

Minutes of the Town Board Meeting held at Town Hall on October 20, 2016 at 7:30PM

Present: David Sutz, Supervisor
Timothy Arone, Robert Hunter and Frank Palermo, Councilmen
Absent: Michael Essig (*arrived late*)
Also Present: Kevin Phillips, Police Sergeant; Laura Breslin, Assessor; Eileen Sutherland, Senior Account Clerk; Tracy Maggio, Clerk to the Supervisor; John Smith, Parks Commissioner; Maria Hunter, Village Planning Board

I. Public Hearings:

a. Special District Assessment Rolls:

Deputy Town Clerk Huang stated the public notice announcing the public hearings on the assessment rolls for the special districts was printed in the Times Herald Record on October 7, 2016. Supervisor Sutz explained these hearings are for the public to correct the special district assessment rolls with regards to the number of units that are charged for specific properties, not to argue their assessment or the amount of taxes paid.

CONSOLIDATED SEWER DISTRICT:

The public hearing on the assessment roll for the Consolidated Sewer District was opened. No comments were received. Motion was offered by Councilman Arone, seconded by Councilman Hunter, to close the hearing on the Consolidated Sewer District assessment roll.

ADOPTED AYES 4 Sutz, Arone, Hunter, Palermo
NOES 0

WATER DISTRICT #6:

The public hearing on the assessment roll for Water District #6 was opened. No comments were received. Motion was offered by Councilman Palermo, seconded by Councilman Arone, to close the hearing on the Water District #6 assessment roll.

ADOPTED AYES 4 Sutz, Arone, Hunter, Palermo
NOES 0

SEWER DISTRICT #1:

The public hearing on the assessment roll for Sewer District #1 was opened. No comments were received. Motion then offered by Councilman Arone, seconded by Councilman Palermo, to close the hearing on the Sewer District #1 assessment roll.

ADOPTED AYES 4 Sutz, Arone, Hunter, Palermo
NOES 0

REFUSE DISTRICT:

The public hearing on the assessment roll for the Refuse District was opened. No comments were received. Motion was offered by Councilman Arone, seconded by Councilman Hunter, to close the hearing on the Refuse District assessment roll.

ADOPTED AYES 4 Sutz, Arone, Hunter, Palermo
NOES 0

HIGHLAND LAKE ESTATES SEWER DISTRICT:

The public hearing on the assessment roll for the Highland Lake Estates Sewer District was opened. No comments were received. Motion was offered by Councilman Arone, seconded by Councilman Hunter, to close the hearing on the Highland Lake Estates Sewer District assessment roll.

ADOPTED AYES 4 Sutz, Arone, Hunter, Palermo
 NOES 0

Motion was then offered by Councilman Arone, seconded by Councilman Hunter, to adopt the assessment rolls for the following special districts: Consolidated Sewer District, Water District #6, Sewer District #1, Refuse District, and Highland Lakes Estates Sewer District.

ADOPTED BY ROLL CALL AS FOLLOWS:

Supervisor Sutz	AYES
Councilman Arone	AYES
Councilman Essig	ABSENT
Councilman Hunter	AYES
Councilman Palermo	AYES

b. Fiscal Year 2017 Preliminary Budget Hearing:

Deputy Town Clerk Huang stated a public hearing is being held to entertain public comments on the 2017 Preliminary Budget. The public notice was printed in the Times Herald Record on October 13, 2016 with the salaries of the elected officials posted as follows: Town Supervisor \$53,130; Town Clerk \$62,000; Justices (2) \$30,500 each; Council (4) \$10,000 each; Tax Collector \$16,000.

Supervisor Sutz stated that per the State Comptroller's Office the Town was permitted to raise taxes approximately \$474,000 over what was raised last year which would have kept the budget below the 0.2% tax cap. He is happy to report that the budget proposed this evening is approximately \$37,000 below the amount budgeted last year which will represent a decrease in taxes. This was accomplished while still being able to meet all contractual obligations while providing additional staffing for several departments that were understaffed. He further explained the total assessed value of the town in 2016 was approximately \$652 million and for 2017 is has increased to approximately \$702 million. Although these figures are not part of the tax cap formula requirements, it does directly affect the amount of taxes a resident pays. With regards to specifics of the budget, Supervisor Sutz noted money has been allocated to pay off the \$375,000 BAN that was secured for the purchase of the Gasho property two years ago rather than refinancing it for the additional three years that were planned. He also explained that some budget line-items have been consolidated into one line-item to simplify budget accountability. He then stated the special districts listed in the budget (except for Refuse, Woodbury Common BID and the Joint Monroe Fire District) are solely payments on indebtedness, some of which will be paid off in 2018. Regarding the budget for the Joint Monroe Fire District, he noted the Town Board has no control over it, adding that the Fire Commissioners will hold their own public hearing on their budget. Only residents in the Town of Woodbury that also reside in the Village of Harriman pay towards the Joint Monroe Fire District. He concluded by stating the tax bill that residents receive in January will also include the County taxes, which the Town collects on their behalf. The Town Board also has no say on that budget, but he was told by County Executive Neuhaus that County taxes will also be decreasing.

