

MONROE TOWN BOARD MEETING MINUTES

— 04/01/2019

MONROE TOWN BOARD MEETING AGENDA (Monday, April 1, 2019)

Generated by Valerie Bitzer

Members present

Supervisor -Tony Cardone, Councilman - Rick Colon, Mike McGinn, Mary Bingham, Sal Scancarello

1. Call to Order

Discussion, Procedural: 1.1 Pledge to the Flag

2. Public Hearing

Information: 2.1 Public Hearing Notice: Proposed Amending of Ch. 35 of the Town Code regarding Peddling and Soliciting

Action (Resolution), Discussion: 2.2 Open Public Hearing for Proposed Amending of Ch. 35 of the Town Code Regarding Peddling and Soliciting

2019-#153

BE IT RESOLVED, that the Town Board of the Town of Monroe made a Motion to Open the Public Hearing for Proposed Amending of Ch. 35 of the Town Code Regarding Peddling and Soliciting.

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

Final Resolution: Motion Carries

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

Discussion, Information: 2.3 Public Comment RE: Proposed Amending of Ch. 35 of the Town Code regarding Peddling and Soliciting

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 #2.3,

- Cristina Kiesel

Town Clerk Mary Ellen Beams - Cristina Kiesel

Cristina Kiesel - Cristina Kiesel Town of Monroe.

Supervisor Cardone - Good evening, how are you?

Town Board - Good evening.

Cristina Kiesel - In recent months Monroe residents have been confronted with high pressure

Real Estate sales people approaching them in their homes. Unfortunately, when a Realtor has a Permit, and the Town has no ordinances to protect the homeowners there's nothing illegal about that activity. That's why many of our surrounding municipalities including Blooming Grove, Chester, the Village of Monroe, and many towns in Rockland County have been combating unwanted solicitation by establishing ordinances also known as No Knock Registries. In order to be protected by the No Knock Registry a homeowner must sign up for it, and will then be included on the Town's Registry, and will receive a sticker for their home. I enthusiastically support Monroe's efforts in creating this new Town Ordinance. I believe the combination of the Registry along with fines for non-compliance is a positive step for our community. I thank Mary Ellen and the Board for taking this initiative.

Last year the Village of Chestnut Ridge in Rockland County worked with the Department of State to create a Cease and Assist Law for their municipality. Cease and Assist Laws provide an even greater protection for homeowners because in addition to preventing solicitation at your home it also prevents solicitation while out walking on your street as well as by mail, flyers, and phone calls. I believe it would be a proactive next step for Monroe to pursue a Cease and Assist Regulation for our town. Thank you for taking my comments into consideration.

Town Board - Thank you. Thank you very much.

Town Clerk Mary Ellen Beams - That's all.

Supervisor Cardone - That's all?

Town Clerk Mary Ellen Beams - Yes.

Supervisor Cardone - Anyone else on the Town Board have any comments pertaining to it?

Councilwoman Bingham - I think Mr. Nugent changed some of the language regarding the age of some, I had a question about child vs a student what the age was, and I think he addressed that in the draft that we received.

Councilman Colon - Right.

Town Clerk Mary Ellen Beams - Just so the Board knows I have reached out for ordering the stickers. They should be in shortly, and then those residents that have signed up we will be mailing them their stickers. It has the Town of Monroe emblem on it, and it says No Knock Registry Member. So the residents I would ask, I'm not going to be too particular on telling the residents where they should put it, but somewhere on the entry-way to their home or at their door. They can put it, and I will explain that in a letter, and the list if someone does apply for a Peddler's Permit and is approved their address would just be given out no names to them along with the code. They get that automatically when they apply, and I tell them they have to read it, and we're going to have them sign off that they've received it so this way they can't come back and say well you never told me. We're going to have them sign off that they've received the code.

Supervisor Cardone - And we have a number of people that have signed up already.

Councilman Scancarello - Yeah that was my question.

Town Clerk Mary Ellen Beams - WE have over 40 people right now, and we still are getting them in daily. We get them in. So when the sticker comes out maybe I'll get in touch with Bob

Quinn and see if we can do an article and again let the residents be aware that this opportunity to sign up for it is there, this is what the sticker will look like, and get the word out more.

Councilman Scancarello - Good.

Councilman McGinn - Raise public awareness absolutely.

Councilman Scancarello - Yeah.

Supervisor Cardone - Yeah.

Councilwoman Bingham - And the only other question I have too is about enforcement. We don't have a Town Police force, so if somebody comes up to the house and starts knocking on the door I believe one of the Councilman Colon had said just get a business card from them, and then give it to someone at Town Hall, and it would be the Building Inspector who would follow through on that complaint.

Town Clerk Mary Ellen Beams - Yeah, the Building Inspector. They can call the State Police, and make the complaint. They can do that and it is good for them to still do that because it is a matter of record then. I always tell the residents call the Police, let us know, and it is very good to find out what the company is because I have called companies and let them know that we have a law and if they're caught again they will not get a Peddler's Permit. And anybody who is caught Peddling without a Permit that's going to be brought up before the Board whether or not if they applied whether or not this Board wants to give them the Permit.

Councilman McGinn - And I'm sure there are several legal penalties that we can look to.

Town Clerk Mary Ellen Beams - It's in the code.

Councilman McGinn - Yeah.

Town Clerk Mary Ellen Beams - It's in the code.

Councilman McGinn - If they routinely violated it.

Town Clerk Mary Ellen Beams - When somebody applies and we do give the permit we give them a street map. I do outline you can't go in the Village of Monroe, into the Village of Harriman because they have their own Peddling laws, and if you do go in I have the right to pull your Peddler's Permit. I do make them aware of that.

Supervisor Cardone - Good.

Councilwoman Bingham - Now another question I had was also addressed to Mr. Nugent in regards to a Constable, and right now we are a Town, and we are allowed to have a Constable and he said it would be a Board decision and I only talked to two Board members earlier and it's kind of divided so I'm just throwing that out there if wording should be added to the law now before we adopt it or don't adopt it to allow possibly for a Constable.

Councilman McGinn - I think I mean Mr. Nugent if we would have to put that in the law if we decided some time down the road to get a Constable or would there be assigned duties by the Town Board to that individual.

Council Nugent - Well, the law already provides an enforcement official designated by the Town in addition to Code Enforcement and State Police or any Town Police that there was a department. You may want to check with your insurance company first on a Constable before you create one. There are complications with doing that, and it may require a rider and

additional insurance coverage if you're going to have Constable. So it's something you definitely want to explore before

Councilman McGinn - Yeah obviously and we would definitely do some research on that before we went down that road but it's certainly something that we can assign to them, him or her if we went that path right? Thank you.

Councilman Colon - May I just make a slight reminder that it's a slippery slope, and we were down that road once before. Getting a Constable, how many, how long they'll be on. I think we have to think of this very carefully before we revisit this issue once again.

Councilman McGinn - I totally hear you there Councilman Colon but I think we have a pretty uh

Councilman Colon - Well it's a difference now. (laughter)

Councilman McGinn - level headed reasonable Board that I don't think we're going to have twenty five or thirty people

Councilman Colon - No I don't think so.

Councilman McGinn - spend \$250,000 dollars like we did

Councilman Colon - Right, I understand that.

Councilman McGinn - back when to have a bunch of people running around. If we did it we'd probably just do a Part Time person. Start from there, and see what happens. But I understand what you're saying. We don't want to you know

Councilwoman Bingham - And that's why I said I

Councilman McGinn - And just for I believe when we had the Public Safety Department our Insurance Rider for those personnel was ten or eleven thousand dollars at the time per year as part the premium.

Councilman Colon - Right, right.

Councilman McGinn - So, just

Councilwoman Bingham - Added plus.

Councilman McGinn - Cause part of the research we

Councilman Colon - Also if anyone is able to get a business card make sure you put the date and time on it so that serves as testimony the date and time and where the person was. So it would be a big help as well. Or just in fact you can call up State Police.

Councilman McGinn - Or save the image on your Ring Camera

Councilman Colon - That's it. Ring cameras are very prominent now.

Councilman McGinn - or whatever you have at your door there and you can certainly use that.

Councilman Scancarello - When will those stickers coming out? Soon?

Town Clerk Mary Ellen Beams - I should have them within two weeks.

Councilman Scancarello - Good.

Supervisor Cardone - Ok. Excellent job Mary Ellen. Thank you for your efforts with it.

Councilman McGinn - Yes. Beautiful.

Town Clerk Mary Ellen Beams - Thank you.

Supervisor Cardone - Ok.

Action (Resolution): 2.4 Close Public Hearing for Proposed Amending of Ch. 35 of the Town

Code regarding Peddling and Soliciting

2019-#154

BE IT RESOLVED, that the Town Board of the Town of Monroe made a Motion to close the Public Hearing to Amend Ch. 35 of the Town Code regarding Peddling and Soliciting.

