

Minutes of the Town Board Meeting held on January 5, 2023 at 7:30PM

Present: Thomas Burke, Supervisor  
Brandon Calore, Tyler Etzel, Timothy Finnegan and Kathryn Luciani, Council  
Absent: None

**Oath of Office Ceremony**

Clerk Potvin administered the Oath of Office to Councilman Calore. The Board members collectively welcomed Councilman Calore.

**Public Hearing:**

a. Introductory Local Law 3 of 2022 – Repeal Local Law 2 of 2022:

A public hearing was held to entertain public comments on Introductory Local Law 3 of 2022 with would repeal Local Law 2 of 2022 entitled “Tax Cap Override”. The public notice was printed in the Times Herald Record on December 29, 2022, and the following comments were received:

Supervisor Burke explained, since the adopted 2023 budget was under the State-imposed tax cap, the local law previously adopted is no longer needed and should be repealed.

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

**ADOPTED** AYES 5 Burke, Calore, Etzel, Finnegan, Luciani  
NOES 0

Motion was then offered by Councilman Finnegan, seconded by Councilman Calore, to adopt Local Law 1 of 2023 as printed at the end of these minutes.

**ADOPTED BY ROLL CALL AS FOLLOWS:**

Supervisor Burke	YES
Councilman Calore	YES
Councilman Etzel	YES
Councilman Finnegan	YES
Councilwoman Luciani	YES

**Town Board Comments regarding the passing of former County Legislator Roxanne Donnery:**

Supervisor Burke stated Roxanne was the first Democrat to chair the County Legislature, which proved how respected she was by the members of all political parties. She was a believer and supporter of grassroot efforts, often the person taking the lead, especially for issues that impacted Woodbury. She also was a representative that made sure her constituents were informed of what was happening on the County level. She attended Town Board meetings frequently, not just during election time. She was also a friend and supporter of his father, former Town Supervisor John Burke, during his tenure. He stressed she will be greatly missed by all. Councilwoman Luciani also spoke about Roxanne and her memories of her work in the community.

**Public Comment on Agenda Items:** *No comments were received.*

**2023 Re-Organization Meeting:**

Appointment of Deputy Town Supervisor:

Motion was offered by Supervisor Burke, seconded by Councilwoman Luciani, to appoint Desiree Potvin as Deputy Town Supervisor.

**ADOPTED** AYES 5 Burke, Calore, Etzel, Finnegan, Luciani

NOES 0

Supervisor Burke noted that Mrs. Potvin has declined the stipend for this position.

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Meetings/Official Newspaper/Mileage & Food Reimbursement:

Motion was offered by Councilman Calore, seconded by Councilman Etzel, to hold regular meetings of the Town Board in the Town Hall on the first and third Thursdays of each month at 7:30PM, and that the Town Board will hold a worksession at 6:30PM before each Town Board, if necessary.

**ADOPTED**    AYES    5            Burke, Calore, Etzel, Finnegan, Luciani  
                 NOES    0

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

- 1) That the Middletown Times Herald Record be designated as the official newspaper for the Town of Woodbury.
- 2) That members of the Town Government and employees, when on official business or duty for the Town, shall be paid at the rate of \$0.655 per mile for the use of their car (rate includes gas and wear/tear of vehicle).
- 3) The maximum food allowance per day when employees attend a conference is \$75.00, with no alcoholic beverage reimbursement.

**ADOPTED**    AYES    5            Burke, Calore, Etzel, Finnegan, Luciani  
                 NOES    0

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Investment Policy:

Motion was offered by Councilman Etzel, seconded by Supervisor Burke, to adopt the following:

The objectives of the Investment Policy of the Town of Woodbury are to minimize risk, to ensure that investments mature when cash is required, and to insure a competitive rate of return. In accordance with this policy, the Supervisor is authorized to invest Town funds which are in excess of current operating needs. Town investments are governed by applicable New York State Laws.

