

Minutes of the Town Board Meeting held on March 1, 2018 at 7:30PM

Present: Frank Palermo, Supervisor
Timothy Arone, Michael Essig, Jacqueline Hernandez and Robert Hunter, Councilmen
Absent: None
Also Present: Joseph McKay, Attorney for the Town; Joseph Gianzero, Parks Director; Kevin Watson, Police Chief; Jahn Farrell, K9 Officer; John Smith, Parks Commissioner; Tracy Maggio, Deputy Town Clerk; Maria Hunter, Village Planning Board

Pledge of Allegiance Led by Noa Synder, Junior Deputy Supervisor

1. Public Input (Agenda Items):

Supervisor Palermo noted if individuals want to speak about the local law on the agenda this evening to keep the comments to new comments only and not to repeat comments already made at the public hearing. He also promised to not adjourn the meeting while an individual is speaking.

John Smith asked if there was any money associated with the MOA addressing the K9 unit. Supervisor Palermo stated this MOA is only to add the language/provision into the existing PBA contract. Mr. Smith then asked if there was any money associated with the Police Chief Contract. Supervisor Palermo stated there was, the salary will be \$137,000 per year.

Maria Hunter stated in the February 25 minutes under Board Members comments Councilwoman Hernandez mentioned she is looking into a number of areas in Town for beautification projects and Assemblyman Skoufis has asked for assistance as well. Mrs. Hunter requested that if beautification issues are being discussed at a worksession that she be, as Chairperson of the Beautification Committee, invited to attend. With regards to the mural being discussed on the wall of the Great Wall building, this was also discussed by the Beautification Committee last year, at the request of Assemblyman Skoufis, and she believes an approval from the building owner was not granted yet. The design of the mural will also need to be approved by the Building Inspector to ensure it is compliant with the Code and she believes the school is also going to be involved. Supervisor Palermo stated there has been no discussion on the issue and that it is in a very infantile stage right now. Should the discussion be scheduled on an agenda he will be sure to inform the Beautification Commission. Mrs. Hunter then asked what department the part-time, temporary clerk being discussed this evening is for and Supervisor Palermo stated the Library.

2. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Councilman Hunter, seconded by Councilman Essig, to accept receipt of the minutes of the meeting held February 15, 2018.

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| ADOPTED | AYES | 4 | Arone, Essig, Hernandez, Hunter |
| | ABSTAIN | 1 | Palermo |

b. Approval of Abstract:

Motion was offered by Councilman Arone, seconded by Councilman Hunter, to approve Abstract 5 containing vouchers 20180287 - 20180407 and totaling \$118,929.47.

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| ADOPTED | AYES | 5 | Palermo, Arone, Essig, Hernandez, Hunter |
| | NOES | 0 | |

c. Approval of Budget Modifications:

Motion was offered by Councilman Arone, seconded by Councilwoman Hernandez, to approve a modification to the 2017 budget of the General Fund totaling \$135,467 by increasing A2089 (Other Culture & Rec Income) by \$8119, A2776 (Reimbursement/Consultants) by \$2621, A599 (Appropriated Fund Balance) by \$55,025, decreasing A1420.414 (Attorney/Litigation) by \$27,816, A1620.471 (Police Station Repairs) by \$21,739, A1620.100 (Buildings/Grounds Personal Service) by \$5744, A1620.200 (Buildings/Grounds Equipment) by \$6434, A7110.100 (Parks Personal Services) by \$7969 and increasing A1010.400 (Town Board Contingency) by \$393, A1010.402 (Web Page) by \$451, A1010.452 (Video/Audio Meetings) by \$699, A1110.100 (Justice Personal Service) by \$2972, A1110.400 (Justice Court Expenses) by \$4135, A1220.430 (Supervisor Transportation/Travel) by \$177, A1220.462 (Computer Supplies/Checks) by \$44, A1220.463 (Computer Software Maintenance) by \$13, A1410.463 (Computer Maintenance Contract) by \$48, A1420.400 (Attorney) by \$12,816, A1420.460 (Attorney Reimbursable) by \$2621, A1440.400 (Engineer) by \$61,876, A1620.400 (Building Cont) by \$5744, A1620.416 (Uniforms) by \$690, A1620.473 (Senior Center Repairs & O&M) by \$9496, A1620.474 (Parks Repairs) by \$11,563, A1620.493 (Historical Library Repairs and O&M) by \$77, A1650.401 (Central Telephone System) by \$3372, A1680.400 (Central Data Processing IT Consultant) by \$370, A1920.400 (Municipal Association Dues) by \$30, A1940.400 (Purchase of Land/Right of Way) by \$355, A3510.453 (ACO Gas/Oil/Repairs) by \$1386, A7110.402 (Parks Electricity) by \$3847, A7110.411 (Office Supplies) by \$110, A7110.416 (Parks Uniforms) by \$89, A7110.417 (Field Maintenance) by \$2446, A7110.423 (Holiday Supplies) by \$727, A7110.463 (Chemicals) by \$752, A7620.200 (Equipment/Furniture) by \$49, A7620.414 (Trips) by \$6260, A7620.469 (Kitchen/Food Supplies) by \$1859.