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

Final Resolution: Motion Carries

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

Action (Resolution): 2.5 Proposed Resolution Amending Ch. 35 of the Town Code Regarding Peddling and Soliciting

2019-#155

BE IT RESOLVED, that the Town Board of the Town of Monroe made the following Resolution by Supervisor Cardone, and second by Councilman Scancarello.

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF MONROE
TO ADOPT A LOCAL LAW AMENDING CHAPTER 35 OF THE
TOWN CODE ENTITLED PEDDLING AND SOLICITATION

WHEREAS, the Town has an interest in regulating local activities of itinerant sellers and solicitors of orders for sale in order that the peace, health, safety, welfare and good order of the Town and its inhabitants be preserved; and

WHEREAS, the Town also has an interest in protecting the well-being, tranquility, personal safety, and privacy of its residents, which includes protecting residents from unwanted, harassing, and disruptive intrusions and solicitations upon residential property, as well as a substantial interest in protecting residents from fraudulent, misleading, or otherwise unfair consumer sales practices, deceptive door-to-door solicitations, and criminal activity; and

WHEREAS, the Town wishes to amend its existing regulations concerning Peddling and Solicitation in the Town; and

WHEREAS, a Resolution was duly adopted by the Town setting a public hearing for April 1, 2019, to be held by said Town Board at the Monroe Senior Center located at 101 Mine Road, Monroe, New York, to hear all interested parties on a proposed Local Law entitled "Peddling and Solicitation;" and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town and posted on the Town Clerk's signboard; and

WHEREAS, said public hearing was duly held at the Town Hall on April 1, 2019, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law amendment, or any part thereof; and

WHEREAS, the Town Board, after due deliberation and closing of the public hearing, finds it in the best interest of the Town to adopt said Local Law.

NOW, THEREFORE BE IT RESOLVED that:

1. The above "WHEREAS" paragraphs are incorporated herein by reference.
2. The Town Board determines that pursuant to the State Environmental Quality Review Act (SEQRA) that this law constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the New York Code of Rules and Regulations (NYCRR) and within the meaning of Section 8-0109(2) of the New York Environmental Conservation Law as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection.
3. The Town Board hereby adopts said Local Law No. 3 of 2019 entitled "A Local Law Amending Chapter 35 of the Code of the Town of Monroe (Peddling and Solicitation)," a copy of which is attached hereto and made a part hereof, and the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and to enter said Local Law in the Local Law Book of the Town, and to give due notice of the adoption of said Local Law to the Secretary of State.
4. This Resolution shall take effect 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.

LOCAL LAW NO. 3 OF 2019 OF THE INCORPORATED TOWN OF MONROE, NEW YORK
TOWN BOARD AMENDING CHAPTER 35 OF THE CODE OF THE TOWN OF MONROE
A LOCAL LAW to amend The Code of the Town of Monroe Chapter 35 to expand the
regulations of Peddling and Solicitation.
BE IT ENACTED AS FOLLOWS:

Section 1. Legislative Intent.

A Local Law to amend the Code of the Town of Monroe by amending Chapter 35 entitled
“Peddling and Soliciting” pursuant to Municipal Home Rule Law Section 10 et. seq.
This Chapter is authorized by the New York State Constitution Article IX, § 2, the provisions of
the New York Municipal Home Rule Law, and the provisions of the Statute of Local
Governments.

Section 2. Effect.

Chapter 35 of the Code of the Town of Monroe is hereby amended to read as follows:

Chapter 35: PEDDLING AND SOLICITATION

§ 35-1 Title.

This Chapter amends Chapter 35 of the Town of Monroe Code entitled “Peddling and
Soliciting”.

§ 35-2 Legislative Purpose and Authority.

Town residents of the Town have an inalienable interest in their personal safety, comfort,
well-being, and privacy in their residences as well as their ability to provide and receive
information regarding matters of personal belief, political or charitable activities, and goods
and services lawfully in commerce.

This chapter is enacted for the purpose of regulating local activities of itinerant sellers and
solicitors of orders for sale in order that the peace, health, safety, welfare and good order of
the Town and its inhabitants be preserved.

The Town has a substantial interest in protecting the well-being, tranquility, personal safety,
and privacy of its residents, which includes protecting residents from unwanted, harassing,
and disruptive intrusions and solicitations upon residential property. The Town also has a
substantial interest in protecting residents from fraudulent, misleading, or otherwise unfair

consumer sales practices, deceptive door-to-door solicitations, and criminal activity. There must be a balance between these substantial interests of the Town and its residents and the effect of this Chapter on any rights of those regulated. Based on the collective experiences derived from regulating business activity, protecting persons and property from criminal conduct, responding to the inquiries and complaints of residents regarding door-to-door and in-home canvassing and solicitation, the experience of its law enforcement officers and those affected by door-to-door and in-home canvassing and solicitation, as well as judicial decisions outlining the boundaries of constitutional protections afforded and denied persons seeking to engage in door-to-door and in-home canvassing and solicitation, the Town adopts this Chapter to promote the Town's substantial interests in: (a) respecting residents' decisions regarding privacy in their residences; (b) protecting persons from criminal conduct; (c) regulating local activities of itinerant sellers and solicitors of orders for sale in order that the peace, health, safety, and welfare of the Town and its inhabitants shall be preserved; (d) providing equal opportunity to advocate for and against religious belief, political position, or charitable activities; and (e) permitting truthful, non-fraudulent, and non-misleading door-to-door solicitation regarding lawful goods or services in intrastate or interstate commerce that does not violate the property rights of any property owner or resident in the Town.

The Town finds that the procedures, rules, and regulations set forth in this Chapter are appropriately and narrowly tailored to preserve and protect the Town interests referred to herein while at the same time balancing the rights of those regulated.

Nothing herein is intended to interfere with or supplant any other requirement of State or Federal law regarding any license, permit, or certificate that a registered solicitor is otherwise required to have or maintain. Nothing in this Chapter shall be construed to preempt any provision of State or Federal Law.

§ 35-3 Definitions.

For the purposes of this chapter, the following definitions shall apply:

A. Advocating: Speech or conduct intended to inform, promote, or support a political position, or charitable activities.

B. Appeals officer: The Town Board or designee of the Town Board responsible for receiving the information from the Town and appellant regarding the denial or suspension of a certificate and issuing a decision as required by this Chapter.

C. Appellant: The person or entity appealing the denial or suspension of a certificate, either personally as an applicant or registered solicitor, or on behalf of the applicant or registered solicitor.

D. Applicant: An individual who is at least eighteen (18) years of age and not a corporation, partnership, limited liability company, or other lawful entity who applies for a certificate

permitting door-to-door solicitation.

E. Application form: A standardized form provided by the Town to an applicant to be completed and submitted as part of registration.

F. BCI Report: An original or copy, dated no older than one hundred eighty (180) days prior to the date of the application, of either: (1) a New York State Bureau of Criminal Identification verified criminal history report personal to the applicant; or (2) verification by the New York State Bureau of Criminal Identification that no criminal history rising to the level of a disqualifying status exists for the applicant.

G. Certificate: A certificate permitting door-to-door solicitation in the Town applied for and issued by the licensing officer pursuant to the terms of this Chapter.

H. Charitable activities: Advocating by persons or entities that either are, or support, a charitable organization.

I. Charitable organization: Includes any person, joint venture, partnership, limited liability company, corporation, association, group, or other entity:

1. That is:

a. A benevolent, educational, voluntary health, philanthropic, humane, patriotic, religious or eleemosynary, social welfare or advocacy, public health, environmental or conservation, or civic organization;

b. For the benefit of a public safety, law enforcement, or firefighter fraternal association; or

c. Established for any charitable purpose; and

2. that is tax exempt under applicable provisions of the Internal Revenue Code of 1986 as amended, and qualified to solicit and receive tax deductible contributions from the public for charitable purposes; and

3. that is registered in the State of New York and has a charter.

4. Charitable organization also includes a chapter, branch, area, or office, or similar affiliate or any person soliciting contributions within the State for a charitable organization that has its principal place of business outside the Town or State of New York.

J. Competent individual: A person claiming or appearing to be at least eighteen (18) years of age and of sufficiently sound mind and body to be able to engage in rational thought, conversation, and conduct.

K. Completed application: A fully completed application form, a BCI report, two copies of the original identification relied on by the applicant to establish proof of identity, and the tendering of fees.

L. Criminally convicted: The final entry of a conviction, whether by a plea of no contest, guilty,

entry of a judicial or jury finding of guilt, which has not been set aside on appeal or pursuant to a writ of habeas corpus. The criminal conviction is that offense of which the applicant or registered solicitor was convicted, without regard to the reduced status of the charge after completion of conditions of probation or parole, and charges dismissed under a plea in abeyance or diversion agreement.

