

Minutes of the Town Board Meeting held at Town Hall on December 20, 2012 at 7:30PM

Present: John Burke, Supervisor
Timothy Arone, Frank Palermo, Marilyn Prestia and James Skoufis, Councilpersons
Absent: None
Also Present: Robert Weyant, Highway Superintendent; Dorothy Morris, Francis VanEtten and Patricia Reynolds, Library Board; Maria Hunter, Village Planning Board

I. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Councilman Skoufis, seconded by Councilman Arone, to accept the minutes of the regular meeting held December 6, 2012.

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

Motion was then offered by Supervisor Burke, seconded by Councilman Arone, to accept the minutes of the worksession held December 17, 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 25 containing Vouchers 20122648 – 20122803 (voiding checks 8458-8582 due to printer jam) and totaling \$512,194.15.

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

c. Acceptance of Resignation – Councilman:

Motion was offered by Councilwoman Prestia, seconded by Councilman Palermo, to accept the resignation, with regrets, of James Skoufis as Councilman effective at 11:59PM on December 31, 2012.

ADOPTED AYES 4 Burke, Arone, Palermo, Prestia
ABSTAIN 1 Skoufis

d. Appointment – Police Sergeant:

Motion was offered by Councilman Palermo, seconded by Councilman Arone, to appoint/promote Kevin Phillips to the position of Police Sergeant effective December 21, 2012.

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

The Oath of Office was administered to Sergeant Phillips by Clerk Potvin. Chief Vasquez congratulated Sgt. Phillips and his family on this promotion. He highlighted some of Sgt. Phillips abilities and stated he looks forward to working with him in a managerial capacity. He then presented Sgt. Phillips with his new shield and Councilman Palermo presented him with his Sergeant's lapel pin. Sgt. Phillips' wife then pinned his new Sergeant badge onto his uniform. Councilman Palermo noted that he was on the Board in the late 1990s when Sgt. Phillips was hired as a Police Officer and he is happy to be here now when he is being promoted. Sgt. Phillips thanked Chief Vasquez for the opportunity and the Town Board for selecting him. He thanked his wife and the members of the Police Department for supporting him. He stressed he will always be available to the residents and is very excited for this moment in his life.

e. Budget Modifications:

Motion was offered by Councilman Arone, seconded by Councilman Palermo, to approve a modification to the budget of the Highway Department by decreasing DB5110.464 (Liquid Calcium) by \$1818, DB5110.475 (Road Striping) by \$6000, DB5110.465 (Blacktop) by \$6456 and increasing DB5110.406 (Custodial Supplies) by \$276, DB5110.425 (Grounds/Weed Control) by \$914, DB5110.472 (Sidewalks) by \$599, DB5110.477 (Garage Perimeter) by \$29, DB5130.468 (Sweeper Repairs) by \$6000 and DB5110.452 (Sand & Gravel) by \$6456.

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

Motion was then offered by Councilman Palermo, seconded by Councilman Arone, to approve a modification to the budget of the General Fund by decreasing A1010.400 (Town Board Contractual Expense) by \$800, A7520.401 (Historical Telephone) by \$260, A7620.403 (Adult Recreation Heating Oil/Gas) by \$140 and increasing A1010.430 (Town Board Transportation/Travel) by \$200, A1010.415 (Special Prosecutor) by \$600, A7520.402 (Historical Electricity) by \$260 and A7620.401 (Adult Recreation Telephone) by \$140.

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

Motion was then offered by Councilwoman Prestia, seconded by Councilman Skoufis, to approve a modification to the budget of the Library by decreasing L7410.202 (Automation) by \$1660, L7410.464 (Equipment Maintenance) by \$1330 and increasing L7410.200 (Equipment) by \$2990.

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

Motion was then offered by Councilman Palermo, seconded by Councilman Arone, to approve a modification to the budget of the Buildings/Grounds Department by decreasing A1620.100 (Buildings and Grounds Personal Services) by \$725 and increasing A1620.101 (Compensated Absences) by \$725.

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

Motion was then offered by Councilman Arone, seconded by Councilman Palermo, to approve a modification to the budget of the Woodbury Common BID by decreasing SMB9015.800 (Retirement – Police) by \$820 and increasing SMB9010.800 (Retirement) by \$820.

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

Motion was then offered by Councilwoman Prestia, seconded by Councilman Palermo, to approve a modification to the budget of the Animal Control Officer by decreasing A3510.444 (Schools/Dues) by \$250, A3510.480 (Vaccinations) by \$247 and increasing A3510.411 (Office Supplies) by \$497.

