

Minutes of the Town Board Meeting held on April 21, 2022 at 7:30PM

Present: Thomas Burke, Supervisor  
Timothy Finnegan and Kathryn Luciani, Council  
Absent: Tyler Etzel, Council

**Public Comment on Agenda Items:** *There were no comments received.*

**Administrative Business:**

a. Acceptance of Minutes – April 7, 2022:

Motion was offered by Councilman Finnegan, seconded by Councilwoman Luciani, to accept receipt of the minutes of the meeting held April 7, 2022.

**ADOPTED** AYES 3 Burke, Finnegan, Luciani  
NOES 0

b. Approval of Abstract:

Motion was offered by Councilman Finnegan, seconded by Supervisor Burke, to approve Abstract 8 containing vouchers 220581 – 220652 and totaling \$267,386.34.

**ADOPTED** AYES 3 Burke, Finnegan, Luciani  
NOES 0

c. Modifications to 2022 Budget:

Motion was offered by Councilman Finnegan, seconded by Councilwoman Luciani, to approve the following modification to the 2022 budget:

- Buildings/Grounds – decreasing A1620.477 (Buildings/Grounds Maintenance Building Repairs Only) by \$10,200, A599 (Appropriated Fund Balance) by \$10,200
- Supervisor’s Office – increasing A1220.462 (Computer Supplies/Checks) by \$270 and decreasing A1220.444 (Schools/Dues) by \$270

**ADOPTED** AYES 3 Burke, Finnegan, Luciani  
NOES 0

d. Change Start Time of May 5 Meeting to 4PM:

Motion was offered by Councilwoman Luciani, seconded by Councilman Finnegan, to change the start time of the May 5 meeting to 4PM due to Cinco de Mayo.

**ADOPTED** AYES 3 Burke, Finnegan, Luciani  
NOES 0

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

**New Business:**

a. Declare Surplus/Advertise for Bids – Equipment/Items from Various Departments:

Motion was offered by Councilman Finnegan, seconded by Councilwoman Luciani, to declare various items of office supplies/equipment as surplus and authorize the Town Clerk to advertise them for sale at auction.

**ADOPTED** AYES 3 Burke, Finnegan, Luciani  
NOES 0

b. Approve Waiver of Parade Permit Fee – Memorial Day Parade:

Motion was offered by Councilwoman Luciani, seconded by Councilman Finnegan, to waive all fees relating to the parade permit application for the Memorial Day Parade scheduled for May 29, 2022.

**ADOPTED** AYES 3 Burke, Finnegan, Luciani  
NOES 0

c. Resolution – Standard Workday for Elected Officials:

Motion was offered by Councilman Finnegan, seconded by Councilwoman Luciani, to resolve that the Town of Woodbury hereby establishes the following as the standard work days for elected and appointed officials and will report the following days to the New York State and Local Employees’ Retirement System based on the record of activities maintained and submitted by these officials to the clerk of the body:

Title	Name	Standard Work Day (hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Average Days Reported (per month)
<b><u>Elected Officials</u></b>					
Supervisor	Thomas Burke	8	1/1/2022-12/31/2023	No	21.68
Town Clerk	Desiree Potvin	8	1/1/2022-12/31/2025	No	18.98
Town Justice	David Hasin	8	1/1/2022-12/31/2025	No	7.48
Town Justice	Bruce Schonberg	8	1/1/2021-12/31/2024	No	6.65
Town Council	Timothy Finnegan	8	1/1/2022-12/31/2025	No	1.62

**ADOPTED** AYES 3 Burke, Finnegan, Luciani  
NOES 0

d. CO16 – JPB Pool – Various Plumbing Fixtures:

Supervisor Burke stated this item is being tabled to the next meeting.