The Supervisor is authorized to make the following types of investments, for the present, until other types of investments are submitted to the Town Board:

- a. Direct purchase of guaranteed obligations of the United States Government or obligations of the State of New York and its political subdivisions.
- b. Direct purchase of Certificates of Deposit from the designated depositories of the Town. Such Certificates of Deposit are to be collateralized by obligations enumerated in Section "a" above.
- c. Direct purchase through Repurchase Agreements of guaranteed obligations of the United States Government. Such Repurchase Agreements should be executed either through the designated depositories of the Town or those brokerage firms which are primary United States Government dealers which report to the Federal Reserve Bank of New York.
- d. Time Deposit Accounts are designated depositories of the Town. Such accounts are to be collateralized by the Federal Deposit Insurance Corporation or by obligations enumerated in Section "a" above.

The Supervisor shall deposit all monies received and said monies shall be released together with the related sureties from any liabilities for loss of such monies by reason of the default or insolvency of any such depository.

The following banks are to be designated as official banks for the Town:

Webster Bank, Monroe, NY 10950  
 Lakeland Bank, Highland Mills, NY 10930  
 Bank of America, Cornwall, NY 12518  
 OC Trust Company, Vails Gate, NY 12584  
 TD Bank, Monroe, NY 10950  
 NY CLASS (address unknown)<sup>1</sup>  
 Focus Wealth Management (address unknown)<sup>2</sup>

The Supervisor shall be authorized to invest funds of the Town in these banks during the 2023 Fiscal Year under the following guidelines:

- a. All accounts shall be collateralized at 105%<sup>3</sup> and said collateralization shall be held by a third-party bank.
- b. Collateralization shall be in accordance with the Comptroller's guidelines.
- c. All designated banks will be contacted for competitive rates on an ongoing basis.

**ADOPTED** AYES 5 Burke, Calore, Etzel, Finnegan, Luciani  
 NOES 0

Appointments:

Motion was offered by Councilman Calore, seconded by Councilwoman Luciani, to make the following appointments to the Parks and Recreation Committee: Philip Sabatelli with a term due to expire 12/31/2029 and Lidice Mendoza with a term due to expire 12/31/2024.

**ADOPTED** AYES 5 Burke, Calore, Etzel, Finnegan, Luciani  
 NOES 0

Motion was then offered by Councilman Calore, seconded by Supervisor Burke, to appoint Maria Hunter to the Beautification Committee with a term due to expire 12/31/2029.

**ADOPTED** AYES 5 Burke, Calore, Etzel, Finnegan, Luciani  
 NOES 0

Motion was then offered by Supervisor Burke, seconded by Councilwoman Luciani, to appoint Janice Groth to the Board of Assessment Review with a term due to expire 9/30/2027.

**ADOPTED** AYES 5 Burke, Calore, Etzel, Finnegan, Luciani  
 NOES 0

The Board did not make an appointment to the Library Board and tabled to topic to a future meeting.

Consultants:

Motion was then offered by Councilman Etzel, seconded by Councilman Finnegan, to designate Joseph McKay with the law firm Catania, Mahon & Rider, PLLC, as general legal counsel.

**ADOPTED** AYES 5 Burke, Calore, Etzel, Finnegan, Luciani  
 NOES 0

Motion was offered by Councilwoman Luciani, seconded by Councilman Etzel, to designate Pitingaro & Doetsch as Engineers for the Town.

<sup>1</sup> Authorizing resolution adopted under New Business

<sup>2</sup> Authorizing resolution adopted under New Business

<sup>3</sup> Councilman Etzel asked for clarification regarding this percentage requirement in relation to investment in US Government Bonds. Attorney McKay will research what the collateralization requirement is, if any, and the policy may be amended at a future meeting.

**ADOPTED** AYES 5 Burke, Calore, Etzel, Finnegan, Luciani  
 NOES 0

Motion was then offered by Councilman Etzel, seconded by Supervisor Burke, to designate Thomas McDonough with the law firm Jackson Lewis, as labor attorney.

