

Monday, August 21, 2023
MONROE TOWN BOARD SPECIAL MEETING AGENDA

TOWN OF MONROE, NEW YORK
TOWN HALL
1465 ORANGE TURNPIKE
MONROE, NEW YORK
7:00 PM

1. Call to Order

Subject :	1.1 Pledge to the Flag
Meeting :	Aug 21, 2023 - 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 National EMS Awards of Excellence
Meeting :	Aug 21, 2023 - MONROE TOWN BOARD SPECIAL MEETING AGENDA
Type :	Discussion, Information

Public Content

2. Motion to Open Town Board Meeting

Subject :	2.2 Motion to Open Town Board Special Meeting of August 21, 2023
Meeting :	Aug 21, 2023 - MONROE TOWN BOARD SPECIAL MEETING AGENDA
Type :	Action (Resolution)
Recommended Action :	2023-#

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Town Board Special Meeting of August 21, 2023, at 7:02 pm.

Public Content

Motion & Voting

2023- #414

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Town Board Special Meeting of August 21, 2023, at 7:02pm.

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

3. New Business

Subject :	3.1 Rye Hill Corridor
Meeting :	Aug 21, 2023 - MONROE TOWN BOARD SPECIAL MEETING AGENDA
Type :	Action (Resolution), Discussion

Public Content

To hear the Town Supervisor and Town Board members comments, please go on-line to Board Doc'sVideo Clip #3.1, 0:03:46.

File Attachments

[FEAF Part 3-Neg Dec Rye Hill Corridor Tract Acquisition 230811.pdf \(531 KB\)](#)
[FEAF Part 1 Rye Hill Corridor Tract Acquisition 230811.pdf \(1.379 KB\)](#)
[FEAF Part 2 Rye Hill Corridor Tract Acquisition 230811.pdf \(1.081 KB\)](#)
[MonroeT-1098-\\$19,500,000-res_imm-Land Acquisition Limit ppu-8_21_23.DOC \(151 KB\)](#)
[RESOLUTION Auth Settlement.docx \(17 KB\)](#)

Motion & Voting

2023-#415

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

RESOLUTION AUTHORIZING SUPERVISOR TO EXECUTE LITIGATION STIPULATION OF SETTLEMENT AGREEMENT AND CONTRACT OF SALE AUTHORIZING TOWN PURCHASE OF +/- 247 ACRES IN RYE HILL CORRIDOR

WHEREAS, certain Plaintiffs CHAB FIVE REALTY, LLC, GOLDEN RAY, LLC and EAGLE RIDGE ESTATES, LLC (Plaintiffs) previously commenced litigations against the Town of Monroe (Town) concerning certain parcels owned by Plaintiffs; and

WHEREAS, Plaintiff CHAB FIVE REALTY, LLC is the owner of certain parcels in the Town of Monroe, identified as Tax Map Section 31, Block 1 and Lots 18.31, 29, 62, and 63; and

WHEREAS, Plaintiff GOLDEN RAY, LLC is the owner of certain parcels in the Town of Monroe identified as Tax Map Section 31, Block 1, Lots 1.11 and 1.12; and

WHEREAS, Plaintiff EAGLE RIDGE ESTATES, LLC is the owner of a certain parcel in the Town of Monroe identified as Tax Map Section 31, Block 1 and Lot 2.4; and

WHEREAS, the parcels owned by CHAB FIVE REALTY, LLC, GOLDEN RAY, LLC and EAGLE RIDGE ESTATES, LLC are collectively referred to as the Property; and

WHEREAS, Plaintiff CHAB FIVE REALTY, LLC commenced litigation against the Town and additional Defendants in the United States District Court for the Southern District of New York, pending under Case No. 7:17-cv-07300; arising from the Towns enactment of a moratorium and certain zoning changes in the Town (the Federal Litigation); and

WHEREAS, Plaintiff GOLDEN RAY, LLC filed an Article 78 Petition and Complaint against the Town and additional Defendants in New York Supreme Court, Orange County, Index No. 000300-2017, arising from and challenging the enactment of a moratorium and certain zoning changes in the Town; and

