

Minutes of the Town Board Meeting held at Town Hall on January 19, 2012 at 7:30PM

Present: John Burke, Supervisor
Timothy Arone, Frank Palermo, Marilyn Prestia and James Skoufis, Councilpersons
Absent: None
Also Present: Richard Liberth and John McKay, Attorneys for the Town; Robert Weyant, Highway Superintendent; Robert Kwiatkowski, Police Chief; Arthur Abbott, Lieutenant; Laura Breslin, Town Assessor; Michael Queenan, Village Mayor; Neil Crouse, Thomas Flood and David Sutz, Village Trustees; Maria Hunter, Village Planning Board; Roxanne Donnery, County Legislature

I. Presentation – CodeRed Emergency Contact System:

A presentation was given by Chris Higgs and Kelly Nutini, Account Representatives from Emergency Communications Network, of their CodeRed system. This is a high-speed notification system that would send out robo-calls to residents when there is an emergency notice from the Town or Village, or any other type of notice that is deemed necessary for mass distribution. The system also sends texts or emails. The cost of this service will be shared between the Town and the Village. The Board agreed to move forward with the unlimited emergency plan and a three-year service plan.

II. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Councilman Skoufis, seconded by Councilman Palermo, to accept the minutes of the regular meeting held January 5, 2012.

ADOPTED AYES 5 Burke, Arone, Palermo, Prestia, Skoufis
NOES 0

b. Approval of Abstract:

Motion was offered by Councilman Arone, seconded by Councilman Palermo, to approve Abstract 2 containing Vouchers #20120057 - #20120153 totaling \$202,695.40.

ADOPTED AYES 5 Burke, Arone, Palermo, Prestia, Skoufis
NOES 0

c. Acceptance of Resignation –Dispatcher:

Motion was offered by Supervisor Burke, seconded by Councilman Palermo, to accept the resignation received from Kyle Flood from the position of dispatcher effective January 9, 2012.

ADOPTED AYES 5 Burke, Arone, Palermo, Prestia, Skoufis
NOES 0

Mr. Flood was congratulated on his appointment to the NYPD and recognized for his work as a part-time dispatcher.

d. Announce Completion of Annual Accounting:

Supervisor Burke announced that the Annual Accounting of the 2011 records, as required pursuant to Section 62 of Town Law, was completed this week. He acknowledged Councilwoman Prestia for the time she committed during the process.

e. Return of Road Bond – Shoonmaker Homes:

Motion was offered by Councilman Skoufis, seconded by Councilman Palermo, to return the road opening bond posted by Shoonmaker Homes for a new driveway connection on Florence Drive, as recommended by Superintendent Weyant.

ADOPTED AYES 5 Burke, Arone, Palermo, Prestia, Skoufis
 NOES 0

f. Return of Bonds – Brigadoon Roads/County Crossing Roads:

Motion was offered by Supervisor Burke, seconded by Councilman Arone, to return bonds posted by the Carteret Group for the following: Brigadoon Phase 1 – 3 Snow & Ice, Brigadoon Phase 5 Snow & Ice, Brigadoon Phase 3 Snow and Ice, Road Opening for Cranberry Drive/Ridge Road, Country Crossings Snow & Ice, and Road Opening for Schunnemunk Road/Owens Road. The total amount being returned is approximately \$41,648.65.

ADOPTED AYES 5 Burke, Arone, Palermo, Prestia, Skoufis
 NOES 0

III. Old Business:

a. Update – County Route 105:

Superintendent Weyant provided the Board with an update on the repairs the County is doing to County Route 105. He spoke with OCDPW and was told work will begin within next few weeks, weather permitting, and they were waiting for a few permits and some funding. There will be two crews and the County will be doing the work themselves.

IV. New Business:

a. Resolution – Assessment Relief to Hurricane/Tropical Storm Victims:

Assessor Breslin explained the legislation that was adopted by the State Legislature in December 2011 that would grant an assessment relief to properties that were damaged more than fifty percent (50%) of their value as a result of Hurricane Irene, Tropical Storm Lee, or both. If the Board wants to provide this relief to those affected properties, they are required to adopt a resolution by January 23. Councilman Palermo asked if the State would be refunding the Town for the money lost and Assessor Breslin stated they would not be, noting the cost to the Town is approximately \$2700. Councilman Skoufis stated there were a few properties on the memo provided by Assessor Breslin that do not have a refund value and asked for further explanation. Assessor Breslin stated the damages sustained on those properties have been repaired so they would not be eligible.

