

Special Meeting, Town of Monroe, Town Board, May 24, 2010

A special meeting of the Town Board of the Town of Monroe, County of Orange and the State of New York was held 7:00pm at the Monroe senior Center 101 Mine Rd, Monroe, New York on the 24th day of May 2010.

Present: Sandy Leonard	Supervisor
James Rogers	Councilman
Gerrard McQuade	Councilman
Rick Colon	Councilman
Langdon Chapman	Attorney
Mary Ellen F. Beams	Town Clerk
Robert Picinotti	Deputy Superintendent of Highways

Absent: Harley Doles **Acting Supervisor**

Regular Meeting

Supervisor Leonard called the meeting to order with the Pledge of Allegiance at 7:10 P.M.

Upcoming Meeting Dates & General Announcements

<u>Dates</u>	<u>Meeting</u>	<u>Place</u>	<u>Time</u>
5/10/10	Town Board Meeting	Senior Center	7:00 P.M.
5/17/10	Town Board Meeting	Senior Center	7:30 P.M.
5/24/10	Town Board Meeting	Senior Center	7:00 P.M.
5/31/10	Holiday Town Hall Closed		
6/7/10	Town Board Meeting	Senior Center	7:30 P.M.
6/14/10	Town Board Meeting	Senior Center	7:00 P.M.
6/21/10	Town Board Meeting	Senior Center	7:30 P.M.
6/28/10	Town Board Meeting	Senior Center	7:00 P.M.

Councilman McQuade asked to add to executive session Tax Collector personnel.

SPECIAL ORDERS

Audit of Claims

On a motion by Councilman Rogers, seconded by Councilman McQuade the following was

Adopted Ayes 4 Rogers, McQuade, Leonard, Colon
Nays 0

to pay the following bills on Abstract No. 1. 2.

Abstract No. 1 Check No's 7412-7451 \$279,604.67

OLD BUSINESS

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HBP- Bond Reductions

WHEREAS, RD Management Corporation or its designees (the Developer) have tendered various surety bonds, letters of credit and cash bonds to the Town of Monroe as surety for performance required by conditions of approval of various land development activities in Harriman Business Park;

WHEREAS, the Developer requested release of so much of the performance surety held by the Town as secured its obligations to: (1) restore lands disturbed for development; and (2) install various public improvements required by the conditions of approval for land development activities in Harriman Business Park, to the extent that those improvements have been substantially completed;

WHEREAS, the Town Engineer and the engineer for the Planning Board have inspected the land and improvements in Harriman Business Park, and have advised the Town Board by letter dated May 20, 2010 that the public improvements required in connection with land development activities in Harriman Business Park have been substantially completed in accordance with the approved plans, with certain exceptions noted in that letter;

WHEREAS, the Developer has agreed that the Town may retain \$247,500 of the cash bond now held by the Town as a surety bond to ensure completion of the remaining public improvements specified in the letter issued by the Town Engineer;

WHEREAS, the Developer has further agreed that upon completion of each of those remaining items of work, the Town may retain 10% of the estimated cost of that item in a contingency fund to ensure completion of all remaining work in a satisfactory manner;

WHEREAS, the Town Board and the Developer wish to terminate the existing security agreements for Harriman Commons and Lot 4 according to their terms, and establish a new security agreement limited to the specific items of work remaining, as set forth in the Town Engineer's letter;

NOW THEREFORE BE IT RESOLVED that the Town Board:

1. Authorizes the Town Clerk to immediately release and return to the Developer:

a. The \$500,000 bond posted for restoration of the Harriman Commons site, consisting of Surety Bond #0281518, in the amount of \$350,000 and a \$150,000 letter of credit;

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b. The \$526,500 performance bond for completion of WalMart and Home Depot improvements, consisting of Surety Bond #0300256, in

that amount;

c. The \$115,571.97 (as of 4/30/10) cash bond held as security for completion of Lot 4 improvements (M&T Account # 15004203690307)

d. The \$52,387.60 (as of 4/30/10) cash bond held as security held for restoration of Lot 4 (M&T Account 15004211039696).

2. Authorizes reduction of the \$550,967.27 (as of 4/30/10) cash bond held by the Town as security for Harriman Commons (M&T Bank Account 15004203690307) to \$247,500, and authorizes the Supervisor to cause the release of, and return to the Developer the balance of \$303,467.27 (plus any interest accrued on the \$550,967.27 since April 30, 2010);

3. It is specifically understood that notwithstanding any other provision of this resolution, hereinbefore or hereinafter, any unsatisfied obligations of the developer, other than as it relates to posting of bonds, cash, and letters of credit (excepting \$247,500 in a cash bond which the Town is authorized to retain pursuant to this resolution) do not cease and that such \$247,500 may be utilized to fulfill any and all obligations of the developer which the parties believe are generally described in the annexed letter dated May 20, 2010 from the Town engineer and to be more specifically described in a Public Improvement Security Agreement which the Supervisor is hereby authorized to sign upon approval of the Town Attorney and an engineer for the Town.