**ADOPTED** AYES 5 Burke, Calore, Etzel, Finnegan, Luciani  
 NOES 0

Motion was offered by Councilman Calore, seconded by Councilman Etzel, to make the following committee assignments:

Committee Assignments:

Family Visitor Program	Councilman Calore	Councilwoman Lucani
Fiscal Advisory	Supervisor Burke	Councilman Etzel
Library Liaison	Supervisor Burke	Councilman Finnegan
Business Improv. District	Supervisor Burke	Councilman Etzel
Refuse	Supervisor Burke	Councilman Finnegan
Parks Department	Supervisor Burke	Councilman Calore
Police Department	Supervisor Burke	Councilwoman Lucani
Employee Relations	Supervisor Burke	Town Clerk Potvin
Pre-Disaster/Mitigation Planning	Supervisor Burke	Councilman Etzel
Village Liaison	Councilman Calore	Councilman Finnegan
Buildings and Grounds	Supervisor Burke	Councilman Finnegan
Intermunicipal Water Council	Councilwoman Luciani	Councilman Etzel
Cornwall CSD Liaison	Supervisor Burke	Councilman Calore
MWCSD Liaison	Supervisor Burke	Councilwoman Luciani

**ADOPTED** AYES 5 Burke, Calore, Etzel, Finnegan, Luciani  
 NOES 0

Procurement Policy:

Motion was then offered by Councilman Finnegan, seconded by Supervisor Burke, to adopt the procurement policy as follows:

**WHEREAS**, General Municipal Law (GML) 104-b requires every Town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML 103 or any other law; and

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town of Woodbury does hereby adopt the following procurement policies and procedures:

Guideline 1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML 103. "Purchaser" is defined as a Town official, board member, department head or individual assigned by department head to have purchasing authority. Pursuant to GML 104-b, they are listed as follows:

Police	Kevin Watson, Kevin Phillips
Parks	Joseph Gianzero, Frances Jack
Buildings/Grounds	Joseph Gianzero, William McClennan, Brad Cassity, Phil Nask, DJ Sapp
Library	Sara Johnson
Court	Carol Garen, Jill Sarlo
Assessor's Office	Julie Rose
Town Clerk's Office	Desiree Potvin, Nicole Young, Tracy Maggio
Tax Collector's Office	Karin Poggio, Rachel Bruce
Supervisor's Office	Thomas Burke, Laura Morrissey, Lena Baroutjian, Clara Rivera
Senior Center	Shakine Michel, Alexandria Arriaga

Guideline 2. All purchases of (a) supplies or equipment which will exceed \$20,000 or (b) public works contracts over \$35,000 shall be formally bid pursuant to GML 103.

Guideline 3. Purchase of goods of a single item shall follow the following:

Less than \$20,000 but greater than \$10,000	Three written quotes with documentation
Less than \$10,000 but greater than \$5,000	Two written quotes with documentation
Less than \$5,000	Left to discretion of the Purchaser

Pursuant to GML 103(1), purchases of "commodities, services or technology" may not be "artificially divided" for the purpose of satisfying the "discretionary buying thresholds". "The reasonably expected aggregate amount of all purchases of the same commodities, services or technology to be made within the twelve-month period commencing on the date of the purchase" must be considered.

Purchase of public work/services contracts shall follow the following:

Less than \$35,000 but greater than \$20,000	Three written quotes with documentation
Less than \$20,000 but greater than \$5,000	Two written quotes with documentation
Less than \$5,000	Left to discretion of the Purchaser

Any written request for proposals (RFP) shall describe the desired goods, quantity and the particulars of delivery. The Purchaser shall compile a list of all vendors for the quotes that have been received by using the form provided by the Town. All information gathered in complying with the procedures of this policy shall be preserved and attached to the voucher that is submitted for processing of payment to the successful vendor.

In the event that a diagnostic examination results in charges that will fall under a procurement threshold requiring a form of documentation other than initially anticipated, management will determine if the work can proceed without fulfilling the standard requirements of the applicable threshold.

Guideline 4. The lowest responsible bidder shall be awarded a purchase or public works contract unless the Town determines that it is in the best interest of the Town and its taxpayers to make an award to other than the low bidder through use of the "best value" option or the "piggybacking" option pursuant to Chapter 236m of the Town Code. Where an award is made to other than the lowest bidder, the Purchaser must prepare a written justification providing reasons why it is in the best interest

of the Town and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented.

Guideline 5. A good-faith effort shall be made to obtain the required number of proposals/quotes. If the Purchaser is unable to obtain the required number of proposals/quotes, the Purchaser shall document the attempt made. In no event shall the inability to obtain the proposals/quotes be a bar to the procurement.

