

Minutes of the Town Board Meeting held at Town Hall on September 17, 2015 at 7:30PM

Present: Ralph Caruso, Supervisor
Timothy Arone, Frank Palermo and Marilyn Prestia, Councilpersons
Absent: None
Also Present: Joseph McKay, Attorney for the Town; Robert Weyant, Highway Superintendent; David Sutz, Village Trustee; Maria Hunter, Village Planning Board; Sandra Capriglione, Village Zoning Board

I. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Councilman Arone, seconded by Councilman Palermo, to accept the minutes of the regular meeting held September 3, 2015.

ADOPTED AYES 4 Caruso, Arone, Palermo, Prestia
NOES 0

Motion was then offered by Councilwoman Prestia, seconded by Councilman Arone, to accept the minutes of the special meeting held September 9, 2015.

ADOPTED AYES 4 Caruso, Arone, Palermo, Prestia
NOES 0

b. Budget Modifications:

Motion was offered by Councilman Arone, seconded by Councilman Palermo, to approve a modification to the budget of the Police Fund by increasing B3389 (Other Public Safety) by \$60,000 and increasing B3120.428 (IMA-Dept of Homeland Security Woodbury) by \$60,000.

ADOPTED AYES 4 Caruso, Arone, Palermo, Prestia
NOES 0

c. Approval of Abstract:

Motion was offered by Councilwoman Prestia, seconded by Councilman Arone, to approve Abstract 17 containing vouchers 20152079 – 20152183 (voiding voucher 20152175 – check #14496) and totaling \$334,177.17.

ADOPTED AYES 4 Caruso, Arone, Palermo, Prestia
NOES 0

II. Old Business:

a. Authorize Supervisor to Sign Change Orders – Cornell Library ADA Improvements:

A change order was prepared by Engineer Fusco for the Ida Cornell Library ADA improvements to install new insulation under side and rear overhangs. The total cost of the work will not exceed \$4000. Motion was offered by Councilwoman Prestia, seconded by Councilman Palermo, to approve Change Order No 1-Rev (*Note – Change Order No 1 is the same as Change Order No. 1-Rev except it quoted the amount as being \$4230*) totaling less than \$4000 for the Cornell Library ADA Improvements.

ADOPTED AYES 4 Caruso, Arone, Palermo, Prestia
NOES 0

Councilman Palermo asked how this extra work will be paid for and Supervisor Caruso stated he spoke with Library Board President Dorothy Morris about the issue. The approval would be contingent upon the Library Board's approval to spend the money from their contingency fund. In addition, a second change order was received late yesterday, after the agenda was already compiled, that contains additional work that was requested by some members of the library staff. This included installing a

deck, spindles and railings on the wheelchair ramp to match the main deck (\$17,960), power washing and staining the wheelchair ramp and components to match the main deck (\$8,700) and/or installing a new ADA hand rail system (\$2,416). He feels this work can be done by Town employees, if determined by the Library Board to be needed.

III. New Business:

a. Waiver of Garage Sale Permit Fee – Keller Williams Fundraiser:

Motion was offered by Councilman Arone, seconded by Councilwoman Prestia, to waive the \$5.00 garage sale permit fee for the semi-annual Keller William Fundraiser held on October 3, 2015.

ADOPTED AYES 4 Caruso, Arone, Palermo, Prestia
 NOES 0

Clerk Potvin noted that Keller Williams has informed her office that all proceeds from this event will be donated to the Animal Shelter.

IV. Department Reports:

a. Supervisor’s Report:

Motion was offered by Councilwoman Prestia, seconded by Councilman Arone, to approve the Supervisor’s Report for August 2015 with receipts totaling \$177,840.92 and disbursements totaling \$1,698,302.33.

ADOPTED AYES 4 Caruso, Arone, Palermo, Prestia
 NOES 0

- b. Town Clerk’s Report – August 2015
- c. Parks/Recreation Minutes – August 18, 2015
- d. Animal/Goose Control Report – August 2015
- e. Police/Communications Report – August 2015
- f. Beautification Commission Minutes – September 8, 2015
- g. Library Minutes – July 28 and August 25, 2015

Councilman Palermo asked a question about an issue that appeared in the Library Board minutes relating to employee parking. Supervisor Caruso stated it was a personnel matter that can be discussed in executive session, if necessary.

h. Budget vs. Actual – August 2015

V. Board Member Comment:

Councilman Arone noted at the last Town Board meeting Councilman Palermo recommended scheduling the public hearing for the tax cap override local law and Supervisor Caruso suggested waiting until the budget estimates were submitted to determine if the override would be necessary. He asked for an update. Supervisor Caruso stated there is still time to discuss this issue at the October 1 meeting.