Disqualifying status: Anything specifically defined in this Chapter as requiring the denial or suspension of a certificate, and any of the following:

1. The applicant or registered solicitor has been criminally convicted of:
 - a. Felony homicide;
 - b. Physically abusing, sexually abusing, or exploiting a minor;
 - c. The sale or distribution of controlled substances;
 - d. Sexual assault of any kind;
 - e. Conviction for criminal or unlawful possession or sale of a weapon or firearm.
2. Criminal charges currently pending against the applicant or registered solicitor for:
 - a. Felony homicide;
 - b. Physically abusing, sexually abusing, or exploiting a minor;
 - c. The sale or distribution of controlled substances;
 - d. Sexual assault of any kind;
 - e. criminal or unlawful possession or sale of a weapon or firearm.
3. The applicant or registered solicitor has been criminally convicted of a felony within the last ten (10) years;
4. The applicant or registered solicitor has been incarcerated in a federal or state prison within the past five (5) years;
5. The applicant or registered solicitor has been criminally convicted of a misdemeanor within the past five (5) years involving a crime of:
 - a. Moral turpitude; or
 - b. Violent or aggravated conduct involving persons or property.
6. A final civil judgment has been entered against the applicant or registered solicitor within the last five (5) years indicating that:
 - a. The applicant or registered solicitor had either engaged in fraud or intentional misrepresentation; or
 - b. That a debt of the applicant or registered solicitor was non-dischargeable in bankruptcy pursuant to 11 U.S.C. Sections 523(a) (2), (a) (4), (a) (6) or (a) (19);

7. The applicant or registered solicitor is currently on parole or probation to any court, penal institution, or governmental entity, including being under house arrest or subject to a tracking device;

8. The applicant or registered solicitor has an outstanding arrest warrant from any jurisdiction; or

9. The applicant or registered solicitor is currently subject to a protective order based on physical or sexual abuse issued by a court of competent jurisdiction.

M. Door-to-door solicitation: The practice of engaging in or attempting to engage in conversation with any person at a residence, whether or not that person is a competent individual, while making or seeking to make or facilitate a home solicitation sale, or attempting to further the sale of goods and or services.

N. Entity: Includes a corporation, partnership, limited liability company, or other lawful entity, organization, society or association.

O. Fees: The cost charged to the applicant or registered solicitor for the issuance of a certificate and/or identification badge, which shall not exceed the reasonable costs of processing the application and issuing the certificate and/or identification badge.

P. Final civil judgment: A civil judgment that would be recognized under law as a judgment to which collateral estoppel would apply.

Q. Food Vending Business: The sale of prepared food products for immediate consumption from a motor vehicle, trailer, platform, stand or tenet on any highway or other place within the town other than within a fully enclosed building or a stand or outside sales and eating place maintained as an adjunct to a food vending business maintained in any adjoining fully enclosed building.

R. Goods: One or more tangible items, wares, objects of merchandise, perishables of any kind, subscriptions, or manufactured products offered, provided, or sold.

S. Home solicitation sale: To make or attempt to make a sale of goods or services by a solicitor at a residence by means of door-to-door solicitation, regardless of:

1. The means of payment or consideration used for the purchase;
2. The time of delivery of the goods or services; or
3. The previous or present classification of the Solicitor as a solicitor, peddler, hawker, itinerant merchant, or similar designation.

T. Licensing officer: The Town Clerk or other designee of the Town Board responsible for receiving from an applicant or registered solicitor the completed application and either granting, suspending, or denying the applicant's certificate.

U. No solicitation sign: A reasonably visible and legible sign that states "No Soliciting" or "No Solicitors" or "No Salespersons" or "No Trespassing," or "No Knock Registry Member," or words of similar import.

V. Person: One or more persons, corporations, partnership, associations, organizations and all other entities.

W. Political position: Any actually held belief or information for, against, or in conjunction with any political, social, environmental, or humanitarian belief or practice.

X. Registered solicitor: Any person who has been issued a current certificate by the Town.

Y. Registration: The process used by the Town licensing officer to accept a completed application and determine whether or not a certificate will be denied, granted, or suspended.

Z. Religious belief: Any sincerely held belief or information for, against, or in conjunction with, any theistic, agnostic, or atheistic assumption, presumption or position, or religious doctrine, dogma, or practice regardless of whether or not the belief or information is endorsed by any other person or public or private entity.

AA. Residence: Any living unit contained within any building or structure that is occupied by any person as a dwelling consistent with the zoning laws of the Town, together with the lot or other real property on which the living unit is located. This does not include the sidewalk, Public Street or public rights-of-way.

BB. Responsible person or entity: That person or entity responsible to provide the following to an applicant, registered solicitor, and the competent individual in a residence to whom a sale of goods or services is made or attempted to be made by means of a home solicitation sale

1. Maintaining a state sales tax number, a special events sales tax number, computing the sales taxes owing from any sale of goods or services, paying the sales taxes, and filing any required returns or reports;

2. Facilitating and responding to requests from consumers who desire to cancel the sale

pursuant to applicable contractual rights or law; and

3. Refunding any monies paid or reversing credit card charges to those persons who timely rescind any sale pursuant to applicable contractual rights or law.

CC. Roadside Farm Market: A trucker gardener or farmer who himself or by his agents sells or barter products of his own farm or garden from any location within the town, other than his residence or farm.

DD. Sale of goods or services: The conduct and agreement of a solicitor and the competent individual in a residence regarding a particular good(s) or service(s) that entitles the consumer to rescind the same within three (3) days under any applicable federal, state, or local law.

EE. Services: Those intangible goods or personal benefits offered, provided, or sold to a competent individual of a residence.

FF. Soliciting or solicit or solicitation: Shall mean any of the following activities:

1. Seeking to obtain sales or orders for the exchange of goods, wares, merchandise or perishables of any kind, for any kind of remuneration or consideration, regardless of whether advance payment is sought;

2. Seeking to obtain prospective customers to apply for or to purchase insurance subscriptions to publications or publications;

3. Seeking to obtain contributions of money or any other thing of value for the benefit of any person or entity;

4. Seeking to obtain orders or prospective customers for goods or services;

5. Seeking to engage an individual in conversation at a residence for the purpose of promoting or facilitating the receipt of information regarding home solicitation sale or purchase; and

6. Other activities falling within the commonly accepted definition of soliciting such as canvassing hawking or peddling.

GG. Solicitor or solicitors: A person(s) engaged in door-to-door solicitation or otherwise engaged in activities constituting solicitation.

HH. Submitted in writing: The information for an appeal of a denial or suspension of a

certificate submitted in any type of written statement to the Town offices by certified registered priority overnight or delivery confirmation mail facsimile or hand delivery.

II. Substantiated report: An oral written or electronic report that is submitted to and documented by the Town by any of the following:

a. A competent individual who is willing to provide law enforcement or other Town employees with publicly available identification of their name address and any other reliable means of contact;

b. a law enforcement officer with jurisdiction in the Town or a licensing officer; or

c. Any other regularly established law enforcement agency at any level of government; and

That provides any of the following information regarding a registered solicitor:

a. Documented verification of a previously undisclosed disqualifying status of a registered solicitor;

b. Probable cause that the registered solicitor has a disqualifying status that has not yet been confirmed to be a disqualifying status;

c. Documented eyewitness accounts that the registered solicitor has engaged in repeated patterns of behavior that demonstrates failure by the registered solicitor to adhere to the requirements of this chapter; or

d. Reasonable cause that continued licensing of the registered solicitor creates exigent circumstances that threaten the peace health safety or general welfare of any individuals or entities within the Town.

JJ. Town: The Town of Monroe.

KK. Town Board: The Town Board of the Town of Monroe.

LL. Town Clerk: The Town Clerk of the Town of Monroe.

MM. Transient Retail Business: A business conducted in any motor vehicle trailer or tent or on any street or other open place for the sale of retail goods wares or merchandise excepting prepared food and farm products.

NN. Waiver: The written form provided to the applicant by the Town wherein the applicant

agrees that the Town may obtain a name/date of birth BCI background check on the applicant for licensing purposes under this Chapter and which contains applicant's notarized signature.
§ 35-4 Exemptions from Chapter.

The following are exempt from registration under this chapter:

- A. Persons specifically invited to a residence by a competent individual prior to the time of the person's arrival at the residence;
- B. Persons soliciting in good faith for the benefit of any bona fide fraternal educational religious or charitable organization such as Girl or Boy Scout programs Little League Rotary Club Lions Club or like-minded local civic groups soliciting for the benefit of organizations that shall have otherwise been certified or otherwise been duly qualified as required by law or by any competent governmental body or agency unless there is a pending legal action or proceeding brought on behalf of the New York State Department of Consumer Affairs or the Orange County Consumer Affairs Office against the organization;
- C. Persons delivering goods to a residence pursuant to a previously made order or persons providing services at a residence pursuant to a previously made request by a competent individual;
- D. Persons advocating or disseminating information for against or in conjunction with any religious belief or political position regardless of whether goods services or any other consideration is offered or given with or without any form of commitment contribution donation pledge or purchase;
- E. Students soliciting contributions to finance extracurricular social athletic artistic scientific or cultural programs; provided that the solicitation has been approved in writing by the school administration and filed with the Town and that such student solicitors carry current picture student identification from the educational institution for which they are soliciting;
- F. An honorably discharged veteran who:
 - (a) Is physically disabled as a result of injuries received while in the service as set forth in § 35 of the General Business Law of the State of New York; and
 - (b) Holds a license granted pursuant to § 32 of the General Business Law.
- G. A wholesaler selling articles to dealers or merchants who have an established place of business within the town or their employees while acting within the scope of their employer and not having another use;
- H. Persons engaged in the sale of cosmetics or household goods within a residence provided that such sales occur solely and exclusively within a residence by permission of the owner thereof;
- I. A child (under eighteen years old) regularly attending any public or private school within the County of Orange.
- J. Sales conducted pursuant to statute or Court order.