4. Accordingly, the Town Board hereby terminates and releases all obligations of the issuers of the letters of credit and the surety bonds referenced in Paragraphs 1a and 1b, and authorizes and directs the Town Clerk to certify this resolution as evidence of such termination and release by the Town of Monroe, and to provide the Developer with as many certified copies of the resolution as it requires.

5. The Supervisor is hereby authorized to consolidate all existing escrow accounts (which are not included in the \$247,500 referenced above), related to Harriman Business Park into one inspection account for inspection fees incurred by the Town in connection with those activities identified in the Town Engineer's letter of May 20, 2010 which will be more particularly described in a Public Security Improvement Agreement. The Supervisor is further authorized to reduce the amount held in the escrow account upon recommendation of the Town Attorney and Town Engineer.

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**Motion by Councilperson McQuade
Second by Councilperson Rogers
Adopted a vote of 4 Ayes, 0 Nays.**

Round Lake Pavilion Summer Hires

On a motion by Councilman Rogers, seconded by Councilman Colon the following was

**Adopted Ayes 4 Rogers, Colon, Leonard, McQuade
Nays 0**

Approval to hire the following people for seasonal positions:

Lifeguards at \$10.00 an hour

Timothy Kopping

Daniel O'Shea

Mike Townsend

Samantha Townsend

Christian Baez

Recreational Aides at \$8.00 an hour

Brendan Morris

Matthew Johnson

Jorge Vasco

Jennifer Brown

Alessandra Buzzonetti

Chris O'Neil

Jason Tschinkel

Cablevision: Roger Connor- discussion about Municipal Channel 22

Mr. Connor spoke to the Board about the issue with the residents without a cable box not receiving channel 22. he informed the residents that channel 22 can be viewed on channel 99. analog TV sets are not being made anymore and analog channels are systematically being reduced within the next year analog will be obsolete. Channel 22 can be viewed on channel 99. He informed the Board that if In the future the cable boxes will be built right in the TV's. which is about 2 years Away from now.

He also informed the Board that he sent Councilman Doles an e-mail on how to Block channels and the channel info wording with parental controls. If anyone Needs help doing this please call the supervisors office for help.

NEW BUSINESS –

**County Comprehensive Plan: David Church, Commissioner of Planning.
Update on four aspects of Plan with emphasis on Affordable Housing.**

David Church summarized the updating of the County's Master Plan, every five years a report is given to the County Executive with recommendations for changes. In 2003 a complete rewrite was done and in 2005 Open Space Plan was last updated. The elements of the update, Urban Development move forward a County Water Master Plan, Affordable Housing Plan.

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Executive Session/Attorney Client

On a motion by Councilman Colon, seconded by Councilman McQuade the following was

**Adopted Ayes 4 Colon, McQuade, Leonard, Rogers
Nays 0**

To adjourn into Executive Session for discussion Tax Collector personell.

Mary Ellen F. Beams, Town Clerk, Town of Monroe

Return to Town Board Regular Session

On a motion by Councilman McQuade, seconded by Councilman Rogers the following was

**Adopted Ayes 4 McQuade, Rogers, Leonard, Colon
Nays 0**

Approval to Return into Town Board Regular Session.

Tax Collector

On a motion by Councilman Colon, seconded by Councilman Rogers the following was

**Adopted Ayes 4 Colon, Rogers, Leonard, McQuade
Nays 0**

Appointment of Mary Ellen F. Beams to Tax Collector, appointment to expire 12/31/2010.

Deputy Tax Collector

On a motion by Councilman McQuade, seconded by Councilman Rogers the following was

**Adopted Ayes 4 McQuade, Rogers, Leonard, Colon
Nays 0**

Appointment of Patricia Kasch to Deputy Tax Collector, appointment to expire 12/31/2010.

Clerk to Tax Collector

On a motion by Councilman McQuade, seconded by Councilman Colon the following was

**Adopted Ayes 4 McQuade, Colon, Leonard, Rogers
Nays 0**

Appointment of Elaine Coddington to Clerk to the Tax Collector, appointment to expire 12/31/2010.

With no further business, on a motion by Councilman Rogers, seconded by Councilman Colon the meeting was adjourned carried unanimously.

Sandy Leonard, Supervisor Town of Monroe