WHEREAS, Plaintiff CHAB FIVE REALTY, LLC filed an Article 78 Petition and Complaint against the Town and additional Defendants in the New York State Supreme Court, Orange County, pending under Index No. 000338-2017 arising from and challenging the enactment of a moratorium and certain zoning changes in the Town; and

WHEREAS, the GOLDEN RAY LLC and CHAB FIVE REALTY, LLC proceedings filed in New York State Supreme Court are collectively referred to herein as the State Litigations, and the State Litigations and Federal Litigation are collectively referred to herein as the Litigations; and

WHEREAS, Plaintiffs and the Town previously entered into a global settlement of the pending Federal Litigation and State with intent of resolving all pending and potential Federal Litigation and State Litigations, disputes, claims, causes of action including any and all disputes, controversies, claims and causes of action that have been brought by Plaintiffs or that could be brought by the Plaintiffs against the Town in any Court or in any jurisdiction or in any administrative proceeding; and

WHEREAS, the Town performed all required obligations under such settlement, including the adoption of certain zoning enactments known as the Conservation Cluster Residential Zone (CCR) and Plaintiffs subsequently entered into an agreement with Sun Brook Partners, LLC (Sun Brook) which involved Sun Brook acquiring and developing portions of the Property and preserving the majority of the Property as open space; and

WHEREAS, litigation ensued between Sun Brook and Plaintiffs arising from a contract between Sun Brook and Plaintiffs which did not involve the Town (Sun Brook Litigation); and

WHEREAS, Sun Brook failed to file an answer in the Sun Brook Litigation; and

WHEREAS, following the initiation of the Sun Brook Litigation, Sun Brook stopped responding to the Town and ceased pursuing the proposed CCR project; and

WHEREAS, Plaintiffs requested that the Court remove the Litigation Hold that had been previously put in place as between the Town and Plaintiffs in the Litigations and Plaintiffs then sought to engage in settlement discussions with the Town; and

WHEREAS, the Parties, with the assistance of the State Court, engaged in settlement discussions in an effort to resolve the pending Litigations; and

WHEREAS, the Parties have reached a proposed settlement of the Litigations in which the Town would purchase the parcels owned by Plaintiffs in order to minimize development of the Property, maintain the majority of the Property as open space, protect the watershed, consider active and passive recreation uses, and reserve a small portion of the Property for future use to serve public purposes and to provide public benefits; and

WHEREAS, the Town Board desires to authorize the Town Supervisor to execute the final Stipulation of Settlement and Contract of Sale in a form satisfactory to the Towns legal counsel that would authorize the purchase of the Property and discontinuance of the Litigation against the Town with prejudice; and

WHEREAS, on August 14, 2023, the Town Board declared itself lead agency for SEQRA purposes; and

WHEREAS, the Town Board has reviewed Full Environmental Assessment Forms Part 1, 2 and 3.

NOW THEREFORE BE IT RESOLVED that:

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

Section 2. The Town Board, after review and consideration of the Part 1, 2 and 3 Full Environmental Assessment Form hereby determines that the proposed acquisition of the Property described herein will not have any adverse environmental impact and the Town Board hereby adopted the negative declaration in the form presented to the Town Board.

Section 3. The Town Board hereby authorizes the Town Supervisor to execute the Stipulation of Settlement, Contract of Sale and any other documents necessary to carry out the provisions of this Resolution in a final form approved by the Towns legal counsel and subject to Town Board review of any proposed changes to the documents by Plaintiffs.

Section 4. The Town Supervisor, and any other officer, employment or consultant as directed by the Town Supervisor is hereby authorized to take any and all actions 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][][]

Mary Bingham, Councilperson[X][][]

Sal Scancarello, Councilperson[X][][]

Dorey Houle, Councilperson [X][][]

The Resolution was thereupon duly adopted.

