

# MONROE TOWN BOARD MEETING MINUTES

— 05/20/2019

---

## MONROE TOWN BOARD MEETING AGENDA (Monday, May 20, 2019)

*Generated by Valerie Bitzer*

### Members present

Councilman - Rick Colon, Mike McGinn, Mary Bingham, Sal Scancarello

#### 1. Call to Order

Discussion, Procedural: 1.1 Pledge to the Flag

#### 2. Public Hearing

Action (Resolution), Discussion: 2.1 Reschedule the Public Hearing Date for the Official Creation of Water District 14

### 2019-#221

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to reschedule the Public Hearing date for June 3, 2019 regarding the official formation of Water District 14. Date was previously set for May 20th, but has to be rescheduled in order to meet required criteria.

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

Final Resolution: Motion Carries

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

### Action (Resolution): 2019-#222

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Public Hearing for the Continuation of the Proposed Amendment of Ch. 57 of the Town Code.

Motion by Mike McGinn, second by Sal Scancarello.

Final Resolution: Motion Carries

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

#### 2.2 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 #2.2, 00:03:20.

- Mike Goldstein

- Ward Brower

- Town Clerk Mary Ellen Beams: Mike Goldstein

- Councilman Colon: Mr. Goldstein

- Mike Goldstein: Good evening Mike Goldstein resident of the Town, and the Village. I'm wondering why there's such a protracted delay in correcting the new adopted Building Code which we have. No Grandfather Clause for the owners of houses that are now non-conforming will be able to sell their property unless the buyer pays cash for the parcel, and yet we're still even considering the new Local Law which I call the Shangri-La Law. The Town now faces an uphill battle for the new proposed Village of Seven Springs. If this is successful the Town will lose 1.9 acres, and a large commercial area. The Annexation will take nearly all of the unincorporated land in the northern area of Monroe. So I question why there is a need at this point for this Shangri-La Law. Thank you.

- Councilman Colon: Thank you.

- Town Clerk Mary Ellen Beams: Ward Brower.

- Ward Brower: Ward Brower, private citizen. I'm still puzzled somewhat about one of the aspects of this new proposed law, and that is on Sr. Housing. Since our neighbors in Woodbury had a project couldn't sell Sr. Housing, and then some of them did it illegally, and finally I think they tried to rearrange the code to adjust that this is really not a market for Sr. Housing. The other raised issue again, and that is to get an accurate count for environmental studies such as SEQRA we need to know how many people are going to be in each dwelling, not a bedroom count. (inaudible) 2 1/4 bedrooms, what is that? Two beds, and a chaise lounge? It means nothing. Give me the number of people you want. I don't care if you want two people in the house or you want twenty people in the house. Just give me that number, and you forward that to the Board of Health, and they will tell you how much water you're going to need, how much sewer you're going to need as well as the other ramifications. But without that measurement, without that constant this bedroom count is meaningless, and there's no way an engineer can figure out what's going to be in there if he doesn't know what's the actual count. So you take in one circle of circumstances a bedroom may have one person in, another may have three or more in. I know that. So give a constant count cause that's all about sciences. Having a parameter to measure with that you can predict with. Thank you.

- Councilman Colon: Thank you, Ward.

- Councilman Scancarello: Thank you.

- Town Clerk Mary Ellen Beams: That's all we have signed up.

- Councilman Colon: Ok.

- Councilman McGinn: I'd like.

- Councilman Colon: Will anybody from the Board please respond?

- Councilman McGinn: I'll respond to first of all I'll give you a quick update on what we are

where we are with that. Councilwoman Bingham had given me some notes on what she thought there were some of the defects in the law, some things that should be changed or addressed. I gave those to the Planner, and you're of course welcome to call Mary,

- Councilwoman Bingham: Ok (inaudible).

Councilman McGinn: And have a conversation with him as well, and he as he reviewed, sorry allergies, as he reviewed it he said there were a couple of things that did jump out at him that were

- Councilwoman Bingham: Going to be revised.

