

Minutes of the Town Board Meeting held at Town Hall on March 21, 2013 at 7:30PM

Present: John Burke, Supervisor  
Timothy Arone, Frank Palermo and Marilyn Prestia, Councilwoman

Absent: None

Also Present: Robert Weyant, Highway Superintendent; Richard Vasquez, Police Chief; Maria Hunter, Village Planning Board

**I. Administrative Business:**

a. Acceptance of Minutes:

Motion was offered by Councilman Arone, seconded by Councilman Palermo, to accept the minutes of the regular meeting held March 7, 2013.

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

Motion was then offered by Supervisor Burke, seconded by Councilwoman Prestia, to accept the minutes of the worksession held March 18, 2013.

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

b. Approval of Abstract:

Motion was offered by Councilwoman Prestia, seconded by Councilman Arone, to approve revised Abstract 4 by voiding Voucher 20130510 (check #8973), which reduces the Abstract's total to \$150,670.47.

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

Motion was then offered by Councilman Arone, seconded by Councilman Palermo, to approve Abstract 5 containing Vouchers 20130572 – 20130694 totaling \$296,052.06.

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

c. Budget Modifications:

Motion was offered by Councilman Palermo, seconded by Councilwoman Prestia, to approve a modification the 2013 budget of the Police Department by increasing B2665 (Sale of Equipment) by \$13,500, B599 (Appropriated Fund Balance) by \$16,100 and increasing B3120.200 (Equipment/Cars) by \$29,600.

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

Motion was then offered by Councilman Arone, seconded by Supervisor Burke, to approve a modification to the 2013 budget of the Justice Court by increasing A3021 (State Aid, Court Facilities) by \$1509 and increasing A1110.200 (Justice Equipment) by \$1509.

**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 2013 budget of the Highway Fund by decreasing DB5142.466 (Salt/Liquid Calcium) by \$1000 and increasing DB5110.444 (Schools/Dues) by \$1000.

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

**II. Old Business:**

a. Cable Equipment Upgrade:

It item was tabled until additional information is received.

**III. New Business:**

a. Authorize Supervisor to Sign – 2013 STOP-DWI Contract:

Motion was offered by Councilman Palermo, seconded by Councilwoman Prestia, to authorize the Supervisor to sign the 2013 STOP-DWI Contract with the County of Orange.

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

b. Authorize Supervisor to Sign – 2013 Runoff Claims Agreement:

Motion was offered by Councilman Arone, seconded by Councilwoman Prestia, to authorize the Supervisor to sign the 2013 Workers’ Compensation Claims Runoff Management Agreement with Wright Risk Management.

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

c. Proclamation – Woodbury Community Ambulance:

Motion was offered by Councilman Arone, seconded by Councilman Palermo, to adopt the following proclamation:

**WHEREAS**, the Woodbury Community Ambulance was established in 1953 and celebrated their 60<sup>th</sup> Anniversary on March 16, 2013; and

**WHEREAS**, the past and present members of the Woodbury Community Ambulance have provided extraordinary services to our community in many ways, and

**WHEREAS**, dedicated volunteer members of the Woodbury Community Ambulance have contributed to improve the quality of life for all residents of the Town of Woodbury.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town of Woodbury Town Board, at their meeting held March 21, 2013, recognizes the outstanding accomplishments of the Woodbury Community Ambulance as they celebrate and recognize their 60 years as members of our community.

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

**IV. Department Reports:**

a. Supervisor’s Report:

Motion was offered by Councilman Arone, seconded by Councilwoman Prestia, to approve the February 2013 Supervisor’s Report with receipts totaling \$5,543,341.55 and disbursements totaling \$892,466.88.

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

b. Town Clerk’s Report – February 2013

c. False Alarm Report – January 2013

d. Parks/Recreation Minutes – None Received

e. Animal/Goose Control Report – February 2013

Councilwoman Prestia acknowledged the donations that were made to the Animal Shelter this month. She also thanked the Buildings & Grounds Department for the work they did recently at the shelter.

f. Police/Communications Report – February 2013

g. Beautification Commission Minutes – None Received

h. Library Minutes – February 26, 2013

i. Budget vs. Actual – February 2013

## **V. Public Comment**

Councilman Palermo noted that the construction of the Kiryas Joel water pipeline has begun on County Route 44 (Ridge Road/Seven Springs Road). Currently the preliminary tree removal work is being done. He suggested that all residents on this route photograph their property along the road in case damage is done that is not repaired correctly. Councilman Arone added that if anyone has problems or concerns they should contact the Town Hall or the County DPW. Councilwoman Prestia asked that neighbors communicate with each other so everyone is aware and prepared.

