Thursday, April 22, 2021
MONROE TOWN BOARD SPECIAL MEETING AGENDA
TOWN OF MONROE, NEW YORK
Via Zoom
6:00 PM

1. Call to Order

Subject :	1.1 Pledge to the Flag
Meeting :	Apr 22, 2021 - MONROE TOWN BOARD SPECIAL MEETING AGENDA
Type :	Discussion, Information, Procedural

Public Content

I pledge allegiance to the flag, of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

2. Motion to Open Town Board Meeting

Subject :	2.1 Motion to Open Town Board Meeting of April 22, 2021
Meeting :	Apr 22, 2021 - MONROE TOWN BOARD SPECIAL MEETING AGENDA
Type :	Action (Resolution)
Recommended Action :	2021-# BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Town Board Special Meeting of April 22, 2021.

Public Content

File Attachments

4-22-2021 TBM Zoom Notice.pdf (120 KB)

Motion & Voting

2021-#193
BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Town Board Special Meeting of April 22, 2021.

Motion by Supervisor -Tony Cardone, second by Mary Bingham.
Final Resolution: Motion Carries
Aye: Supervisor -Tony Cardone, Mary Bingham, Sal Scancarello

3. Old Business

Subject :	3.1 Adoption of Local Law C-V1 Commercial Property Assessment Appeals and Home Income and Expense Requirement for B.A.R.
Meeting :	Apr 22, 2021 - MONROE TOWN BOARD SPECIAL MEETING AGENDA
Type :	Action (Resolution), Information
Recommended Action :	2021-# BE IT RESOLVED that the Town Board of the Town of Monroe

Public Content

File Attachments

Local Law No. 3 of 2021 A Local Law Requiring Income and Expense Statement for Grievances Filed Relating to Retail Property.pdf (83 KB)

Motion & Voting

2021-#194
BE IT RESOLVED that the Town Board of the Town of Monroe adopts Local Law C-V1 which now becomes Local Law #3 of 2021 Commercial Property Assessment Appeals and Home Income and Expense Requirement for B.A.R.
TOWN OF MONROE

LOCAL LAW NO. 3 OF 2021

A LOCAL LAW REQUIRING INCOME AND EXPENSE STATEMENT FOR GRIEVANCES FILED RELATING TO REAL PROPERTY

BE IT ENACTED by the Town Board of the Town of Monroe, Orange County, New York (Town Board) as follows:

Section 1. Legislative Intent.
It is the intent of this Local Law to require an Income and Expenses Statement to be provided for any grievance filed from property owner with the Town Assessor pursuant to the procedures contained herein:
Section 2. Authority.
This Local Law is adopted pursuant to Real Property Tax Law § 305 which relates to the income and expense statements pertaining to income-producing properties submitted to an assessor for his or her use in the assessment of real property.
Section 3. Local Law Requiring the filing of an Income and Expense Statement relating to grievances

filed.
I.Where real property is income producing property, not to include residential property containing three or fewer dwelling units or property classified as homestead pursuant to Article 19 of the RPTL, and the owner or his representative has filed a grievance with the Board of Assessment Review, the owner shall be required to submit to the Assessors Office a statement of all income derived from any and all expenses attributable to the operation of such real property as follows:

(1)In the event the Owners records are maintained on a calendar year basis, the Owner shall submit the statement for the calendar year accompanied by statements for the three (3) calendar years preceding the submission;

(2)In the event the Owners records are maintained on a fiscal year basis for federal income tax purposes, the Owner shall submit the statement for the fiscal year accompanied by statements for the three (3) fiscal years preceding the submission;

(3)Notwithstanding provisions (1) and (2) of this subdivision, where the Owner of the property has not operated said property and is without knowledge of the income and expenses related thereto for thirty-six (36) consecutive months preceding the date of submission, the statement shall be for the period of ownership.

(4)Value is to be determined based upon the full market value of the real property, which is based upon gross income as related to market value from rental and lease information.

(5)The Town shall not change commercial assessments based on occupancy.

(6)Upon a showing of good cause by the Owner, the Town Assessor will be permitted to extend the time for filing an income and expense statement by a period not to exceed thirty (30) days.

