

Minutes of the Town Board Meeting held on October 4, 2018 at 7:30PM

Present: Frank Palermo, Supervisor
Timothy Arone, Michael Essig, Jacqueline Hernandez and Robert Hunter, Council
Absent: Michael Essig, Councilman
Also Present: Joseph McKay, Attorney for the Town; Christopher Caruso, Police Sergeant; Joseph Gianzero, Parks Director; John Smith, Parks Commissioner; Maria Hunter, Village Planning Board

Pledge of Allegiance led by Isabella Rodriquez, Junior Deputy Supervisor

1. Public Hearing:

a. Special District 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 September 25 and 26, 2018. She also 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 offered by Councilwoman Hernandez, seconded by Councilman Arone, to close the hearing on the Consolidated Sewer District assessment roll.

ADOPTED AYES 4 Palermo, Arone, Hernandez, Hunter
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 offered by Councilman Arone, seconded by Councilman Hunter, to close the hearing on the Water District #6 assessment roll.

ADOPTED AYES 4 Palermo, Arone, Hernandez, Hunter
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 Councilman Arone, seconded by Councilwoman Hernandez, to close the hearing on the Sewer District #1 assessment roll.

ADOPTED AYES 4 Palermo, Arone, Hernandez, Hunter
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 Councilman Hunter, seconded by Councilman Arone, to close the hearing on the Refuse District assessment roll.

ADOPTED AYES 4 Palermo, Arone, Hernandez, Hunter
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 Councilwoman Hernandez, seconded by Councilman Hunter, to close the hearing on the Highland Lake Estates Sewer District assessment roll.

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

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

Consolidated Sewer District	Water District #6
Sewer District #1	Refuse District
Highland Lakes Estates Sewer District	

ADOPTED BY ROLL CALL AS FOLLOWS:

Supervisor Palermo	YES
Councilman Arone	YES
Councilman Essig	ABSENT
Councilwoman Hernandez	YES
Councilman Hunter	YES

2. Public Input (Agenda Items only):

Robin Crouse asked on what basis a CPA would be needed to assist the accounting department, as approved at the worksession meeting earlier this week. Supervisor Palermo stated to fill in for Eileen Sutherland who has been out for personnel reasons. The individual will be in the office once or twice a week to help with balancing the checkbooks and transferring funds as needed. Mrs. Crouse asked how many firms were interviewed and Supervisor Palermo stated no interviews were conducted as the firm being used is the same that does the audits for the Town. They are familiar with our system and our records. He stressed this is a temporary agreement until Mrs. Sutherland returns, adding this is our busy season with budgets and year-end accounting. Mrs. Crouse asked where the funds are coming from and Supervisor Palermo stated it will be found in the General Fund. Mrs. Crouse then asked if the implementation of the Parks Department software will be done in phases and Supervisor Palermo stated no it will be paid in full this year.

John Smith asked for an explanation of the Justice Court assistance program and Supervisor Palermo stated this is necessary so the court clerks can apply for grants.

Stephen Hunter stated he assumes in the tentative budget there are funds budgeted for the shifting of some departments to the new location and the remodeling of the existing Town Hall into a courthouse. He asked if there has been any coordination with the Village with regards to office space needs. He feels the Village's plan to expand the Village Hall at a cost of almost \$3 million is not economically smart but the Town's plan to move the three departments to the Professional Building is. He understands that the need for new municipal offices is overdo and he is pleased that strides are being taken to address it. Supervisor Palermo stated he initially looked at the Professional Building for just the Assessor's Office and was informed that more space was available so it made sense to include the other offices as well. Unfortunately there is not enough space for the building department. He did meet with the Mayor this week to explain that once the three offices are moved to the new location the process of moving the court downstairs will begin so the Building Department will need to move out of the Town Hall at that time, but they can keep their records in the basement for as long as they need too. He is aware the Village Board is discussing expanding the Village Hall but no member has approached

the Town to discuss it. The Mayor did tell him that he thought the shifting that is occurring by the Town is a good plan. Councilman Arone added the condition of the second floor of the Town Hall is not safe and needs to be addressed. It is his understanding that the Village is only discussing their possibilities to determine solutions for what they can do. He hopes that if more space becomes available in the Professional Building more departments can be moved into it and possibly house both municipalities. Councilwoman Hernandez noted the Board discussed the potential to buy the building after the lease is up and other options were looked into as well. The Board agreed the plan is to not lease space long-term. Mr. Hunter asked if any options rejected would have included space for the Building Department and Supervisor Palermo stated no. Supervisor Palermo noted the Village also looked at both the Professional and Osweiller Buildings but passed on both options.

