

MONROE TOWN BOARD MEETING MINUTES

— 05/07/2018

MONROE TOWN BOARD MEETING AGENDA (Monday, May 7, 2018)

Generated by Valerie Bitzer

Members present

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

1. Call to Order.

Procedural: 1.1 Pledge to the Flag

2. Public Hearing.

Action (Resolution): 2.1 Set Public Hearing Notice-Proposed Local Law #7 of 2018

2018-#199 The following Resolution was duly offered by Councilman Colon and seconded to wit by Councilman Scancarello:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF MONROE SETTING A PUBLIC HEARING FOR A PROPOSED LOCAL LAW AMENDING CHAPTER 57 OF THE TOWN CODE CONCERNING ALTERNATE MEMBERS OF THE ZONING BOARD OF APPEALS

WHEREAS, Section 57-63.1 of the Town Code of the Town of Monroe ("Town") governs the appointment, term, functions and powers of alternate members who serve on the Zoning Board of Appeals ("Zoning Board"); and

WHEREAS, Section 57-63.1 also prescribes the circumstances in which alternate members may serve in lieu of regular members of the Zoning Board; and

WHEREAS, the Town Board for the Town of Monroe ("Town Board") finds it in the best interest to expand the circumstances in which alternate members may serve in lieu of regular members and to consider the adoption of a local law regarding same; and

WHEREAS, the Town Board hereby finds that there are certain instances when properly functioning of the Zoning Board may require an alternate member to serve on the Zoning Board; and

WHEREAS, a copy of said proposed local law shall be available at the Office of the Town Clerk at least seven (7) days prior to such public hearing; and

WHEREAS, the Town Board desires to schedule said public hearing to solicit public comment prior to the adoption of a local law that would expand the circumstances to which an alternate member may serve in lieu of a regular member of the Zoning Board.

NOW, THEREFORE, it is resolved by the Town Board as follows:

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

Section 2. The Town Board hereby sets a Public Hearing to consider an amendment of Chapter 57 of the Town Code regarding Alternate Members of the Zoning Board for May 21, 2018, at 7:00 p.m.

Section 3. The Town Clerk is directed to proceed with all appropriate notifications and required publications of the Notice of Public Hearing and proposed Local Law, pursuant to law.

Section 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.

Motion by Acting Supervisor - Rick Colon, second by Sal Scancarello.

Final Resolution: Motion Carries

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

Discussion: 2.2 **ADD ON** Arrow Park Calendar of Events May 26th-27th

COMMUNITY EVENT - Arrow Park is having a 70th Anniversary Celebration. *****PLEASE SEE FLYER ON FRONT PAGE OF WEBSITE FOR COMPLETE DETAILS*****

Honor Founding Members of Arrow Park

Performance by Barnya Slavic

Banquet & dancing (by reservation only)

Honor Orange County Land Trust for preservation of the lake and lands

Walk in the woods conducted by Doc Bayne

Poets Garden Celebration

Performance by NYC Labor Chorus

Representatives from the UN Missions of the Belarus, Ukraine, and Russia will speak to their Poet Laureates

American Folk Music Concert

DAILY ADMISSION TO ALL EVENTS (excluding the banquet)

\$10.00 Adults / \$5.00 Children under 12

Location Arrow Park - 1061 Orange Turnpike, Monroe, NY

www.arrowparkny.com3. Community

Discussion: 3.1 Recognition of Monroe Firefighters

The Town of Monroe Town Board would like to recognize two Volunteer Firemen for their duties and service to our community. Supervisor Cardone turned the microphone over to the Towns Highway Superintendent John Scherne who is also the Districts Fire Chief where he recognized Firefighters Troy Schettig, and Christopher Cocks who were recently honored with the 2017 Firefighter of the Year Award. The Town of Monroe would also like to recognize Monroe Crew of Engine 535, Monroe Truck 537, Captain Ian Harriton of Station 3, Firefighter Lucas Mahran, Acting Lieutenant, Firefighter Brendan O'Grady, and Assistant Chief Pat Prozillo of the Woodbury Fire Department for their heroic efforts.4. APPROVAL OF MINUTES.

Action (Resolution): 4.1 Approval of April 16, 2018, Town Board Minutes

2018-#200 BE IT RESOLVED, that the Town Board of the Town of Monroe approves the minutes of April 16, 2018, Town Board Meeting.

Motion by Acting Supervisor - Rick Colon, second by Mary Bingham.