Supervisor Sutz stated that a letter was received from former Town Justice David Levinson stating he feels the salaries proposed for the Town Justices "remain inadequate and far below what he deems to be adequate compensation for judges serving in our very active court". He noted the Woodbury court is the third highest revenue producing court in Orange County and feels it is time this Board recognizes the efforts of the court and the sacrifices made by the judges. He also feels that it is unfair and unjust that a newly elected judge be paid the same salary as a sitting judge. He feels there

should be a disparity in the salaries between a long sitting judge and a newly elected judge to recognize the sitting judge's past accomplishments and efforts.

John Smith stated he feels the Board is doing a good job and that is why he didn't attend the budget workshops. He questioned what A0962 is because it increased from \$40,000 to \$240,000, an increase of \$200,000. Supervisor Sutz explained that a building fund was created for budgetary provisions for Town offices, Parks, or any of the Town municipal departments who need it. It's like a building reserve fund.

Robin Crouse asked for clarification that the "building fund" can only be used for a building not for balls fields, etc. Supervisor Sutz verified the fund (A0962) will only be used for Town municipal buildings.

Maria Hunter thanked the Board, Clerk Sutherland and the Town Clerk for their work on the budget. With regard to the letter Supervisor Sutz spoke about, Mrs. Hunter feels the salaries should be kept the same whether you're a junior member or a senior member of the staff.

Supervisor Sutz introduced Eileen Sutherland and commended her on the time, effort and expertise she provided in the budget process. He explained the budget would not have been able to be done in-house without Clerk Sutherland; we saved a lot of money by doing it this way.

Gene Roth wanted to know what his taxes were going to be for 2017. He also discussed his views on the political situation in New York State. Supervisor Sutz used his own home, as an example, which is assessed at \$158,900 and his Town taxes are decreasing by \$149 for 2017.

With no further comments received, a motion was offered by Councilman Arone, seconded by Councilman Palermo, to close the public hearing.

ADOPTED AYES 4 Sutz, Arone, Hunter, Palermo
 NOES 0

Motion was then offered by Councilman Arone, seconded by Councilman Hunter, to adopt the FY2017 budget.

ADOPTED BY ROLL CALL AS FOLLOWS:

Supervisor Sutz	AYES
Councilman Arone	AYES
Councilman Essig	ABSENT
Councilman Hunter	AYES
Councilman Palermo	AYES

EXTRA ITEM - Schedule Public Hearing - Repeal Tax Cap Override Law:

Motion was offered by Councilman Palermo, seconded by Councilman Arone, to schedule a public hearing to be held on November 17, 2016 to entertain public comments on the adoption of a local law to repeal Local Law 4 of 2016 overriding the tax cap for fiscal year 2017.

ADOPTED AYES 4 Sutz, Arone, Hunter, Palermo
 NOES 0

II. 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 October 6, 2016.

ADOPTED AYES 4 Sutz, Arone, Hunter, Palermo
 NOES 0

b. Approval of Abstract:

Motion was offered by Councilman Arone, seconded by Councilman Palermo, to approve Abstract 20 containing vouchers 20161779 - 20161878 and totaling \$180,514.06.

ADOPTED AYES 4 Sutz, Arone, Hunter, Palermo
 NOES 0

c. Budget Modification:

Motion was offered by Councilman Hunter, seconded by Councilman Palermo, to approve a modification to the budget of the General Fund by increasing A599 (Appropriated Fund Balance) by \$933 and increasing A5120.400 (Bridges/5'+) by \$933.