- Councilman McGinn: Yeah that you picked up that he liked and saw. So those are being worked in, and he's also working on a map that would show areas and parcels that might qualify for the Floating Zone or the CCR. So, and it's not the Shangri-La Law. It's called the CCR or the Floating Zone. So that's the works, and any other input we get from members of the community we'll be working on it. And like we said this is a work in progress, and we will keep on working on it. Mr. Goldstein, I don't know there's no connection between this, and a Village creation that is not in our purview at the moment. So, it's not a Shangri-La Law. It's a very good economic development law that a lot of other municipalities have used in the past, and something I think that would address our needs very well here. So, I think by mocking it and calling it something like a Shangri-La Law is kind of derogatory but be it as it may. And far as cash for, I don't know what you were trying to talk about cash for property. Maybe you can clarify that later on.

- Mike Goldstein: (inaudible).

- Councilman McGinn: George, you have the ability to make this louder?

- Councilman Colon: For the public.

- George Carney: The microphones?

- Councilman Colon: Yeah the microphones.

- Councilman McGinn: Any of the microphones. (blows into mic)

- George Carney - Yeah don't blow in it.

- Councilman McGinn: Don't blow in it.

- Councilman McGinn: How are those ears George?

- George Carney: There you go.

- Councilman McGinn: Remind you of your first Metallica Concert?

- George Carney: I'm hearing the recording that goes on. I'm not really hearing the room.

- Councilman McGinn: Ok so Ward you talked about some Senior project down in Woodbury. I have no knowledge about that. That doesn't even relate to our plans. There is a big need for Senior Housing. Just look in the paper, pick up the Wall Street Journal, ask your local realtors, it's out there. And really, it's going to be what the market bares, and I'm sure we have an aging population and Senior Housing, Assisted Living, those are all things that are in need.

Bedroom count versus people count, we've addressed that so many times I don't, I'm not even going to address it. We've talked about it. It is what it is, and it's been addressed at previous meetings, and that is all I got. So right now I'll make a Motion that or anyone else from the Board want to speak?

- Councilman Colon: Anyone else?

- Councilwoman Bingham: No.

- Councilman Colon: I do have want to speak about the last issue with bedroom count and numbers of people in a particular house, and I was speaking to that gentleman before the meeting, and behold one of those aha moments where it finally came out that my interpretation of what was being said was how can you determine the building after the people have moved in. The needs, and what he was alluding to was the fact that the builder will say well I'm building this particular structure in mind with ex amount of persons per unit. In other words, the builder himself or herself will say this structure is being developed for say ten people per unit or five people per unit not before. And that would in turn dictate how many people up to a maximum amount could live in each dwelling. So therefore you would be planning around what the builder is hoping would live in that building. I don't know if that's an exact number but that's about the jist of what I had gotten from the conversation. So even my particular look at it has changed after that conversation. I just wanted to make that point of clarity. It doesn't change left or right it's just a clarification of point. On that I have nothing further to say on this point. Anybody else? Alright so it will remain open.

- Councilman McGinn: Yeah.

- Councilman McGinn: On this Amendment so far is that correct?

- Councilman McGinn: Mr. Acting Supervisor I'd Make a Motion that we keep this open keep this Public Hearing open until 7pm on June 3rd our next regular meeting.

- Councilman Colon: And I will second that. Call to question please.

- Councilwoman Bingham: Bingham Aye.

- Councilman Colon: Colon Aye.

- Councilman Scancarello: Scancarello Aye.

- Councilman McGinn: McGinn Aye.

Action (Resolution): 2.3 Motion to keep open the Public Hearing for the Proposed Amending of Ch. 57 of the Town Code

### **2019-#223**

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 Amending of Ch. 57 of the Town Code until June 3rd at 7:00pm our next regular meeting.

Motion by Mike McGinn, second by Councilman - Rick Colon.

