

Minutes of the Town Board Worksession held at Town Hall on July 15, 2013 at 7:30PM

Present: John Burke, Supervisor  
Timothy Arone, Frank Palermo and Marilyn Prestia, Councilpersons  
Absent: None  
Also Present: Robert Weyant, Highway Superintendent; Al Fusco, Town Engineer

**1. Discussion – Electric Savings Analysis:**

Supervisor Burke stated he contacted Orange County to determine what they have been doing to try to save money on energy utility bills. They referred him to M & R Energy Resources Corporation. He, with other members of his staff, met with Melissa Massimi, President, a few weeks ago and thought her proposal was good enough to bring before the Board. Mrs. Massimi stated she is currently working with Orange County, and several other municipalities in the County, to do what can be done to save money on electric and natural gas supply. She explained her process, which is to obtain bids from the six best suppliers of the 42 that are in the market. Many factors are taken into consideration when choosing these six suppliers including history, swing tolerance (whether they charge a fee for going a determined percentage over or under the average lode), how they bill (whether separate from Orange & Rockland or directly on the Orange & Rockland invoice) and their customer relations. Most contracts are for a 24 month “lock-in” period. She stressed that should an account be closed, the supplier may require payment for the remainder of the contract. Should an account be added, it will be done so a current market value but would end with the existing contract. Due to the type of market this commodity is, prices are usually only held for a few hours. The Town currently consumes approximately 990,000 kWh annually and she is projecting a savings of \$14,485 per year (equivalent to approximately 19%). The Board asked some questions about the work that is done by M & R and how other municipalities handle their electric contracts. After further discussion, a motion was offered by Councilman Palermo, seconded by Councilman Arone, to authorize M & R Energy Resources Corporation to solicit bids from suppliers for our electrical needs and to authorize the Supervisor to sign a contract for either 24 months or 36 months based on the bids received and the recommendation of M & R Energy Resources Corporation.

**ADOPTED**      AYES    4            Burke, Arone, Palermo, Prestia  
                     NOES    0

**2. Discussion – WP3 Request to Relocate Open Space:**

William Brodsky, developer of Woodbury Junction (WP3), submitted a letter to the Town Board regarding the ability to relocate portions of the sanitary sewer and associated drainage at Woodbury Junction by way of an easement and by exchanging portions of the Town of Woodbury open space. Mr. Brodsky explained that the development was reviewed by both the Town and Planning Boards in 2004 through 2006. He explained the history of the development and noted that the plan proposed this evening was the original design but, due to the litigation involving the Harriman Wastewater Treatment Plant/Orange County Sewer District #1 (OSCD#1), an alternate plan was approved that routed the sewer to the Highland Lake Estates Sewer Treatment Plant (HLESTP). Mr. Brodsky, and his engineer Jason Pitingaro, explained the proposal which involves eliminating a pond, enlarging another pond, and running a gravity fed system across two properties on Julien Court/Ninninger Road instead of the force main that was approved. An easement of less than 100’ will be needed from the Town as well. This plan will lessen the encumbrances that exist currently on the Town’s open space properties. Mr. Brodsky stated, several times, that this proposed plan is “good planning and good engineering”. It was noted that included with this request was a letter from the Village Planning Board attorney stated they support the application. Letters were also received from Iris Espinosa and the Kuhns family supporting

this application and indicating that the new design could enable them to receive municipal sewer. Correspondence was also received from William McClennan, Village Water/Sewer Superintendent and Dennis Lindsay, Village Engineer, indicating their comments on the application and some outstanding issues they feel should be resolved. Mr. Pitingaro and Mr. Brodsky addressed some of these issues and answered many questions that the Town Board asked. Supervisor Burke noted that the Town will be incurring consultant fees during the review of this application and Mr. Brodsky stated he is prepared to pay all consultants fees for its review. Engineer Fusco stated he believes eliminating a pump station makes sense and agrees the size of the easement being sought is minimal. He has not received the plans regarding the two ponds which he would like to be able to review before issuing an opinion, as well as the details of the storm water management plan. Mr. Pitingaro noted that Mr. Brodsky cannot appear before the Planning Board regarding this issue until a decision is rendered by the Town Board. Supervisor Burke felt that this request will have an impact outside of the Woodbury Junction development and that there are other factors to be concerned with as well (noting the runoff across Dunderberg Road that occurred during a recent storm). A lengthy discussion continued in which Mr. Brodsky and Mr. Pitingaro were questioned about the plan, the financial effects to the residents, the depths of the ponds, the maintenance of fencing, the County's role in the process, the involvement/responsibilities of the Homeowners Association, the residents of Julien Court and the Village's responsibility once dedicated. Supervisor Burke noted that the Board will review the documents submitted and this item will be discussed again at a future meeting. Prior to that time, he would like the issues raised by Superintendent McClennan addressed and the documents requested by Engineer Fusco made available to him. He would also like input from Village Building Inspector Gary Thomasberger.

**9:55PM – Executive Session:**

Motion was offered by Supervisor Burke, seconded by Councilman Arone, to enter into an executive session pursuant to Article 7 of the Public Officers Law to discuss one item relating to contractual negotiations (UPSEU contract).

**ADOPTED**      AYES    4            Burke, Arone, Palermo, Prestia  
                     NOES    0

*No minutes of the executive session were recorded.*

**Adjournment:**

With no further business to discuss, motion was offered by Councilman Arone, seconded by Councilman Palermo, to end the executive session and adjourn the meeting at 10:40PM.

**ADOPTED**      AYES    4            Burke, Arone, Palermo, Prestia  
                     NOES    0

Desiree Potvin, Town Clerk