

Minutes of the Town Board Meeting held at Town Hall on September 19, 2013 at 7:30PM

Present: John Burke, Supervisor
Timothy Arone, Frank Palermo and Marilyn Prestia, Councilpersons
Absent: None
Also Present: Robert Weyant, Highway Superintendent; Richard Vasquez, Police Chief

I. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Councilman Palermo, seconded by Councilman Arone, to accept the minutes of the special meeting held September 3, 2013.

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

Motion was offered by Supervisor Burke, seconded by Councilwoman Prestia, to accept the minutes of the worksession held September 16, 2013.

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

b. Approval of Abstract:

Motion was offered by Councilman Palermo, seconded by Councilwoman Prestia, to approve Abstract 17 containing vouchers 20131910 – 20132065 and totaling \$345,112.75.

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

c. Budget Modification(s):

Motion was offered by Councilwoman Prestia, seconded by Councilman Palermo, to approve a modification to the budget of the Police Department by decreasing B3120.420 (OC Crimes) by \$2700, B3120.454 (Vehicle Gas) by \$10,000 and increasing B3120.416 (Uniforms) by \$8160, B3120.424 (Less Lethal Training) by \$325, B3120.435 (Books-Films Video) by \$100 and B3120.463 (Software Maintenance) by \$4115.

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 \$1000 and increasing A6010.400 (Social Services Administration) by \$1000.

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

Motion was then offered by Councilman Arone, seconded by Councilman Palermo, to approve a modification to the budget of the General Fund by increasing A599 (Appropriated Fund Balance) by \$2000 and increasing A1440.400 (Engineer/Consultant Expenses) by \$2000.

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

Motion was then offered by Councilwoman Prestia, seconded by Supervisor Burke, to approve a modification to the budget of the Assessor's Office by decreasing A1355.444 (School/Dues) by \$500 and increasing A1355.411 (Office Supplies/Equipment) by \$500.

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

Motion was then offered by Councilman Palermo, seconded by Supervisor Burke, to approve a modification to the budget of the Assessor's Office by decreasing A1355.463 (Consultant) by \$1000 and increasing A1355.411 (Office Supplies/Equipment) by \$1000.

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 A7110.454 (Advertising) by \$1300 and increasing A7110.462 (Repairs/Material Replacement) by \$1300.

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

Motion was then offered by Supervisor Burke, seconded by Councilman Arone, to approve a modification to the budget of the General Fund by increasing A599 (Appropriated Fund Balance) by \$885 and increasing A1460.100 (Records Management) by \$345 and A1610.100 (Central Administration) by \$540.

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 Highway Fund by increasing DB4960 (Emergency Disaster Assistance) by \$53,686 and increasing DB5130.200 (Machinery Equipment) by \$53,686.

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

d. Appointment of Part-Time Dispatcher:

Motion was offered by Councilman Palermo, seconded by Councilwoman Prestia, to appoint Douglas DiBlasi to the position of part-time dispatcher effective September 16, 2013, at a PBA Dispatcher's Union Step I (\$19.71/hour).

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

II. Old Business:

a. Authorize Supervisor to Sign – Letter to Governor Regarding Exit 131 Reconstruction:

Supervisor Burke explained that the Orange County Association of Towns/Villages/Cities, in connection with the Southeast Orange County Transportation and Land Use Task Force, and with the support of Congressman Sean Patrick Maloney, has drafted a letter that will be signed by all of its members to be sent to Governor Andrew Cuomo in support of the Exit 131 interchange improvements. He requested permission from the Board to authorize him to sign this letter on behalf of the residents of Woodbury. Motion was offered by Councilman Palermo, seconded by Councilman Arone, to authorize Supervisor Burke to sign a letter with other municipal leaders to be sent to Governor Andrew Cuomo urging him to move up the timeframe for the Exit 131 reconstruction.

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

b. Authorize Supervisor to Sign – Property Deed Transfers:

Motion was offered by Supervisor Burke, seconded by Councilman Palermo, to authorize the Supervisor to sign all necessary paperwork to have property that was transferred by action of law when the Village was incorporated from the Town's name into the Village's name.

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

III. New Business:

a. Authorize Supervisor to Sign – 2013/2014 Snow & Ice Agreement:

The Board reviewed the annually proposed agreement with the County that would reimburse the Town for the Highway Department to plow County Route 95 (Dunderberg Road beginning at Nininger Road and continuing to Gregory Lane and down to NYS Route 32). This year the amount to be reimbursed per mile has not been increased so the rate remains unchanged at \$4700 per mile. Motion was

offered by Councilman Palermo, seconded by Councilman Arone, to authorize the Supervisor to sign the FY2013/2014 Snow & Ice Agreement with the County of Orange.