ADOPTED AYES 5 Palermo, Arone, Essig, Hernandez, Hunter
NOES 0

Motion was offered by Councilman Hunter, seconded by Councilman Essig, to approve a modification to the 2017 budget of the Police Department by decreasing B3120.421 (Labor Attorney) by \$18,898 and increasing B3020.100 (Dispatch Personal Services) by \$4316, B3120.400 (Police Cont Exp) by \$3147, B3120.415 (Legal/PBA Contract) by \$10,699, B3120.416 (Uniforms) by \$668, B3120.418 (Radio Rental) by \$68.

ADOPTED AYES 5 Palermo, Arone, Essig, Hernandez, Hunter
NOES 0

Motion was offered by Councilman Arone, seconded by Councilwoman Hernandez, to approve a modification to the budget of the Assessor's Office by increasing A599 (Appropriated Fund Balance) by \$10,000 and increasing A1355.462 (Article 7 Appraisals) by \$10,000.

ADOPTED AYES 5 Palermo, Arone, Essig, Hernandez, Hunter
NOES 0

Motion was offered by Supervisor Palermo, seconded by Councilman Essig, to approve a modification the budget of the Town Board/Supervisor's Office by decreasing A1010.430 (Transportation/Travel) by \$170, A1220.400 (Supervisor Cont Exp) by \$350 and increasing A1010.444 (Town Board School & Dues) by \$170, A1220.444 (Supervisor School & Dues) by \$350.

ADOPTED AYES 5 Palermo, Arone, Essig, Hernandez, Hunter
NOES 0

Motion was offered by Councilman Hunter, seconded by Councilwoman Hernandez, to approve a modification to the budget of the Refuse Fund by decreasing SR8160.402 (Clerk Contractual) by \$11,345 and increasing SR8160.100 (Refuse Personal Service) by \$10,500, SR1980.400 (Payment of MTA Payroll Tax) by \$40, SR9030.800 (FICA) by \$805.

ADOPTED AYES 5 Palermo, Arone, Essig, Hernandez, Hunter
NOES 0

d. Authorize Supervisor to sign DWI Agreement with Orange County:

Motion was offered by Councilman Essig, seconded by Councilman Arone, to authorize the Supervisor to sign the Stop DWI agreement with the County of Orange for the March 15, 2018 through January 1, 2019 patrol year. The contract indicates the not-to-exceed total dollar amount for the first period (March 15 - May 29) as being \$3208.50. There will be subsequent letters for the other two periods of the year.

ADOPTED AYES 5 Palermo, Arone, Essig, Hernandez, Hunter
 NOES 0

e. Appointment of Mary Anne Corsello for a Part-time Temporary Clerk non union @\$15.00 per hr. Start Date March 6, 2018:

Motion was offered by Councilman Hunter, seconded by Councilman Essig, to approve the appointment of Mary Anne Corsello to the position of part-time, non-union, temporary Library Clerk effective March 6, 2018 at a rate of \$15/hour.

ADOPTED AYES 5 Palermo, Arone, Essig, Hernandez, Hunter
 NOES 0

f. Appointment of Elisa Ilardi as Clerk effective March 6, 2018 @ UPSEU Grade 1 @ \$16.36/hour for approximately 12hrs. per week. As approved by OC Dept. of HR:

Motion was offered by Councilman Essig, seconded by Councilwoman Hernandez, to approve the appointment of Elisa Ilardi to the position of part-time Clerk effective March 6, 2018 at an UPSEU Grade I (\$16.36/hour) for approximately twelve hours per week. This individual will be working out of the Supervisor's office to handle the refuse.

ADOPTED AYES 5 Palermo, Arone, Essig, Hernandez, Hunter
 NOES 0

Councilman Arone confirmed Mrs. Ilardi will only be working on refuse issues and not as a secretary in the Supervisor's Office. He added that doing any other work would be against the union rules and could cause a grievance. Supervisor Palermo agreed.

g. Appointment of Robert J Thomas III to Full Time Woodbury Police Officer starting March 5, 2018 @ \$63,958.00:

Motion was offered by Councilman Essig, seconded by Councilman Arone, to approve the appointment of Robert J Thomas III to the position of full-time Police Officer effective March 5, 2018 at a rate of \$63,958/year.