Guideline 6. Except when directed by the Town Board, no solicitation of proposals/quotes shall be required under the following circumstances:

- (a) Acquisition of professional services;
- (b) Emergencies;

All purchases made under the emergency exception must meet the following criteria: 1) need arises from an accident or unforeseen occurrence or condition; 2) need affects public buildings/property or life, health and safety; 3) immediate action is needed and cannot await competitive bidding or competitive offering.

- (c) Sole-Source situations;
- (d) Goods purchased from agencies for the blind or severely handicapped;
- (e) Goods purchased from correctional facilities;
- (f) Goods purchased from another governmental agency;
- (g) Goods purchased at auction;
- (h) Goods purchased for less than \$5,000;
- (i) Public work/services for less than \$5,000.
- (j) Contracts that have been let by the United States or any agency thereof, any state or any other political subdivision or district therein, pursuant to NYS Comptrollers Guidelines and General Municipal Law Section 103.
- (k) Pursuant to General Municipal Law section 103, subdivision 16, the Town Board may make purchases of apparatus, materials, equipment or supplies, or to contract for services related to the installation, maintenance or repair of apparatus, materials, equipment and supplies, may make such purchases, or may contract for such services related to the installation, maintenance, or repair of apparatus, materials, equipment or supplies as may be required through the use of a contract let by the United States of America or any Agency thereof, any State or any other political subdivision or district therein if such contract was let to the lowest responsible bidder or on the basis of best value and made available for use by other governmental entities.

Guideline 7. This policy shall be reviewed annually by the Town Board at its organizational meeting or as soon thereafter as is reasonably practicable.

**ADOPTED**      AYES    5            Burke, Calore, Etzel, Finnegan, Luciani  
                      NOES    0

Fee Schedule:

Motion was offered by Councilman Finnegan, seconded by Supervisor Burke, to approve the 2023 Fee Schedule as follows:

<b><u>Alarm License Registration:</u></b>	\$5.00
Fines for false alarms:	
Second false alarm per calendar year	\$50.00

Third false alarm per calendar year	\$100.00
Fourth false alarm per calendar year	\$250.00
Fifth false alarm per calendar year	\$350.00
Each false alarm after first five in a calendar year	\$500.00
Each false alarm after first ten in a calendar year	\$600.00

**Dog Licenses:**

Unspayed/Unneutered:	\$20.00 per year (Includes state fee of \$3.00.)
Spayed/Neutered:	\$10.00 per year (Includes state fee of \$1.00.)
Fee for an identified unlicensed dog:	\$5.00 (enumeration)
Replacement Tag	\$3.00

**Filming on Town Property:**

Filming Permit - Not-For-Profit Organization filming on Town Property	\$200
Filming Permit - Profit-Making Entity on Town Property	\$500

\* see Chapter 149 of Town Code regarding escrow posting for use of town services/personnel

**EZ Pass Tag:** \$25.00 (state fee)

**Games of Chance:** \$25.00 per license period.

**Garage Sales:** \$5.00  
 Off-premises sign deposit \$50.00

**Marriage License:** \$40.00 (includes state fee)

**Parade Permit:** \$125.00  
 \* Escrow to be posted for use of town services/personnel

**Park Facilities, Use of:**

Park Passes:	
Resident	\$30 for three-year pass
Renter	\$20 for one-year pass
Rental of Community Center:	
Resident with Park Pass	\$125 per event
Woodbury Community Organizations	no fee with Town Board approval

**Parkland Fee:** \$3,500.00 per lot

Note: The parkland fee is to be paid directly to the Town Supervisor's office to be held in escrow for the benefit of the town's parks.

**Petitions, Applications and/or Submissions:** *To be set by Town Board.*

Note: Fees and/or escrow deposits for petitions, applications, submissions or requests for approvals or other actions by the Town Board as described in Town Code Section 143-2A are set by the Town Board in accordance with Local Law #1-2014.

**Public Records, Access to:**

Photocopies \$0.25 per copy, up to 11" x 17".

Certified Copies: \$10.00 per copy

**ADOPTED** AYES 5 Burke, Calore, Etzel, Finnegan, Luciani  
NOES 0

**Administrative Business:**

a. Acceptance of Minutes:

Motion was offered by Councilman Calore, seconded by Councilwoman Luciani, to accept receipt of the minutes of the meeting held December 15, 2022.