Final Resolution: Motion Carries

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

### **3. Community/Announcements**

### **4. Audit of Claims**

Action (Resolution): 4.1 Audit of Claims

**2019-#224**

BE IT RESOLVED, that the Town Board of the Town of Monroe requests approval of Abstract #19-009 General Fund containing Check #'s 24031 - 24098 totaling \$175,166.97 Abstract #19-005 Escrow containing Check #'s 1849 - 1852 totaling \$13,990.64 pending signatures.

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

Final Resolution: Motion Carries

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

**5. Acceptance of Minutes**

Action (Resolution), Discussion: 5.1 Acceptance of May 6, 2019 Minutes

**2019-#225**

BE IT RESOLVED that the Town Board of the Town of Monroe accepts the Minutes of May 6, 2019.

Motion by Mary Bingham, second by Sal Scancarello.

Final Resolution: Motion Carries

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

Action (Resolution): 5.2 Acceptance of May 13, 2019 Special Meeting Minutes

**2019-#226**

BE IT RESOLVED that the Town Board of the Town of Monroe accepts the Minutes of May 13, 2019 Special Meeting.

Motion by Mary Bingham, second by Mike McGinn.

Final Resolution: Motion Carries

Aye: Councilman - Rick Colon, Mike McGinn, Mary Bingham

Abstain: Sal Scancarello

**6. New Business**

Discussion, Information: 6.1 Bond Resolution

ITEM HELD OVER UNTIL ATTORNEY CLIENT. Action (Resolution), Discussion: 6.2 Memorial Day Parade Donations

**2019-#227**

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to approve \$1,000/ea. in donations to the following organizations in support of the picnics held after the annual Memorial Day Parades in Monroe and Harriman:

American Legion Post #488

Jewish War Veterans

Lake Region Memorial Post #8858

Mulligan-Eden Post #1573

Motion by Councilman - Rick Colon, second by Mike McGinn.

Final Resolution: Motion Carries

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

Action (Resolution), Discussion: 6.3 2019 Round Lake Boathouse Employee Hires

**2019-#228**

BE IT RESOLVED that the Town Board of the Town of Monroe authorizes the hiring of the 2019 seasonal staff:

Total of 11 hires: 3 Lifeguards, 4 Recreation Attendants, and 4 Recreation Aides

NAME POSITION TOWN RETURNING/NEW

Ariella DeAgustini Lifeguard Monroe Returning  
Samantha Sweikert Lifeguard Highland Mills New  
Sheena Kaw Lifeguard Monroe Returning  
Sara Kern Attendant Monroe Returning  
Samantha Sheldon Attendant Monroe Returning  
Courtney Furbeck Aide Monroe New  
Jenna MacNeil Aide Monroe Returning  
Natalie Sirignano Aide Monroe New  
Robert Colbath Aide Monroe New

2019 Seasonal hourly salary recommendations

Recreation Aide: \$11.10 (2019 NY minimum wage)

Lifeguard: \$12

Recreation Attendant: \$12.50

Motion by Mike McGinn, second by Sal Scancarello.

Final Resolution: Motion Carries

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

Action (Resolution), Discussion: 6.4 Opening of the Round Lake Boathouse for the 2019 Season/Hours of Operation

**2019-#229**

BE IT RESOLVED that the Town Board of the Town of Monroe approves the following proposed hours of operation for the Boathouse at Round Lake for the 2019 season:

Month of June 2019 weekends only –

Saturday & Sunday--June 1,2 -- June 8/9 --June 15,16 -- June 22,23

Hours 12 noon – 6:00 pm (staff arrives at 11:30 am)

This would be our "soft" opening and a 6.5 hr. shift with split shifts of 3.5 or 3 hours.

Starting Friday, June 28th -- thru Sunday, Sept 1st. Open Daily EXCEPT Mondays.

Closed on Mondays.

Hours of operation 11:00 am – 7:00 pm. (Staff arrives at 10:30 to prepare for the day)

Split shifts of 4 hr. and 4.5 hr.

Motion by Mary Bingham, second by Sal Scancarello.

