption of Local Law to Amend Ch. 57 (Zoning) Concerning the Heavy Industry Zone (Proposed Amendments to the HI Zone).

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 for the Continuation of the Public Hearing to Consider the Adoption of Local Law to Amend Ch. 57 (Zoning) Concerning the Heavy Industry Zone (Proposed Amendments to the HI Zone). To hear their comments, and Board Members responses, please go on-line to Board Docs Video Clip #15.1, 0:54:32.

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

- Supervisor Cardone: Any other info on that?
- Councilman McGinn: I think we are just waiting on.
- Supervisor Cardone: No public comment, right?
- Deputy Town Clerk Barbara Singer: No public comment.
- Councilman McGinn: I think we're just waiting on...
- Supervisor Cardone: Max.

- Councilman McGinn: Max and also
- Councilwoman Bingham: The County.
- Councilman McGinn: Not the County, we're waiting on clarification also I think from the person who submitted the application. (inaudible)
- Supervisor Cardone: Oh, correct.

Action (Resolution): 15.2 Possible Motion to Keep Open the Continuation of the Public Hearing A-V1 to Consider the Adoption of Local Law to Amend Ch. 57 (Zoning) Concerning the Heavy Industry Zone (Proposed Amendments to the HI Zone)

2022-#293

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Keep Open the Continuation of the Public Hearing A-V1 to Consider the Adoption of Local Law to Amend Ch. 57 (Zoning) Concerning the Heavy Industry Zone (Proposed Amendments to the HI Zone) until July 11, 2022 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

16. Motions From The Floor

Action (Resolution), Information: 16.1 Resolution Authorizing Special Counsel To Initiate An Appeal Of A Certain Justice Court Matter

To hear Councilman McGinn regarding a Resolution Authorizing Special Counsel To Initiate An Appeal Of A Certain Justice Court Matter, please go on-line to Board Docs video clip # 16.1, 0:56:21.

2022-#294

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

RESOLUTION AUTHORIZING SPECIAL COUNSEL TO INITIATE AN APPEAL OF A CERTAIN JUSTICE COURT MATTER

WHEREAS, the Town of Monroe ("Town") desires for Special Counsel, Feerick Nugent MacCartney, PLLC, to represent the Town in certain legal matters; and

WHEREAS, a Decision was rendered in the Town of Monroe Justice Court in a matter entitled People of the State of New York v. Moshe Z. Berkowitz, under Docket Number 22020028; and

WHEREAS, the Town desire to have legal Counsel undertake representation of the Town in

filing an appeal thereof.

NOW, THEREFORE, it is resolved as follows:

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

Section 2. Special Counsel, Feerick Nugent MacCartney, PLLC, is authorized to file and perfect an appeal in the matter of People of the State of New York v. Moshe Z. Berkowitz, under Town of Monroe, Justice Court Docket No. 22020028 in the Appellate Term, Ninth Judicial District and shall be compensated for all services performed for the Town as set forth in a Town Board Resolution and Agreement appointing Special Counsel.

Section 3. The Town Supervisor or his designee is authorized to execute any documents necessary to carry out the provisions of this Resolution.

Section 4. This Resolution shall be effective immediately.

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

Yea Nay Abstain Absent

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

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

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

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

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

The Resolution was thereupon duly adopted.

Motion by Mike McGinn, second by Sal Scancarello.

Final Resolution: Motion Carries

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

Action (Resolution), Discussion, Information: 16.2 Menachem Blum v James Mc Knight

To hear Town Counsel, and Board Members regarding Menachem Blum v James Mc Knight, please go on-line to Board Doc's Video Clip #16.2, 0:57:58.

2022-#295

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

RESOLUTION AUTHORIZING SPECIAL COUNSEL TO HANDLE LITIGATION

WHEREAS, the Town Board ("Board"), currently utilizes the legal services of the law firm of Feerick Nugent MacCartney, PLLC ("Special Counsel"); and

WHEREAS, a Justice of the Town Justice Court and the Town's Justice Court have been named as a party in the pending Article 78 litigation which was served upon the Town Justice James McKnight on May 11, 2022 entitled Menache Blum v. James McKnight et al. (the "Litigation"). There is no index number assigned to this litigation yet; and

WHEREAS the Town Board desires to have Special Counsel undertake representation and a defense of Justice McKnight and the Town Justice Court in said Litigation.

NOW THEREFORE it is resolved as follows:

Section 1. The above "WHEREAS" clauses are incorporated herein as if set forth in full.

Section 2. As necessary Special Counsel is authorized to appear and defend Town Justice McKnight and the Town Justice Court in the proceeding and shall be compensated for all services performed for the Town with regard to said Litigation at the hourly rate of \$250.00 plus all disbursements reasonably incurred and that those services will be billed and paid by the Town in addition to any other legal services Special Counsel has previously been retained to represent for 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 Mike McGinn second by Sal Scancarello.

Final Resolution: Motion Carries

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

17. Adjournment

Action (Resolution): 17.1 Adjournment of Meeting

2022-#296

BE IT RESOLVED that the Town Board of the Town of Monroe adjourns the meeting of May 16 2022 at 8:46pm.

Motion by Supervisor -Tony Cardone second by Sal Scancarello.

Final Resolution: Motion Carries

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

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