All persons and organizations that are exempted from the license requirements under this Chapter shall maintain and keep records identifying all persons soliciting funds within the Town and such records shall contain at least the name and the address of the person soliciting the areas solicited and the date or dates of solicitation. Said records shall be made

available for inspection by a law enforcement authority or other enforcement official investigating any solicitor or peddler.

§ 35-6 Solicitation Prohibited.

Unless otherwise authorized permitted or exempted pursuant to the terms and provisions of this Chapter the practice of being in and upon a private residence or property upon which a private residence is located within the Town by solicitors for the purpose of home solicitation sales or to provide goods or services is prohibited and is punishable as set forth in this Chapter. It shall be unlawful for any person to conduct or operate a transient retail business roadside farm market or food vending business.

Further it shall be unlawful for any person to solicit within the Town without first having registered with the Town Clerk and having received and having in force and effect a certificate for the same if such is required by the Town Clerk.

Additionally no person shall engage in the following acts within the Town:

A. Promote influence or attempt to promote or influence a property owner occupant or tenant to list for sale sell or remove from a lease real property by referring to race color sexual orientation ethnicity or religious affiliation of neighbors prospective buyers or other occupants or prospective occupants of real property.

B. Induce directly or indirectly or attempt to induce directly or indirectly the sale or listing for sale of real property by representing that the presence or anticipated presence of persons of any particular race religion or national origin in the area has resulted in or may result in:

(1) The lowering of property values;

(2) A change in the racial religious or ethnic composition of the block neighborhood or area in which the property is located;

(3) An increase in criminal or antisocial behavior in the area; or

(4) A decline in the quality of the schools serving the area.

C. Make any representation or misrepresentation concerning the listing or sale of the anticipated listing for sale or the sale of any real property in any residentially zoned areas for the purpose of inducing or attempting to induce the sale or listing for sale of other real property in such area.

D. Make any representation to any prospective purchaser that any block neighborhood or area has will or might undergo an adverse change with respect to the religious racial or ethnic composition of the block neighborhood or area for the purpose of discouraging the purchase of property in a particular area.

E. Place canvass or distribute any letter sign note pamphlet advertisement flyer leaflet placard or other written material to or upon a private residence purporting an offer for sale or purchase for any property that is not in fact offered for sale by the owner of said property.

F. Advertise for sale or rental property which is non-existent or which is not actually for sale or rental.

G. Engage in or hire or conspire with others to commit acts or activities of any nature the purpose of which is to coerce create or play upon unjustified fear with the purpose of inducing or attempting to induce the sale or listing for sale of real property.

H. Solicit or canvass any person whose name and property address is included on the list maintained by the Town Clerk of persons requesting that they not be canvassed or solicited or solicit or canvass any occupant of a residence displaying a "No Solicitation" Notice" or a "No Knock Registry Member Sign."

I. To engage in any economic reprisal or any other form of intimidation against any person because that person has filed a complaint testified assisted or participated in any manner in any investigation proceeding or conference under the terms of this article.

J. To aid abet incite compel or coerce any person to engage in any of the practices forbidden by this article or to obstruct or prevent any person from complying with the provisions of this article.

K. Refer directly or indirectly or by implication to race color creed ethnicity or sexual orientation in any advertisement or other solicitation offering real property for sale or rental.

L. Solicit or attempt to solicit the sale or rental or the listing for sale or rental of real property without furnishing in written form to the owner or occupier of such real property the name of the person or organization soliciting such sale rental or listing.

M. Solicit on Sidewalks.

N. Maintain any booth or stand or place any barrels boxes crates or other obstruction upon any street sidewalk or public place for the purpose of conducting business without the express advanced approval of the Code Enforcement Officer or the Town Board.

O. Willfully misstating any fact about any article offered for sale.

P. Willfully offering for sale any article of an unwholesome or defective nature.

Q. Call attention to his goods by blowing a horn by ringing a bell other than a house doorbell by shouting or crying or by any loud or unusual noise except that peddlers of ice cream and ice cream products for immediate consumption are exempted from the foregoing prohibition of the use of a bell.

R. Frequent any street sidewalk or public place so as to cause a private or public nuisance.

S. Fail to keep any vehicle or receptacle used by him in his licensed business in a sound clean and/or sanitary condition.

T. Fail to keep any edible articles offered for sale well-protected from dirt dust and insects.

U. Fail to deliver to every person to whom a sale is made or from whom an order is taken a legibly written receipt signed and dated by the purchaser setting out the total price a description of the goods or services sold or ordered and a statement of any payment received by the purchaser.

V. Fail to leave premises promptly upon request of any occupant of such premises.

W. Conduct business in a town right-of-way or on town property.

X. Conduct activities in such a manner as to interfere with the pedestrian or vehicular use of the public streets and places.

Y. Cause or permit the public streets and places to be littered with papers wrappings or other debris or refuse.

Z. Conduct business within one hundred feet of a street intersection.

All solicitors shall immediately move from a location if so ordered by any police officer or town officer on grounds that the location is unsafe. Refusal to obey such order shall be grounds for suspension or revocation of the license. Such order may be appealed to the Town Board in the manner set forth herein.

§ 35-7 Registration of Solicitors.

Unless otherwise exempt under this Chapter all persons desiring to engage in door-to-door solicitation within the Town prior to doing so shall submit a completed application to the licensing officer and obtain a certificate in accordance with § 35-11. Any false statement on any application shall be grounds for denial or revocation of the certificate.

§ 35-8 Application Form.

The licensing officer shall provide a standard application form for use for the registration of solicitors. Upon request to the licensing officer or as otherwise provided any person or entity may obtain in person by mail or facsimile a copy of this application form. Each application form shall require disclosure and reporting by the applicant of the following information documentation and fee:

A. Review of Written Disclosures. An affirmation that the applicant has received and reviewed the disclosure information is required by this Chapter.

B. Contact Information.

1. Applicant's true correct and legal name including any former names or aliases used during the last ten (10) years;
2. Applicant's telephone number home address and mailing address if different;
3. If different from the applicant the name address and telephone number of the responsible person or entity; and
4. The address by which all notices to the applicant required under this chapter are to be sent;
5. The name and address of the firm represented if any; and
6. The name and address of a person upon whom legal notice or process may be served.

C. Proof of Identity. An in-person verification by the licensing officer of the applicant's true identity by use of any of the following which bear a photograph of said applicant:

1. A valid driver's license issued by any state;
2. A valid passport issued by the United States;
3. A student identification card provided by an educational institution;
4. A valid identification card issued by any state; or
5. A valid identification issued by a branch of the United States military.

Upon verification of identity the original identification submitted to establish proof of identity shall be returned to the applicant.

D. Proof of Registration. The applicant shall provide proof that either the applicant or the responsible person or entity has registered with all required regulatory authorities;

E. Sales Tax Number. The applicant shall provide a sales tax number for either the applicant or for the responsible person or entity for which the applicant will be soliciting;

F. Marketing Information. The applicant shall provide the following:

1. The goods or services offered by the applicant including any commonly known registered or trademarked names; and
2. Whether the applicant holds any other licenses permits registrations or other qualifications required by federal or state law to promote provide or render advice regarding the offered goods or services;
3. The length of time for which the certificate is required;
4. A description of the vehicle including license number of the vehicle the applicant intends to use in the Town; and
7. The location the applicant intends to sell goods wares services or merchandise or solicit orders for the same.

G. BCI Background Check/Report. The applicant shall provide:

1. An original or a copy of a BCI background check; and
2. A signed copy of a waiver whereby applicant agrees to allow the Town to obtain a name/date of birth BCI background check on applicant for purposes of enforcement of this Chapter.