ADOPTED AYES 5 Palermo, Arone, Essig, Hernandez, Hunter
 NOES 0

h. Appointment of Ryan J Sinclair to Full Time Woodbury Police Officer Starting March 6, 2018 @ \$63,958.00:

Motion was offered by Councilman Essig, seconded by Councilwoman Hernandez, to approve the appointment of Ryan J Sinclair to the position of full-time Police Officer effective March 6, 2018 at a rate of \$63,958/year.

ADOPTED AYES 5 Palermo, Arone, Essig, Hernandez, Hunter
 NOES 0

i. Appointment of Lawrence A Coe III to Full Time Police Officer Starting March 7th, 2018 @ \$63,958.00

Motion was offered by Councilman Hunter, seconded by Councilman Arone, to approve the appointment of Lawrence A Coe III to the position of full-time Police Officer effective March 7, 2018 at a rate of \$63,958/year.

ADOPTED AYES 5 Palermo, Arone, Essig, Hernandez, Hunter
NOES 0

3. New Business:

a. Board Approval of MOA with PBA-K9 position and authorizing the Supervisor to sign MOA:

Motion was offered by Councilman Hunter, seconded by Councilman Essig, to authorize the Supervisor to sign the Final Memorandum of Agreement with the Town of Woodbury Police Benevolent Association Inc., in relation to the K-9 program/assignment.

ADOPTED AYES 5 Palermo, Arone, Essig, Hernandez, Hunter
NOES 0

b. Board Approval of Chief Kevin Watson three year contract and Authorize the Supervisor to sign contract.

Motion was offered by Councilman Essig, seconded by Councilwoman Hernandez, to authorize the Supervisor to sign an "Employment Agreement" with Police Chief Kevin Watson for a period of January 1, 2018 thru December 31, 2020 with a salary of \$137,000.

ADOPTED AYES 5 Palermo, Arone, Essig, Hernandez, Hunter
NOES 0

Supervisor Palermo thanked the Town Board and Attorney McDonough for their work and support on this contract. He feels Chief Watson does a terrific job and he deserves this contract. He looks forward to working with him over the next three years.

4. Old Business:

a. Vote on Introductory Local Law #1, Supervisors Salary:

Motion was offered by Councilman Arone, seconded by Councilwoman Hernandez, to adopt the following resolution of the Town Board of the Town of Woodbury adopting Local Law #2 of 2018 entitled "a Local Law fixing the salary of the Supervisor of the Town of Woodbury for the 2018 Fiscal Year":

WHEREAS, a resolution was duly adopted by the Town Board on January 9, 2018 scheduling a public hearing to be held by said Governing Body on February 1, 2018 at 7:30PM, to hear all interested parties on a proposed local law to fix the salary of the Supervisor of the Town of Woodbury for the 2018 Fiscal Year; and

WHEREAS, on January 9, 2018, the Town Board designated itself as Lead Agency with respect to the SEQRA review of the foregoing proposed local law, preliminarily classified the proposed action as an Unlisted action under SEQRA, and scheduled a SEQRA public hearing with respect to the action; and

WHEREAS, notice of said public hearing was duly advertised in the Times Herald-Record, the official newspaper of said Town, on January 24, 2018 according to law; and

WHEREAS, said public hearing was duly held on February 1, 2018, at or about 7:30PM at the Town of Woodbury Town Hall, located at 511 Route 32, Highland Mills, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Town Board has reviewed the proposed local law, the short environmental assessment form prepared in connection therewith, and considered the public comment provided at the aforesaid public hearings, and after due deliberation thereon,

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE TOWN BOARD OF THE TOWN OF WOODBURY THAT:

- 1) the proposed local law constitutes an Unlisted action pursuant to SEQRA;
- 2) the proposed local law has no significant adverse environmental impacts and the Town Board hereby issues a negative declaration thereon;
- 3) the adoption of the proposed local law is in the best interests of the residents of the Town, and the Town Board hereby adopts said Local Law No 2 of 2018, entitled "a Local Law fixing the salary of the Supervisor of the Town of Woodbury for the 2018 Fiscal Year"; and
- 4) the Town Clerk is hereby directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Woodbury, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

ADOPTED BY ROLL CALL AS FOLLOWS

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| Supervisor Palermo | AYES |
| Councilman Arone | AYES |
| Councilman Essig | NOES |
| Councilwoman Hernandez | AYES |
| Councilman Hunter | NOES |

Supervisor Palermo noted the adoption of this local law is subject to a permissive referendum, like all local laws when they are adoption are. If a referendum were to be petition, he is confident the public will support this issue.