**ADOPTED** AYES 5 Burke, Calore, Etzel, Finnegan, Luciani  
NOES 0

Motion was then offered by Councilman Finnegan, seconded by Councilman Etzel, to accept receipt of the minutes of the meeting held December 29, 2022.

**ADOPTED** AYES 5 Burke, Calore, Etzel, Finnegan, Luciani  
NOES 0

b. Approval of Abstract:

Motion was offered by Councilman Finnegan, seconded by Councilwoman Luciani, to approve Revised Abstract 24 by voiding voucher 222234 (check #26687) in the amount of \$4206.86. This reduces the total of the abstract to be \$425,457.74.

**ADOPTED** AYES 4 Burke, Etzel, Finnegan, Luciani  
ABSTAIN 1 Calore

Motion was then offered by Councilman Etzel, seconded by Councilwoman Luciani, to approve Abstract 1 containing vouchers 230001- 230040 (voiding check #26723, voucher 23010) and totaling \$121,009.40.

**ADOPTED** AYES 5 Burke, Calore, Etzel, Finnegan, Luciani  
NOES 0

c. Budget Modification(s) to 2022 Budget:

Motion was offered by Councilman Etzel, seconded by Councilman Finnegan, to approve modifications to the 2022 budget as follows:

- Various General Fund Appropriations – increasing A1620.446 (Community Center Propane) by \$60.32, A1620.423 (Safety Equipment) by \$267.55, A7110.200 (Parks Equipment) by \$48.41, A1620.493 (Historical Library) by \$200.00, A7110.482 (Trees) by \$756.76, decreasing A1620.432 (PPE Supplies) by \$467.55, increasing A1650.401 (Central Telephone) by \$220.00, decreasing A7110.423 (Holiday Supplies) by \$48.41, A1620.412 (Electrical Work) by \$60.32, A7110.465 (1st Responders Day) by \$756.76, increasing A1220.101 (Compensated Absences) by \$2300.00, decreasing A1220.430 (Supervisor Trans/Travel) by \$600.00, A1220.445 (Meetings) by \$895.00, A9010.800 (Retirement) by \$805.00, A1930.400 (Judgements & Claims) by \$220.00, increasing A3510.403 (Heating Oil) by \$573.07, decreasing A3510.416 (Uniforms) by \$573.07, increasing A7620.469 (Kitchen/Food Supplies) by \$678, A7620.405 (Activities) by \$300, decreasing A7620.400 (Contractual Expenses) by \$160, A7620.411 (Office Supplies) by \$720.89, A7620.200 (Equipment) by \$677.74, increasing A2089 (Other Culture & Recreation Income) by \$2,700, A7620.414 (Trips) by \$3,750, A2401 (Interest Earnings) by \$469.37
- Library – increasing L7410.200 (Equipment) by \$3,500, L7410.407 (Legal) by \$5,000, L7410.401 (Telephone) by \$1,000, L7410.402 (Electricity) by \$3,000, L7410.435 (Books) by \$2,000,



L9060.800 (Health Insurance) by \$9,600, decreasing L7410.464 (Equipment Maintenance) by \$3,500, L7410.100 (Personal Services) by \$7,000, L7410.410 (Building Maintenance) by \$4,000, L7410.411 (Office Supplies) \$1,000, L7410.202 (Automation) by \$1,000, L9060.801 (HRA MVP Health Insurance) by \$7,600

- General Fund – increasing A4089 (Federal Aid, Other) by \$125,000, A1620.479 (CDBG ADA Doors/Senior/Library) by \$125,000.

**ADOPTED**      AYES            4            Burke, Etzel, Finnegan, Luciani  
                     ABSTAIN          1            Calore

d. Acceptance of Resignation – N Seymour:

Motion was offered by Councilman Finnegan, seconded by Councilwoman Luciani, to accept the resignation of Nicholas Seymour from the position of part-time Dispatcher effective immediately (letter dated December 22, 2022).

**ADOPTED**      AYES    5            Burke, Calore, Etzel, Finnegan, Luciani  
                     NOES    0

EXTRA ITEM – Appointment of Full-Time Groundskeeper:

Motion was offered by Councilman Calore, seconded by Councilwoman Luciani, to approve the appointment of Dominick Coviello to the position of full-time Groundskeeper at an hourly rate of \$28.5458 and start date of January 16, 2023 (to fill the vacancy made by Robert Blair), subject to the probationary term in accordance with Orange County Rules for the Civil Service.