Motion by Mike McGinn, second by Dorey Houle.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Mike McGinn, Mary Bingham, Sal Scancarello, Dorey Houle
2023-#416

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

BOND RESOLUTION OF THE TOWN OF MONROE, NEW YORK, ADOPTED AUGUST 21, 2023, AUTHORIZING THE ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$19,500,000 TO FINANCE THE ACQUISITION OF REAL PROPERTY CONSTITUTING APPROXIMATELY 247 ACRES AND CONSISTING OF SEVEN (7) PARCELS LOCATED IN THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$19,500,000 AND APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE

Recitals

WHEREAS, the Town of Monroe (the Town), in Orange County, New York, proposes to purchase approximately 247 acres of undeveloped vacant land known as the Rye Hill Corridor tract. The land has been the subject of several past development proposals, and the purchase by the Town will be a component of a settlement of lawsuits brought against the Town by the owners of the land in question; WHEREAS, the Town anticipates maintaining the majority of this land as undeveloped for open space, watershed protection and active/passive recreation purposes;

WHEREAS, such specific purposes will be determined by the Town Board in the future after careful consideration of all options and in accordance with applicable law;

WHEREAS, the Town seeks to reserve a smaller portion of the land for possible future use to serve public purposes or to provide public benefits; however such future use is unknown at this time;

WHEREAS, such small portion is not anticipated to exceed 20% of the total site in aggregate and is anticipated to be located in that portion of the site known as Shea Meadows, which corresponds to the area with the lowest value for scenic preservation, habitat conservation and watershed protection;

WHEREAS, the Town Board complied in every respect with all applicable federal, State and local laws and regulations regarding environmental matters, including the Town Board, acting as Lead Agency for the land acquisition, had heretofore made appropriate and necessary findings pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law and 6 N.Y.C.R.R., Regulations Part 617.5, and determined that no substantial adverse environmental impact will be caused by the land acquisition, and a Negative Declaration was adopted; and

WHEREAS, the Town Board wishes to adopt this immediate bond resolution to permit the Town to facilitate the efficient purchase of the property in accordance with the agreement reached with the current owner of the property;

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 issue bonds in a principal amount not to exceed \$19,500,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the Law), to finance the acquisition of real property constituting approximately 247 acres and consisting of seven (7) parcels identified by the following Section, Block and Lot numbers: 31-1-1.11; 31-1-1.12; 31-1-2.4; 31-1-29; 31-1-18.31; 31-1-62 and 31-1-63 on the Town of Monroe Tax Map. The real property to be acquired is generally referred to as "Rye Hill" and is located on the easterly side of Rye Hill Road near the border of the Village of Monroe. A full legal description of the real property is available for inspection in the Office of the Town Clerk.

Section 2. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$19,500,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in a principal amount not to exceed \$19,500,000 to finance said appropriation, 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 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; however, the bonds authorized pursuant to this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall mature no later than five (5) years after the date of original issuance of said bonds or notes.

(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 not 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 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: Supervisor Cardone

Councilperson McGinn

Councilperson Bingham

Councilperson Scancarello

Councilperson Houle

NOES:

The resolution was declared adopted.

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

Final Resolution: Motion Carries

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

4. Public Comment

Subject :	4.1 Rules for Public Comment
Meeting :	Aug 21, 2023 - MONROE TOWN BOARD SPECIAL MEETING AGENDA
Type :	Information

Public Content

Please be advised that any person wishing to speak at a regular public meeting during the public comment period or at a public hearing, must sign the sign-in sheet maintained by the Town Clerk for such purpose no later than 15 minutes after the commencement of the meeting.

TOWN OF MONROE MEETING RULES PUBLIC COMMENT PERIODS -RULE 1:Although not required by any statute or law, the Town Board shall include at least one public participation period on the Agenda for regular Town Board meetings. However, nothing shall prohibit the Town Board, by majority vote, from suspending public comment or otherwise limiting public during a regular Town Board meetings where such limitations are determined to be necessary or otherwise conducive to accomplishing the business presently before the Town Board.**RULE 2:**Public comment during the public participation period of regular Town Board meetings shall be limited to three (3) minutes per speaker and the subject matter of such public comment shall be limited to Town business. 1 Yielding time or otherwise giving time to a speaker to extend the three (3) minute period by another person shall not be permitted. Written comments may be submitted to the Town Clerk in lieu of, or in addition to, a persons oral statement during any public comment period. Such minutes shall become a Town record and the brief nature of the submitted writing may be included in Town Board minutes. However, the full text of such submissions shall not be incorporated into Town Board minutes, unless expressly authorized by resolution of the Town Board.**RULE 3:**Any person wishing to speak at a regular public meeting during the public comment period or at a public hearing, must sign the sign-in sheet maintained by the Town Clerk for such purpose no later than 15 minutes after the commencement of the meeting. Where a public hearing and public comment period will occur during the same Town Board meeting, a person may sign up to speak on the topic of each and every public hearing and for public comment period consistent with the applicable time limits set forth above. For example, a speaker could speak for five (5) minutes during a public hearing and three (3) minutes during public comment at the same Town Board meeting. However, such person may not use the public hearing time to speak on matters not relevant