H. Responses to Questions Regarding "Disqualifying Status." The applicant shall be required to affirm or deny each of the following statements on the application form:

1. Has the applicant been criminally convicted of:
 - a. Felony homicide;
 - b. Physically abusing sexually abusing or exploiting a minor;
 - c. The sale or distribution of controlled substances;
 - d. Sexual assault of any kind; or
 - e. criminal or unlawful possession or sale of a weapon or firearm.
2. Are any criminal charges currently pending against the applicant for:
 - a. Felony homicide;
 - b. Physically abusing sexually abusing or exploiting a minor;
 - c. The sale or distribution of controlled substances;
 - d. Sexual assault of any kind; or
 - e. criminal or unlawful possession or sale of a weapon or firearm.
3. Has the applicant been criminally convicted of a felony within the last ten (10) years;
4. Has the applicant been incarcerated in a federal or state prison within the past five (5) years;
5. Has the applicant been criminally convicted of a misdemeanor within the past five (5) years involving a crime of:
 - a. Moral turpitude; or
 - b. Violent or aggravated conduct involving persons or property.
6. Has a final civil judgment been entered against the applicant within the last five (5) years indicating that:
 - a. The applicant had either engaged in fraud or intentional misrepresentation; or
 - b. That a debt of the applicant was non-dischargeable in bankruptcy pursuant to 11 U.S.C.

Sections 523(a) (2) (a) (4) (a) (6) or (a) (19);

7. Is the applicant currently on parole or probation to any court penal institution or governmental entity including being under house arrest or subject to a tracking device;

8. Does the applicant have an outstanding arrest warrant from any jurisdiction;

9. Is the applicant currently subject to a protective order based on physical or sexual abuse issued by a court of competent jurisdiction;

10. If the applicant has been convicted of a crime does the applicant have a Certificate of Good Conduct or Certificate of Relief.

I. Fee. The applicant shall pay the applicable certificate fee(s) as determined from time to time by resolution of the Town Board which shall not exceed the reasonable cost of processing the application and issuing the certificate and/or identification badge. Any person who presents a valid current license issued by the Orange County Clerk pursuant to the provisions of the General Business Law of the State of New York shall be exempt from paying the fees required by the town for the issuance of a certificate under this chapter.

J. Execution of Application. The applicant shall execute the application form stating upon oath or affirmation under penalty of perjury that based on the present knowledge and belief of the Applicant the information provided is complete truthful and accurate.

§ 35-9 Written Disclosures.

The application form shall be accompanied by written disclosures notifying the applicant of the following:

A. The applicant's submission of the application authorizes the Town to verify information submitted with the completed application including but not limited to:

1. The applicant's address;

2. The applicant's and/or responsible person or entity's state tax identification and special use tax numbers if any;

3. The validity of the applicant's proof of identity;

B. The Town may consult any publicly available sources for information on the applicant including but not limited to databases for any outstanding warrants protective orders or civil judgments;

C. Establishing proof of identity is required before registration is allowed;

D. Identification of the fee amount that must be submitted by applicant with a completed application;

E The applicant must submit a BCI background check with a completed application;

F. To the extent permitted by state and/or federal law the applicant's BCI background check shall remain a confidential protected private record not available for public inspection;

G. The Town will maintain copies of the applicant's application form proof of identity and identification badge. These copies will become public records available for inspection on demand at the Town offices whether or not a certificate is denied granted or renewed;

H. The criteria for disqualifying status denial or suspension of a certificate under the provisions of this chapter.

§ 35-10 When Registration Begins.

The licensing officer shall not begin the registration process unless the applicant has submitted a completed application. The original identification submitted to establish proof of identity shall be returned after the licensing officer verifies the applicant's identity. A copy of the identification may be retained by the licensing officer. If an original BCI background check is submitted by the applicant the licensing officer shall make a copy of the BCI and return the original to the applicant.

§ 35-11 Registration and Issuance of Certificates.

The licensing officer shall review the completed application submitted by the applicant and issue a certificate in accordance with the following:

If deemed eligible the licensing officer may issue only one certificate per applicant for a term of one week two months or six months. The term of the certificate shall automatically expire unless renewed in accordance with § 35-11 (C).

A. A certificate may be issued upon satisfaction of the following conditions:

1. Applicant's submission of a completed application;
 2. Applicant's submission of the required fee;
 3. Applicant establishes proof of identity;
 4. The applicant's representations on the application form do not affirmatively show a disqualifying status;
 5. The BCI Report does not affirmatively show a disqualifying status; and
 6. The applicant has not previously been denied a certificate by the Town or had a certificate revoked for grounds that still constitute a disqualifying status under this chapter.
- B. Within five (5) calendar days of the date the applicant has submitted a completed application the Town shall:
1. Take any and all actions it deems appropriate to verify the truthfulness and completeness of the information submitted by the applicant including but not limited to any actions disclosed with the application form.
 2. Issue written notice to the applicant and the responsible person or entity if any that the application:
 - a. Is approved;
 - b. is incomplete; or
 - d. denied.
- C. Renewal Certificate. A certificate that is not suspended revoked or expired may be renewed prior to the expiration of the term upon the request of the registered solicitor and the submission of a renewal application and payment of the appropriate fee. The renewal period

shall be for the same term unless the applicant pays the appropriate certificate fee for a certificate with a longer term. In no event shall a certificate be renewed for more than two (2) terms.

§ 35-12 Bonding requirements.

A. Prior to the issuance of any certificate the applicant shall file with the Town Clerk either a bond running to the Town in the amount of one thousand five hundred dollars (\$1500) with good and sufficient surety in such form to be approved by the Town Attorney; or the amount of one thousand five hundred dollars (\$1500) to be held in escrow. Said bond or amount shall remain in escrow for the term of the certificate and shall be conditioned to indemnify and pay the Town for any penalties or costs incurred in the enforcement of any of the provisions of this Chapter.

B. The aforesaid bond shall be declared forfeited upon proof of:

- (1) Falsification in the application for a certificate.
- (2) Violation of any of the provisions of this Chapter by the applicant or his agents servants or employees

C. The Town Board may by resolution exempt persons from the bond and fee requirements provide that the applicant satisfies the Board that the nature of his activity does not jeopardize the position of the Town or the protection given herein to the residents.

§ 35-13 Form of Certificate and Identification Badge.

A. Certificate Form. Should the licensing officer determine that the applicant is entitled to a certificate the licensing officer shall issue a certificate to the applicant. The certificate shall list the name of the registered solicitor and the responsible person or entity if any and the date on which the certificate expires. The certificate shall be dated and signed by the license officer. The certificate shall be carried by the registered solicitor at all times while soliciting in the Town.

B. Identification Badge. The Town shall issue each registered solicitor an identification badge that shall be worn prominently on his or her person while soliciting in the Town. The identification badge shall contain:

1. The name of the registered solicitor;
2. Address and phone number of the registered solicitor or the name address and phone number of the responsible person or entity is provided;
3. A recent photograph of the registered solicitor; and
4. The date on which the certificate expires.

§ 35-14 Maintenance of Registry.

The licensing officer shall maintain and make available for public inspection a copy or record of every completed application received the date of approval or denial issued by the Town including the date of issuance and expiration of any certificate and the date of revocations of all certificates revoked. The applicant's BCI background check shall remain a confidential protected private record not available for public inspection. The licensing officer may furnish to the head of the law enforcement agencies with jurisdiction in the Town a listing of all

applicants those denied and those issued a certificate.

§ 35-15 Nontransferability of Certificates.

Certificates shall be issued only in the name of the applicant and shall list the responsible party or entity if any. The certificate shall be nontransferable. A registered solicitor desiring to facilitate or attempt to facilitate home solicitation sales with different: (A) goods or services; or (B) responsible person or entity from those designated in the originally submitted completed application shall submit a written change request to the licensing officer. A new certificate based on the amended information may be issued for the balance of time remaining on the solicitor's previous certificate before the amendment was filed. Before the new certificate is approved the registered solicitor shall obtain a revised identification badge from the Town after payment of the fee for the identification badge. In the event that the applicant has employees or agents working with or for the applicant a separate application must be filed for each employee or agent. The certificate fee for each additional certificate shall be twenty-five (25%) of the certificate fee set forth by the Town Board.

§ 35-16 Denial Suspension or Revocation of a Certificate.

A. Denial. Upon review the licensing officer shall refuse to issue a certificate or a renewal application to an applicant for any of the following reasons:

1. The application form is incomplete or incorrect;
2. The applicant fails to establish proof of identity provide a BCI or pay the required fees;
3. The completed application or BCI indicates that the applicant has a disqualifying status; or
4. The applicant has previously been denied a certificate by the Town or has had a certificate revoked for grounds that still constitute a disqualifying status under this Chapter;
5. Since the submission of the completed application the applicant is subject to a previously undisclosed or unknown disqualifying status;

B. Suspension or Revocation. The Town may either suspend or revoke a certificate when any of the reasons warranting the denial of a certificate as set forth in § 35-16(A) occurs and/or for any violation of this Chapter.

C. Notice of Denial or Suspension. Upon determination of the licensing officer to deny an applicant's completed application or to suspend a registered solicitor's certificate the Town shall cause written notice to be sent to the applicant or registered solicitor by the method indicated in the completed application. The notice shall specify the grounds for the denial or suspension the documentation or information the Town relied on to make the decision the availability of the documentation for review by applicant upon three (3) business days' notice to the Town and the date upon which the denial or suspension of the certificate shall take effect. It shall further state that the applicant or registered solicitor shall have ten (10) business days from the receipt of the notice of denial or suspension to appeal the same. The denial or suspension of the certificate shall be effective no sooner than three (3) calendar

days from the date the notice is sent unless that suspension is because of exigent circumstances in which case the suspension is effective immediately. The denial or suspension shall remain effective unless and until the order is rescinded overturned on appeal or determined by a court to be contrary to equity or law. Failure to appeal the suspension of a certificate automatically results in its revocation.