Final Resolution: Motion Carries

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

Action (Resolution), Discussion: 6.5 Round Lake Boathouse Monroe Residents-Only days and Non-Resident days

**2019-#230**

BE IT RESOLVED that the Town Board of the Town of Monroe approves the following policy for Town of Monroe Resident and Non-Resident Guest Policy for the Round Lake Boathouse:

Town of Monroe Resident & Non-Resident Guest Policy at the Round Lake Boathouse

Town of Monroe residents will ALWAYS be given preference over non-residents.

Proof of residency is required. (Driver's license, utility bill, tax bill)

THERE WILL BE NO NON-RESIDENT RENTALS ON FRIDAY'S, SATURDAY'S, OR

SUNDAY'S. (NO EXCEPTIONS)

NON RESIDENT GUEST RENTAL DAYS WILL BE TUESDAYS AND WEDNESDAYS ONLY

Non-residents will pay \$5 additional per person plus the cost of the rental boat.

The personnel at the boathouse will determine the availability of renting to non-residents based on attendance and daily rental history.

Motion by Mike McGinn, second by Sal Scancarello.

Final Resolution: Motion Carries

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

Action (Resolution), Discussion: 6.6 2019 Boat Rental Pricing-Round Lake Boathouse

**2019-#231**

BE IT RESOLVED that the Town Board of the Town of Monroe approves the proposed hourly base pricing of the boats available for rental at the Round Lake Boathouse:

Proposed 2019 Rental Pricing for Round Lake Boathouse:

Row Boat \$15

Kayak \$15

Trike \$15

Swan \$20

Paddle Board \$20

Blue Paddle Boat \$20

Yellow Paddle Boat \$20

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

Final Resolution: Motion Carries

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

**7. Old Business**

Discussion: 7.1 5G Service for the Town of Monroe

Waiting for additional information from the FCC or one of the major phone carriers before we continue discussion on this issue. Action (Resolution), Discussion: 7.2 Assessor's Office Expenditure Request-Revised

**2019-#232**

BE IT RESOLVED that the Town Board of the Town of Monroe approves request for Nancy Elgueta, Assessor's Clerk, to attend Cornell University Assessor's Seminar Training July 14-19, 2019 in Ithaca, New York. Budget Line Item #1A0001355418900 for \$1,581.00.

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

Final Resolution: Motion Carries

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

Action (Resolution), Discussion: 7.3 Millenium Strategies Proposal

**2019-#233**

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to accept the Proposal with Millennium Strategies for the term of \$3,000. Harriman will be picking up 1/4 of this cost. After discussion Motion was withdrawn, and matter was Tabled until June 3, 2019.

Motion by Councilman - Rick Colon, second by Mike McGinn.

Action (Resolution), Discussion: 7.4 Eagle View Subdivision

**2019-#234**

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Resolution authorizing Town Legal Counsel to communicate to the Planning Board Counsel that the Town Board will hold the Conservation Easement for the Eagle View Subdivision project, and to also communicate that the Town Board would like Easement Area marked with Permanent Markers.

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

Final Resolution: Motion Carries

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

Action (Resolution): 7.5 Proposal for RFP for Security Systems

**2019-#235**

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion authorizing the Town Attorney to draft an RFP based on the spec sheet, and floor plans that were drafted for the Security Systems (cameras, access control, various other systems for Town Hall). Include a site visit from the Bidder's to come in, and review the property prior to submitting their bid.

Motion by Mike McGinn, second by Councilman - Rick Colon.

Final Resolution: Motion Carries

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

8. Public Comment

Information: 8.1 Rules for Public Comment

Discussion, Information: 8.2 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 #8.2, 00:58:47.

- Lorraine Loening
- Ward Brower
- Dan Burke
- Mike Goldstein

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

Action (Resolution): 9.1 Enter into Attorney Client Session

**2019-#236**

BE IT RESOLVED, that the Town Board of the Town of Monroe approves to enter into an Attorney Client Session to discuss two pending litigation issues.

Motion by Mike McGinn, second by Mary Bingham.