ADOPTED AYES 4 Sutz, Arone, Hunter, Palermo
 NOES 0

Motion was then offered by Councilman Arone, seconded by Councilman Hunter, to approve a modification to the budget of the Buildings/Grounds Department by decreasing A1620.453 (Diesel/Gas) by \$526 and increasing A1620.452 (Vehicle Maintenance) by \$526.

ADOPTED AYES 4 Sutz, Arone, Hunter, Palermo
 NOES 0

d. Acceptance of Resignation - PT Dog Control:

Motion was offered by Councilman Hunter, seconded by Councilman Arone, to accept with regrets the resignation of Sarah Blum from the position of part-time Dog Control Officer effective October 23, 2016.

ADOPTED AYES 4 Sutz, Arone, Hunter, Palermo
 NOES 0

e. Appointment of PT Court Attendant:

Motion was offered by Councilman Palermo, seconded by Councilman Arone, to appoint Scott Goldstein to the position of part-time Court Attendant at an hourly rate of \$18.01 (non-union Grade VA, Step 3A) effective October 24, 2016.

ADOPTED AYES 4 Sutz, Arone, Hunter, Palermo
 NOES 0

f. Proclamation - Eagle Scouts:

Motion was offered by Councilman Hunter, seconded by Councilman Palermo, to adopt the following proclamation:

WHEREAS, the rank of Eagle Scout is the pinnacle achievement in Boy Scouting. It is a rank that requires significant effort, dedication and service to one's home, troop and community.

THEREFORE, BE IT RESOLVED that the Town of Woodbury, at its meeting held October 20, 2016, recognizes and commends the outstanding achievement of *Dylan Matthew Osborne and Zachary Christopher Blasko*.

ADOPTED AYES 4 Sutz, Arone, Hunter, Palermo
 NOES 0

Supervisor Sutz added that one of the gentlemen did the bus shelter by Timber Ridge and the other did the stone seat and circled gravel area for one of the libraries. They both did very nice jobs!

EXTRA ITEM - Appointment of Police Records Clerk:

Motion was offered by Councilman Palermo, seconded by Councilman Hunter, to change the appointment of Susan Anderson (formerly Francella) from provisional part-time Police Records Clerk to

permanent part-time Police Records Clerk effective immediately. Mrs. Anderson has successfully passed the civil service test for this position.

ADOPTED AYES 4 Sutz, Arone, Hunter, Palermo
NOES 0

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

IV. New Business:

a. Authorize Participate in 2016/2017 Justice Court Assistance Grant Program:

Motion was offered by Councilman Palermo, seconded by Councilman Hunter, to authorize the Town Justice Court to participate in the 2016/17 Justice Court Assistance Program and to authorize the Supervisor to sign any and all necessary documents relating to the application process.

ADOPTED AYES 4 Sutz, Arone, Hunter, Palermo
NOES 0

b. Authorize Supervisor to Sign - 2017 Dental Renewal:

Motion was offered by Councilman Palermo, seconded by Councilman Arone, to authorize the Supervisor to sign the FY2017 dental insurance renewal with Empire Blue Cross/Blue Shield. It was noted the premium increase is 5%.

ADOPTED AYES 4 Sutz, Arone, Hunter, Palermo
NOES 0

EXTRA ITEM - Halloween Curfew Extension:

Supervisor Sutz reminded all residents that the curfew for Halloween will be strictly enforced. He then asked Sergeant Phillips to give more details. The curfew states the following: "During the period of October 30 and October 31, or any other period the Town Board deems necessary, it shall be unlawful for any minor to remain idle, wander, stroll or play in any public place, either on foot or to cruise about without a set destination in any vehicle, in, about or upon any place in the town between the hours of 8:00 p.m. and 6:00 a.m. of the following morning unless accompanied by a parent, guardian, custodian or other adult person having custody or control of such minor or unless the minor is on an emergency errand or specific business or activity directed or permitted by his parent, guardian or other adult person having the custody and care of the minor or where the presence of such minor is connected with or required by some legitimate employment, trade, profession or occupation". The Board discussed adding an additional day to the curfew since Halloween falls on a Monday. Motion was then offered by Councilman Arone, seconded by Councilman Hunter, to add October 29th to the curfew. Sgt. Phillips said he'll put this information on the Police Department's website. It was decided to put this information on Channel 22 and the Town's website.

ADOPTED AYES 4 Sutz, Arone, Hunter, Palermo
NOES 0

V. Department Reports:

a. Supervisor's Report:

Motion was offered by Councilman Hunter, seconded by Councilman Arone, to approve the Supervisor's Report for September 2016 with receipts totaling \$156,225.31 and disbursements totaling \$1,346,670.88.

