

MONROE TOWN BOARD SPECIAL MEETING MINUTES

— 04/25/2018

MONROE TOWN BOARD SPECIAL MEETING AGENDA (Wednesday, April 25, 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. POSSIBLE MOTION TO ADJOURN TO EXECUTIVE AND/OR ATTORNEY CLIENT SESSION.

Action (Resolution): 2.1 Enter into Executive Session

Councilwoman Bingham arrived at 7:15 pm. 2018-#192 BE IT RESOLVED, that the Town Board of the Town of Monroe approved to enter into an executive session for the purpose of discussing litigation..

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, Sal Scancarello

3. Return to Regular Meeting.

Action (Resolution): 3.1 Return to Regular Meeting

2018-#193 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 Mary Bingham.

Final Resolution: Motion Carries

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

4. Possible Motions from the Floor.

Action (Resolution): 4.1 Resolution Authorizing Special Counsel to Initiate Litigation in Conjunction with the Village of Monroe Concerning Property Conditions at 131 Forest Road in the Town.

2018 #194 BE IT RESOLVED, that the following Resolution was duly offered by Supervisor Cardone and seconded to wit by Councilman McGinn:

RESOLUTION AUTHORIZING SPECIAL COUNSEL TO INITIATE LITIGATION
IN CONJUNCTION WITH THE VILLAGE OF MONROE CONCERNING
PROPERTY CONDITIONS AT 131 FOREST ROAD IN THE TOWN

WHEREAS, the property owner at 131 Forest Road in Monroe, New York previously engaged in earth moving activities, including filling and grading soil, without a building permit as required by Town Code Section 23-11; and

WHEREAS, despite numerous attempts to negotiate a resolution with the property owner in conjunction with the Village of Monroe and the Monroe joint Parks and Recreation Commission, the property owner has failed to remedy the condition and has failed to remove fill that was placed on a neighboring parcel owned by the Village of Monroe which condition remains today; and

WHEREAS, the Town seeks to compel compliance with its Code with respect to the conditions on such property.

NOW, THEREFORE BE IT RESOLVED that:

Section 1. The above "WHEREAS" clauses are incorporated herein by reference as though set forth in full herein.

Section 2. The Town's legal counsel is hereby authorized to initiate litigation in the Orange County Supreme Court in conjunction with the Village of Monroe and any other necessary parties against the property owner and any other necessary parties to compel compliance with the Town Code, to seek remediation of the conditions on or about the property at 131 Forest Road in the Town and to seek any other appropriate relief regarding such property.

Section 3. The Town Supervisor or his designee are hereby authorized to execute any documents, affidavits, or other papers necessary to commence such litigation and to otherwise support such litigations.

Section 4. Legal counsel shall be compensated in accordance with the terms of its previously approved retainer for such litigation.

Section 5. This Resolution shall be effective immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Yea Nay Abstain Absent

Anthony Cardone, Supervisor [X] [] [] []

Michael McGinn, Councilperson [X] [] [] []

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

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

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

The Resolution was thereupon duly adopted.

Motion by 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): 4.2 Consent of the Town Board to Village of Monroe to Annex a Village Owned Parcel of Land

2018 #195 BE IT RESOLVED, The following Resolution
was duly offered by Councilman Colon and seconded to wit by Councilman McGinn:

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

WHEREAS, on April 20, 2018, 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 April 17, 2018, 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 33 (the property) and located within the boundaries of the Town of Monroe; and

WHEREAS, said property is unimproved and vacant; and

WHEREAS, the property is adjacent to Smith's Clove Park, which park is located within the boundaries of the Village and which the Village desires to expand; 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 Smith's Clove Park; and

WHEREAS, the Town Board hereby finds and determines that preservation of open space and the expansion of Smith's Clove Park 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 Smith's Clove Park 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 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 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

Discussion: 4.3 Board of Assessment Review Vacant Position

Councilwoman Bingham informed the public that a member of the Board of Assessment Review has resigned, so there is now an opening. The Board of Assessment Review will be meeting towards the end of May so if anyone is interested contact the Supervisors office. Action (Resolution): 4.4 Memorial Day Banners and Flowers

2018 #196 BE IT RESOLVED, that the Town Board of the Town of Monroe approves \$3,000.00 toward the purchase of banners and flowers for Memorial Day.

Motion by Mary Bingham, 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: 4.5 Food Truck Festival to Honor All First Responders

Councilman Scancarello and Ann Marie Morris are working on a Food Truck Festival Honoring all First Responders. The event is going to be held on June 16, 2018, from 2:00 pm - 8:00 pm at Mombasha Park. 2018 #197 BE IT RESOLVED, that the Town Board of the Town of Monroe approves to move forward with the Food Truck festival Honoring All First Responders to be held on June 16, 2018, from 2:00 pm - 8:00 pm. and approving an expenditure of a not to exceed \$5,000.00 to cover expenses.

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

5. ADJOURNMENT

Action (Resolution): 5.1 Adjournment of Meeting

2018-#198 BE IT RESOLVED, that the Town Board of the Town of Monroe adjourns the meeting of April 25, 2018.

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

Final Resolution: Motion Carries

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