D. Notwithstanding the foregoing if an applicant has been convicted of a crime but has obtained a Certificate of Good Conduct or Certificate of Relief the applicant may be approved for a certificate if the applicant is approved by a super majority vote of the Town Board.

§ 35-17 Appeals.

An applicant or registered solicitor whose certificate has been denied or suspended shall have the right to appeal to the Town Board or its designee. Any appeal must be submitted by either the applicant the responsible person or entity or legal counsel for either who: (A) documents the relationship with the applicant or responsible person or entity; or (B) is licensed or authorized by the State of New York to do so and makes the assertion of an agency relationship. The following procedures and requirements shall apply:

A. Any appeal must be submitted in writing to the Town Clerk with a copy to the license officer if other than the Town Clerk within ten (10) business days of the decision from which the appeal is taken. Such appeal shall describe in detail the nature of the appeal the action complained of and the grounds for appeal.

B. Upon request of the applicant or registered solicitor within one (1) business day the Town will make available any information upon which it relied in making the determination to either deny or suspend the certificate.

C. The appeals officer shall review de novo all written information submitted by the applicant or registered solicitor to the licensing officer any additional information relied upon by the licensing officer as the basis for denial suspension or revocation and any additional information supplied by the Town applicant or registered solicitor. Any additional information submitted by any party to the appeal to the appeals officer shall be simultaneously submitted to the opposing party. If desired any party shall have three (3) business days to submit rebuttal documentation to the appeals officer regarding the additional information submitted by the opposing party.

D. The appeals officer will render a decision no later than fifteen (15) calendar days from the date the appeal was taken unless an extension of time is agreed upon by the parties. In the event that any party to the appeal submits rebuttal information as allowed in subsection (C) of this section the fifteen (15) calendar days shall be extended to include the additional three (3) days for rebuttal.

1. The denial or suspension of the certificate shall be reversed by the appeals officer if upon review of the written appeal and information submitted the appeals officer finds that the licensing officer made a material mistake of law or fact in denying or suspending the applicant or registered solicitor's certificate.

2. If the written appeal and information submitted indicates that the licensing officer properly denied or suspended the certificate of the applicant or registered solicitor the denial or

suspension of the certificate shall be affirmed and constitute a determination that the suspended certificate is revoked.

3. The decision of the appeals officer shall be delivered to the applicant or registered solicitor by the means designated in the completed application or as otherwise agreed upon when the appeal was filed.

E. After the ruling of the appeals officer the applicant or solicitor is deemed to have exhausted all administrative remedies with the Town.

F. Nothing herein shall impede or interfere with the applicant's solicitor's or Town's right to seek relief in a court of competent jurisdiction.

§ 35-18 Deceptive Soliciting Practices Prohibited.

A. No solicitor shall intentionally make any materially false fraudulent or otherwise misleading statement in the course of soliciting.

B. A solicitor shall immediately disclose to the consumer during face-to-face solicitation (1) the name of the solicitor; (2) the name and address of the entity with whom the solicitor is associated; and (3) the purpose of the solicitor's contact with the person and/or competent individual. This requirement may be satisfied through the use of the badge and an informational flyer.

C. No solicitor shall use a fictitious name an alias or any name other than his or her true and correct name.

D. No solicitor shall represent directly or by implication that the granting of a certificate of registration implies any endorsement by the Town of the solicitor's goods or services or of the individual solicitor.

E. The provisions of this section shall apply also to solicitors who are exempt from registration pursuant to the provisions of this chapter.

§ 35-19 No Knock Registry and "No Solicitation" Notice.

A. Any occupant of a residence may give notice of a desire to refuse solicitors by displaying a "No Solicitation" or "No Knock Registry Member" sign which shall be posted on or near the main entrance door or on or near the property line adjacent to the sidewalk leading to the residence.

B. The display of such sign or placard shall be deemed to constitute notice to any solicitor that the inhabitant of the residence does not desire to receive and/or does not invite solicitors.

C. It shall be the responsibility of the solicitor to check each residence for the presence of any such notice.

D. The provisions of this section shall apply also to solicitors who are exempt from registration pursuant to the provisions of this chapter.

E. In addition and/or alternatively any person who owns rents and/or otherwise occupies a residence and/or business in the Town who does not wish to have anyone enter upon and/or call upon the residence or business to solicit may inform the Town Clerk's Office of the same in writing and the Town Clerk's Office shall maintain and make available for public inspection a list of the addresses of those persons that do not want anyone to enter upon and/or call upon their residence and/or place of business. A list of addresses of those persons not

wanting solicitors to enter upon and/or call upon their residence and/or place of business shall be given to each person who files an application for a solicitation certificate in the Town. This list maintained by the Town Clerk shall be known as the "Town of Monroe No Knock Registry Membership List."

§ 35-20 Duties of Solicitors.

A. Every person soliciting or advocating shall check each residence for any "No Soliciting" or "No Knock Registry Member" sign or placard or any other notice or sign notifying a solicitor not to solicit on the premises such as but not limited to "No Solicitation" or "No Knock Registry Member" signs. If such sign or placard is posted such solicitor shall desist from any efforts to solicit at the residence or dwelling and shall immediately depart from such property.

Possession of a certificate does not in any way relieve any solicitor of this duty.

B It is a violation of this Chapter for any person soliciting or advocating to knock on the door ring the doorbell or in any other manner attempt to attract the attention of an occupant of a residence that bears a "No Solicitation" or "No Knock Registry Member" sign or similar sign or placard for the purpose of engaging in or attempting to engage in advocating a home solicitation sale door-to-door soliciting or soliciting.

C. It is a violation of this Chapter for any solicitor through ruse deception or fraudulent concealment of a purpose to solicit to take action calculated to secure an audience with an occupant at a residence.

D. Any solicitor who is at any time asked by an occupant of a residence or dwelling to leave shall immediately and peacefully depart.

E. The solicitor shall not intentionally or recklessly make any physical contact with or touch another person without the person's consent;

F. The solicitor shall not follow a person into a residence without their explicit consent;

G. The solicitor shall not continue repeated soliciting after a person and/or competent individual has communicated clearly and unequivocally their lack of interest in the subject goods or services of the solicitor;

H. The solicitor shall not use obscene language or gestures.

§ 35-21 Buyer's Right to Cancel.

In addition to the provisions of § 427 of the New York State Personal Property Law in any home solicitation sale unless the buyer requests the solicitor in writing to provide goods or services without delay the seller or solicitor shall present to the buyer and obtain buyer's signature to a written statement which informs the buyer of the right to cancel within ten (10) business days after signing an agreement to purchase. Such notice of "Buyer's right to cancel" shall be in the form required by the Town and shall be in addition to the protections set forth in § 428 of the New York State Personal Property Law.

§ 35-22 Penalties.

Any person who violates any term or provision of this Chapter shall be guilty of a violation and upon conviction shall be punished by a minimum fine of \$2500 to a maximum fine of \$5000 in the first offense a minimum fine of \$5000 to a maximum fine of \$7500 for a conviction for a second offense within two (2) years of a prior conviction and a minimum fine of \$7500 to a

maximum fine of \$10000 for a conviction for a third offense within two (2) years of a prior conviction and/or a jail sentence of not to exceed fifteen (15) days. Each day such violations continues shall constitute a separate and distinct offense punishable based upon the foregoing.

§ 35-23 Enforcement.

A. Any Police Department with jurisdiction in the Town of Monroe and/or the Town Code Enforcement officer or other enforcement official as may be designated by the Town Board is charged with enforcing the provisions of this Chapter and shall have the power right and authority to issue an appearance ticket as the same is defined in Article 150 of the Criminal Procedure Law of the State of New York for the violation of any section of this Chapter.

B. Any persons claiming to be aggrieved by an alleged unlawful practice forbidden by this Chapter may in his or her sole capacity or through an attorney at law make sign and file a complaint directly with a Police Department having jurisdiction or with the Town Clerk who shall forward the complaint to an appropriate authority for investigation.

Section 3. State Environmental Quality Review Act.

Pursuant to 6 NYCRR 617 this Local Law is classified as a Type II Action.

Section 4. Severability.

If any portion this Local Law or the application thereof to any person entity or circumstance shall be determined by any court or tribunal of competent jurisdiction to be invalid or unenforceable such determination shall be confined in its operation to the invalid part hereof or in its application to such person entity or circumstance as is directly involved in the controversy in which such determination shall have been rendered and the remainder of this Local Law shall not be impaired thereby and such determination shall not be deemed or construed to apply to other persons entities or circumstances.