Motion was offered by Councilman Palermo, seconded by Councilman Skoufis, to adopt the following resolution that would provide an assessment relief to those properties damaged by Hurricane Irene or Tropical Storm Lee or both which lost more than fifty percent (50%) of their value:

WHEREAS, the New York State Legislature has passed legislation (S.50002/A.40002) allowing jurisdictions to provide relief to owners of properties that were “catastrophically impacted” by Hurricane Irene or Tropical Storm Lee or both; and

WHEREAS, the legislation defines “catastrophically impacted” as a property which lost fifty percent (50%) or more of its value as a result of either Hurricane Irene or Tropical Storm Lee or both; and

WHEREAS, by adopting the resolution granting this relief to the affected property owners in Woodbury, the Assessor has estimated the impact to be approximately \$2,700; and

WHEREAS, the legislation states a municipality may provide assessment relief for flood victims where property was catastrophically impacted as follows:

- 1) If the property lost at least fifty (50%) but less than sixty (60%) percent of its value to either Hurricane Irene or Tropical Storm Lee or both, the taxable assessed value of the

property shall be reduced by fifty-five percent (55%) for purposes of the impacted assessment roll,

- 2) If the property lost at least sixty (60%) but less than seventy (70%) percent of its value due to either Hurricane Irene or Tropical Storm Lee or both, the taxable assessed value of the property shall be reduced by sixty-five percent (65%) for purposes of the impacted assessment roll,
- 3) If the property lost at least seventy (70%) but less than eighty (80%) percent of its value due to either Hurricane Irene or Tropical Storm Lee or both, the taxable assessed value of the property shall be reduced by seventy-five (75%) percent for the purposes of the impacted assessment roll,
- 4) If the property lost at least eighty (80%) but less than ninety (90%) percent of its value due to either Hurricane Irene or Tropical Storm Lee or both, the taxable assessed value of the property shall be reduced by eighty-five (85%) percent for the purposes of the impacted assessment roll,
- 5) If the property lost at least ninety (90%) but less than one hundred (100%) percent of its value due to either Hurricane Irene or Tropical Storm Lee or both, the taxable assessed value of the property shall be reduced by ninety-five (95%) percent for the purposes of the impacted assessment roll,
- 6) If the property lost all of its value due to either Hurricane Irene or Tropical Storm Lee the taxable assessed value of the property shall be reduced to zero for the purposes of the impacted assessment roll;

and

WHEREAS, the percentage of loss in value shall be determined by the Assessor, subject to review by the Board of Assessment Review; and

WHEREAS, to receive such relief, the property owner shall submit a written request to the Assessor within ninety (90) days following the date the State Legislation is approved by the Governor (signed December 9, 2011). Such written request shall describe in reasonable detail the damage caused to the property by either Hurricane Irene or Tropical Storm Lee or both and the condition of the property following the hurricane or storm or both, and shall be accompanied by supporting documentation if available; and

WHEREAS, upon receipt of the written request the Assessor shall make a finding as to whether the property lost at least half of its value as a result of either Hurricane Irene or Tropical Storm Lee or both and shall classify the percentage loss in one of the six categories listed above. The Assessor shall mail written notice to the property owner and Town Board of such findings. If the loss is found to be less than fifty (50%) percent or classified in a lower range than the property owner believes is warranted, the property owner may file a complaint with the Board of Assessment Review. The Board of Assessment Review shall reconvene within ten (10) days of written notice to the property owner and Assessor to hear the appeal and determine the matter. Written notice of its determination shall then be mailed to the Assessor and property owner.

NOW, THEREFORE, BE IT

RESOLVED by the Town Board of the Town of Woodbury to ratify each "Whereas" clause listed above; and be it further

RESOLVED to authorize the Assessor to provide this relief to properties in the Town of Woodbury that lost fifty percent (50%) or more of their value as a result of flooding caused by either Hurricane Irene or Tropical Storm Lee or both; and be it further

RESOLVED that this resolution shall take effect immediately.

ADOPTED BY ROLL CALL AS FOLLOWS:

Supervisor Burke

AYES

not being policed. Supervisor Burke stated the Village Building Inspector polices all building and has verified that the construction being done, although close to the boundary line, is not in the Town/Village.

Ben Meyers stated he has spoken with the press agent for County Executive Edward Diana regarding the Route 32/87/17 corridor project and was told that it was a State issue and the County was not involved with it. Legislator Donnery stated she personally spoke with Executive Diana this afternoon regarding this issue and he fully supports efforts to keep the 2013 project start date.

VII. Adjournment:

With no further business to discuss or comments received, a motion was offered by Councilman Palermo, seconded by Councilwoman Prestia, to adjourn the meeting at 8:55PM.

ADOPTED AYES 5 Burke, Arone, Palermo, Prestia, Skoufis
 NOES 0

Desiree Potvin, Town Clerk

A closed session with attorneys regarding litigation was held after adjournment.