

Minutes of the Town Board Meeting held at Town Hall on November 3, 2016 at 7:30PM

Present: Frank Palermo, Deputy Supervisor
Michael Essig and Robert Hunter, Councilmen
Absent: David Sutz, Supervisor
Timothy Arone, Councilman
Also Present: Joseph McKay, Attorney for the Town; Kevin Watson, Police Chief; Tracy Maggio, Clerk to the Supervisor; Maria Hunter, Village Planning Board

I. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Councilman Essig, seconded by Councilman Hunter, to accept the minutes of the regular meeting held October 20, 2016.

ADOPTED AYES 3 Palermo, Essig, Hunter
NOES 0

Motion was then offered by Councilman Hunter, seconded by Councilman Essig, to accept the minutes of the special meeting held October 21, 2016.

ADOPTED AYES 3 Palermo, Essig, Hunter
NOES 0

Motion was then offered by Deputy Supervisor Palermo, seconded by Councilman Essig, to accept the minutes of the special meeting held October 27, 2016.

ADOPTED AYES 3 Palermo, Essig, Hunter
NOES 0

b. Approval of Budget Modifications:

Motion was offered by Councilman Hunter, seconded by Councilman Essig, to approve a modification to the budget of the Library by decreasing L7410.428 (Children's Programs) by \$500 and increasing L7410.411 (Office Supplies) by \$500.

ADOPTED AYES 3 Palermo, Essig, Hunter
NOES 0

Motion was then offered by Deputy Supervisor Palermo, seconded by Councilman Hunter, to approve a modification to the budget of the Buildings/Grounds by decreasing A1620.406 (Paint) by \$477 and increasing A1620.405 (Custodial Supplies) by \$477.

ADOPTED AYES 3 Palermo, Essig, Hunter
NOES 0

Motion was then offered by Councilman Essig, seconded by Councilman Hunter, to approve a modification to the budget of the Woodbury Common BID by increasing SMB599 (Appropriated Fund Balance) by \$24,431 and increasing SMB3120.200 (Equipment - Car) by \$24,431.

ADOPTED AYES 3 Palermo, Essig, Hunter
NOES 0

c. Approval of Abstract:

Motion was offered by Deputy Supervisor Palermo, seconded by Councilman Essig, to approve Abstract 21 containing vouchers 20161879 - 20161977 and totaling \$395,860.04.

ADOPTED AYES 3 Palermo, Essig, Hunter
NOES 0

d. Appointment of Senior Citizens Activity Leader:

Motion was offered by Deputy Supervisor Palermo, seconded by Councilman Hunter, to appoint Patricia Graziano to the position of Senior Citizens Activity Leader effective November 7, 2016 - UPSEU Schedule Grade I (\$16.04/hour).

ADOPTED AYES 3 Palermo, Essig, Hunter
NOES 0

e. Acceptance of Resignation - Library Page:

Motion was offered by Deputy Supervisor Palermo, seconded by Councilman Essig, to accept the resignation of Paul Schumann from the position of Library Page effective October 27, 2016.

ADOPTED AYES 3 Palermo, Essig, Hunter
NOES 0

II. Old Business:

a. Acceptance of Bids - Demolition:

A bid opening was held on October 20, 2016 for the "Demolition of Buildings" project. The public notice was printed in the Times Herald Record on October 4, 2016 and the following bids were received:

Juniper Environmental Services, Pine Bush, NY	\$140,000.00
Taylor Montgomery, Montgomery, NY	\$161,425.00
Yannuzzi Group, Kinnelon, NJ	\$171,375.00
Lou Grabowski Masonry, Middletown, NY	\$248,550.00
CMC Construction, Slate Hill, NY	\$282,775.00

Engineer Fusco has reviewed the bids and suggests the Board accept the bid received from Juniper Environmental. Motion was then offered by Councilman Hunter, seconded by Councilman Essig, to accept the bid received from Juniper Environmental Services for the "Demolition of Buildings" project totaling \$140,000.00, as recommended by Engineer Fusco.

ADOPTED AYES 3 Palermo, Essig, Hunter
NOES 0

Councilman Hunter asked if there is a start/end date for this project. Clerk Potvin stated she will check with Engineer Fusco.