1 Rule 2 revised by Resolution of the Town Board on 03-06-2017 to add: and the subject matter of such public comment shall be limited to Town business. to the public hearing. Any comments made by a person made during public comment that relates to the subject of a public hearing, shall not be considered by the Town Board as part of such public hearing nor made part of the public hearing record. The only public comment to be accepted by the Town Board outside of a public hearing shall be written comments received during the time period set by the Town Board for such purpose.**RULE 4:**If a sign-in sheet is not available, a person may raise his/her hand to speak duringthe public participation period and/or public hearing and may speak during such public comment period/public hearing upon recognition of the Supervisor or Presiding Officer.**RULE 5:** Any person speaking during public comment or a public hearing, when recognized by the Presiding Officer, shall approach the podium for such purpose and state his or her name, the street and municipality where he /she resides resides, and if applicable, his/her group or entity affiliation.**RULE 6:**Town Board members shall not respond to a person speaking during the public comment period unless and until all persons desiring to speak during the Public comment period have finished speaking. At such time as all speakers have finished speaking during such public comment period, each Town Board member shall be allotted up to three (3) minutes in total to respond to any questions posed or to provide relevant information in response to the collective comments and questions of the public comment speakers.**RULE 7:**Town Board members shall not attempt to answer questions during the time that a speaker is presenting during public comment. Town Board

members will note any questions asked and may respond to the speaker at the conclusion of the speakers public comments.

PUBLIC HEARINGS RULE 8: Public comment during a Public Hearing shall be limited to five (5) minutes per speaker. In the event that a speaker is the subject of the Public Hearing or has a significant interest in the matter different from that of the general public, such speaker shall, upon approval of the Town Board, be allowed up to the (10) minutes during a public hearing. Yielding time or otherwise giving time to a speaker to extend their permissible time limit by another person shall not be permitted.

RULE 9: Members of the public, other than those called as witnesses by the parties, shall not be permitted to speak during public hearings concerning the removal/discipline of a Town Officer or employee as such hearings shall be limited to presentation of evidence and related submissions by Town representatives and the Town Officer or employee subject to removal/discipline. Time limits during a public hearing concerning the removal/discipline of a Town Officer or employee shall not be applicable as such proceeding shall follow any applicable statute, rule or regulation and shall otherwise be overseen by the hearing officer or presiding officer.

RULE 10: In the case of a public hearing, prior to the close or continuation of the public hearing, Town Board members may be allotted up to five (5) minutes each to respond to questions or otherwise provide relevant information in response to specific comments made by speakers during that session of the public hearing. Further, prior to the close of the public portion of the public hearing, each Town Board member may be allotted up to eight (8) minutes to speak on the issue that is the subject of the Public hearing. However, where the public hearing concerns removal of a Town Officer or employee, Town Board members, if the body making a determination, shall not speak regarding the merits of the proceedings until after the close of the public hearing when deliberations on removal/discipline have commenced.

RULE 11: Written submissions related to public hearings must be made before the close of the public hearing as such time is set by the Town Board.

GENERAL RULES APPLICABLE TO ALL PUBLIC MEETINGS AND HEARINGS

RULE 12: The Town Clerk shall act as the timekeeper or the Town Board may designate another person to be the timekeeper.

RULE 13: Members of the Town Board, speakers and audience members must observe proper decorum at all times. Any statements made during any part of the meeting or during a public hearing by the Supervisor, members of the Town Board, town officials or employees, or members of the general public shall not involve personal, impertinent, or slanderous attacks on individuals, regardless of whether the individual so attacked is an elected official, a town official or employee, or a member of the general public.