ADOPTED AYES 4 Sutz, Arone, Hunter, Palermo
NOES 0

b. Town Clerk's Report - September 2016

- c. Buildings/Grounds Report - May - August 2016; September 2016
- d. Animal/Goose Control Report - September 2016
- e. Police/Communications Report - September 2016
- f. Beautification Committee Minutes - No Meeting Held
- g. Library Minutes - September 27, 2016
- h. Parks/Recreation Minutes - September 20, 2016
- i. Budget vs. Actual - September 2016

VI. Public Comment:

John Smith asked if the Town was going to appeal the last two cases they lost at the state level. Supervisor Sutz replied that all the municipalities involved had one meeting this week and have another one scheduled for next week and should be deciding at that time.

Robin Crouse spoke about the Columbus Day weekend traffic at Woodbury Common. On her way home, heading north past Woodbury Common, she was stuck in traffic while the State Police stood around doing nothing and cars were “blocking the box”. After some discussion amongst the Board members, it was suggested that if circumstances such as Columbus Weekend traffic which is becoming another “Black Friday” event occur, the public should call Town Hall the day after the event and speak with the Supervisor’s Office. But even better than that, send an e-mail to both the Mayor and Supervisor of Woodbury (mayorqueenan@yahoo.com and supervisor@woodburyny.us), including your name and address and as many details of what occurred (date, time, etc.). Supervisor Sutz mentioned the State Police will not look into any letters that do not include name and addresses. Assemblyman Skoufis was contacted about the traffic situation also. He added our main concern is Route 32 and the safety of our residence.

Joe Zlato expressed his concern about Woodbury Junction’s security plan and if emergency services would be able to enter the gate. Mr. Zlato also raised issues to the Board regarding senior housing, unauthorized work being performed, and the homeowner association at Woodbury Junction. After discussion with the Board, Supervisor Sutz said he would do some research about these issues and also speak with the Mayor, as well as, the Building Department.

Maria Hunter, Village Planning Board, said if Woodbury Common is not doing what they are required with their special permit and in violation of their traffic plan, contact the Building Department and they will contact the Planning Board and, if needed, send them back to the Planning Board. Additionally, if Woodbury Junction is violating their resolutions or special permit, they should be brought back to the Planning Board.

Sergeant Phillips updated the Board on some of the arrests, activities, and training (rattle snakes – handling, transporting and disposing of them) that the Police Department has been involved with recently. He also wanted to remind the public that there is a “Confidential Tips Line” 845-928-2344 - the information is reviewed, acted upon, and kept confidential. Also, reminding everyone to be diligent this Halloween. Be safe, smart, and take care of your little ones.

Councilman Essig arrived at 8:15 PM.

VII. Board Members Comments:

Councilman Hunter thanked the department heads for their good tight budgets this year and also thanked Eileen Sutherland for a job well done.

Councilman Arone echoed Councilman Hunter's comments. He suggested that Code Red be used to get the Halloween Curfew information out to the residence of Woodbury.

Councilman Palermo also echoed Councilman Hunter's comments. He added that Supervisor Sutz did an excellent job this year with the budget. And he thanked Clerk Sutherland for the spectacular job she did on the budget and appreciates it very much.

Supervisor Sutz said the Board will be going into Executive Session with no action being taken after the meeting. Supervisor Sutz updated everyone on recent activities. He explained that bids for the demolition of Gasho were received and opened today. They are now in the hands of our engineering firm who will review them and the process will move forward. He also has asked department heads to give him a list of things that need to be done to tighten up their buildings/offices for the winter. The Buildings & Grounds Department has been very busy at the police station repairing sidewalks and installing berm along the back parking lot to help with drainage issues.

VIII. Executive Session *(if necessary):*

Motion was offered by Councilman Arone, seconded by Councilman Palermo, enter into an executive session.

ADOPTED AYES 5 Sutz, Arone, Essig, Hunter, Palermo
 NOES 0

IX. Adjournment:

With no further business to discuss or comments received, motion was offered by Councilman Palermo, seconded by Councilman Essig, to end the executive session and adjourn the meeting at 8:45 PM.

ADOPTED AYES 5 Sutz, Arone, Essig, Hunter, Palermo
 NOES 0

Frances Huang
Deputy Town Clerk