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

Motion was then offered by Councilman Arone, seconded by Councilman Palermo, to approve a modification to the budget of the Police Department by decreasing B3120.100 (Personal Services) by \$7031 and increasing B3120.435 (Books/Films) by \$31, B3120.472 (Repairs to Station) by \$5000, B3120.453 (Vehicles Repairs) by \$1000 and B3120.418 (Radio Rental) by \$1000.

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

Motion was then offered by Supervisor Burke, seconded by Councilman Arone, to approve a modification to the budget of the Buildings/Grounds Department by increasing A2665 (Sale of Equipment) by \$3698, decreasing A1620.100 (Buildings Personal Service) by \$6370, A1620.410 (Building Materials) by \$1600, A1620.414 (Architect/Engineer) by \$700, A1620.453 (Diesel) by \$4000 and increasing A1620.200 (Equipment) by \$10,875, A1620.404 (Water Bills) by \$145, A1620.405 (Paint) by

\$285, A1620.409 (Plumbing) by \$194, A1620.412 (Electrical) by \$77, A1620.424 (Dog Park) by \$24, A1620.425 (Grounds/Weed Control) by \$1269, A1620.426 (Chemical Supplies) by \$565, A1620.462 (Repairs/Materials) by \$2861 and A1620.467 (Animal Shelter Maintenance) by \$73.

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

Motion was then offered by Councilman Arone, seconded by Councilman Skoufis, to approve a modification to the budget of the Highway Fund by increasing DB2665 (Sale of Equipment) by \$15,200, decreasing DB5110.100 (Personal Services General Repairs) by \$14,798 and increasing DB5130.200 (Machinery/Equipment) by \$29,998.

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

Motion was then offered by Councilwoman Prestia, seconded by Supervisor Burke, to approve a modification to the budget of the Town Clerk's Office by decreasing A1410.454 (Advertising) by \$270, A1410.435 (Law Books) by \$100 and increasing A1410.463 (Computer Maintenance) by \$70, A1410.411 (Office Supplies) by \$300.

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

Motion was then offered by Councilman Arone, seconded by Councilman Palermo, to approve a modification to the budget of the Highway and Refuse District by decreasing A5132.402 (Electricity) by \$1229, A5132.403 (Heating Oil/Gas) by \$1000, SR8160.410 (Advertising) by \$955 and increasing A5010.200 (Equipment) by \$2229, SR8160.200 (Equipment) by \$955.

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

Motion was then offered by Supervisor Burke, seconded by Councilwoman Prestia, to approve a modification to the budget of the Supervisor's Office by increasing A599 (Appropriated Fund Balance) by \$1934, decreasing A1670.401 (Central Printing) by \$1200 and increasing A1220.200 (Equipment) by \$3134.

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

f. Appointment – Beautification Commission:

Motion was offered by Supervisor Burke, seconded by Councilman Arone, to appoint Cory Tschinkel to the Beautification Commission.

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

g. Rescheduling of December 31 Worksession Start-Time to 10:30AM:

Motion was offered by Councilman Arone, seconded by Councilwoman Prestia, to change the start time of the December 31 worksession from 7:30PM to 10:30AM.

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

h. Change in Title – Investigator to Police Officer:

Motion was offered by Supervisor Burke, seconded by Councilman Palermo, to change the title of Eric Johnson from Investigator to Police Officer within the Police Department. This is based on the mutual agreement between Mr. Johnson and the Police Department.

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

i. Adoption of 2013 Holiday Calendar:

Motion was offered by Councilman Arone, seconded by Councilman Palermo, to adopt the 2013 Holiday Calendar for days that the Town offices will be closed as follows: January 1 (New Year's Day), January 21 (Martin Luther King Jr. Day), February 18 (President's Day), May 27 (Memorial Day), July 4 (Independence Day), July 5 (Floating Holiday), September 2 (Labor Day), October 14 (Columbus Day), November 11 (Veteran's Day Observed), November 28 and 29 (Thanksgiving), December 25 (Christmas). Eligible employees also receive their birthday.

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

II. Old Business:

a. Schedule Public Hearing – West Point Farms Street Lighting District:

Motion was offered by Supervisor Burke, seconded by Councilman Palermo, to schedule a public hearing to be held on January 17, 2013 at 7:30PM to entertain public comments on the formation of the West Point Farms Street Lighting District, as requested by the developer of West Point Farms.

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

b. Amendment – Youth Bureau Acceptance of Funds:

Motion was offered by Councilwoman Prestia, seconded by Councilman Arone, to amend the motion adopted at the December 6, 2012 meeting accepting the funds from the Youth Bureau for 2013 to show the total amount to be \$5965 (\$3145 for recreation and \$2820 for service) and to authorize the Supervisor to sign the revised contract when received.