Final Resolution: Motion Carries

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

Action (Resolution): 4.2 Approval of April 25, 2018, Town Board Special Meeting Minutes 2018-#201 BE IT RESOLVED, that the Town Board of the Town of Monroe approves the minutes of April 25, 2018, Town Board Special Meeting.

Motion by Mary Bingham, second by Sal Scancarello.

Final Resolution: Motion Carries

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

5. Old Business.

Information: 5.1 **ADD ON** Monthly/Quarterly Report-Orange County Legislator Peter Touhy

Orange County Legislator Peter Touhy attended the Town Board Meeting to give a monthly/quarterly report.Discussion: 5.2 **ADD ON** Hiring of Assistant Assessor Position

The hiring of an Assistant Assessor will be discussed in Executive Session.Discussion: 5.3 Monroe Theater Ticket and Concession Stand Pricing

Councilman Scancarello commented that at the current time they will not be changing any of the theater prices. He is going to revamp the concession stand, and offer a lot of new improvements to that area along with bringing in some Art Councils to help bring in some revenue as well.Action (Resolution), Discussion: 5.4 Smith Farm Phase 2 Work Authorization AgreementAgreement with Town's Engineer for Second Phase of Smith Farm to review the project going forward. Counsel reviewed the agreement, and made some changes. The version that the Board has is now the contract with changes. Counsel indicated it would require a Resolution authorizing Supervisor Cardone to execute the agreement with McGoey, Hauser & Edsall. Counsel advised that some changes were regarding issues with damages, and provisions that were in the contract. 2018-#202 BE IT RESOLVED, that the Town Board of the Town of Monroe authorizes the Supervisor to sign the agreement for Smith Farm Phase 2 work.

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

Final Resolution: Motion Carries

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

2018-#203 BE IT RESOLVED, that the Town Board of the Town of Monroe amends the previous Resolution now so that the developer is required to maintain an Escrow of \$20,000 minimum.

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

2018-#204 BE IT RESOLVED, that the Town Board of the Town of Monroe Supervisor withdraws the previous Motion, and made a new Motion that states the Smith Farm Phase 2 Work Agreement will be signed with the caveat that the developer provides a post planning deposit of 5% of the total improvements as determined by our Engineer Mc Goey, Hauser & Edsall.

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

Final Resolution: Motion Carries

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

Discussion: 5.5 Community Day/Food Truck and Music Festival

Councilman Scancarello commented that Community Day/Food Truck and Music Festival is going to be a day for honoring all Monroe First Responders on June 16, 2018, from 2pm-8pm at Mombasha Park. This will be the first of its kind for Monroe. The Town is going to try to do this twice a year. There are about a dozen food trucks. Event will be rain or shine. Admission is Free, and open to the public. There will be live music all day. Ann Marie Morris has also helped in putting this event together. She has been working with Dial-A-Bus to have a shuttle go back and forth from the Sr. Center/Highway. There will also be help with traffic from the Highway Department along with the fire district. Ann Marie Morris is hoping to have Mombasha Park Parking Lot striped by the event.

Supervisor Cardone commented that in respect to our First Responders their seriously considering offering the First Responders based off of their districts member list coupons to use at the food trucks (portion of the Town's cost / portion of the Food Vendor's cost). Details are still being worked out, and have yet to be finalized.6. New Business.Action (Resolution), Discussion: 6.1 Cub Scout Pack 488 Fishing Derby

Supervisor Cardone spoke of the application for the Fishing Derby to be held on Berry Road. He believes it will be at Faber Farm. Cub Scout Pack 488 would like to hold this on May 19, 2018, from 8am-3pm. It's a catch and release. There will be no campfire, but they would like the facility opened at 8:00. A \$50 fee has been provided for the day, and a \$500 deposit.

2018-#205 BE IT RESOLVED, that the Town Board of the Town of Monroe approves the Cub Scout Pack 488 Fishing Derby for May 19, 2018 8am-3pm.

Motion by Sal Scancarello, second by Acting Supervisor — Rick Colon.

Final Resolution: Motion Carries

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

Action (Resolution), Discussion: 6.2 Use of Monroe Theater for Monroe-Woodbury All-Night Graduation Party Committee

Supervisor Cardone is asking for a refundable deposit from the Committee as long as there are no damages. The Committee will be providing an Insurance Certificate just as they did last year. 2018-#206 BE IT RESOLVED, that the Town Board of the Town of Monroe approves allowing the Monroe Woodbury 2018 class All Night Graduation Committee to use the forth floor for storage of the All Night Graduation Party props, and decorations with the fact that they're going to give us Insurance Certificate and a \$500 refundable deposit.

