

**SPECIAL MEETING
BOARD OF TRUSTEES MEETING
Wednesday, March 31, 2021
(www.villageofmonroe.org)**

Due to the COVID-19 pandemic and Governor Cuomo’s Executive Order No. 202.1, a Special Meeting of the Board of Trustees was held on Wednesday, March 31, 2021 beginning at 4:00 PM via ZOOM videoconferencing. Although there was no physical meeting location, the meeting was deemed to be conducted in the Boardroom of the Village Hall, 7 Stage Road Monroe, NY. Mayor Neil Dwyer called the meeting to order and led in the pledge to the flag.

**Present: Mayor Dwyer; Trustees Alley, Behringer, and Karl
Also present: Deputy Clerk Zahra and Attorney Cassidy**

Absent: Clerk Baxter (medical) and Trustee Houle

MOTION TO OPEN MEETING:

On a motion by Trustee Alley, seconded by Trustee Karl, the March 31, 2021 Special Meeting of the Board of Trustees was opened at 4:00 PM.

**Ayes: Trustees Alley, Behringer and Karl
Nays: None**

PRESENTATION OF THE TENTATIVE BUDGET FOR 2021-2022:

The Treasurer has presented a copy of the Tentative Budget to the Mayor for the Board of Trustees to review. There will be a Public Hearing for the Budget on Tuesday, April 6, 2021 at 6:45 PM. Copies are available to the public for review on the website www.villageofmonroe.org and in the Clerk’s Office.

**Ayes: Trustees Alley, Behringer, and Karl
Nays: None**

ACQUISITION OF REAL PROPERTY:

On a motion by Trustee Karl, seconded by Trustee Behringer, it was:

VILLAGE OF MONROE

VILLAGE BOARD OF TRUSTEES

RESOLUTION TO ACQUIRE REAL PROPERTY

WHEREAS, the Village Board is authorized under Village Law §1-102 to acquire real property on behalf of the Village of Monroe residents; and

WHEREAS, the Village obtains its drinking water from the Mombasha Lake and there is a need to protect the lake and the surrounding land from over development for the benefit of the Village of Monroe; and

WHEREAS, property along the Mombasha Lake has become available to purchase; and

WHEREAS, said property has approximately 16 acres, one existing home together with several out-buildings including storage barns and a heated workshop, and

WHEREAS, the property will serve as a buffer between Mombasha Lake and surrounding development and will be further useful to the Village in that the Village will be able to utilize the existing structures for additional equipment storage as well as workshop space.

WHEREAS, the Village Board of Trustees has spent several months negotiating with the Seller of the property to arrive at a purchase price; and

WHEREAS, the Village Board of Trustees has consulted with local real estate brokerage houses, evaluated past market trends and determines that the purchase price is a reasonable purchase price in light of the current market;

WHEREAS, the Village Board hereby declares itself to be lead agency pursuant to the State Environmental Quality Review Act;

WHEREAS, after comparing the thresholds found in 6 NYCRR part 617.4 and 5, the Village Board hereby declares that this is an unlisted action for purposes of SEQRA;

WHEREAS, the Village prepared a Short Environmental Assessment Form in connection with this matter;

NOW THEREFORE BE IT RESOLVED, that having reviewed the Environmental Assessment Form, the proposed acquisition will not result in any adverse environmental impacts as the acquisition of the property will not result in any construction or change to the site. Rather the site will serve as a buffer between Mombasha Lake and surrounding development; and

BE IT FURTHER RESOLVED, that the Village Board of Trustees finds that the acquisition of the property is in the best interest of the Village of Monroe hereby authorizes the Mayor to execute a contract of sale between JAB Meritgage Ltd and the Village of Monroe for the purchase of 34 Lakeview Drive in the amount of \$ 837,000;

BE IT FURTHER RESOLVED, that Robert Smith of Hawkins Delafield and Wood is hereby authorized to prepare the necessary resolutions and documents for municipal bond financing.

Ayes: Mayor Dwyer, Trustees Alley, Behringer, and Karl

Nays: None

BOND FOR ACQUISITION OF REAL PROPERTY:

On a motion by Trustee Karl, seconded by Trustee Behringer, it was:

EXTRACT OF MINUTES

Meeting of the Board of Trustees of the

Village of Monroe, in the

County of Orange, New York

March 31, 2021

* * *

A regular meeting of the Board of Trustees of the Village of Monroe, in the County of Orange, New York, was held at the Village Hall, 7 Stage Road, Monroe, New York, on March 31, 2021.

There were present: Neil Dwyer, Mayor; and

Trustees: Alley, Behringer, and Karl

There were absent: Trustee Houle, Clerk Baxter (medical)

Also present: Kimberly Zahra, Deputy Village Clerk and Attorney Cassidy

* * *

Trustee Karl offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF MONROE, NEW YORK, ADOPTED MARCH 31, 2021, AUTHORIZING THE ACQUISITION OF A PARCEL OF REAL PROPERTY ON MOMBASHA LAKE FOR DRINKING WATER PROTECTION AND OTHER VILLAGE PURPOSES, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$837,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$837,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF MONROE, IN THE COUNTY OF ORANGE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Monroe, in the County of Orange, New York (herein called the “Village”), is hereby authorized to acquire a parcel of real property located at 34 Lakeview Drive, in the Town of Monroe (Section 29, Block 1, Lot 24.1), consisting of approximately 16.2 acres of real property on Mombasha Lake, for the purposes of protecting Mombasha Lake as a drinking water source for the Village of Monroe and the use of existing structures on the site for Village purposes, including storage and workshop space. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$837,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of not to exceed \$837,000 bonds of the Village to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village

to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$837,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 21 of the Law, is thirty (30) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village

are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Village Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Deputy Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in the “*Times Herald Record*,” a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF MONROE, NEW YORK

PLEASE TAKE NOTICE that on March 31, 2021, the Board of Trustees of the Village of Monroe, in the County of Orange, New York, adopted a bond resolution entitled:

“Bond Resolution of the Village of Monroe, New York, adopted March 31, 2021, authorizing the acquisition of a parcel of real property on Mombasha Lake for drinking water protection and other Village purposes, stating the estimated maximum cost thereof is \$837,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$837,000 to finance said appropriation,”

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Village to acquire a parcel of real property located at 34 Lakeview Drive, in the Town of Monroe (Section 29, Block 1, Lot 24.1), consisting of approximately 16.2 acres of real property on Mombasha Lake, for the purposes of protecting Mombasha Lake as a drinking water source for the Village of Monroe and the use of existing structures on the site for Village purposes, including storage and workshop space; STATING that the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$837,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds in the principal amount of not to exceed \$837,000 to finance said appropriation, and the levy of taxes upon all the taxable real property within the Village to pay the principal of said bonds and the interest thereon;

SECOND: AUTHORIZING the issuance of \$837,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is thirty (30) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds, and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: March 31, 2021

Kimberly Zahra
Deputy Village Clerk

Section 8. The Deputy Village Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary or in full, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Law.

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

AYES: Mayor Dwyer, Trustees Alley, Behringer, and Karl

NOES: None

The resolution was declared adopted.

MAYOR & TRUSTEE'S REPORT:

Nothing to report at this time.

PUBLIC COMMENT: #PRESENT 6 TIME: 4:28 PM

Timothy Mitts was happy to see the Village Board taking steps to control our land and protect our water, then congratulated them for doing so.

ADJOURNMENT:

On a motion by Trustee Behringer, seconded by Trustee Alley, with all in favor, the meeting was adjourned at 4:31 PM.

Respectfully Submitted,

**Kimberly Zahra
Deputy Clerk**

