

Minutes of the Town Board Meeting held at Town Hall on November 6, 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; Lorelei Pitt, Budget Officer, Jennifer Bradshaw, Library
Director; various members of the Police Department

I. Public Hearings:

a. Continued Public Hearing – Amendment to Towing Law:

Deputy Supervisor Palermo stated a public hearing was being continued from the October 16, 2014 meeting 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 following additional comments were received:

Duke Freeman, from Freeman Auto Service in Monroe/Harriman, suggested the Board consider increasing the radius to two miles. His reason for this suggestion is that increasing the radius by only one mile would gain one additional company whereas a two mile increase would gain three companies. He believes that the more companies on the list the better service will be available to the residents of Woodbury and Police Department.

Glenn McKenzie, from McKenzie Motors, stated he has been working in the Town for 28 years and the owner of the business for the past 15 years. There have never been issues with towing with the existing five members on the list. He noted that many other Towns do not permit companies outside of their boundaries to apply for a permit. Of the existing five companies currently on the list, one is moving outside the ½ mile radius but another will be eligible soon that is in Woodbury. He feels the Town has an adequate amount of tow companies that comply with the law as currently written. He is unable to apply in adjacent Towns due to their restrictions and feels it is unfair that others can come do so here.

Richard Sarajian, attorney representing Loyal Tire, reminded the Board that it would be illegal to only permit companies that are located in the Town to be able to apply, noting a lawsuit he brought against the Town and won in the past. He feels that the law should expand the radius and that the proposed law should be adopted as the Board sees fit.

Craig Baker, from Exclusive Auto Body, stated he does not feel the radius should be extended, noting that he too is not permitted to apply in surrounding Towns due to their restrictions. He feels that by increasing the radius the Board is not only taking the towing out of town but it also taking all the work that goes with it out of Town too (collision repair, etc.).

With no further comments received, a motion was offered by Councilwoman Prestia, seconded by Councilman Arone, to close the public hearing.

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

At this time the Board opted not to entertain action on adopting the law until further research is conducted. The issue will be tabled until a future date.

b. Fiscal Year 2015 Preliminary Budget:

Town Clerk Potvin stated a public hearing was being held to entertain public comments on the Fiscal Year 2015 Preliminary Budget. The public notice was printed in the Times Herald Record on November 4, 2014 with the salaries of the elected officials posted as follows: Town Supervisor \$53,130; Town Clerk \$57,084; Superintendent of Highways \$77,492; Town Justices (2) \$29,791; Councilpersons

(4) \$8,441; Tax Collector \$15,083. It was noted that since the Times Herald Record failed to print the notice as requested (on October 30) the public hearing will be continued to the special meeting that has been scheduled for November 13, 2014, as printed in the Times Herald Record on November 6, 2014.

No public comments were received.

Motion was then offered by Deputy Supervisor Palermo, seconded by Councilman Hunter, to continue the public hearing to November 13, 2014 at 7:30PM at Town Hall.

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

Deputy Supervisor Palermo thanked Budget Officer Pitt and Eileen Sutherland for their work on the budget. He also recognized the Department Heads.

II. Administrative Business:

a. Appointment of Two Part-Time Police Officers:

Motion was offered by Councilman Arone, seconded by Councilman Hunter, to appoint Nelson Izquierdo and Carlos Castro to the positions of part-time police officer beginning November 6, 2014. These positions are paid \$27.8923 per hour pursuant to the PBA contract and the appointments have been approved by the Orange County Department of Human Resources.

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

Deputy Supervisor Palermo noted that the interviews were held a few weeks ago and the Board was very impressed with both candidates. There were approximately 20 applications that were received. Chief Vasquez thanked the Town Board and Town Clerk Potvin for their assistance in the hiring process. He again feels that the best candidates were selected for the position. He also thanked and recognized the interview panel (Sergeant Burke and Officer Danielson). Both Officers Izquierdo and Castro served with the NYPD for 21 years and are now retired and eager to learn from our officers. They will both start field training next week.

b. Appointment of One Part-Time Animal Control Officer:

Motion was offered by Councilman Arone, seconded by Councilwoman Prestia, to appoint Corrina Irizarry to the position of part-time Animal Control Officer beginning November 10, 2014. This position is paid \$15.42 per hour pursuant to the UPSEU contract and the appointment has been approved by the Orange County Department of Human Resources.