5. Board Member Comments:

Councilman Hunter congratulated all the new hires this evening and noted he looks forward to working with them. He then asked the Board members to support the postponement of any and all modification to the Town Hall building, with the exception of routine maintenance. He feels it is unnecessary to spend money on this building, citing the new staircase to the Supervisor's Office which is not finished and has already cost more than \$3000. Supervisor Palermo stated the Supervisor's Office has never been secure and he was asked by the staff to have a half-door installed, as all the other offices in the Town Hall have. The Building Inspector had stated the stairs were not safe so they were addressed. He does not feel the safety of the employees should be considered unnecessary. Councilman Hunter stated he feels a determination on the building needs to be made instead of worrying about how much the Supervisor is being paid.

Councilman Arone congratulated Chief Watson on his contract and welcomed the new police officers hired this evening. With regards to the local law adopted this evening, he was unable to attend the public hearing but did watch the meeting on YouTube. Reviewing the budget he felt it financially made sense to support the raise since there will be no secretary.

Councilman Essig congratulated all officers hired tonight and congratulated Chief Watson. With regards to the local law adopted this evening, he chose to vote no because he feels the Board should stick with the budget as it was adopted. With regards to the potholes on Route 32, Town Justice Bruce Schonberg has put the NYSDOT on notice with a list of all the issues from one end of Town to the other.

Councilwoman Hernandez thanked all for attending this evening and congratulated all individuals that were hired as well. She stated she feels it is very important to have a fully staffed Police Department to meet the needs of Woodbury and also congratulated Chief Watson on his contract. She

gave a "shout out" to the Police Department for addressing the speeding that was occurring on Smith Clove Road. She also thanked Supervisor Palermo for addressing the potholes on Route 32 with the NYSDOT. She noted there is a lot of concern about spending, which is also a big concern for the Board as well. She stressed there will be no change/increase to the budget line-item for the salaries in the Supervisor's Office.

With regards to the potholes on Route 32, Supervisor Palermo stated he has spoken to two different divisions of the NYSDOT assigned to maintenance in Woodbury. All of the potholes on the Route 17 overpass have been patched and he thanked Assemblyman Skoufis' office for helping to put him in touch with the correct section of the NYSDOT. He will continue to address and monitor these issues. He then congratulated Chief Watson on his contract and finalizing the K9 agreement. He also thanked everyone that has supported him and the things the Board has done.

Chief Watson thanked the Board for finalizing his contract, noted he appreciates it. He then acknowledged Supervisor Palermo, who he says has worked wholeheartedly since taking office to get this accomplished. He thanked the Board for bringing his department back to the number of employees that existed in June 2015. With regards to the condition of Route 32, he noted residents can also contact the Police Department to log areas of concern as they are keeping a list and reporting them to the State.

6. Adjournment:

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

ADOPTED AYES 5 Palermo, Arone, Essig, Hernandez, Hunter
 NOES 0

Desiree Potvin, Town Clerk

LOCAL LAW NO 2 OF 2018

A LOCAL LAW FIXING THE ANNUAL SALARY OF THE SUPERVISOR OF THE TOWN OF WOODBURY FOR THE 2018 FISCAL YEAR.

Be it enacted by the Town Board of the Town of Woodbury as follows:

Section 1 **Title**

This Local Law shall be entitled "A LOCAL LAW FIXING THE SALARY OF THE SUPERVISOR OF THE TOWN OF WOODBURY FOR THE 2018 FISCAL YEAR".

Section 2 **Purpose/Legislative History**

During Fiscal Year 2017, the salary for the Supervisor of the Town of Woodbury was set at \$53,130.00 per annum. On November 16, 2017, the Town Board adopted the budget for the Fiscal Year 2018, which reduced the salary for the position of Supervisor of the Town of Woodbury to \$33,000.00 per annum. The Town Board has reviewed and reconsidered its earlier determination to reduce the salary of the Town Supervisor in light of the fact that there will be no reduction in the duties or responsibilities of the Supervisor for Fiscal Year 2018. As such, the Town Board determines that the Supervisor's salary for Fiscal Year 2018 should be the same as the salary paid for Fiscal Year 2017. The Town Board of the Town of Woodbury reinstates the Salary for the position of Supervisor of the Town of Woodbury to \$53,130.00 per annum for the 2018 Fiscal Year.

Section 3 **The Local Law**

Pursuant to the authority set forth hereunder, the Town Board of the Town of Woodbury, effective January 1, 2018, hereby sets the per annum salary of the Town Supervisor as \$53,130 for Fiscal Year 2018.

Section 4 **Authority**

This Local Law is enacted pursuant to Town Law § 27(1). This local law shall supersede any inconsistent local law.

Section 5 **Rules and Regulations.**

The Town Board is authorized to adopt rules and regulations, by resolution, to further implement the provisions of this local law.

Section 6 **Severability**

If any part or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstances, and the Town Board of the Town of Woodbury hereby declares that it would have passed this local law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 7 **Repeal**

All ordinances, local laws and parts thereof inconsistent with this local law are hereby repealed.

Section 8 **Effective Date**

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.