

Minutes of the Town Board Meeting held at Town Hall on September 1, 2016 at 7:30PM

Present: David Sutz, Supervisor  
Timothy Arone, Michael Essig, Robert Hunter and Frank Palermo, Councilman  
Absent: None  
Also Present: Kevin Phillips, Police Sergeant; John Smith, Parks Commission; Tracy Maggio, Clerk to the Supervisor; Maria Hunter and Sandra Capriglione, Village Planning Board

**I. Administrative Business:**

a. Acceptance of Minutes:

Motion was offered by Councilman Palermo, seconded by Councilman Arone, to accept the minutes of the regular meeting held August 18, 2016.

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

b. Approval of Budget Modification:

Motion was offered by Councilman Arone, seconded by Councilman Palermo, to approve a modification to the budget of the Supervisor's Office by increasing A599 (Appropriated Fund Balance) by \$10,000 and increasing A1220.100 (Personal Services) by \$10,000.

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

c. Approval of Abstract:

Motion was offered by Councilman Essig, seconded by Councilman Hunter, to approve Abstract 17 containing vouchers 20161457 - 20161517 and totaling \$45,446.60.

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

d. Acceptance of Resignation - Library Director:

Motion was offered by Councilman Arone, seconded by Councilman Essig, to accept, with regrets, the resignation of Jennifer Bradshaw from the position of Library Director effective September 6, 2016.

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

The Board members collectively wished Mrs. Bradshaw success in her future endeavors.

e. Update of Grade/Step Plan - Exhibit "A":

Motion was offered by Councilman Arone, seconded by Councilman Hunter, to adopt the amended "Grade/Step Plan Exhibit A" as printed at the end of these minutes.

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

Supervisor Sutz noted amendments to the plan is to account for new hires at a "starting salary" on Grade IA. Since we have several individuals retire in the past year, he feels it does not make sense to bring a new person into the position at the same salary.

**II. Old Business:**

a. Resolution - Pilgrim Pipeline Scoping Process:

Correspondence was received from Town of Rosendale Town Supervisor Jeanne Walsh and Councilmember Jen Metzger regarding the beginning of the scoping process for the Pilgrim Pipeline which will be reviewed by the NYSDEC and the NYSTA. They would like each municipality in the affected areas to adopt a resolution that would request a 90-day public comment period to established and public hearing be held in all affected counties. Motion was then offered by Councilman Hunter, seconded by Councilman Palermo, to adopt the following resolution requesting the NYS Department of Environmental Conservation and NY Thruway Authority to assure opportunities for meaningful public and municipal participation in the scoping process for the state environmental quality review of the pilgrim pipelines project:

**WHEREAS**, Pilgrim Pipeline Holdings, LLC, has proposed to construct two pipelines carrying crude oil and refined petroleum products between Albany, New York, and Linden, New Jersey, cutting through the Town of Rosendale and 30 other towns, cities, and villages in the Hudson Valley, Catskill region, and Capital area;

**WHEREAS**, the State Environmental Quality Review (SEQR) process for this project is underway, and a decision may be made any day with regard to a Declaration of Significance and the Scoping Process;

**WHEREAS**, NYS Department of Environmental Conservation (DEC) Acting Deputy Commissioner and General Counsel Thomas Berkman stated in a letter regarding lead agency, dated December 21, 2015, that “there is the potential for significant adverse environmental impacts associated with the construction and operation” of the pipelines, “including, but not limited to, impacts to hundreds of acres of forest, regulated water bodies and wetlands;” and

**WHEREAS**, Deputy Commissioner Berkman further stated that the SEQR process for this proposed project “will be extensive and complex due to the myriad of issues likely to be raised, the number of involved State and local agencies, and the demonstrated public interest in the project;” and

**WHEREAS**, the construction and operation of pipelines poses significant risks not only to communities in the pipelines’ pathway but also to the many communities along the rail line delivering oil to these pipelines, which could see a two- or three-fold increase in crude-by-rail traffic if pipelines operate at full capacity; and