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

III. New Business:

a. Certificate of Appreciation – Frances Van Etten:

Supervisor Burke noted that Frances VanEtten has been a member of the Library Board for almost 50 years. Recently, a letter was received from Mrs. VanEtten stating she does not wish to seek another term on the Library Board. Her term expires December 31, 2012. Mrs. VanEtten was acknowledged for her 47 years of service on the Library Board and was presented with a certificate by Councilman Palermo on the Boards behalf.

b. Payout of Unused Vacation Time:

A request was received from Dennis Tenney (Highway) and Robert Blair (Buildings/Grounds) regarding vacation leave time they have that will be lost if not used by the end of the year. Rather than taking the time off causing their respective departments to be understaffed, both request to be paid out for this time, which is permitted in their union contract. A motion was offered by Supervisor Burke, seconded by Councilman Arone, to payout to Dennis Tenney five vacation leave days and to Robert Blair ten vacation leave days.

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

c. Change Order No 2 – Park Avenue Road/Stream Embankment Repair:

Motion was offered by Councilman Arone, seconded by Councilman Palermo, to authorize the Supervisor to sign Change Order No 2 for the Park Avenue Road/Stream Embankment Repair project

with Jorrey Excavating totaling \$15,000 due to the following reasons pursuant to the consulting engineer: "The contract submitted a number of individual claims divided into two broad categories: 1) weather/precipitation impacts in connection with higher than average rain, experienced during project construction (2011) which totaled \$34,488. These claims were denied in accordance with the General Conditions of the contract; 2) restoration of Hurricane Irene damage which included work associated with the removal and disposal of sediment deposited within the work zone (area between Hollis Avenue and Hall Line Drive). These damages totaled \$28,633. The owner and contractor met several times and since the hurricane resulted in changed field conditions negotiated an agreed amount of \$15,000 for this work. This negotiated agreement rejected all claims for delay, loss of productivity and similar claims for delays caused by weather."

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

Supervisor Burke noted now that the project has been completed, the process to receive reimbursement from FEMA can be completed. The reimbursement is expected to be approximately 75% of the total projects cost.

IV. Department Reports:

a. Supervisor's Report:

Motion was offered by Councilwoman Prestia, seconded by Councilman Palermo, to approve the Supervisor's Report for November 2012 with receipts totaling \$724,161.85 and disbursements totaling \$2,028,917.14.

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

b. Town Clerk's Report – November 2012

c. False Alarm Report – October 2012

d. Parks/Recreation Minutes – November 13, 2012

e. Animal/Goose Control Report – November 2012

f. Police/Communications Report – November 2012

g. Beautification Commission Minutes – No Meeting Held

h. Library Minutes – November 13 and December 11, 2012

i. Budget vs. Actual – November 2012

V. Public Comment:

Councilman Palermo stated it has been a great pleasure to see Councilman Skoufis pursue his career in the Assembly and congratulated him on the accomplishment. Councilman Arone stated it has been a pleasure working with Councilman Skoufis and hopes he takes his bi-partisan views to Albany. Councilwoman Prestia stated it has been a pleasure working with Councilman Skoufis. Supervisor Burke stated Councilman Skoufis has been instrumental in bringing a lot of creativity to the Board. He feels that he is a bright individual and has been very committed to his position. Councilman Skoufis stated public service can sometimes be a thankless job but he has never found that to be the case. The past three years serving on the Town Board have been some of the most awarding for him. He has been blessed to help residents on a local level and that he is leaving the Board in very good hands. He is looking forward to going to Albany and will still be around as a strong part of the community.

Supervisor Burke noted that Woodbury once again had a great holiday season. He mentioned the accomplishments of the Beautification Commission regarding the holiday decorations that were erected throughout Town, the Parks Department and the success they had this weekend with their annual holiday party, the Fire Departments for selling trees to the community and hosting their annual

holiday program for children, and the Police Department for annually sponsoring the "Toys for Tots" program. He also noted there are various institutions around Town that are celebrating the holiday season in their own specific way and doing so splendidly.

Ben Meyers congratulated Councilman Skoufis on his newly elected position to the Assembly and Sgt. Kevin Phillips on his promotion.

Maria Hunter acknowledged the members of the Beautification Commission and detailed the decorations that were erected this year, noting that the Central Valley Library and the Animal Shelter was decorated for the first time this year. She then thanked the residents and businesses for decorating as well.

Dorothy Morris congratulated Councilman Skoufis on his recent election. She then spoke about the experiences in the library that Frances VanEtten has witnessed over the past 47 years. She urged the public to volunteer whenever possible because the Town would not be where it is today without volunteers.

VI. Adjournment:

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

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

Desiree Potvin, Town Clerk