Section 5. Effective Date.

This Local Law shall take effect immediately upon filing with the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Motion by Supervisor -Tony Cardone second by Sal Scancarello.

Final Resolution: Motion Carries

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

Information: 2.6 Public Hearing Notice: Community Development Block Grant (CDBG)

Action (Resolution) Discussion: 2.7 Open Public Hearing for Community Development Block Grant (CDBG)

Supervisor Cardone - Ok so essentially this is for the Community Development Block Grant for the Town Hall renovation. We're going to be submitting for an ADA Compliance Grant for

everything associated with American's Disability Act within and outside of the present Town Hall property. I've had conversations with Shawn Arnott from McGoey Hauser & Edsall. Ann Marie Morris & Jenn Schnaars attended the meeting up at the county last week and spoke with Shawn and Shawn felt it was in the best interest of the Town to go in this direction for this Grant. So I think it's a no brainer with what we're doing at the Town Hall. I don't know if anybody else has any comments. Ok. **2019-#156**

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Public Hearing for Community Development Block Grant (CDBG).

Motion by Councilman - Rick Colon second by Mary Bingham.

Final Resolution: Motion Carries

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

Discussion Information: 2.8 Public Comment RE: Community Development Block Grant (CDBG)

NO ONE SIGNED UP FOR PUBLIC COMMENT AT THIS TIME.

Action (Resolution): 2.9 Close Public Hearing regarding Community Development Block Grant (CDBG)

2019-#157

BE IT RESOLVED that the Town Board of the Town of Monroe made a Motion to close the Public Hearing regarding the Community Development Block Grant.

Motion by Mike McGinn second by Sal Scancarello.

Final Resolution: Motion Carries

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

Action (Resolution): 2.10 Proposed Resolution for Community Development Block Grant (CDBG)

2019-#158

BE IT RESOLVED that the Town Board of the Town of Monroe made the following Resolution by Supervisor Cardone second by Councilman Colon.

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF MONROE NEW YORK
AUTHORIZING THE SUBMISSION OF THIS
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

At a meeting held on April 12019 the Town Board of the Town of Monroe adopted the following Resolution:

The Town of Monroe New York ("Town") is hereby submitting its Application for consideration under the FY-2020 Orange Urban County Consortium Community Development Program and the Town Supervisor is hereby authorized to submit this Application for "Town Hall ADA Improvements" as described in its proposal.

Input from citizens and groups has been received and considered and the application has been prepared which addresses their community concerns.

The Town further certifies that they have read and understood the Orange Urban County Consortium Community Development Guidelines for the FY-2020 program year and have met all of its applicable requirements and that the information contained in the Application is accurate and true to the best of their knowledge.

If awarded CDBG funds the Town shall implement the activities in a manner to ensure compliance with all applicable federal state and local laws and regulations.

Date:

Anthony Cardone Supervisor of the Town of Monroe (845) 783-1900

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 Supervisor -Tony Cardone second by Councilman - Rick Colon.

Final Resolution: Motion Carries

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

2019-#158-A

BE IT RESOLVED that the Town Board of the Town of Monroe made a Motion to approve McGoey Hauser & Edsall to work on the ADA Improvements required for the new Town Hall for the CDBG Grant with Orange County.

Motion by Supervisor -Tony Cardone second by Councilman - Rick Colon.

Final Resolution: Motion Carries

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

3. Community/Announcements

Action (Resolution) Discussion Information: 3.1 Clean Sweep Scheduled for April 27 2019

Town of Monroe Clean Sweep April 27 2019 from 8am - 12pm (Rain or Shine). St. Anastasia Catholic Church Parking Lot - 21 North Main Street Harriman NY. The Town of Monroe is offering free shredding services and free electronic disposal. Bring all your electronic equipment to be disposed of properly and documents to be shredded between 8am - 12pm.

2019-#159

BE IT RESOLVED that the Town Board of the Town of Monroe made a Motion to approve overtime for two Highway Employees to participate on Operation Clean Sweep on April 27th.

Motion by Mary Bingham second NONE.

2019-#159A

BE IT RESOLVED that the Town Board of the Town of Monroe amends previous Motion to say just two additional Highway Department personnel for the E-recycling.

Motion by Mary Bingham second by Sal Scancarello.

Final Resolution: Motion Carries

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

Information: 3.2 Dress Down for Leukemia Day

Town Employees & Town Board through the efforts of Patty Kasch raised \$450.00 for the Leukemia & Lymphoma Society. 4. Audit of Claims

Action (Resolution): 4.1 Audit of Claims

2019-#160

BE IT RESOLVED that the Town Board of the Town of Monroe requests approval of Abstract #19-004 Escrow containing Check #'s 1846 - 1847 totaling \$1623.28

Motion by Mike McGinn second by Mary Bingham.

Final Resolution: Motion Carries

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

2019-#160A

BE IT RESOLVED that the Town Board of the Town of Monroe requests approval of Abstract #19-006 General Fund containing Check #'s 23853 - 23916 totaling \$280868.53

Motion by Supervisor -Tony Cardone second by Councilman - Rick Colon.

Final Resolution: Motion Carries

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

5. Acceptance of Minutes

Action (Resolution) Discussion: 5.1 Acceptance of March 18 2019 Minutes

2019-#161

BE IT RESOLVED that the Town Board of the Town of Monroe accepts the Minutes of March 18 2019.

Motion by Mary Bingham second by Sal Scancarello.

Final Resolution: Motion Carries

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

6. New Business

Discussion Presentations: 6.1 Realterm Energy

Presentation by REALTERM ENERGY (Sandy Stead) regarding a proposal for LED Streetlight Conversion in the Town of Monroe. To see Sandy's Power Point Presentation and to hear the Town Board's Comments go to Board Doc's Video Clip 6.1 Action (Resolution)

Discussion: 6.2 Town Consent For Village Annexation

2019-#162

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

RESOLUTION REGARDING CONSENT OF THE TOWN BOARD TO THE VILLAGE OF MONROE TO ANNEX A VILLAGE OWNED PARCEL OF LAND

WHEREAS on March 20 2019 the Town of Monroe ("Town") received a letter from Village of

Monroe ("Village") Mayor Neil Dwyer and a copy of a Village Board Resolution dated March 19 2019 requesting the consent of the Town to the Village's proposed annexation of a parcel in the Town of Monroe identified on the Town of Monroe tax map as Section 1 Block 2 Lot 37 ("the Property") and located within the boundaries of the Town of Monroe; and

WHEREAS said property is uninhabited and vacant; and

WHEREAS the 2.5 acre of property is identified as part of the Village's dedicated open space and is desired to be incorporated into the Village's parkland in the future; and

WHEREAS the Village Board has determined that said property shall be preserved for the purpose of providing open space within the Village and for the potential expansion of the Village's park system; and

WHEREAS the Town Board hereby finds and determines that preservation of open space and the expansion of the Village's park system to include the property is hereby deemed a public purpose and in the public interest; and

WHEREAS the Town Board further finds and determines that the public interest would be served by annexing the property into the territorial boundaries of the Village of Monroe for the purpose of expanding the Village park system and bringing all such property within the boundaries of the Village.

NOW THEREFORE BE IT RESOLVED that:

Section 1. The above WHEREAS clauses are incorporated herein by reference as if set forth fully.

Section 2. The Town Board hereby consents to the annexation of the uninhabited property adjoining the Village of Monroe's territorial boundaries pursuant to General Municipal Law §706 on the basis of the Town Board's determination that such annexation is in the overall public interest.

Section 3. The Town Board hereby authorizes the Town Supervisor to execute any and all documents necessary to carry out the provisions of this Resolution.

Section 4. The Town Clerk is hereby directed to provide a certified copy of this Resolution to the Village Clerk of the Village of Monroe as soon as practicable.

Section 5. The Town Board hereby determines that this Resolution granting consent to the Village Board of the Village of Monroe is a Type II action for SEQRA purposes. In the event

that the Village issues an order of annexation regarding the property the Town hereby consents to the Village being lead agency with respect to any applicable environmental review.

Section 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

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 Mike McGinn second by Sal Scancarello.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 6.3 2018 Budgetary Transfers

2019-#163

BE IT RESOLVED that the Town Board of the Town of Monroe made a Motion to approve 2018 budgetary transfers to smooth the expenditures lines so there are no deficit expense lines as per the State Comptroller's Office.

Motion by Supervisor -Tony Cardone second by Mary Bingham.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 6.4 God's Grace Ministry

2019-#164

BE IT RESOLVED that the Town Board of the Town of Monroe made a Motion to Table this matter until April 15 2019.

Motion by Supervisor -Tony Cardone second by Councilman - Rick Colon.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 6.5 Bid Document Preparation-2018 CDBG Award

2019-#165

BE IT RESOLVED that the Town Board of the Town of Monroe made a Motion to approve McGoey Hauser and Edsall preparing the specs for the bid documents related to the funding awarded to the Town of Monroe through the 2018 Community Development Block for the installation of Automatic Doors and the replacement of the HVAC System at the Senior Center.

