

Minutes of the Town Board Meeting held at Town Hall on October 16, 2014 at 7:30PM

Present: Frank Palermo, Deputy Supervisor
Timothy Arone, Robert Hunter, Marilyn Prestia, Councilpersons
Absent: None
Also Present: Joseph McKay, Attorney for the Town; Robert Weyant, Highway Superintendent;
Richard Vasquez, Police Chief; David Sutz, Village Trustee;

I. Public Hearing:

a. Proposed Local Law – Towing:

A public hearing was held to entertain comments on Introductory Local Law 4 of 2014 amending Chapter 282 of the Town Code entitled “Towing” to improve towing response times and ease of vehicle redemption for individuals operating vehicles within the Town of Woodbury. The public notice was printed in the Times Herald Record on October 7, 2014 and the following comments were received:

Richard Sarajian, representing Loyal Tire & Auto Center, stated his client is in favor of law and would like to see it adopted. However, he does suggest that some language be stipulated that states the fees that are associated with the law as it currently stands will remain in effect until the Board takes action to add them to their fee schedule. Attorney McKay stated the Board can move to adopt the law this evening and he can add wording to the resolution addressing the fees if they so desire.

Tom Thorton, from Freeman’s Auto Service, stated the proposed law extends the radius boundaries to be one mile and wants to know why it is not being extended two miles. Attorney McKay stated the radius extension is based on the recommendation of the Police Chief. In a letter dated September 15, 2014 from Chief Vasquez to Deputy Supervisor Palermo he notes that the increase of one mile would enable an additional five agencies to be eligible to apply to be on our towing list. He feels this would be “advantageous to the Town should an emergency situation arise” and added that “during inclement weather and certain holidays there exist a potential for increase towing needs due to increased vehicular traffic, which often times results in accidents and/or cars breaking down”. Attorney McKay stated the Board can extend the distance if it so chooses. Deputy Supervisor Palermo noted that he conducted a site visit with Sergeant Kevin Watson and Freeman’s Auto Service is located within the one mile radius proposed. Mr. Thorton stated their current facility is but they are moving and will be just outside the radius.

Mr. Sarajian noted that Freeman’s Auto Service currently does have a facility within the one mile proposed radius but they do not have a fenced-in impound lot so they do not qualify under the local law.

Councilman Arone stated he would like to delay closing the hearing until such time as the Board has had the opportunity to discuss some of the issue raised this evening with Attorney McKay and Chief Vasquez. Councilman Hunter and Councilwoman Prestia agreed.

Motion was then offered by Councilman Arone, seconded by Councilwoman Prestia, to continue the public hearing to November 6, 2014.

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

b. Adoption of Assessment Rolls:

Town Clerk Potvin stated the public notice announcing the public hearing on the assessment rolls for the special districts was printed in the Times Herald Record on October 9, 2014. She explained that these hearing are for the public to correct the special district assessment rolls with regards to the number of units that are charged for specific properties, not to argue the assessment or the amount of taxes paid.

CONSOLIDATED SEWER DISTRICT:

The public hearing on the assessment roll for the Consolidated Sewer District was opened. There were no comments received. Motion was then offered by Councilman Arone, seconded by Councilman Hunter, to close the hearing on the Consolidated Sewer District assessment roll.

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

WATER DISTRICT #6:

The public hearing on the assessment roll for Water District #6 was opened. There were no comments received. Motion was then offered by Councilman Arone, seconded by Councilwoman Prestia, to close the hearing on the Water District #6 assessment roll.

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

SEWER DISTRICT #1:

The public hearing on the assessment roll for Sewer District #1 was opened. There were no comments received. Motion was then offered by Deputy Supervisor Palermo, seconded by Councilman Hunter, to close the hearing on the Sewer District #1 assessment roll.

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

REFUSE DISTRICT:

The public hearing on the assessment roll for the Refuse District was opened. There were no comments received. Motion was then offered by Councilwoman Prestia, seconded by Councilman Arone, to close the hearing on the Refuse District assessment roll.

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

HIGHLAND LAKE ESTATES SEWER DISTRICT:

The public hearing on the assessment roll for the Highland Lake Estates Sewer District was opened. There were no comments received. Motion was then offered by Councilman Arone, seconded by Councilwoman Prestia, to close the hearing on the Highland Lake Estates Sewer District assessment roll.

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

BRIGADOON SEWER DISTRICT:

The public hearing on the assessment roll for the Brigadoon Sewer District was opened. There were no comments received. Motion was then offered by Councilman Arone, seconded by Councilman Hunter, to close the hearing on the Brigadoon Sewer District assessment roll.

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

Motion was then offered by Councilwoman Prestia, seconded by Councilman Arone, to adopt the assessment rolls for the following special districts:

Consolidated Sewer District	Water District #6
Sewer District #1	Refuse District

Highland Lakes Estates Sewer District Brigadoon Sewer District

ADOPTED BY ROLL CALL AS FOLLOWS:

Deputy Supervisor Palermo	AYES
Councilman Arone	AYES
Councilman Hunter	AYES
Councilwoman Prestia	AYES

II. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Councilman Palermo, seconded by Councilman Hunter, to accept the minutes of the worksession held September 29, 2014.

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

Motion was then offered by Councilwoman Prestia, seconded by Councilman Arone, to accept the minutes of the regular meeting held October 2, 2014.