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

EXTRA ITEM – Appointment of Part-Time Temporary Clerk:

Motion was offered by Deputy Supervisor Palermo, seconded by Councilman Arone, to appoint Jennifer Potter as a part-time temporary Clerk in the Assessor's Office beginning November 10, 2014 through May 9, 2015 at 10 hours per week. This position is paid \$12.62 per hour pursuant to the non-union step/grade schedule and the appointment has been approved by the Orange County Department of Human Resources.

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

c. Oath of Office Ceremony:

The Oath of Office as administered by Town Clerk Potvin to Officer Izquierdo, Officer Castro, ACO Irizarry and previously appointed MEO Michael Perini and MEO William Woznick.

d. Acceptance of Minutes:

Motion was offered by Deputy Supervisor Palermo, seconded by Councilman Arone, to accept the minutes of the regular meeting held October 16, 2014.

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

Motion was then offered by Councilwoman Prestia, seconded by Deputy Supervisor Palermo, to accept the minutes of the special meeting held November 3, 2014.

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

e. Approval of Abstract:

Motion was offered by Deputy Supervisor Palermo, seconded by Councilman Arone, to approve Abstract 20 containing vouchers 20142406 – 20142606 and totaling \$318,177.61.

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

f. Budget Modifications:

Motion was offered by Councilman Hunter, seconded by Councilwoman Prestia, to approve a modification to the budget of the Senior Center by increasing A2705 (Gifts and Donations) by \$135 and increasing A7620.469 (Kitchen/Food Supplies) by \$135.

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

Motion was then offered by Councilman Arone, seconded by Councilwoman Prestia, to approve a modification to the budget of the Highway Fund totaling \$7487 by decreasing DB5110.452 (Sand/Gravel) by \$7434, DB5130.449 (Diesel) by \$53 and increasing DB5130.455 (Tires) by \$323, DB5110.476 (Trees) by \$35, DB5110.406 (Custodial Supplies) by \$180, DB5130.450 (Nuts/Bolts) by \$294, DB5110.470 (Road Oil) by \$6655.

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

Motion was then offered by Councilman Arone, seconded by Deputy Supervisor Palermo, to approve a modification to the budget of the Supervisor's Office by decreasing A1220.405 (CPA) by \$205 and increasing A1220.412 (Service Contracts) by \$205.

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

Motion was then offered by Councilman Arone, seconded by Councilwoman Prestia, to approve a modification to the budget of the Library totaling \$1500 by decreasing L7410.200 (Equipment) by \$500, L7410.407 (Legal) by \$500, L7410.408 (Insurance) by \$500 and increasing L7410.401 (Telephone) by \$500, L7410.403 (Heating Oil/Gas) by \$500, L7410.437 (AV Equipment/Videos) by \$500.

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

Motion was then offered by Deputy Supervisor Palermo, seconded by Councilman Hunter, to approve a modification to the budget of the Animal Control Officer totaling \$355 by decreasing A3510.453 (Gas/Oil/Repairs) by \$355 and increasing A3510.200 (Equipment) by \$35, A3510.406 (Custodial Supplies) by \$300, A3510.411 (Office Supplies) by \$20.

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

Motion was then offered by Deputy Supervisor Palermo, seconded by Councilman Arone, to approve a modification to the budget of the General Fund by decreasing A1420.414 (Attorney/Other) by \$60,000 and increasing A1420.400 (Attorney) by \$60,000.

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

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

IV. New Business

a. Approve Proposal – 2014 GASB-34 Preparation:

Motion was offered by Councilman Arone, seconded by Deputy Supervisor Palermo, to authorize the Deputy Supervisor to sign an agreement with CBIZ Valuation Group, LLC, for the preparation of the 2014 GASB-34 report at a cost of \$1000.

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

b. Approval of Grant Submission – Justice Court Office Equipment:

Motion was offered by Councilwoman Prestia, seconded by Councilman Arone, to authorize the Town Justice Court to participate in the 2014/15 Justice Court Assistance Program and to authorize the Deputy Supervisor to sign any and all necessary documents relating to the application process.