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

b. Authorize to Attorney to Settle – Tax Certiorari:

Motion was offered by Councilman Palermo, seconded by Councilman Arone, to agree to settle the pending tax certiorari actions filed by Raananah Park, Inc., for assessment years 2011, 2012 and 2013 and authorizes the Supervisor and/or attorneys for the Town to execute the proposed Order and Stipulation of Settlement and such other documents that may be required to effectuate the settlement.

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

c. Parkland Fees – Greens of Woodbury Phase II:

Motion was offered by Supervisor Burke, seconded by Councilman Palermo, to approve the payment of the \$3500 per lot parkland fees for the Greens of Woodbury Phase II development to be deferred until the issuance of the certificate of occupancy for each lot.

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

d. Discussion – Greens of Woodbury Phase II Open Space:

A letter was received from Wayne Corts, developer of the Greens of Woodbury Phase II development, requesting the Board's decision on the open space and a drainage district for his development. Supervisor Burke stated at a meeting held April 15, 2004, the then Town Board approved a cluster development for this project and the minutes state: "Regarding the open space, the Town Board reserved the right to make a decision as to whether they would like to have it dedicated to the Town or to have a conservation easement established." After consulting with Village Building Inspector Gary Thomasberger and Highway Superintendent Weyant, he is suggesting that the Town not accept dedication of the open space for this development. Supervisor Burke added that during a telephone conversation earlier today the developer stated he will be forming a Homeowners Association for this development which will be responsible for the maintenance of the open space. Motion was offered by Councilwoman Prestia, seconded by Councilman Palermo, to not accept dedication of the open space areas planned for the development known as Greens of Woodbury Phase II.

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

With regards to the drainage district, at a worksession held on April 12, 2004, then Town Engineer Dennis Lindsay stated "the storm-water management plans have not been finalized yet and feels that a drainage district will need to be established for this development." Since this was last discussed the Village of Woodbury has been formed and this topic would now be under the Village Board's purview to require a drainage district if one is so desired.

IV. Department Reports:

a. Supervisor's Report – August 2013

Motion was offered by Councilman Arone, seconded by Councilwoman Prestia, to approve the August 2013 Supervisor's Report with receipts totaling \$340,181.64 and disbursements totaling \$1,222,269.51.

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

b. Town Clerk's Report – August 2013

c. False Alarm Report – July 2013

d. Parks/Recreation Minutes – None Received

- e. Animal/Goose Control Report – August 2013
- f. Police/Communications Report – August 2013
- g. Beautification Commission Minutes – None Received
- h. Library Minutes – None Received
- i. Budget vs. Actual – August 2013

V. Public Comment:

Councilman Arone thanked Maria Hunter and the Beautification Commission for their help in erecting gold bows throughout Town in honor of National Pediatrics Cancer Awareness day. He also noted that two informational meetings have been scheduled for individuals interested in volunteering for the Friendly Visitors Program. Both will be at the Village Hall and they are October 3 at 2PM and October 9 at 7PM. He then announced that on September 17 he attended a meeting hosted by Senator William Larkin regarding St Luke’s Cornwall Hospital’s request to reduce the hours of operation of its emergency room. At this time information is being sought from the public to determine how this closure will affect them directly. The hospital administration is claiming that by reducing its hours it will save approximately \$1.2 million per year. He asked the public to contact a Board member, Senator Larkin or Assemblyman James Skoufis with any comments or information they wish to provide.

Chief Vasquez reminded the public that it is illegal to text while driving and that the fine for doing so is \$150 and will put five points on a person’s license.

John Smith asked if the meeting Councilman Arone attended with Senator Larkin was an informational gathering or is there a goal to keep the hospital open full-time. Councilman Arone stated nothing was decided at the meeting. The hospital had to petition the State to be able to close, which they did and received an approval extremely quick. The public and officials only were informed about it by reading an article in the newspaper. Senator Larkin called local officials and asked all to come together to voice concerns and come up with possible solutions. Mr. Smith then asked for further explanation of the tax certiorari settlement that was approved this evening. Supervisor Burke stated that it is not unusual for a business or resident to challenge the assessment of their property. Sometimes the process can take a few years to resolve. Raananah Park is a large parcel that needed to be evaluated and the Assessor, Town Attorney and he recommended that it was better to settle the case at a negotiated assessment instead of continuing to fight it in court.

Robert Hunter asked for an update on the status of the Harriman Commons sign on Larkin Drive. Supervisor Burke stated he had no update. When the sign began to fall apart last winter, he was very patient with the repairs. The Town attorney informed the management company that if they did not repair the sign that the road may be closed due to the safety concerns. They removed all the signage and have not replaced it.

VI. Adjournment:

With no further comments received or business to discuss, a motion was offered by Councilman Arone, seconded by Councilwoman Prestia, to adjourn the meeting at 8:05PM.

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

Desiree Potvin, Town Clerk