

Minutes of the Town Board Meeting held at Town Hall on May 21, 2015 at 7:30PM

Present: Ralph Caruso, Supervisor  
Timothy Arone, Robert Hunter, Frank Palermo and Marilyn Prestia  
Absent: None  
Also Present: Joseph McKay, Attorney for the Town; Dorothy Morris, President Woodbury Library Board; Maria Hunter, Village Planning Board

**I. Administrative Business:**

a. Acceptance of Minutes:

Motion was offered by Councilman Arone, seconded by Councilman Hunter, to accept the minutes of the regular meeting held May 7, 2015.

**ADOPTED** AYES 5 Caruso, Arone, Hunter, Prestia  
Abstain 1 Palermo

(Councilman Palermo abstained because he was not at the May 7, 2015 meeting.)

b. Budget Modifications:

Motion was offered by Councilwoman Prestia, seconded by Councilman Hunter, to approve a modification to the budget of the Highway Fund by increasing DB2680 (Insurance Recovery) by \$3180 and increasing DB5110.474 (Metal/Steel) by \$3180.

**ADOPTED** AYES 5 Caruso, Arone, Hunter, Palermo, Prestia  
NOES 0

Motion was then offered by Councilman Arone, seconded by Councilwoman Prestia, to approve a modification to the budget of the Parks Department by increasing A599 (Appropriated Fund Balance) by \$4500 and increasing A7110.481 (Tennis Courts/Repairs) by \$4500.

**ADOPTED** AYES 5 Caruso, Arone, Hunter, Palermo, Prestia  
NOES 0

Motion was then offered by Councilman Arone, seconded by Councilman Hunter, to approve a modification to the budget of the General Fund by increasing A599 (Appropriated Fund Balance) by \$75,000 and increasing A9040.800 (Workers Compensation) by \$75,000.

**ADOPTED** AYES 5 Caruso, Arone, Hunter, Palermo, Prestia  
NOES 0

c. Approval of Abstract:

Motion was offered by Councilman Arone, seconded by Councilman Hunter, to approve Abstract 9 containing vouchers 20151103 – 20151198 and totaling \$267,193.29.

**ADOPTED** AYES 5 Caruso, Arone, Hunter, Palermo, Prestia  
NOES 0

d. Acceptance of Resignation – Board of Assessment Review:

Motion was offered by Councilman Arone, seconded by Councilwoman Prestia, to accept the resignation of Ashwini Bhaskar from the Board of Assessment Review effective immediately.

**ADOPTED** AYES 5 Caruso, Arone, Hunter, Palermo, Prestia  
NOES 0

e. Appointment to Board of Assessment Review:

Motion was offered by Councilman Arone, seconded by Councilman Palermo, to appoint Rosemary Morello to the Board of Assessment Review to the vacancy made by Ashwini Bhaskar with a term due to expire September 30, 2015.

**ADOPTED** AYES 5 Caruso, Arone, Hunter, Palermo, Prestia  
NOES 0

**II. Old Business:** *There was no old business to discuss.*

**III. New Business:**

a. Garage Sale Permit Waiver – Keller William Fundraiser:

Motion was offered by Councilwoman Prestia, seconded by Councilman Arone, to approve the waiver of the \$5.00 garage sale permit fee for Keller William for the annual fundraising event scheduled for June 6, 2015. All funds raised will be for a local charity.

**ADOPTED** AYES 5 Caruso, Arone, Hunter, Palermo, Prestia  
NOES 0

b. Resolution Scheduling Public Hearing – Local Law to Modify Justice Salary:

Motion was offered by Councilman Arone, seconded by Councilwoman Prestia, to adopt the following resolution setting a public hearing regarding the modification of the compensation of Judge David L. Levinson:

**WHEREAS**, Town Justice David Hasin was just placed on temporary medical leave, and is not currently able to perform his judicial duties; and

**WHEREAS**, the Town Board has determined that it would be impractical to appoint another judge to perform Justice Hasin's duties, as it is unsure how long Justice Hasin will be on medical leave; and

**WHEREAS**, the Town Board wishes to ensure that the business of the Town Justice Court is administered efficiently and that matters are adjudicated in a timely manner to protect the rights of individuals appearing before the court; and

**WHEREAS**, Justice Levinson is willing to preside over all business of the Town Justice Court until such time as Judge Hasin returns from his temporary medical leave of absence; and

**WHEREAS**, pursuant to Town Law § 27 and Article 2 of the General Municipal Law, the Town is authorized to adopt a local law modifying Justice Levinson's salary based upon the additional responsibilities he will be taking on until Judge Hasin's return; and

**WHEREAS**, this action is an action subject to review under the New York State Environmental Quality Review Act ("SEQRA") pursuant to Part 617 of the regulations implementing SEQRA; and

**WHEREAS**, the Town Board hereby determines that it will be the lead agency with respect to the review of the proposed local law (the "project") in accord with New York State Environmental Quality Review Act ("SEQRA") and part 617 of the regulations implementing SEQRA, since there are no other agencies that have the authority to approve the project; and

**WHEREAS**, the Town Board hereby preliminarily classifies the action as an unlisted action under SEQRA; and

**WHEREAS**, a public hearing must be held by the Town Board of the Town of Woodbury to consider public comment concerning the adoption of the proposed local law to temporarily modify Judge Levinson's compensation;

**NOW, THEREFORE, LET IT BE HEREBY**

**RESOLVED**, that a public hearing shall be held by the Town Board on June 18, 2015 at 7:30 p.m. at the Town Hall located at 511 Route 32, Highland Mills, New York in order to receive comments and suggestions regarding the proposed temporary increase to Judge Levinson's salary while he covers Judge

Hasin's docket, and to review any potential adverse environmental impacts of the proposed local law; and it is further

**RESOLVED**, that the office of the Town Clerk is authorized and directed to cause public notice of said hearing to be given as provided by law.