Final Resolution: Motion Carries

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

10. Return to Regular Meeting

Action (Resolution): 10.1 Return to Regular Meeting

**2019-#237**

BE IT RESOLVED, that the Town Board of the Town of Monroe approves to return to regular session.

Motion by Mike McGinn, second by Sal Scancarello.

Final Resolution: Motion Carries

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

11. Motions From the Floor

Action (Resolution), Discussion: 11.1 RESOLUTION OF THE TOWN BOARD OF THE TOWN OF MONROE DECLARING LEAD AGENCY STATUS AND ISSUING A NEGATIVE DECLARATION FOR THE FINANCING OF ACQUISITION OF A CERTAIN PARCEL OF LAND LOCATED WITHIN THE TOWN OF MONROE

**2019-#238**

BE IT RESOLVED that the Town Board of the Town of Monroe Made the following Resolution by Councilman Colon, and Seconded by Councilwoman Bingham.

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF MONROE DECLARING LEAD AGENCY STATUS AND ISSUING A NEGATIVE DECLARATION FOR THE FINANCING OF ACQUISITION OF A CERTAIN PARCEL OF LAND LOCATED WITHIN THE TOWN OF MONROE

WHEREAS, the Town Board for the Town of Monroe is a party to certain litigation pending between All Mine of Orange County, Inc. ("All Mine") and the Town in the Supreme Court of the State of New York, County of Orange; and

WHEREAS, the Town and All Mine have reached a full settlement of said litigation and the Town Board has previously authorized the Town Supervisor to execute the stipulation of settlement as approved by the Town's legal Counsel on that matter, Dickover, Donnelly & Donovan; and

WHEREAS, as part of the settlement, the Town will acquire title to vacant land from All Mine specifically a parcel known on the Town of Monroe Tax Maps as Section, Block, Lot No. 3-3-30.2 (the "Property") consisting of approximately 45 contiguous acres; and

WHEREAS, pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act, the Town Board hereby desires to assume Lead Agency status for the proposed financing of the acquisition of the Property ("Proposed Action"); and

WHEREAS, as Lead Agency, the Town Board will determine if the Proposed Action will have any significant adverse environmental impacts; and

WHEREAS, the Proposed Action involves acquisition of less than 100 acres of land has been determined to be an Unlisted Action pursuant to SEQRA and the implementing regulations promulgated thereunder; and

WHEREAS, in accordance with SEQRA regulations, a Short Environmental Assessment Form, which is annexed hereto and made a part hereof, has been prepared and reviewed by the Town Board as Lead Agency; and

WHEREAS, the Town Board has reviewed the Short Environmental Assessment Form and desires to make the following determination:

NOW, THEREFORE, BE IT RESOLVED by the Town Board as follows:

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

Section 2. The Town Board hereby declares Lead Agency status pursuant to SEQRA in connection with the Proposed Action, and the financing of such acquisition.

Section 3. The Town Board, as Lead Agency, hereby determines that the Proposed Action is an Unlisted Action under SEQRA, and upon review of the Short Environmental Assessment Form, the Town Board hereby determines that said acquisition will not result in any significant adverse environmental impacts.

Section 4. The Town Board hereby directs the Town Clerk and any other officer or employee, as directed by the Town Supervisor, to take any action necessary to carry out the provisions of this Resolution.

Section 5. 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 Councilman - Rick Colon, second by Mary Bingham.

Final Resolution: Motion Carries

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

Action (Resolution), Discussion: 11.2 Bond Resolution

**2019-#239**

BE IT RESOLVED that the Town Board of the Town of Monroe Made the following Resolution. Motion made by Councilman Colon, seconded by Councilman Scancarello.