Rey Hernandez asked if Councilman Arone and Councilman Essig, as Town Board liaisons to the Village, met with Village representatives to discuss having one building for municipal needs. Councilman Arone stated they have met with Village officials to discuss a resolution on the current litigation. A discussion was held about the Building Department needing to move so the court can be fully functional on the main floor. During that conversation the Village officials discussed their expansion plans to meet their needs for office and fire apparatus space. Mr. Hernandez asked each Board member to state whether they are in favor or against having one municipal building which would save expenses in the town and village for both boards to work together collectively. Councilman Arone stated in an ideal world he would be in favor of one building but timing has a big play in certain things. Councilman Hunter stated a good plan was presented to the public that would have housed all the municipal needs of both governments but it was voted down. He feels we need to move forward quickly to address the issues of the second floor of this building and the fact that our records are currently stored in several different locations. He feels that ideally he would like to see all departments in one building but in reality the Board needs to move forward to have a safe space for the workers and residents. Supervisor Palermo stated he would prefer the Village did not exist at all. He added if the Village comes to talk to the Town and ask to be part of a joint venture then a future board can consider it. If the Town buys the Professional Center at the end of the lease period an agreement can be made to house the Village offices and then there would be no reason for them to spend \$3 million on an expansion. The reality is our court facilities have been the shame of our community and the safety of the current Town Hall needs to be addressed. This opportunity came up and we grabbed it. Councilwoman Hernandez stated she agrees with the comments that have been made by the other Board members. She agrees the situation is critical right now and access for the disabled is a primary concern. She believes the solution that is planned will have the most minimal impact financially. She feels this solution will also enable the Town to have a prime location for the offices to have access to their records, which she stated was important. She believes the Board is trying to do what is best financially for the Town. Councilman Arone added there was one time a discussion with the school about the education center but the school changed their mind. Mr. Hernandez asked Supervisor Palermo to clarify his comment about the existence of the Village and Supervisor Palermo stated he feels it should be consolidated, not dissolved. He then added he spoke with the Mayor and has agreed the Building Department records located in the Town Hall basement can stay there for as long as they need them too.

Chris Graziano asked how bad the current Town Hall actually is and Councilman Arone stated the weight on the second floor is the primary issue. The Assessor's office is sinking due to the weight of their files. He believes this move is a sound decision. Supervisor Palermo added once the weight is alleviated it will help a lot. Mr. Graziano asked if "first right of refusal" was negotiated with the lease and Supervisor Palermo stated it was discussed. Mr. Graziano asked if a cost to purchase the entire building was estimated and Supervisor Palermo stated it has been but he would rather not state publicly

the amount, adding it has not increased much since the Town attempted to purchase the building twenty years ago. Mr. Graziano asked if the Town would then sell the current Town Hall and Supervisor Palermo stated that is not the plan as it will be maintained solely as a courthouse. Mr. Graziano noted if the Town purchases the professional building then it will come off the tax rolls and Supervisor Palermo stated that would be something to consider. Councilwoman Hernandez stated the set-up of the professional building would be difficult to be renovated to fit the needs of the court if it were to be relocated. Councilman Arone noted an inquiry was made to see if a neighboring court could be utilized temporarily while the Town figures out its plans and we were informed that is not permissible. Mr. Graziano stated he feels the town and village need to get along and it is ridiculous that they do not. Supervisor Palermo stated that although it appears the village and town does not get along the fact is they only disagree on one issue. Mr. Graziano stated he feels the two entities need to work together for the best interests of the community and its residents.

3. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Councilwoman Hernandez, seconded by Councilman Arone, to accept receipt of the minutes of the regular meeting held September 20, 2018.

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

Motion was then offered by Councilwoman Hernandez, seconded by Councilman Hunter, to accept receipt of the minutes of the worksession held October 1, 2018.

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

b. Approval of Abstract 19:

Motion was offered by Councilman Arone, seconded by Councilwoman Hernandez, to approve Abstract 19 containing vouchers 20181640 - 20181732 and totaling \$255,780.08.

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

c. Approval of Budget Modification:

Motion was offered by Councilman Arone, seconded by Councilwoman Hernandez, to approve a modification to the budget of the Woodbury Common BID by decreasing SMB3120.100 (Police Personal Service) by \$569 and increasing SMB3120.403 (Policing - Other Agency) by \$569.

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

4. New Business:

a. Appointment of Part-Time Court Attendant:

Motion was offered by Councilman Arone, seconded by Councilwoman Hernandez, to appoint John Morales to the position of part-time Court Attendant with a start date of October 9, 2018. This position is non-union and is paid \$18.01/hour.