EXTRA ITEM – Request for Exemption from Taxation – Village of Kiryas Joel Properties:

Clerk Potvin stated the following on behalf of Attorney McKay *“the Village of Kiryas Joel sent a letter to the town, on or about February 28, 2022, requesting a real property tax exemption for several properties owned by Kiryas Joel within the Town of Woodbury. In the past several years the Town and Village of Kiryas Joel have been litigating over Village of Kiryas Joel’s claimed entitlement for property tax exemptions and/or reduction of the tax assessment of these properties. Specifically, the State Supreme Court and Appellate Division determined that the town had the right to assess two water*

pipeline parcels, which are among the properties for which Kiryas Joel is now seeking an exemption. Kiryas Joel states that the other properties are “municipal water properties” and should be exempt pursuant to NYS Real Property Law 406. In the past, the Town has chosen to deny the request pursuant to Real Property Tax Law 406(3), which provides the town board with the discretion to grant or deny the request. The issue of whether or not Kiryas Joel is entitled to these exemptions is presently pending in Orange County Supreme Court.” He suggested the Board act in a way which is consistent with its prior determination such that the vote would be to deny the exemption pending the determination of the Orange County Supreme Court.

Motion was offered by Councilman Finnegan, seconded by Supervisor Burke, to approve the following resolution:

**WHEREAS** on or about February 28, 2022, the Town of Woodbury (“Town”) received a written request from the Village of Kiryas Joel (“Village”) seeking to have certain properties owned by the Village located within the Town exempted from taxation pursuant to Real Property Tax Law section 406(3); and

**WHEREAS** the Village’s request seeks an exemption from taxation for the parcels identified by section, block and lot as: 213-1-64.1; 213-1-49; 202-1-19; 247-4-16; 205-4-8; 999-7-1 and 999-7-2, based upon the assertion that the parcels are used for “water supply purposes”;

**NOW, THEREFORE, BE IT HEREBY**

**RESOLVED** that pursuant to the authority vested in the Town Board by Real Property Tax Law section 406(3), the requested tax exemptions for the properties listed herein are denied.

**ADOPTED** AYES 3 Burke, Finnegan, Luciani  
NOES 0

#### **Department Reports/Committee Minutes:**

a. Supervisor Report:

Motion was offered by Councilman Finnegan, seconded by Councilwoman Luciani, to approve the Supervisor’s Report for March 2022 with receipts totaling \$164,154.05 and disbursements totaling \$1,105,674.19.

**ADOPTED** AYES 3 Burke, Finnegan, Luciani  
NOES 0

b. Town Clerk’s Report – March 2022

c. Animal Control Report – March 2022

d. Police/Communications Report – March 2022

e. Buildings/Grounds Report – March 2022

f. Parks and Recreation Committee Minutes – March 15, 2022

g. Police Commission Minutes – March 3, 2022

h. Library Director Report – March 2022

i. Library Board Minutes – March 22, 2022

j. Beautification Committee Minutes – March 3, 2022

k. Budget vs. Actual – March 2022

#### **Public Comment:**

Brandon Calore, Chairman of the Parks and Recreation Committee, noted some events the department will be holding in the upcoming months – April is “Fly a Kite” month, May is “Chalk Art” month. They are also working on programs for the summer (campouts, basketball, exercise, adult movie night). He urged all to take advantage of what the parks department has to offer the community. Supervisor Burke stated he has attended the Committee meetings and he feels the members are doing a great job coming up with all these events.

**Board Member/Department Comment:**

Joseph Gianzero provided an update of the work his department has done since the last meeting and work at both facilities (asbestos removed from roof of pavilion and workshop, gutters installed at the court, third room completed (kitchenette, new floor) at library, bathroom at court. This weekend mowing will begin. The bobcat is still out of service. Work at the animal shelter will begin once the weather improves. He urged all residents to get their park passes as they are needed to use the park facilities all year long. There are 20 kids enrolled in camp so far and 20 enrolled in the lifeguard course.

Councilwoman Luciani stated Saturday is the open house for the Fire Department and the Village’s annual clean-up day.

Supervisor Burke thanked all for providing great reports this evening. This past week he attended a meeting at Woodbury Common to discuss the traffic control plans for the upcoming Memorial Day Weekend.

**Adjournment:**

With no further business to discuss or comments received, a motion was offered by Councilman Finnegan, seconded by Supervisor Burke, to adjourn the meeting at 7:55PM.

**ADOPTED**      AYES    3            Burke, Finnegan, Luciani  
                     NOES    0

Desiree Potvin, Town Clerk