BOND RESOLUTION OF THE TOWN OF MONROE, NEW YORK, ADOPTED MAY 20, 2019, AUTHORIZING THE PAYMENT OF A SETTLED CLAIM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS NOT TO EXCEED \$415,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$415,000 TO FINANCE SAID APPROPRIATION

Recitals

WHEREAS, the Town of Monroe, in the County of Orange, New York (herein called the "Town"), is a party to litigation with All Mine of Orange County, Inc. (herein called "All Mine"), regarding certain undeveloped parcels of land, consisting of 45 acres plus or minus, designated on the Town Tax Map as Section 3, Block 3 and Lot 30.2, owned by All Mine and located on Mine Road and Lakes Road in the Town; and

WHEREAS, the Town and All Mine have reached a settlement of all causes of action in said litigation and under the terms of such settlement, the Town will acquire title to the undeveloped parcels from All Mine at a purchase price of \$3,000,000 and pay All Mine an additional sum of \$415,000 as part of the settlement;

Now Therefore,

THE TOWN BOARD OF THE TOWN OF MONROE, IN THE COUNTY OF ORANGE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Monroe, in the County of Orange, New York (herein called the "Town"), is hereby authorized to pay a settled claim in the matter of All Mine of Orange County, Inc. v. Town of Monroe, at the estimated maximum cost of \$415,000. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$415,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds of the Town in the principal amount of not to exceed \$415,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Town in the principal amount of not to exceed \$415,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. (a) The period of probable usefulness applicable to the purpose for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 33. of the Law, is five (5) years; provided, however, that in the event the total amount of such judgment and any other similar claims judgments or awards falling due and being paid in a single fiscal year shall exceed one per centum of the average assessed valuation of real property in the Town the applicable period of probable usefulness shall be ten (10) years; and provided

further that in the event such judgment and any other similar claims judgments or awards falling due and being paid in a single fiscal year shall exceed two per centum of the average assessed valuation of real property in the Town the applicable period of probable usefulness shall be fifteen (15) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law the powers and duties of the Town Board as to authorizing bond anticipation notes and prescribing the terms form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes and as to executing contracts for credit enhancements and providing for substantially level or declining annual debt service are hereby delegated to the Supervisor the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution or a summary thereof are not substantially complied with and an action suit or proceeding contesting such validity is commenced within twenty days after the date of such publication or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to publish the foregoing resolution in summary together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the "Times Herald Record" a newspaper having a general circulation in said Town which newspaper is hereby designated as the official newspaper of the Town for such publication.

The adoption of the foregoing resolution was duly put to a vote on roll call which resulted as

follows:

AYES: Councilwoman Bingham Councilman Colon Councilman Scancarello Councilman McGinn

NOES:

The resolution was declared adopted.

Motion by Councilman - Rick Colon second by Sal Scancarello.

Final Resolution: Motion Carries

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

Action (Resolution): 11.3 Bond Resolution

**2019-#240**

BE IT RESOLVED that the Town Board of the Town of Monroe Made the following Resolution. Motion made by Councilman McGinn seconded by Councilman Colon.

BOND RESOLUTION OF THE TOWN OF MONROE NEW YORK ADOPTED MAY 202019  
AUTHORIZING THE ACQUISITION OF CERTAIN UNDEVELOPED PARCELS OF LAND  
LOCATED ON MINE ROAD AND LAKES ROAD IN THE TOWN STATING THE ESTIMATED  
MAXIMUM COST THEREOF IS \$3 APPROPRIATING SAID AMOUNT FOR SUCH  
PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE  
PRINCIPAL AMOUNT OF NOT TO EXCEED \$3000 TO FINANCE SAID APPROPRIATION  
Recitals

WHEREAS the Town of Monroe in the County of Orange New York (herein called the "Town")  
is a party to litigation with All Mine of Orange County Inc. (herein called "All Mine") regarding  
certain undeveloped parcels of land consisting of 45 acres plus or minus designated on the  
Town Tax Map as Section 3 Block 3 and Lot 30.2 owned by All Mine and located on Mine  
Road and Lakes Road in the Town; and

WHEREAS the Town and All Mine have reached a settlement of all causes of action in said  
litigation and under the terms of such settlement the Town will acquire title to the undeveloped  
parcels from All Mine at a purchase price of \$3000 and pay All Mine an additional sum of  
\$415000 as part of the settlement;