Councilman Palermo announced that Councilman Hunter is doing well and should be able to begin attending meetings again in October. He then congratulated Councilman Arone and Councilwoman Prestia on winning their primary election. He then noted that “a lot of people” were angry that the Inter-Municipal Agreement that was discussed at the special meeting held September 9, 2015 was not made publicly available and that it was “shoved under the rug and snuck through”, adding that the Board members themselves only received the document at the special meeting. He suggested, and the other Board members agreed, that the document should be placed on the website by the Board. He then thanked all those involved with the creation of the document and the attorney’s involved with its negotiation. Recently the County had adopted a resolution to join in these efforts and he would like to see this group stay separate from the County based on bad past experience with the

County not standing behind us when a better opportunity comes up for them. Supervisor Caruso noted that eight municipalities moved ahead without the County because it was “dragging its feet”. The County will not be the driving force and the plan is to continue on the route established and agreed upon by the eight municipalities. Attorney McKay stated at the last meeting of the eight municipalities, a lengthy discussion was held regarding the County joining the litigation, which he would feel more comfortable discussing with the Board in executive session as it contains strategy plans. He explained that there are several different issues to the action that will be taken by the group of eight: 1) an Article 78 against the findings statement issued by Kiryas Joel as lead agency as reviewer of the petition; 2) an Article 78 to challenge the Town of Monroe’s vote with respect to the 164 acre annexation petition and argue to try to show that the petition may have had flaws; 3) an Article 78 as to whether or not either annexation petition is considered to be in the overall public interest (this last one is likely to go directly to the appellate division). Councilman Palermo then reminded the public that the Orange County Fireman’s Parade is September 26 and asked all residents to participate to show support.

Councilwoman Prestia stated she agrees with Councilman Palermo’s concerns about the County’s participation in the litigation. She then thanked all the departments that helped make the Park’s a great facility for our residents. She attended the 9/11 memorial ceremony at the Highland Mills Firehouse and thought it was very well attended and conducted. She thanked all the candidates that ran in the recent primary and congratulated Councilman Arone.

Supervisor Caruso stated the budget process has been moving forward and all departments have been met with except for one. He feels that all have done a fine job thus far.

VI. Public Comment:

Clerk Potvin noted that no one has requested from her office a copy of the Inter-Municipal Agreement between the eight municipalities and it is available during normal business hours for anyone to review. She then congratulated Attorney McKay on being named premier trial attorney in New York State.

Sandra Capriglione asked if anyone from the County contacted the Board about the vote that was held this evening, noting that it stated on social media they voted yes but not on what. Supervisor Caruso stated there were two resolutions being entertained but one of them was never discussed. The other was to join the eight municipalities and contribute \$200,000 towards the legal expenses. He believes the attorneys will most likely discuss the issue tomorrow. Mrs. Capriglione stated there was a discussion at the last meeting regarding the Highway Department and the inter-municipal agreement between the Town and the Village. She obtained a copy of a letter that was written by Supervisor Caruso in December (prior to him taking office) in which he asked the Board to not vote in the inter-municipal agreement as he would then be “encumbered by it”. She asked him to explain what he means by that phrase. Supervisor Caruso explained that the inter-municipal agreement would require him to work out the details of the transfer. He added there are other ramifications that have to do with budgeting and discussions with the Comptroller’s office. Councilman Palermo stated he does not believe that to be an issue. He feels that attorneys for both municipalities were involved in the negotiations and that each did a great job. He does not believe a burden has been placed on the incoming Supervisor and believes the transition is moving smoothly. Supervisor Caruso stated the transferring of the Highway Department is part of a formula when it comes to the tax cap calculations.

VII. Adjournment:

With no further business to discuss, a motion was offered by Councilman Palermo, seconded by Councilman Arone, to adjourn the meeting at 8PM.

ADOPTED AYES 4 Caruso, Arone, Palermo, Prestia
 NOES 0

Desiree Potvin, Town Clerk