Motion by Councilman - Rick Colon second by Sal Scancarello.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 6.6 Refund Request-Building Permit Application Fee

2019-#166

BE IT RESOLVED that the Town Board of the Town of Monroe Town of Monroe made a Motion approving a requested refund in the amount of \$40 of the original permit application fee for resident Karen Baley of 102 Linden Lane because she decided to not legally finish the basement but instead demo it to how it was when the house was built. As per the Code of the Town of Monroe Section 23-14 (B) she is allowed 50% of the \$80.00 fee that was paid.

Motion by Supervisor -Tony Cardone second by Mike McGinn.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 6.7 Conservation Commission Temporary Chairperson

2019-#167

BE IT RESOLVED that the Town Board of the Town of Monroe made a Motion to approve the appointment of Bob O'Neill as the Chairman of the Conservation Commission beginning April

2019 term expiring 12-31-2020. The Board authorizes the Commission to implement it's rotating Chair System as necessary starting with Bob O'Neill.

Motion by Supervisor -Tony Cardone second by Mary Bingham.

Final Resolution: Motion Carries

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

Action (Resolution): 6.8 Conservation Commission Appointment: Charlie Pakula

2019-#167A

BE IT RESOLVED that the Town Board of the Town of Monroe made a Motion to appoint Charlie Pakula to the Conservation Commission Slot #1 term expiring 12-31-2020.

Motion by Councilman - Rick Colon second by Mary Bingham.

Final Resolution: Motion Carries

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

Action (Resolution) Discussion: 6.9 NYS Capital Assistance Program

2019-#168

BE IT RESOLVED that the Town Board of the Town of Monroe made the following Resolution by Councilman McGinn and second by Councilwoman Bingham.

TOWN OF MONROE MONROE NY
RESOLUTION NUMBER: 168 / 2019

Authorizing the implementation and funding in the first instance of the State-aid Program eligible costs of a capital project and appropriating funds therefore.

WHEREAS a Project for the Permanent Road Improvements to Lake Region Boulevard and School Road in the Town of Monroe Orange County PIN 8762.42 (the Project") is eligible for funding under a New York State Program administered by the New York State Department of Transportation (NYSDOT); and

WHEREAS a sum not to exceed \$400000 in Program Funding is available to progress the project.

WHEREAS the Town of Monroe desires to advance the Project by making a commitment of 100% of the State share of the costs of the preliminary engineering right-of-way incidentals right-of-way acquisition and construction phases

NOW THEREFORE the Monroe Town Board duly convened does hereby

RESOLVE that the Monroe Town Board hereby approves the above-subject project; and it is hereby further

RESOLVED that the Monroe Town Board hereby authorizes the Town of Monroe to pay in the first instance 100% of the cost of preliminary engineering right-of-way incidental right-of-way acquisition construction and construction inspection work for the Project or portions thereof; and it is further

RESOLVED that the sum of \$400000 is hereby appropriated from the DB00 5110-4400-00 Fund and made available to cover the cost of participation in the above phase(s) of the Project; and it is further

RESOLVED that in the event the full state share costs of the project exceeds the amount appropriated above the Monroe Town Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Supervisor thereof and it is further

RESOLVED that the Supervisor of the Town of Monroe be and is hereby authorized to execute all necessary Agreements certifications or reimbursement requests for State Aid on behalf of the Town of Monroe with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's/Sponsor's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible and it is further

RESOLVED that a Certified Copy of this resolution be filed with the New York State Commissioner of Transportation of the State of New York by attaching it to any necessary Agreement in connection with the Project between the Town of Monroe and the State of New York; and it is further

RESOLVED this Resolution shall take effect immediately.

STATE OF NEW YORK)

) SS:

COUNTY OF ORANGE)

I _____ Clerk of the Town of Monroe New York do hereby certify that I have compared the foregoing copy of this Resolution with the original on file in my office and that the same is a true and correct transcript of said original Resolution and of the whole thereof as duly adopted by said _____ at a meeting duly called and held at the _____ on _____ by the required and necessary vote of the members to approve the Resolution.

WITNESS My Hand and the Official Seal of the Town of Monroe New York this _____ day of _____ 20__.

Clerk Town of Monroe

Motion by Mike McGinn second by Mary Bingham.

Final Resolution: Motion Carries

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

Action (Resolution): 6.10 Firearms Prohibited on Town Property

2019-#169

BE IT RESOLVED that the Town Board of the Town of Monroe made the following Resolution by Councilman McGinn and second by Supervisor Cardone.

**RESOLUTION RESTRICTING THE POSSESSION OF FIREARMS AND
OTHER DANGEROUS WEAPONS ON TOWN HALL PROPERTY**

WHEREAS the Town of Monroe ("Town") desires to preserve and protect Town property and to provide for the general health safety and welfare of Town inhabitants and to preserve peace and good order in the Town by regulating the possession of firearms and other dangerous weapons in Town Hall and upon Town Hall property; and

WHEREAS the Town through its Town Board and in its proprietary capacity declares that it is necessary for the security safety protection and well-being of the public its employees and its buildings to place restrictions on the bearing and possessing of firearms and other dangerous weapons and instruments by individuals while entering into and being present in Town Hall and upon Town Hall property; and

WHEREAS in order to provide for the safety and welfare of the Town residents visitors and employees no individual shall have in his or her possession either openly or concealed any firearm gun explosive device or substance lethal or debilitating chemical or gas or any dangerous or deadly weapon of any description including but not limited to a handgun rifle

shotgun dangerous knife dagger razor imitation pistol or any other item defined as a firearm or weapon under New York State Penal Law while entering into or while being present in Town Hall or upon Town Hall property; and

WHEREAS any authorized peace officer or police officer as defined under the laws of the State of New York may possess or carry a firearm or other dangerous weapon or instrument in the course of his or her official duty while in or being present in Town Hall or upon Town Hall property.

THEREFORE BE IT RESOLVED that:

Section 1. The above "WHEREAS" clauses are incorporated herein by reference.

Section 2. The Town through the Town Board hereby declares that no individual except state and federal law enforcement officers (active and retired) and peace officers (as defined in the NYS Criminal Procedure Law) acting in the course of their official duties shall have in his or her possession any firearm (including rifles and shotguns) or other dangerous weapon including but not limited to knife dagger razor imitation pistol explosive device or substance lethal or debilitating chemical or gas while in or entering into Town Hall or upon Town Hall property for security safety protection and well-being of the public its employees and its property.

Section 3. The Town Clerk and any other official or employee as directed by the Supervisor is hereby authorized to post a sign outside the entrance to Town Hall and at any other appropriate location on Town Hall property stating: "Firearms (with or without a permit) guns and/or dangerous weapons or substances are prohibited on Town Hall property. By Order of the Town Board of the Town of Monroe."

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] [] [] []

Richard Colon Councilperson [X] [] [] []

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

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

The Resolution was thereupon duly adopted.

Motion by Mike McGinn second by Supervisor -Tony Cardone.

Final Resolution: Motion Carries

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

7. Old Business

Action (Resolution) Discussion: 7.1 Board of Ethics Appointment-Amendment of Resolution

2019-#170

BE IT RESOLVED that the Town Board of the Town of Monroe made a Motion to Amend the resolution for the appointment of George Tanner to the Board of Ethics to include term expiration date of 12/31/20.

Motion by Supervisor -Tony Cardone second by Councilman - Rick Colon.

Final Resolution: Motion Carries

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

8. Public Comment

Information: 8.1 Rules for Public Comment

Discussion: 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

- Sharon Scheer
- Mike Goldstein
- Lorraine Loening
- Ward Brower
- Donza Conway Action (Resolution): 8.3 Complaint

2019-#171

BE IT RESOLVED that the Town Board of the Town of Monroe made a the following Motion: The Supervisor is hereby authorized to execute any necessary documents to proceed with a complaint for disorderly conduct and/or trespassing against the individual who disrupted the Town Board meeting earlier.

Motion by Mike McGinn second by Sal Scancarello.

Final Resolution: Motion Carries

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

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

Action (Resolution): 9.1 Enter into Attorney Client Session

2019-#172

BE IT RESOLVED that the Town Board of the Town of Monroe approves to enter into an Executive / Attorney Client Session to discuss Litigation.

Motion by Mike McGinn second by Supervisor -Tony Cardone.

Final Resolution: Motion Carries

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

10. Return to Regular Meeting

Action (Resolution): 10.1 Return to Regular Meeting

2019-#173

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 Mike McGinn.

Final Resolution: Motion Carries

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

11. Motions From the Floor

12. Adjournment

Action (Resolution): 12.1 Adjournment of Meeting

2019-#174

BE IT RESOLVED that the Town Board of the Town of Monroe adjourns the meeting of April 1 2019 at 9:46pm.

Motion by Supervisor -Tony Cardone second by Councilman - Rick Colon.

Final Resolution: Motion Carries

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

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