RULE 14: Neither speakers, nor Town Board members shall use public comment periods or other time during such meeting for political campaigning purposes, including promoting their candidacy or speaking out against another candidate. However, nothing shall prohibit a candidate from speaking on an Town-related issue merely because he or she is a candidate for political office.

RULE 15: Pursuant to New York State Town Law, the Town Supervisor or Presiding Officer shall control the Town Board meeting. The use of profane, vulgar, inflammatory, threatening, abusive, or disparaging language or racial or ethnic slurs directed at the Supervisor, members of the Town Board, meeting attendees shall not be tolerated and the Town Supervisor shall address any such incidents. Further, any statements, regardless of the nature of the statement, made by a person attending the meeting which is not made during such persons authorized speaking time shall not be tolerated and the Town Supervisor shall address any such incidents. The Town Board has a right to protect itself from disturbance from attendees at a meeting and may order, by majority vote, removal of an attendee, or there Presiding Officer direct removal of an attendee on his own. Removal at the direction of the Presiding Officer is subject to appeal of another Town Board member, but not to appeal of the attendee. Such appeal is not debatable.

RULE 16: In circumstances where the Supervisor/Presiding Officer is not attempting to exert control over the meeting, is temporarily absent, or is the source of the present disorder at the meeting and is failing to preside over the meeting, such Supervisor/Presiding Officer may then be deemed absent as the Presiding Officer by approval of a majority of the Town Board. In such case, a Town Board member may make a motion to suspend the Rules and appoint the Acting Supervisor to take over the role of Presiding Officer until such time as the Supervisor or original Presiding Officer is able to properly return to performing his/her role as Presiding Officer. If the Acting Supervisor is determined to be absent for presiding purposes, the Town Board member making such motion shall propose another Town Board member to act as the Presiding Officer during the absence of the Supervisor/original Presiding Officer.

RULE 17: Comments by speakers must be addressed to the Town Board and shall not be addressed to the audience. Further, attendees may not address the Town Board unless first recognized by the Supervisor or Presiding Officer.

RULE 18: Discussion and exchanges between active speakers and attendees/audience members of the public meeting or hearing are prohibited. A speaker may, however, when properly recognized, state agreement or disagreement with the views of prior speakers in his /her comments directed to the Town Board.

RULE 19: Banners or other signs are not permitted in the meeting room unless, nor shall distribution of flyers within the meeting room be permitted. Nothing shall prohibit a