**WHEREAS**, the very large number of affected communities demands a scoping process that can accommodate their effective participation to identify issues of local and regional concern;

**WHEREAS**, their participation will require time-consuming research by municipalities and the public to analyze the proposal and identify potential impacts on local land, water and air resources, cultural, historic, and community resources and economic development;

**WHEREAS**, broad public input in the SEQR process is vital, given the millions of people potentially impacted by this project;

**WHEREAS**, any local issue or concern related to the proposed Pilgrim pipelines will only be examined in the Draft Environmental Impact Statement if identified in the scoping process, making community participation in this step vital to a comprehensive review;

**NOW THEREFORE BE IT RESOLVED** that the Town Board of the Town of Woodbury, as a potentially involved agency, requests the NYS Department of Environmental Conservation (DEC) and the New York Thruway Authority, as Co-Lead Agencies, to provide a minimum 90-day public comment period following the release of a Draft Scoping Document; and

**BE IT FURTHER RESOLVED** that the Town Board requests that public information sessions and hearings be held in every county in the pipeline pathway, and at least one meeting along the crude-by-rail route that would serve the pipelines; and

**BE IT FURTHER RESOLVED** that the Co-Lead Agencies make an extraordinary effort to maximize public engagement regarding the scoping process, to make all the meetings and comment deadlines

widely known, and to help the public understand the significance of their opportunity to participate in the scoping process; and

**BE IT FURTHER RESOLVED** that copies of this resolution be sent to NYS DEC Commissioner Basil Seggos, N.Y. Thruway Authority Acting Executive Director Bill Finch, and Governor Andrew M. Cuomo.

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

### III. New Business:

#### a. Schedule Public Hearing - Tax Cap Override Local Law:

Motion was offered by Councilman Arone, seconded by Councilman Palermo, to schedule a public hearing to be held at 7:30PM on September 15, 2016 for the purpose of entertaining public comments on Introductory Local Law 4 of 2016 entitled "Tax Cap Override" to override the tax levy limit established in General Municipal Law Section 3-c for the 2017 tax year. This motion also includes declaring the Town Board as Lead Agency under SEQRA and preliminary classifying it as an unlisted action. Attorney McKay is authorized to prepare a Short Environmental Assessment Form to determine if there will be any adverse environmental impacts.

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

Supervisor Sutz noted the Board does not intend to exceed the tax cap (which is 0.6% this year) but until the budget process is completed it is currently an unknown. In addition, the budget calendar for 2016 will be accelerated this year. Meetings will be held during the workday and in the evening - all of which is open to the public to attend. The schedule is as follows:

#### ***Meetings with Department Heads and Two Board Members:***

- September 1 - 1:30PM Historical Society
- September 6 - 9:30AM Town Clerk/Registrar/Elections/ACO/Records Management  
1PM Senior Center  
2:30PM Supervisor/Town Board
- September 7 - 9:30AM Tax Collector  
10:30AM - Justice Court  
1PM - Building/Grounds  
3PM - Beautification
- September 8 - 9:30AM - Refuse  
10AM - Police  
1PM - Parks  
2:30PM - Library
- September 9 - 9:30AM - Assessor

#### ***Budget Submissions/Hearings:***

- September 9 – Tentative Budget submitted to Town Clerk by Supervisor
- September 15 - Tentative Budget given to Town Board by Town Clerk at meeting
- September 28 – Budget worksession held at 7:30PM Town Hall
- September 29 – Budget worksession held at 7:30PM Town Hall (*if needed*)
- October 13 – Preliminary Budget submitted to Town Clerk by Supervisor
- October 20 – Preliminary Budget Hearing held/Budget adopted

#### b. Eagle Scout Presentation - Shed at Animal Shelter:

Matthew Gibson, from Boy Scout Troop 4, is working to obtain his Eagle Scout status. The project he is to purchase a 10x12 used shed to be used as a storage space for the Animal Shelter. The

shed will be painted and repaired as needed. He will then assist the Animal Control Officer with the cleaning of the area that is currently used for storage (dog runs). The work involved would be to grade to area so it is flat, lay gravel so the base of the shed is protected from the ground, temporarily alter the existing fencing around the property so the shed can be installed and coordinate with the Highway Department and the Animal Control Officer for all the work to be done. He will be doing fundraising to help with the cost of supplies and the purchase of the shed. He plans to have it all completed by the end of September. Motion was offered by Councilman Palermo, seconded by Councilman Essig, to approve this project and authorize the Supervisor to sign any and all necessary documents for the project.