II.Contents and Methods of Filing:

a.Income and Expense Statements shall contain the following declaration: I certify that all information contained in this statement is true and accurate to the best of my knowledge and belief. I understand that the willful making of any false statement of material fact contained herein will subject me to the provisions of law relevant to the making or filing of false instruments and will render this statement null and void.

b.The form on which the above statement shall be submitted shall be prepared by the Town Assessor. Copies of such form shall be made available at the office of the department in the county in which the property is located. The Town Assessor may also require that such a statement be submitted electronically as the Town Assessor may determine. Upon a showing of good cause, the Town Assessor may waive any rule requiring electronic filing. The Town Assessor may permit a statement to be filed in another manner as he or she designates.

III.Grievance Filing and Accompanying Statement:

a.In the event a grievance is filed with the Board of Assessment Review, grievance must be accompanied by an income and expense statement no later than seven (7) days after the filing of the grievance in all succeeding years.

b.If the Owner fails to file that income and expense statement within the applicable seven (7), such Owner shall be subject to a penalty not to exceed three percent (3%) of the assessed value of the income producing property for the current fiscal year.

c.Where this accompanying statement has not been timely filed, the Town Assessor may compel by subpoena the production of the books and records of the owner relevant to the income and expenses of the property. The Town Assessor may also make application to any court of competent jurisdiction for an order compelling the furnishing of such a statement.

IV.Obligations of the Town Officer:

a.Except in accordance with judicial mandate, or as otherwise provided by law, it shall be unlawful for the Town Assessor or any Town employee, engaged or retained, to divulge or make known the amount of income and/or expenses of any particulars contained therein.

b.The Town officer charged with the custody of such statements shall not be required to produce any statements or evidence of anything contained therein in any action or proceeding, except on behalf of the Town or the Town Assessor.

c.Any violations of the provisions of this section shall be punishable by a fine not exceeding one thousand dollars ($1,000) or by imprisonment not exceeding one year, or both, at the discretion of the Court. If the offender is an officer or employee of the Town, said offender shall be dismissed from Town Office.
Section 4. State Environmental Quality Review Act.

Pursuant to 6 NYCRR 617.5 (20) and (27), this Local Law is classified as a Type II action which requires no further review under the State Environmental Quality Review Act.
Section 5.The Town Assessor shall be authorized to promulgate rules and regulations necessary to effectuate the purposes of this section.
Section 6. Severability.
If a court of competent jurisdiction determines that any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the courts order or judgment shall not affect, impair, or invalidate the remainder of this Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 7. Effective date.
This Local Law shall be effective immediately upon filing with the Secretary of State.

Motion by Mary Bingham, second by Sal Scancarello.
Final Resolution: Motion Carries
Aye: Supervisor -Tony Cardone, Mary Bingham, Sal Scancarello

4. New Business

Subject :	4.1 Advertisement for Part Time Dial-A-Bus Driver
Meeting :	Apr 22, 2021 - MONROE TOWN BOARD SPECIAL MEETING AGENDA
Type :	Action (Resolution), Information
Recommended Action :	2021-# BE IT RESOLVED that the Town Board of the Town of Monroe

Public Content

Motion & Voting

2021-#195
BE IT RESOLVED that the Town Board of the Town of Monroe approves for Dial-A-Bus to place an ad for a part-time driver for 17 1/2 hours per week at a pay rate of $17.94.

Motion by Supervisor -Tony Cardone, second by Mary Bingham.
Final Resolution: Motion Carries
Aye: Supervisor -Tony Cardone, Mary Bingham, Sal Scancarello

5. Adjournment

Subject :	5.1 Adjournment of Meeting
Meeting :	Apr 22, 2021 - MONROE TOWN BOARD SPECIAL MEETING AGENDA
Type :	Action (Resolution)
Recommended Action :	2021-# BE IT RESOLVED, that the Town Board of the Town of Monroe adjourns the meeting of April 22, 2021 at

Public Content

Motion & Voting

2021-#196
BE IT RESOLVED, that the Town Board of the Town of Monroe adjourns the meeting of April 22, 2021.

Motion by Supervisor -Tony Cardone, second by Sal Scancarello.
Final Resolution: Motion Carries
Aye: Supervisor -Tony Cardone, Mary Bingham, Sal Scancarello