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

b. Tentative Budget for 2019 has been submitted to Town Clerk and distributed to the Town Board:

Town Clerk Potvin stated that, pursuant to Town Law Section 106(3), a copy of the Fiscal Year 2019 Tentative Budget was received by her office on September 27, 2018, and has been distributed to

the Board members. The tentative budget consists of the budget summaries submitted by each department.

c. Approval of the 2018/2019 Justice Court Assistance Program.

Motion was offered by Councilwoman Hernandez, seconded by Councilman Hunter, to authorize the Town Justice Court to participate in the 2018/19 Justice Court Assistance Program and to authorize the Supervisor to sign any and all necessary documents relating to the application process.

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

d. Approve the Supervisor to sign agreement with BAS for the Parks & Rec Web Page:

Motion was offered by Councilwoman Hernandez, seconded by Councilman Arone, to accept and authorize the Supervisor sign a proposal with Business Automation Services (BAS) for the purchase and maintenance of a Parks and Recreation software program at a cost of \$10,000, purchasing an ID card printer at a cost of \$2000 and one-year maintenance at a cost of \$3000.

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

5. Old Business:

EXTRA ITEM – Resolution to Approve Lease of 615 Route 32, Highland Mills:

Attorney McKay stated he has reviewed the lease agreement and provided some amendments to the owner's attorney. He has not received a response yet. He has prepared a resolution that the Board will need to adopt regarding the lease agreement. Motion was offered by Councilman Arone, seconded by Councilwoman Hernandez, to adopt the following resolution authorizing the Town Supervisor to enter into an agreement with WPC Associates, LLC, to lease space at 615 Route 23, to be used as a town hall:

WHEREAS, pursuant to Town Law section 220(2), the Town Board wishes to lease space at the premises located at 615 Route 32 to be used as a Town Hall; and

WHEREAS, the proposed lease agreement would be for a term of 3 years with an option for 2 additional years; and

WHEREAS, the Attorneys for the Town have reviewed the lease and have proposed amendments thereto to the landlord; and

WHEREAS, the Town Board wishes to authorize the Town Supervisor to execute the lease agreement subject to the landlord agreeing to the proposed modifications requested by the Town's Attorneys, and subject to compliance with the referendum on petition requirements of Town Law Section 90.

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town Board has determined that the lease is not an action pursuant to SEQRA Part 617.2(b)(1), or alternatively, acting as Lead Agency, finds that the lease is a Type II action pursuant to Part 617.5(c)(2), and authorizes the Town Supervisor to execute the lease agreement subject to the landlord agreeing to the proposed modifications requested by the Town's Attorneys; and it is further,

RESOLVED, that within ten (10) days of the adoption of this resolution, the Town Clerk shall, in the same manner as provided for notice of a special election, post and publish a notice which shall set forth the date of the adoption of this resolution; contain an abstract of this resolution concisely stating the purpose and effect thereof, and shall specify that such resolution was adopted subject to a permissive referendum.

ADOPTED AYES 4 Palermo, Arone, Hernandez, Hunter

NOES 0

EXTRA ITEM - Public Participation:

John Smith stated he attended the budget worksession earlier this week and he believes there were some big discrepancies in the budget - especially in the area of salaries, some increases being large and some none at all. It is his understanding that this issue will be discussed when the entire board is present at the next budget worksession. Supervisor Palermo noted there will be a public hearing held on the budget in November. He believes the entire board will be present at the October 17 worksession but believes the topic will be discussed in executive session. He does not want the information put on social media prior to the employee(s) being told the discussions outcome. Mr. Smith suggested following what the County Legislature has done and have no raises at all.

Sergeant Caruso reminded all the Columbus Day holiday weekend is anticipated to be heavy traffic delays the south end of the town due to the construction and shopping centers. He also noted members of the Police Department will be hearing pink pins on their uniforms for Breast Cancer Awareness month. He concluded by reminding the public about the curfew for Halloween.

6. Board Member Comments:

Councilwoman Hernandez stated the boy scouts will be doing work at the dog park by updating/replacing the apparatuses that are there. She also spoke with the Library Director about a program/phone app they are using call Burbio that enables business, officials and non-profits to add events to a community calendar. Individuals with the app on their phone will then get notifications.

Supervisor Palermo noted on October 14 the annual Breast Cancer Awareness walk will be held at Woodbury Common. He then asked all to drive carefully this weekend.

7. Adjournment:

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

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

Desiree Potvin, Town Clerk

The Board entered into an attorney/client session with Attorney McKay after adjournment.