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

b. Approval of Abstract:

Motion was offered by Deputy Supervisor Palermo, seconded by Councilman Arone, to approve Abstract 19 containing vouchers 20142240 – 20142405 and totaling \$258,220.35.

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

c. Budget Modifications:

Motion was offered by Councilman Hunter, seconded by Deputy Supervisor Palermo, to approve a modification to the budget of the Police Department by increasing B599 (Appropriated Fund Balance) by \$8000 and increasing B3120.415 (Legal/PBA Contract) by \$8000.

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

Motion was then offered by Councilwoman Prestia, seconded by Deputy Supervisor Palermo, to approve a modification to the budget of the Senior Center by increasing A2089 (Other Culture & Recreation Income) by \$458 and increasing A7620.400 (Adult Recreation Contractual Expense) by \$458.

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

Motion was then offered by Deputy Supervisor Palermo, seconded by Councilwoman Prestia, to approve a modification to the budget of the Library Fund by decreasing L7410.200 (Equipment) by \$1000, L7410.435 (Books) by \$1000, L7410.463 (Computer Software) by \$200 and increasing L7410.402 (Telephone) by \$1000, L7410.429 (Special Programs) by \$1000, L7410.430 (Transportation/Travel) by \$200.

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

Motion was then offered by Councilman Arone, seconded by Councilman Hunter, to approve a modification to the budget of the Senior Center by decreasing A7620.100 (Personal Services) by \$4950 and increasing A7620.411 (Office Supplies Contractual Expense) by \$400, A7620.469 (Kitchen/Food Supplies) by \$4550.

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

d. Acceptance of Resignation – Beautification Commission:

Motion was offered by Councilman Arone, seconded by Councilwoman Prestia, to accept the resignation of Robert Weyant from the Beautification Commission.

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

e. Appointment of Two Full-Time MEO's:

Motion was offered by Deputy Supervisor Palermo, seconded by Councilman Arone, to approve Michael Perini and William Woznick to the position of full-time Motor Equipment Operator (MEO) effective November 3, 2014 at an UPSEU union rate of \$25.09 per hour.

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

EXTRA ITEM – Increase Hours of Account Clerk B:

Motion was offered by Deputy Supervisor Palermo, seconded by Councilman Arone, to increase the hours of Laura Morrissey to be full-time effective November 3, 2014. This position, Account Clerk 22513, is already listed as a full-time position with Orange County Department of Human Resources and Mrs. Morrissey is qualified to fill the full-time position as stated at the July 16, 2009 meeting when her classification was changed.

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

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

IV. New Business:

a. Schedule Public Hearing – FY2015 Budget:

Motion was offered by Councilman Arone, seconded by Councilwoman Prestia, to schedule a public hearing to be held on November 6, 2014 at 7:30PM to entertain public comments on the FY2015 Preliminary Budget. Copies of the preliminary budget will be available for public inspection and on the website as of October 30, 2014.

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

V. Department Reports:

a. Supervisor's Report – September 2014

Motion was offered by Councilwoman Prestia, seconded by Councilman Arone, to approve the September 2014 Supervisor's Report with receipts totaling \$191,415.99 and disbursements totaling \$1,064,619.25.

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

b. Town Clerk's Report – September 2014

c. Parks/Recreation Minutes – None Received

d. Animal/Goose Control Report – September 2014

e. Police/Communications Report – September 2014

f. Beautification Commission Minutes – October 9, 2014

g. Library Minutes – September 30, 2014

h. Budget vs. Actual – September 2014

VI. Board Member Comments/Announcements:

Councilwoman Prestia asked all to drive carefully since it is getting dark earlier and Halloween is approaching. She also reminded all that next month is Election Day. Deputy Supervisor Palermo reminded all that the electronic collections event is scheduled for this weekend. Councilman Hunter noted that the new streetlights installed on Route 32 parallel to the Woodbury Common are a huge improvement.

VII. Public Comment:

Chief Vasquez noted that the Police Department has a new website, www.woodburypolice.com. On the site residents will be able to request reports and access forms. He also reminded all that the curfew for Halloween will be strictly enforced (October 30 – November 1). The curfew states the following: “During the period of October 30 and October 31, or any other period the Town Board deems necessary, it shall be unlawful for any minor to remain idle, wander, stroll or play in any public place, either on foot or to cruise about without a set destination in any vehicle, in, about or upon any place in the town between the hours of 8:00 p.m. and 6:00 a.m. of the following morning unless accompanied by a parent, guardian, custodian or other adult person having custody or control of such minor or unless the minor is on an emergency errand or specific business or activity directed or permitted by his parent, guardian or other adult person having the custody and care of the minor or where the presence of such minor is connected with or required by some legitimate employment, trade, profession or occupation”.

John Smith asked what will become of the Annual Spring Clean-Up event since Superintendent Weyant has resigned from the Beautification Commission. Superintendent Weyant noted that the two committees are separate and he will still be very active in the Spring Clean-Up. Mr. Smith then encouraged all residents to vote next month.

Justin Hunter announced that the Woodbury Chamber of Commerce will be hosting the Second Annual “Trunk or Treat” on October 31, from 6PM-7PM at the Smith Clove Elementary School parking lot.

VIII. Adjournment:

With no further business to discuss or comments received, a motion was offered by Councilman Arone, seconded by Councilman Hunter, to adjourn the meeting at 810PM.

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

Desiree Potvin, Town Clerk

The Board entered into a closed session with Attorney McKay and special counsel David Gordon after adjournment.