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

Final Resolution: Motion Carries

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

Discussion: 6.3 Home Rule for Acceleration of Palm Tree

Supervisor Cardone advised that the Home Rule for the Acceleration of Palm Tree would essentially allow the formation of Palm Tree to be placed on the ballot for the November Election.

Councilwoman Bingham commented that the event will be Tabled until the next meeting which is scheduled for May 21, 2018, followed by Acting Supervisor Rick Colon inquiring about having a Special Meeting for Public Comment. Supervisor Cardone indicated that the public could comment on it tonight as well as on May 21, 2018. Discussion: 6.4 Hometown Firefighter Services

Supervisor Cardone talked about the LOSAP Program which is a Length of Service program for all firefighters who volunteer in our district, and currently Lakeside is the only one that still has the program operating under the guidance of the Town and the Town Board. Discussion: 6.5 Part Time Data Collector Assessor's Office

Position will also be discussed in Executive Session. Action (Resolution), Discussion: 6.6 Board of Assessment Review Appointment Supervisor Cardone indicated they came down to the wire, and reached out to a Board of Ethics member Paul Phelan who has graciously agreed to join the Board of Assessment Review. 2018-#207 BE IT RESOLVED, that the Town Board of the Town of Monroe approves Paul Phelan for training for the Board of Assessment Review.

Motion by Mike McGinn, second by Mary Bingham. 2018-#208 BE IT RESOLVED, that the Town Board of the Town of Monroe Councilman McGinn withdraws his motion for Mr. Phelan to be named to the Board of Assessment Review at this time.

Motion by Mike McGinn, second NONE.

2018-#209 BE IT RESOLVED, that the Town Board of the Town of Monroe accepts Paul Phelan's resignation from the Board of Ethics.

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

Final Resolution: Motion Carries

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

2018-#210 BE IT RESOLVED, that the Town Board of the Town of Monroe appoints Mr. Phelan to the Board of Assessment Review.

Motion by Mike McGinn, second by Acting Supervisor - Rick Colon.

Final Resolution: Motion Carries

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

Action (Resolution), Discussion: 6.7 Board of Assessment Review Secretary

Supervisor Cardone commented that Alex Trovato has done this in the past, and that he had spoken to her briefly about the position. 2018-#211 BE IT RESOLVED, that the Town Board of the Town of Monroe approves Alexandria Trovato as the Board of Assessment Review Secretary at the same rate she received last year.

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

Final Resolution: Motion Carries

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

Action (Resolution), Discussion: 6.8 RFP for Electrical and Plumbing Services

Town Counsel informed the Town that they could accept a draft RFP for Electrical and Plumbing Services. 2018-#212 BE IT RESOLVED, that the Town Board of the Town of Monroe approves to authorize the RFP for electrical services and the Town Water District and other Town Buildings to be issued in a form satisfactory to the Town Supervisor and Town Council.

Motion by Mike McGinn, second by Mary Bingham.

Final Resolution: Motion Carries

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

2018-#213 BE IT RESOLVED, that the Town Board of the Town of Monroe authorizes the Town Attorney to draft an RFP listing the facilities for plumbing services, listing facilities that would need to be covered, and authorize the Supervisor to sign the RFP.

Motion by Mike McGinn, second by Acting Supervisor - Rick Colon.

Final Resolution: Motion Carries

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

Action (Resolution), Discussion: 6.9 Town of Monroe Landfill Post-Closure Monitoring Program

2018-#214 BE IT RESOLVED, that the Town Board of the Town of Monroe approves annual contract with Sterling Environmental.

Motion by Mike McGinn, second by Acting Supervisor - Rick Colon.

Final Resolution: Motion Carries

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

Action (Resolution): 6.10 Dial-A-Bus Contract

Supervisor Cardone signed policy for Controlled Substances and Alcohol Testing (Opioid Testing). 2018-#215 BE IT RESOLVED, that the Town Board of the Town of Monroe acknowledges that Supervisor Cardone has signed the policy regarding Controlled Substances/Alcohol Testing Policy (Opioid Testing), and the Board is OK with it.

Motion by Acting Supervisor - Rick Colon, second by Mike McGinn.

Final Resolution: Motion Carries

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

7. PUBLIC COMMENT.

Information: 7.1 Rules for Public Comment

Discussion: 7.2 Public Comment

The following residents spoke during Public Comment. To hear their comments, and Town Board members responses go online to Board Docs to the May 7, 2018, meeting to Video Clip 7.2.