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

c. Declare Surplus Equipment – Approve Items for Auction:

Motion was offered by Deputy Supervisor Palermo, seconded by Councilman Arone, to declare the following vehicle as surplus equipment and authorize the Town Clerk to advertise its sale at auction: 1998 Chevy Van (1GCFG25M8W1108687).

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

d. Authorize Advertising for Bids – Library Roof Repairs:

Motion was offered by Deputy Supervisor Palermo, seconded by Councilwoman Prestia, to authorize the Town Clerk to advertise for bids for repairs to the Senior Center roof replacement project being funded through the Orange County Community Development program.

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

Deputy Supervisor Palermo told the story about the time two years ago when he and Councilwoman Prestia was helping at the electronics collection event and she noticed that the roof needed some attention and thought it would be a great project for OCCD funding. He also thanked Engineer Fusco for his work in obtaining the \$50,000 grant funds. He noted that the Town will need to pay for the portion of the roof over the library since it did not qualified and the work to be done at the CV Library will be discussed at the next meeting.

e. MOA UPSEU Contract – Direct Deposit:

Motion was offered by Councilman Arone, seconded by Councilman Hunter, to authorize Deputy Supervisor Palermo to sign a Memorandum of Agreement (MOA) with the United Public Service Employees Union (UPSEU) regarding payroll direct deposit for all full- and part-time employees.

ADOPTED AYES 4 Arone, Hunter, Palermo, Prestia

NOES 0

f. MOA UPSEU Contract – Principal Library Clerk:

Motion was offered by Deputy Supervisor Palermo, seconded by Councilman Arone, to authorize Deputy Supervisor Palermo to sign a Memorandum of Agreement (MOA) with the United Public Service Employees Union (UPSEU) regarding making the Principal Library Clerk position a union position.

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

Councilwoman Prestia asked if counsel reviewed the MOA and Deputy Supervisor Palermo stated yes.

V. Board Member Comments/Announcements:

Deputy Supervisor Palermo acknowledged work done by Sergeant Phillips, Lieutenant Abbot and Eileen Sutherland in obtaining a \$100,000 grant for police work over the next two years in conjunction with Newburgh.

Councilwoman Prestia complimented the Parks Commission and the Buildings/Grounds Department for hosting a great Halloween party and also acknowledged the Girl Scouts that helped that day as well. She congratulated the newly appointed employees. She thanked all the election inspectors that worked Election Day and all that voted as well. She thanked the Department Heads and their employees for working to keep the budget controlled.

Councilman Arone stated that due to the success of Friendly Visitors program more volunteers are needed.

Councilman Hunter also welcomed the newly appointed employees. He recognized the Woodbury Chamber of Commerce on the success of this years "Trunk or Treat" event. He also urged more residents to attend meetings and be involved.

VI. Public Comment:

Town Clerk Potvin thanked Jay's Deli for providing pizza to all the election workers. She also thanked all that participated or attended the John P Burke Memorial Pasta dinner that was held on November 1.

John Smith asked for an update on the move to the Education Center. Deputy Supervisor Palermo noted that he has appointed Councilwoman Prestia to that committee and she noted there is no update to provide at this time. Deputy Supervisor Palermo noted that Mayor Queenan is constantly in contact with the school requesting updates but none have been provided.

Justin Hunter stated he was one of the election inspectors that worked this election and he will be writing a very lengthy letter to the Board of Elections containing his upset feelings about the election process. He encouraged all that have a complaint to let the Board of Elections know.

8:15PM - Executive Session (if needed):

Motion was offered by Councilman Arone, seconded by Councilman Hunter to enter into an executive session pursuant to Article 7 of the Public Officers Law to discuss one item relating to pending litigation (no further detail provided).

ADOPTED AYES 4 Arone, Hunter, Palermo, Prestia

NOES 0

No minutes of the executive session were recorded.

VIII. Adjournment:

With no further business to discuss or comments received, a motion was offered by Councilman Arone, seconded by Councilman Hunter, to end the executive session and adjourn the meeting at 9:07PM.

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

Desiree Potvin, Town Clerk