Now Therefore

THE TOWN BOARD OF THE TOWN OF MONROE IN THE COUNTY OF ORANGE NEW  
YORK HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the  
members of said Town Board) AS FOLLOWS:

Section 1. The Town of Monroe in the County of Orange New York (herein called the "Town")  
is hereby authorized to acquire certain undeveloped parcels of land consisting of 45 acres  
more or less designated on the Town Tax Map as Section 3 Block 3 and Lot 30.2 owned by  
All Mine of Orange County Inc. and located on Mine Road and Lake Road in the Town. The  
estimated maximum cost thereof including preliminary costs and costs incidental thereto and

the financing thereof is \$3000 and said amount is hereby appropriated for such purposes. The plan of financing includes the issuance of bonds of the Town in the principal amount of not to exceed \$3000 to finance said appropriation and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Town in the principal amount of not to exceed \$3000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law") to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued within the limitations of Section 11.00 a. 21 of the Law is thirty (30) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law the powers and duties of the Town Board as to authorizing bond anticipation notes and prescribing the terms form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes and as to executing contracts for credit enhancements and providing for substantially level or declining annual debt service are hereby delegated to the Supervisor the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution or a summary thereof are not substantially complied with and an action suit or proceeding contesting such validity is commenced within twenty days after the date of such publication or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed within ten (10) days after the adoption of this resolution to publish or cause to be published in full in the "Times Herald Record" a newspaper having a general circulation in said Town which newspaper is hereby designated as the official newspaper of the Town for such publication and to post on the sign board of the Town maintained pursuant to the Town Law a Notice in substantially the following form:

**TOWN OF MONROE NEW YORK**

PLEASE TAKE NOTICE that on May 202019 the Town Board of the Town of Monroe in the County of Orange New York adopted a bond resolution entitled:

"Bond Resolution of the Town of Monroe New York adopted May 202019 authorizing the acquisition of certain undeveloped parcels of land located on Mine Road and Lakes Road in the Town stating the estimated maximum cost thereof is \$3 appropriating said amount for such purpose and authorizing the issuance of bonds of the Town in the principal amount of not to exceed \$3000 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 certain undeveloped parcels of land consisting of 45 acres plus or minus designated on the Town Tax Map as Section 3 Block 3 and Lot 30.2 owned by All Mine of Orange County Inc. and located on Mine Road and Lakes Road in the Town; STATING the estimated maximum cost thereof including preliminary costs and costs incidental thereto and the financing thereof is \$3000; APPROPRIATING said amount for such purposes; STATING the plan of financing includes the issuance of not to exceed \$3000 serial bonds of the Town 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 \$3000 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 that (a) the period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued is thirty (30) years; (b) 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 (c) 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.

DATED: May 20 2019

Monroe New York

Mary Ellen F. Beams

Town Clerk

Section 8. The Town Clerk is hereby directed after said bond resolution shall take effect to cause said bond resolution to be published in summary in the newspaper referred to in Section 7 hereof and hereby designated the official newspaper for said publication together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law constituting Chapter 33-a of the Consolidated Laws of the State of New York.

The adoption of the foregoing resolution was seconded by Councilman Colon and duly put to a vote on roll call which resulted as follows:

AYES: Councilwoman Bingham Councilman Colon Councilman Scancarello Councilman McGinn

NOES:

The resolution was declared adopted.

Motion by Mike McGinn second by Councilman - Rick Colon.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 11.4 Quotes for Survey Work-Town Hall Site

#### **2019-#241**

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to accept the quote from Rinaldi Land Surveying for \$5200.

Motion by Mike McGinn second by Sal Scancarello.

Final Resolution: Motion Carries

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

12. Adjournment

Action (Resolution): 12.1 Adjournment of Meeting

**2019-#242**

BE IT RESOLVED that the Town Board of the Town of Monroe adjourns the meeting of May 20 2019 at 8:50pm.

Motion by Mary Bingham second by Sal Scancarello.

Final Resolution: Motion Carries

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

"