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

c. Proposal - Removal of Beavers Throughout Town:

The Town is experiencing very active beaver activity which is causing flooding conditions at various locations throughout Town. A proposal has been obtained for a one month trapping agreement which includes the set-up of approximately four-to-twelve beaver traps, removal of beavers and daily monitoring, all of which meets the NYSDEC requirements. The package cost will be approximately \$600 and the fee covers trapping preparation, trap set-up, maintenance and clean-up. The total number of beavers caught will be tallied at the end of the agreement and will be at a cost of \$125 per beaver during the one-month contract. The \$600 is to be paid at the contract signing and an invoice will be received for beaver disposal cost at the end of the one-month period. Motion was then offered by Councilman Palermo, seconded by Councilman Arone, to authorize the Supervisor to sign the contract with Mondo's Wildlife Nuisance Removal Service. LLC (a DEC Wildlife licensed removal expert), for the removal of beavers for a one-month period per the above.

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

Councilman Palermo suggested that proper signage be in place so that no one gets hurt.

EXTRA ITEM - Update - Parks AED Maintenance/Upgraded:

On June 2, 2016 the Board authorized the Supervisor to sign a contract with Physio Control for an amount not to exceed \$1000 to provide maintenance for the AED's that are located at Earl's Reservoir and the John P Burke Memorial Pool for 2016. The final quote has been received and the actual cost of the project is \$2172 (which includes annual service for all town owned AED). Therefore, a motion was offered by Councilman Palermo, seconded by Councilman Arone, to amend the motion to approve the contract at a cost of \$2172.

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

**IV. Public Comment:**

John Smith regarding the beaver trapping – the skins are very valuable and a new beaver coat for the supervisor would be appreciated. Feels that Jens resignation should have been accepted with extreme regret. She has been very helpful to him over the past several years and she will be extremely missed. Believe there were political and hidden agendas involved.

**V. Board Member Comment:**

Sergeant Phillips reminded the public that Labor Day weekend is upon us and suggest all help by avoiding areas that are known to experience heavy traffic. He also reminded the public that school opens next week and asked all to drive carefully. The Board members reiterated this as well.

Councilman Hunter urged all residents, especially those directly affected, to pay strong attention to the pilgrim pipeline. He feels this project will be disastrous to the Town if it becomes a reality.

Clerk Potvin announced that garbage/recycling collection will be delayed by one day next week due to the holiday. She also announced the Fall Electronic Collection will be held on October 14 and 15.

Supervisor Sutz listed some upcoming events in the community (Lion's Club Golf Outing, Primary Election, Special Election) and updated some projects that have been in the works (asbestos mediation at Gasho almost complete, court received grant funds and has constructed some new portable furniture and new carpet laid, the Assessor has visited with the seniors to explain the new amendments to the STAR program, ACO has an eagle scout and a girl scout working on awards, Parks is looking into the possibility of erecting another building to expand parks use and possibly a driving range).

**7:55PM - Executive Session:**

Motion was offered by Councilman Arone, seconded by Councilman Essig, to enter into an executive session pursuant to Section 105(f) of the Public Officers Law to discuss one item of contractual negotiations relating to the PBA contract.

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

*No minutes of the executive session were recorded.*

**VII. Adjournment:**

With no further business to discuss, a motion was offered by Councilman Palermo, seconded by Councilman Arone, to end the executive session and adjourn the meeting at 8:20PM.

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

Desiree Potvin, Town Clerk