**ROLL CALL AS FOLLOWS:**

Supervisor Caruso	AYES
Councilman Arone	AYES
Councilman Hunter	AYES
Councilman Palermo	AYES

**Executive Session:**

Motion was offered by Councilman Arone, seconded by Councilman Hunter, to enter into an executive session to discuss the working history of a certain employee and one legal matter. No decisions or votes will be made at this executive session. Executive Session was held at the end of the meeting prior to adjournment.

**IV. Department Reports:**

a. Supervisor's Report:

Motion was offered by, seconded by Councilman Arone, to approve the April 2015 Supervisor's Report with receipts totaling \$586,876.33 and disbursement totaling \$1,287,629.42.

**ADOPTED**      AYES    5            Caruso, Arone, Hunter, Palermo, Prestia  
                     NOES    0

- b. Town Clerk's Report – April 2015
- c. Parks/Recreation Minutes – April 28, 2015
- d. Animal/Goose Control Report – April 2015
- e. Police/Communications Report – April 2015
- f. Beautification Commission Minutes – May 14, 2015
- g. Library Minutes – April 14, 2015, April 28, 2015
- h. Budget vs. Actual – April 2015, December 2014

**V. Board Member Announcements/Comments:**

Councilman Hunter thanked the beautification commission and highway department for sprucing up Route 32 and the monuments for the Memorial Day Parade.

Councilman Palermo thanked Assemblyman James Skoufis for introducing two piece of legislation. The first bill would allow state officials to consider the environmental compliance records of municipalities when deciding disputes over which board will oversee environmental reviews for annexation requests. The second bill would require county planning departments to review and issue recommendations on large annexation requests, just as they routinely do now for development plans and other land-use applications. If a county planning department recommends disapproval of an annexation, a municipality's board would then have a get a "super-majority vote" in order to override the County Planning Department. This legislation will be helpful to the Town of Woodbury and it is not only for Orange County but for the entire state.

Councilwoman Prestia thanked Assemblyman Skoufis. Also, said she attended the police awards ceremony with Councilman Hunter & Supervisor Caruso and congratulated all of the personnel who received awards. Additionally she thanked the Town for making the Earl Reservoir available to the Boy Scouts for their Camporee and thanked all the departments and individuals who helped make the Camporee a wonderful experience for the scouts.

Supervisor Caruso complimented the individuals who put together the cat and dog rabies clinic. He also attended the Historical Society's open house at the Woodbury Gatehouse - there was a

tremendous display which showed what our community is now and was in the past. He complimented the work done by Dorothy Morris, Sandy Hawthorne, and Mrs. Crouse. He reminded everyone that the NYS Department of Transportation is holding a meeting on May 27<sup>th</sup> at 7:00PM at Central Valley Elementary School regarding the Route 32/17 Interchange.

Deputy Town Clerk Huang said that the rabies clinic had a total of 228 pets. She thanked all of the volunteers as well as the Highway Dept. for use of their facilities. Also thanked the O.C. Health Department, The Pets I Love Vets from Monroe, Pam Gambuti, the Town ACO and Desiree Potvin, Town Clerk for sponsoring this event.

**VI. Public Comment:**

Ben Meyers spoke about all of the events he attended this week – rabies clinic, scouting event at the Earl Reservoir with 300 scouts, and the mock accident at MWHS. He is, however, disappointed with the Orange County Executive, Steven Neuhaus, for promoting use of marijuana (for medicinal purposes) and feels that the town board should share their feeling on the subject by sending a letter or resolution to the County Executive.

Robin Crouse asked for an explanation of what the B.O.A.R. does and Supervisor Caruso gave an explanation. Mrs. Crouse also asked why a budget modification wasn't done instead of a creating a law for Judge Levinson to get the increase in salary. Attorney McKay answered that this action was done because Town Law states that once salaries are set for an elected official for the year, they cannot be changed unless done by a local law. Mrs. Crouse also referred to an article in the paper regarding a DEC lawsuit for lead agency status. She asked if the Town has joined the lawsuit and if not, why. She stated that the village had supported the lawsuit by issuing a resolution. Supervisor Caruso stated that the board is contemplating and thinking about a lot of these issues that are directly related to the Town of Woodbury

*Executive Session was entered into at 7:59 PM*

**VII. Adjournment:**

With no further comments received or business to discuss, a motion was offered by Councilman Arone, seconded by Councilman Palermo, to end the executive session and adjourn the meeting at 9:32PM.

<b>ADOPTED</b>	AYES	5	Caruso, Arone, Hunter, Palermo, Prestia
	NOES	0	

Frances Huang, Deputy Town Clerk