Superintendent Weyant announced that the 3<sup>rd</sup> Annual Woodbury Clean-Up day is April 27 and will begin at 10AM at the Smith Clove Elementary school. Anyone with suggestions of streets to be focused on can contact him at the Highway Garage. He also announced that the Spring electronic collections day is April 12 2PM-5PM for businesses and April 13 8AM-1PM for residents.

Clifford Ader read a letter he wrote to Senator William Larkin expressing his concern over the Kiryas Joel pipeline. Supervisor Burke suggested the letter be copied to the County as well. He then noted that the pipeline will only be constructed on County and State roads. The first route alternative included local roads (owned by Woodbury and Blooming Grove) and the decision to use the alternate routes was obviously made. Town and Village officials will do all that they can to monitor the work being done. A pre-construction meeting was held and all agencies involved were present. He agrees with the comments made by Board members this evening that photos should be kept of properties along the route to ensure that repairs are done appropriately. The County will have inspectors on site every day of the construction and the Village will have Water/Sewer personnel on site as well. It will be a tremendous inconvenience but the Town has no say in the matter. The County has assured us that they will stop the work at any time they deem necessary. The project timeline is 270 days. He stressed again that Woodbury was bypassed in the decision making process since there are no local roads involved in the construction. He reminded the residents that the County has a ten-foot right-a-way along its road so it is possible that a resident's property may be used during this process. The final decision regarding the water into the pipe has not been rendered yet, which will be done by New York City. The Town does have concerns regarding the impact to the Harriman Wastewater Treatment Plant and that is where it will get more directly involved. Mr. Ader stated he thinks that all should be aware that the inconvenience of the road and trees being done is small compared to the long-term effects after the construction is completed.

Robin Crouse thanked Mr. Ader for the letter he wrote. She reminded the Board that the NYSDEC is still accepting comments regarding the permit application. She feels that they are extremely concerned about the wastewater impact to the Harriman Wastewater Treatment Plant and added that County Legislators Kevin Hines and Roxanne Donnery have been working on this issue wholeheartedly. She added that she appreciates the efforts of all the Board members as well on this issue.

John Smith asked who will be responsible for any roadway damage that may occur one or two years after the work on the pipeline construction is completed. Supervisor Burke stated he would assume there is a section in the contract that addresses this issue. He believes the County would be responsible in the end since it is their road. Councilman Arone added that there is most likely a performance bond that the County required to be posted that may be able to be used to do any repairs that may become necessary.

Maria Hunter noted that the traffic lights on Route 32 by Woodbury Common were upgraded on March 13 with the new signal timing. There are still some tweaks to the system that need to be done and she suggested that if anyone has any comments on the street lights they should be submitted to the Planning Board. She then reminded the Board that Route 32 is a truck designated route and at Ridge Road the speed limit increases to 55MPH. She believes with all the construction planned for this area it will be difficult to stop traffic when needed to drop a plate so someone can exit or enter their driveway. She also feels that it will be difficult for them to dig six-feet under the trout spawning stream. She believes that Route 32 will be a mess and that State Police or the County Sheriff's department should be monitoring the events.

**8:15PM – Executive Session:**

Motion was offered by Councilman Palermo, seconded by Councilman Arone, to enter into an executive session pursuant to Article 7 of the Public Officers Law to discuss one item relating to the tax certiorari litigation of Achus.

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

*No minutes of the executive session were recorded.*

Motion was offered by Councilman Palermo, seconded by Councilwoman Prestia, to end the executive session and return to open session.

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

Motion was offered by Councilman Palermo, seconded by Councilwoman Prestia, to authorize the Attorney to settle the Achdus tax certiorari as recommended by Attorney McKay and Assessor Breslin.

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

**VI. Adjournment:**

With no further business to discuss or comments received, a motion was offered by Supervisor Burke, seconded by Councilman Arone, to adjourn the meeting at 8:30PM.

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

Desiree Potvin, Town Clerk

*The Board entered into a closed session after adjournment.*