**ADOPTED**      AYES    4            Burke, Calore, Finnegan, Luciani  
                     NOES    1            Etzel

**Old Business:**

a. Authorize Supervisor to Sign – JFS 2023 Memorandum of Agreement:

Motion was offered by Supervisor Burke, seconded by Councilman Calore, to authorize the Supervisor to sign the 2023 Memorandum of Agreement with Jewish Family Services for the administration of the Friendly Visitors Program for 2023 at a cost of \$8000.

**ADOPTED**      AYES    5            Burke, Calore, Etzel, Finnegan, Luciani  
                     NOES    0

Councilman Etzel noted, of the \$8000, \$3000 is paid for the recruitment of volunteers. According to the paperwork, only two volunteers were added last year. Supervisor Burke stated the last few years the program had been very successful prior to the Town’s dedicated representative retiring (Neil Crouse). It was decided the recruitment will be kept for 2023 and reevaluated at the end of the year. All agreed the program is a great service to provide.

**New Business:**

a. NYCLASS Municipal Cooperation Resolution:

Motion was offered by Councilman Etzel, seconded by Councilwoman Luciani, to adopt the following resolution:

**WHEREAS**, New York General Municipal Law, Article 5-G, Section 119-o (Section 119-o) empowers municipal corporations [defined in Article 5-G, Section 119-n to include school districts, boards of cooperative education services, counties, cities, towns and villages, and districts] to enter into, amend, cancel, and terminate agreements for the performance amount themselves (or one for the other) of their respective functions, powers, and duties on a cooperative or contract basis;

**WHEREAS** the Town of Woodbury wishes to invest portions of its available investment funds in cooperation with other corporations and/or districts pursuant to the NYCLASS Municipal Cooperation Agreement Amended and Restated as March 28, 2019;

**WHEREAS** the Town of Woodbury wishes to satisfy the safety and liquidity needs of their funds; Now, therefore, it is hereby resolved as follows:

That Thomas J Burke, Supervisor/Chief Fiscal Officer of Town of Woodbury is hereby authorized to participate in the NYCLASS program under the terms of the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019.

**ADOPTED**      AYES    5            Burke, Calore, Etzel, Finnegan, Luciani  
                     NOES    0

Councilman Etzel noted they are offering a considerably higher interest rate than what the town is earning for our current banking institutes. This entity is perfect for short-term investments and very easy to move funds around. This will earn the Town more money on our fund balance.

b. Focused Wealth Management Resolution:

Motion was offered by Councilman Etzel, seconded by Councilwoman Luciani, to RESOLVE that the Board Members, Treasurer of this town, or any one of such officers, are hereby fully authorized and empowered to open a brokerage account, transfer, endorse, sell, assign, set over, and deliver any and all shares of stocks, bonds, debentures, notes, evidences of indebtedness, and other securities (on margin or otherwise), and to make, execute, and deliver, under the corporate seal of this corporation, any and all written instruments necessary or proper to effectuate the authority hereby conferred.

**ADOPTED**      AYES    5            Burke, Calore, Etzel, Finnegan, Luciani  
                     NOES    0

Councilman Etzel explained this group will pay a higher interest rate, but the investment is for a longer period investment.

c. Ridge Road Bridge Replacement Project:

Supervisor Burke stated a meeting was held today with the Engineer Pitingaro, Councilman Etzel, Attorney McKay, Village Streets Superintendent Weyant and Sullivan Paving (the company that installed the temporary bridge). As has been previously stated, the Town is responsible for the bridge under NYS Highway Law. The Village was previously serving as Lead Agency for the project when the plan was to repair the bridge, with all costs being shared between both municipalities. The plan has now changed as it has been determined the best way to move forward is to replace the entire bridge. The Town will now be assuming full administrative and fiscal responsibility for this project. Grants will be sought, and FEMA will be asked for assistance as well. If neither become available, then bonding may be necessary. Motion was offered by Councilman Finnegan, seconded by Councilman Calore, to adopt the following resolution authorizing the Town Supervisor to file a grant application for the replacement of the Ridge Road bridge:

