

Minutes of the Town Board Meeting held at Town Hall on October 4, 2012 at 7:30PM

Present: John Burke, Supervisor  
Timothy Arone, Frank Palermo and Marilyn Prestia, Councilpersons  
Absent: James Skoufis, Councilman  
Also Present: Richard Liberth, Attorney for the Town; Robert Weyant, Highway Superintendent; Maria Hunter, Planning Board

**I. Administrative Business:**

a. Acceptance of Minutes:

Motion was offered by Councilman Palermo, seconded by Councilman Arone, to accept the minutes of the regular meeting held September 20, 2012.

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

Motion was then offered by Councilwoman Prestia, seconded by Councilman Palermo, to accept the minutes of the worksession held October 1, 2012.

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

b. Approval of Abstract:

Motion was offered by Councilman Arone, seconded by Councilwoman Prestia, to approve Revised Abstract 19 by voiding Voucher 20121961 (check #7879) for \$341.75. This reduces the Abstract's total to \$197,854.40.

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

Motion was then offered by Councilman Palermo, seconded by Supervisor Burke, to approve Abstract 20 containing Vouchers 20122116 – 20122232 and totaling \$329,552.29.

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

c. Receipt of 2013 Tentative Budget:

Town Clerk Potvin stated pursuant to Town Law Section 106(3) copies of the Fiscal Year 2013 Tentative Budget was received by her on September 28 and have been distributed to the Board members.

d. Appointments to Library Board:

Motion was offered by Councilman Palermo, seconded by Councilman Arone, to appoint Stephanie Ross to fill the vacancy on the Library Board made by Kim Hood. This term will expire December 31, 2015.

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

Motion was then offered by Councilman Palermo, seconded by Councilwoman Prestia, to appoint Angela McKeown Cooper to fill the vacancy on the Library Board made by Nancy Simpson. This term will expire December 31, 2015.

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

e. Advertise for Existing/Upcoming Vacancies:

Motion was offered by Supervisor Burke, seconded by Councilman Palermo, to authorize the Town Clerk to advertise for vacant seats and expiring terms on the Library Board, Parks & Recreation Commission and the Board of Assessment Review. Letters of interest will be accepted until close of business on October 19, 2012 and interviews will be held at the December 3 worksession (and December 17 if necessary).

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

**EXTRA ITEM – Budget Modifications:**

Motion was offered by Councilman Arone, seconded by Councilman Palermo, to approve a modification to the budget of the General Fund by decreasing A1620.426 (Chemical Supplies) by \$4500, A1620.465 (Blacktopping) by \$1000 and increasing A1620.452 (Vehicle Maintenance) by \$5500.

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

Motion was then offered by Councilman Palermo, seconded by Councilwoman Prestia, to approve a modification to the budget of the General Fund by increasing A599 (Appropriated Fund Balance) by \$13,700 and increasing A9040.800 (Workers Compensation) by \$13,700.

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

Motion was then offered by Councilwoman Prestia, seconded by Councilman Palermo, to approve a modification to the budget of the Parks Department by decreasing A7110.100 (Parks Personal Services) by \$9295 and increasing A7110.462 (Repairs/Material Replacement) by \$9295.

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

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

**III. New Business:**

a. Dental Insurance Contract Renewal:

Motion was offered by Supervisor Burke, seconded by Councilman Palermo, to authorize the Supervisor to sign the 2013 Dental Insurance contract renewal with a 0% premium increase.

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

b. Schedule Public Hearing – Adoption of Assessment Rolls:

Motion was offered by Supervisor Burke, seconded by Councilwoman Prestia, to schedule a public hearing to be held on October 18, 2012 at 7:30PM to entertain public comments on the adoption of the following assessment rolls: Consolidated Sewer, Refuse, Highland Lake Estates Sewer, Water No 6 (Amdur Park), Sewer No 1 (Valley Forge), Brigadoon Sewer (improved and vacant) and Woodbury Common Sewer.

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

c. Schedule Public Hearing – Tax Cap Override Local Law:

Motion was offered by Councilman Arone, seconded by Councilman Palermo, to schedule a public hearing to be held on October 18, 2012 at 7:30PM to entertain public comments on the adoption of a local law that would permit the Board to adopt a budget for FY2013 in excess of the “tax levy limit” as defined in General Municipal Law Section 3-c, if necessary.

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

d. Authorize Submission of Grant – OCCD CDBG-DR:

Motion was offered by Supervisor Burke, seconded by Councilman Palermo, to authorize the submission of a Municipal Grant Eligibility form for consideration under the Orange County Community Development (CDBG-DR) Disaster Recovery Program and that the Supervisor is hereby authorized to submit this form. The Board has read and understands the Municipal Grant Eligibility form and has met all of its applicable requirements and that the information contained in the form is accurate and true to the best of their knowledge.

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

e. Authorize Submission of Grant – Justice Court:

Motion was offered by Supervisor Burke, seconded by Councilman Palermo, to authorize the submission of a grant application through the Justice Court Assistance Program totaling \$1509.91 for the acquisition of new chairs for the Jurors, 160° mirror for Court office and a rolling filing cabinet for criminal court.