Jason Czerwinski spoke about the acceleration of Palm Tree, how much to keep in Fund Balance, and how will using it effect the purchase of Eitz Chaim.

Tracy Schuh spoke of landfill concerns regarding water.

Lorraine Loening spoke about the acceleration of Palm Tree, and how it will affect the School District Budget. She was also glad to hear about no changes at the current time regarding Monroe Theater.

John Allegro spoke about Palm Tree and the acceleration clause.

Veronica Connolly spoke of acceleration of Palm Tree, and thanked Fire Chief John Scherne for his service.

Mike Goldstein spoke about unknown financial implications.

Ward Brower spoke of Palm Tree, and echoed Tracy Schuh's concerns.

Mike Egan spoke about Palm Tree.

Dan Burke spoke about the contract with Ed Sheeran, Smith Farm, and Monroe Theater.8.

POSSIBLE MOTION TO ADJOURN TO EXECUTIVE AND/OR ATTORNEY CLIENT SESSION.

Action (Resolution): 8.1 Enter into Executive Session

Prior to entering into Executive Session Attorney Brian Nugent gave Paul Phelan his Oath of Office. To see Oath of Office go to Board Doc's May 7, 2017, meeting and view Video Clip at 1:44:56. 2018-#216 BE IT RESOLVED, that the Town Board of the Town of Monroe approved to enter into an Executive Session to discuss litigation and Personnel issues.

Motion by Acting Supervisor - Rick Colon, second by Sal Scancarello.

Final Resolution: Motion Carries

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

9. Return to Regular Meeting.

Action (Resolution): 9.1 Return to Regular Meeting

2018-#217 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, Acting Supervisor - Rick Colon, Mike McGinn, Mary Bingham, Sal Scancarello

10. Possible Motions from the Floor.

Action (Resolution): 10.1 Possible Motion From the Floor

2018-#218 BE IT RESOLVED, that the Town Board of the Town of Monroe authorizes the Assessor's Office to advertise for a Part Time Data Collector at \$18.95 per hour for 17 1/2 hours.

Motion by Acting Supervisor - Rick Colon, second by Sal Scancarello.

Final Resolution: Motion Carries

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

Action (Resolution): 10.2 Possible Motion From the Floor

2018-#219 BE IT RESOLVED, that the Town Board of the Town of Monroe approves to hire Nancy Elgreta Assessor's Clerk F/T at \$42,500 per year beginning on or after June 1, 2018.

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

Final Resolution: Motion Carries

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

Action (Resolution): 10.3 Possible Motion From the Floor

2018-#220 BE IT RESOLVED, that the Town Board of the Town of Monroe authorizes the Dog Shelter to spend \$473.00 and change for repairs on a truck so that it will be able to pass inspection.

Motion by Acting Supervisor - Rick Colon, second by Mary Bingham.

Final Resolution: Motion Carries

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

Action (Resolution): 10.4 Possible Motion From the Floor

2018-#221 BE IT RESOLVED, that the Town Board of the Town of Monroe approves contract for the Food Truck Festival.

Motion by Supervisor -Tony Cardone, second by Acting Supervisor - Rick Colon.

Final Resolution: Motion Carries

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

Action (Resolution): 10.5 Possible Motion From the Floor

2018-#222 BE IT RESOLVED, that the Town Board of the Town of Monroe authorizing the Town Supervisor to work with Legal Counsel and the Highway Superintendent to review the proposals concerning the highway site remediation.

Motion by Supervisor -Tony Cardone, second by Acting Supervisor - Rick Colon.

Final Resolution: Motion Carries

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

Action (Resolution): 10.6 Possible Motion From The Floor

2018-#223 BE IT RESOLVED, that the Town Board of the Town of Monroe accepts the professional cleaning services contract from DOC Professional Cleaning Services in the amount of \$71,640.00 per year, and also to cover the areas specified in the contract. Additionally, steam cleaning of Monroe Theater seats and carpeting annually for \$2,400.00 per year effective May 31, 2018.

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

Final Resolution: Motion Carries

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

11. ADJOURNMENT

Action (Resolution): 11.1 Adjournment of Meeting

2018-#224 BE IT RESOLVED, that the Town Board of the Town of Monroe adjourns the meeting of May 7, 2018, at 10:42pm.

Motion by Supervisor -Tony Cardone, second by Acting Supervisor - Rick Colon.

Final Resolution: Motion Carries

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