III. New Business:

a. Creation of Reserve Fund - Police Equipment/Vehicles:

Motion was offered by Councilman Essig, seconded by Councilman Hunter, to adopt the following resolution to create a new reserve account:

RESOLVED, that pursuant to Section 6-c of the General Municipal Law, as amended, this Town Board of the Town of Woodbury does hereby establish a Capital Reserve Fund to finance the cost of Police equipment/vehicles; and

BE IT FURTHER RESOLVED that the Supervisor or Deputy Supervisor is hereby directed to deposit monies of this reserve fund in a separate bank account to be known as the "Police Equipment/Vehicles"; and

BE IT FURTHER RESOLVED that the Supervisor or Deputy Supervisor is authorized to invest the monies of this fund pursuant to General Municipal Law. No expenditures shall be made from this fund, except upon authorization of the Town Board pursuant to Section 6-c of the General Municipal Law.

ADOPTED AYES 3 Palermo, Essig, Hunter
NOES 0

b. Signing of Tax Collector/Deputy Tax Collector Bond:

The Board members present signed the bond for the Tax Collector/Deputy Tax Collector for the collection of property taxes in 2017. This is required to be filed with the County Clerk in order for the collection warrant to be issued pursuant to Section 25 of Town Law.

EXTRA ITEM - Schedule Public Hearing - Introductory Local Law #6:

Attorney McKay explained the Board is going to begin doing some "housekeeping" to repeal laws that are currently in the Town Code but are no longer valid due to jurisdiction being under the Village of Woodbury. Therefore, a motion was offered by Deputy Supervisor Palermo, seconded by Councilman Hunter, to adopt the following resolution to schedule a public hearing to rescind several local laws:

WHEREAS, the Town Board has identified the need to rescind several chapters of the Town Code, which chapters regulate subject areas over which the town no longer maintains jurisdiction; and

WHEREAS, the Town Board wishes to set a time and place for a public hearing to consider Introductory Local Law 6 of 2016, which rescinds several inoperative chapters of the Town Code.

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that 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 let it be further

RESOLVED, that the Town Board hereby preliminary classifies the action as an unlisted action under SEQRA; and let it be further

RESOLVED, that a public hearing be held by the Town Board in order to receive comments and suggestions regarding proposed amendments to the Town Code on November 17, 2016 at 7:30PM at the Town Hall, located at 511 Route 32, Highland Mills, New York; and it is further

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

ADOPTED AYES 3 Palermo, Essig, Hunter
 NOES 0

EXTRA ITEM – Allocation of Funds for Litigation:

Motion was offered by Deputy Supervisor Palermo, seconded by Councilman Essig, to allocate \$25,000 to fund the current litigation Village of Woodbury, Town of Woodbury et al against Village of Kiryas Joel, Town of Monroe et al.

ADOPTED AYES 3 Palermo, Essig, Hunter
 NOES 0

IV. Public Comment:

John Smith commended the Beautification Committee for the decorations at the Highland Mills library. He feels they did a wonderful job and should be recognized.

Joe Zlata stated he heard recently that the ruling handed down disqualified some municipalities from participating in the litigation. Attorney McKay stated the court made some determinations in respect to standing. The ruling said that the municipalities that are not physically adjacent to Village of Kiryas Joel or Town of Monroe did not have standing but that does not stop them from appealing the decision.

V. Board Member Comment:

Councilman Essig commended Chief Watson and the great job the Department did patrolling during the curfew. Chief Watson recognized Officer Hardin for assisting an elderly resident suffering from Alzheimer's disease that was walking in Highland Lake Estates at 4AM. He further noted that the residents will be noticing more patrolling by the Police Department. Deputy Supervisor Palermo thanked Chief Watson for the additional patrolling, which he has noticed in the area where he lives.

VI. Adjournment:

With no further business to discuss or comments received, a motion was offered by Councilman Essig, seconded by Councilman Hunter, to adjourn the meeting at 7:45PM.

ADOPTED AYES 3 Palermo, Essig, Hunter
 NOES 0

Desiree Potvin, Town Clerk