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

f. Proclamation – Pine Tree Elementary School 50<sup>th</sup> Anniversary:

Motion was offered by Supervisor Burke, seconded by Councilwoman Prestia, to adopt the following proclamation:

**WHEREAS**, the Pine Tree Elementary School opened its doors to the community in 1962 and will be celebrating their 50<sup>th</sup> Anniversary on October 18, 2012; and

**WHEREAS**, the past and present teachers, support staff and administration have provided the thousands of students with outstanding educational opportunities; and

**WHEREAS**, the dedication of a new playground by the Monroe-Woodbury Central School District will mark this historical event for years to come.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town of Woodbury Town Board, at their meeting held October 4, 2012, recognizes the outstanding accomplishments of the Pine Tree Elementary School as members of our educational community for the past 50 years.

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

g. Schedule Budget Workshops:

Supervisor Burke noted the following dates the Board will hold budget workshops at the Highway Garage: October 9, 11, 12, 22, 23 and 24. Each meeting will begin at 7:30PM.

h. Purchase of Tax Sale Land:

Motion was offered by Councilman Palermo, seconded by Councilwoman Prestia, to authorize the purchase of the following parcels of land from the County as part of a tax sale:

213-1-70            287 Seven Springs Road            \$12,500

219-6-1.2           21 County Route 105                \$5,000

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

**EXTRA ITEM – Surplus Equipment for Auction:**

Motion was offered by Councilman Arone, seconded by Councilman Palermo, to deem the following pieces of equipment as surplus and authorize the Town Clerk to advertise for their sale with Auctions International: 1995 Ford/New Holland Tractor, 1995 Chevrolet Van, 2000 Acura TL, 2006 Dodge Charger, 1986 Doolittle Trailer, 1995 Ford F250, 2006 Dodge Charger and a Mosler floor safe.

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

**IV. Public Comment:**

Superintendent Weyant gave an update on the Roselawn Bridge project, noting that work has been progressing very quickly. The bridge structure is in the ground, the retaining walls will be installed tomorrow and the paving will begin next week. The entire project should be completed within the next several weeks. Supervisor Burke noted the contractor was given 45 days from the construction start date to have the bridge completed and it is hopeful the deadline will be met, which is November 1.

Robin Crouse stated she feels that it is a great idea for the Board to purchase vacant land when it is available from the County for tax sale. She asked where in the budget the money would be spent from and Supervisor Burke stated the fund balance of the General Fund. Mrs. Crouse then asked for an update on the proposed senior services program that was discussed several months ago and Councilman Arone stated he hopes to have one for the next meeting. Mrs. Crouse then asked when new equipment should be expected from Cablevision as part of their franchise agreement. Councilman Palermo stated he spoke to them recently and they are in the process of obtaining three quotes for the new equipment, which is required by our procurement policy. Supervisor Burke noted the Board wants to be sure it purchases the most up-to-date equipment as it will need to last for at least ten years, which is when the next franchise agreement is negotiated. Mrs. Crouse then asked for an update on the security system for the municipal buildings that was discussed at a past meeting. Supervisor Burke stated we will be going out to bid most likely when the budget process is completed. Mrs. Crouse then asked for an update on the waiver that was applied for on behalf of Chief Vasquez to the State regarding his pension. Supervisor Burke stated the Board agreed to submit the papers to the pension system on the Chief's behalf and the State will render their decision. The Town has not received any update from the pension system regarding this issue. Mrs. Crouse stated she felt that was very interesting.

Ben Meyers asked if the updated equipment from Cablevision will include new microphones and Supervisor Burke stated it would not. Mr. Meyers stated it is difficult to hear all but Supervisor Burke and Town Clerk Potvin on the video playback. Supervisor Burke stated he is confident that if members spoke directly into the microphone they can be heard. The problem is not with the microphones.

John Smith stated at the last meeting the Board authorized its attorney to settle a tax certiorari for Kohl's and he wanted to know how it will affect the taxes of the rest of the Town. Supervisor Burke stated he does not have the numbers with him this evening but noted that the Assessor and attorney worked very hard to negotiate the settlement and the Board did accept their findings. There are about 4500 parcels of land in Woodbury and the impact from this one settlement would be minimal.

Bob Fugett, who does not live in Town but met with Supervisor Burke yesterday requesting to be able to speak this evening, informed the Board and public of an experience he had recently which would hopefully lead to more information. Mr. Fugett was riding his bicycle along Smith Clove Road (between Trout Brook Road and the Gatehouse) on October 1, 2012 when he was violently attacked by

two motorcycles. They came up behind him, gunned their engines and tried to knock him off his bicycle and down a cliff. They sped off and he tried to get their license plate numbers but they did not have one on either motorcycle. He believes the individuals could live in one of the developments along Smith Clove Road since the motorcycles did not appear to be street legal. He feels that somebody knows who these persons are and believes that the second motorcyclist was videotaping the event. He is offering a \$1000 reward for information leading to the apprehension, prosecution and conviction of the two individuals. He has reported the event to the police department and it has been assigned a case number (TW-017847-12). He believes that since he is a competitive cyclist he avoided certain injury and possibly death. An amateur cyclist would have most likely lost control and went down the cliff.

**V. Adjournment:**

With no further business to discuss, a motion was offered by Supervisor Burke, seconded by Councilman Arone, to adjourn the meeting at 8:10PM.

<b>ADOPTED</b>	AYES	4	Burke, Arone, Palermo, Prestia
	NOES	0	

Desiree Potvin Town Clerk