**WHEREAS**, the Town of Woodbury owns the Ridge Road Bridge; and

**WHEREAS**, the Town's consulting engineers, Pitingaro & Doetsch, have preliminary determined that the Ridge Road bridge is in need of replacement, including installation of scour protection along the stream channel in the vicinity of the bridge (the "proposed action"), rather than repair; and

**WHEREAS**, the Town wishes to make an application to the New York State Department of Transportation's "Bridge, NY Program" to obtain funding to replace the bridge; and

**WHEREAS**, the Town hereby determines that the proposed action is subject to the NYS Environmental Quality Review Act ("SEQRA"); and

**WHEREAS**, the action may involve one or more agencies; and

**WHEREAS**, the Town Board preliminarily classifies the action as an unlisted action pursuant to SEQRA, and determine that coordinated review of the project is appropriate.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board authorizes the Town Supervisor to execute and submit a funding application, in coordination with Pitingaro & Doetsch to the New York State Department of Transportation’s “Bridge NY Program”; and it is further

**RESOLVED** that the attorneys for the Town are authorized and directed to prepare a “Notice of Intent to be Lead Agency” for the project.

**ADOPTED**     AYES    5            Burke, Calore, Etzel, Finnegan, Luciani  
                  NOES    0

**Public Comment:**

The following individuals spoke during public comments. All comments can be heard/seen by watching the meeting on online: <https://www.youtube.com/watch?v=daTe5klrlg0> and <https://www.youtube.com/watch?v=daTe5klrlg0&t=93s>

Maria Hunter                    Teresa Luongo                    Lidice Mendoza

**Board Member/Department Comment:**

The following individuals spoke during Board Member/Department Comments. All comments can be heard/seen by watching the meeting on online:

<https://www.youtube.com/watch?v=daTe5klrlg0> and <https://www.youtube.com/watch?v=daTe5klrlg0&t=93s>

Maria Hunter, Beautification Committee  
Councilman Calore  
Councilman Finnegan  
Councilwoman Luciani  
Councilman Etzel  
Supervisor Burke

**Adjournment:**

With no further business to discuss or comments received, a motion was offered by Councilman Calore, seconded by Councilman Etzel, to adjourn the meeting at 8:35PM.

**ADOPTED**     AYES    5            Burke, Calore, Etzel, Finnegan, Luciani  
                  NOES    0

Desiree Potvin, Town Clerk

**LOCAL LAW 1 OF 2023**

A LOCAL LAW REPEALING LOCAL LAW 2 of 2022 ENTITLED, “A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C”, PREVIOUSLY ADOPTED ON OCTOBER 6, 2022.

Be it enacted by the Town Board of the Town of Woodbury as follows:

**Section 1. Title**

This Local Law shall be referred to as "A LOCAL LAW REPEALING LOCAL LAW NO 2 OF 2022," entitled "A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GML § 3-c".

**Section 2. Purpose and Legislative Intent**

Pursuant to General Municipal Law Section 3-D, upon the adoption of the budget by a local government unit, the Chief Executive Officer or Budget Officer of the local government wishing to render its taxpayers eligible for the real property tax freeze credit must: (i) certify that the budget adopted for the tax year in question does not exceed the tax levy limit; or (ii) if the governing body of the local government unit has enacted a local law or approved a resolution allowing the government unit to override the tax levy limit for the year in question, certify that such local law was subsequently repealed.

Therefore in order to comply with the requirements of section 3-D, Local Law No 2 of 2022, which was adopted on October 6, 2022 authorizing the Town of Woodbury to override the tax levy limit for 2023, is hereby repealed in its entirety.

**Section 3. Authority**

This Local Law is enacted pursuant to Municipal Home Rule Law §10. This local law shall supersede any special law to the extent it is inconsistent with the same and to the extent permitted by the New York State Constitution, the Municipal Home Rule Law, or any other applicable statute. This local Law shall supersede any inconsistent local law.

**Section 4. Rules and Regulations**

The Town Board is authorized to adopt rules and regulations, by resolution, to further implement the provisions of this local law.

**Section 5. Severability**

If any part or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstances, and the Town Board of the Town of Woodbury hereby declares that it would have passed this local law or the remainder thereof had such invalid application or invalid provision been apparent.

**Section 6. Repeal**

All ordinances, local laws and parts thereof inconsistent with this local law are hereby repealed.

**Section 7. Effective Date**

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.