person from holding a lawful sign or handing out flyers outside of the meeting location.**RULE 20:**If the Supervisor or Presiding Officer fails to enforce the rules set forth herein, any member of the Town Board may move to require him or her to do so, and an affirmative vote of the majority of the Town Board shall require him or her to do so. Any decision by the Presiding Officer relating to enforcement of the rules set forth herein may be appealed and subsequently overturned by a vote of the majority of Town Board members. Such appeal may be raised by a Town Board member or the affected attendee if properly recognized.**RULE 21:**Any person who disregards the directives of the Supervisor or the Presiding Officer in enforcing the rules or who generally conducts himself or herself in a boisterous or inappropriate manner while addressing the Town Board thereby disturbs the peace at a such meeting and will be barred from further participation and shall forfeit any balance of time remaining for his or her comments.**RULE 22:**If a speaker who has violated these rules refuses to step down or to refrain from committing/ continuing such violation(s), the Supervisor or the Presiding Officer may direct the individual to leave the meeting room. If the individual declines and/or refuses to leave the meeting room, the Supervisor or Presiding Officer may request the individual to be removed from the meeting room and charged with disorderly conduct as per the New York State Penal Law. The Supervisors determination is subject to the appeal provisions set forth above as well as the absence of the Supervisor /Presiding Officer provisions of these rules. The Town Board may, by resolution, designate the person who will sign the supporting deposition and/or Court Information document charging the removed person with Disorderly Conduct.**RULE 23:** The following provisions, as modified herein, of Rule 49 of Roberts Rules concerning Small Boards shall apply to the Town Board of the Town of Monroe: a. Members may raise a hand or asked to be recognized, instead of standing when seeking to obtain the floor and may remain seated when making motions or speaking. b. The Presiding Officer need not rise while putting questions to a vote. c. The Presiding Officer may without leaving the chair speak in informal discussions and in debate and may vote on all questions as provided for by Code or law.**RULE 24:**While there is no statute or applicable regulation that requires an Meeting Agenda to be prepared for Town Board meetings, the Town Board desires to have an Agendas prepared and distributed prior to Town Board meetings. The order of business at regular Town Board meetings shall be as follows: 1. REGULAR MEETING a. Call to Order; Pledge of Allegiance b. Approval of Minutes c. Upcoming Meeting Dates & General Announcements 2. SPECIAL ORDERS 3. DEPARTMENTAL MONTHLY REPORTS (Alphabetical Order) 4. OLD BUSINESS 5. NEW BUSINESS 6. PUBLIC COMMENT 7. EXECUTIVE SESSION (If necessary) 8. ADJOURNMENT A Board member seeking to take up a matter out of order on the agenda or to introduce a new item of business may may request such change on consent of the Town Board, or may (if consent is denied or the member expects the matter to be contested make a motion to suspend the rules for such purpose, identifying the requested change to the Agenda or the new business to be raised. Upon approval of the majority of the Town Board, such business may be taken up immediately by the Town Board. The Presiding Officer shall prepare and cause to be distributed, Town Board meeting Agendas, in conformance with the Order of Business, as applicable. Pursuant to Roberts Rules, the Agenda distributed in advance to the Town Board is not binding on the Town Board, except as to the Order of Business set forth above. However, as set forth above, the Meeting Agenda, including the Order of Business and specific Agenda items may be modified upon approval of a majority of the Town Board. The Presiding Officer will announce each Agenda item as it is reached on the Agenda (or amended Agenda). Prior to the business being taken up, a member may move to to lay the matter on the table, postpone the matter or refer it to a committee.**RULE 25:**Recesses may be taken for a stated period of time either upon consent, without objection, or upon approval of a motion by a Town Board member.**RULE 26:** These Town Board Rules may be amended by a Resolution of the Town Board approved by a majority of the Town Board.**RULE 27:**The above rules shall take effect at the next ensuing meeting of the Town Board following the adoption of these rules.**RULE 28:**The Presiding Officer, or any Town Board member may request an interpretation of these Rules from the Town Attorney. A current copy of these Town of Monroe Meeting Rules shall be maintained by the Town Clerk and be made available to the public. 6. 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 Harley Doles, Supervisor [] [] [] [X] Anthony Cardone, Acting Supervisor [X] [] [] [] Gerard McQuade, Councilman [] [X] [] [] Michael McGinn, Councilman [X] [] [] [] Richard Colon, Councilman [X] [] [] [] The Resolution was thereupon duly adopted. TOWN OF MONROE TOWN BOARD MEETING RULES History of adoption and amendments. February 27, 2017: Town Board Rules adopted by Resolution of the Town Board. March 6, 2017: Rule 2 amended by Resolution of the Town Board to add: and the subject matter of such public comment shall be limited to Town business.

4. Public Comment

Subject :	4.2 Public Comment
Meeting :	Aug 21, 2023 - MONROE TOWN BOARD SPECIAL MEETING AGENDA
Type :	Discussion, Information

Public Content

The following spoke during Public Comment. To hear their comments, and Town Board members responses, please go on-line to Board Doc'sVideo Clip #4.2, 0:24:08.

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

Subject :	5.1 Enter into Executive Session
Meeting :	Aug 21, 2023 - MONROE TOWN BOARD SPECIAL MEETING AGENDA
Type :	Information

6. Return to Regular Meeting

Subject :	6.1 Return to Regular Meeting
Meeting :	Aug 21, 2023 - MONROE TOWN BOARD SPECIAL MEETING AGENDA
Type :	Information

7. Adjournment

Subject :	7.1 Adjournment of Meeting
Meeting :	Aug 21, 2023 - MONROE TOWN BOARD SPECIAL MEETING AGENDA
Type :	Action (Resolution)
Recommended Action :	2023-# BE IT RESOLVED, that the Town Board of the Town of Monroe adjourns the meeting of August 21, 2023, at

Public Content

Motion & Voting

2023-# 417
BE IT RESOLVED, that the Town Board of the Town of Monroe adjourns the meeting of August 21, 2023, at 7:30 pm.

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