

Minutes of the Town Board Meeting held on July 3, 2019 at 10:00AM

Present: Frank Palermo, Supervisor
Timothy Arone, Jacqueline Hernandez and Robert Hunter, Council
Absent: Michael Essig, Council
Also Present: Kevin Watson, Police Chief; Kevin Phillips, Police Lieutenant; Joseph Gianzero, Parks Director; John Smith, Parks Commissioner

I. Public Input:

Robin Crouse asked if the employment appointments are due to vacancies or are they new hires. Supervisor Palermo stated the officer is a replacement for Sergeant Burke's position, the temporary position with the library is new and the Clerk in the Assessor's office is to replace Jewels Atkins. Mrs. Crouse asked why the Police Chief's contract is being revised at this time and Supervisor Palermo stated Councilman Arone and Councilman Essig approached him stating they are very pleased with the work done by the Police Chief. The current contract was for three years and expires next year. Both met with Chief Watson and this is the solution that they all agreed to - renewing, revising and extending the current contract.

Chris Graziano stated he would like to restate the comments he made at the last Village Board meeting and stressed he is 100% against the VLT project going in. He feels it is a monumentally bad idea since the site is contaminated and messing with it will have consequences to the Ramapo Watershed. He also stated there was no regional look at this application and feels having all these parcels at different places makes no sense since one location will have a hotel and another a convention center, adding that a video gaming parlor will not bring high-end clientele. He feels a deep hard look needs to be taken and all the potential environmental impacts be analyzed and public comment solicited. He does not feel that Albany should dictate what happens in Woodbury. He also thinks new testing needs to be done on the site so updated data is available. He is concerned moving the soil would be dangerous to the public and he plans on attending the meeting in Harriman next to stress his concerns there as well. Councilwoman Hernandez suggested the inter-municipal counsel for watersheds be made aware of his comments too, which she will do for him. Supervisor Palermo asked that comments be limited to what is actually known and not what has been speculated. He noted it was never stated that the soil is being moved from this location to another location which is ridiculous and Mr. Graziano stated that was what was reported in the newspaper. Supervisor Palermo stated that is not what is happening as far as he knows. Councilman Hunter stated he does not think there is anyone in the room that disagrees with what has been said and agrees it is time to really study that property. Councilman Arone stated it appears that Harriman will probably be Lead Agency so he suggested comments also be made at their meetings so they are aware. He further noted there are a lot of unanswered questions that everyone agrees need to be answered. Supervisor Palermo agreed and noted that no one really knows what is going at this time, adding it may not get as far as the Planning Board stage. There is legislation that passed and an agreement that exists between two parties. He spoke to the owners of the Nepera property (ELT) and was told that they have not even done anything yet. He believes the media jumped the gun and there is a lot of speculation involved. Resorts World intends to come and give a presentation but he has not spoken to them yet. The Town has no control over this and even the Village of Woodbury will not have much say as the project is mostly in Harriman.

II. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Councilwoman Hernandez, seconded by Councilman Arone, to accept receipt of the minutes of the meeting held June 20, 2019.

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

b. Approval of Abstract:

Motion was offered by Councilwoman Hernandez, seconded by Councilman Hunter, to approve Abstract 13 containing vouchers 20191077 - 20191161 and totaling \$62,822.38.

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

c. Budget Modification:

Motion was offered by Councilman Arone, seconded by Councilwoman Hernandez, to approve the following modifications to the 2019 budget of various funds:

- 1) Increase SMB3120.403 (Policing, Other Agencies) by \$835 and decreasing SMB3120.100 (Police Personal Service) by \$835;
- 2) Increasing A2401 (Interest Earnings) by \$149 and increasing A1920.400 (Municipal Association Dues) by \$149;
- 3) Increasing A599 (Appropriated Fund Balance) by \$20,154 and increasing A1620.465 (Blacktopping) by \$20,154;
- 4) Increasing A2705 (Gifts & Donations) by \$60,663 and increasing A1620.445 (Community Center) by \$60,663.

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

III. New Business:

a. Appoint Kevin Ambrose to Woodbury Police Officer Full-time starting July 3, 2019 @ new police rate of \$65,717 per year

Motion was offered by Councilman Arone, seconded by Councilwoman Hernandez, to appoint Kevin Ambrose to the position of full-time Police Officer at a PBA rate of \$65,717 per year with a start date of July 3, 2019.

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

The Oath of Office was administered by Clerk Potvin.

b. Appoint Dawn McFarland as Temporary Library Clerk as Part-Time; max of 10 hrs. per wk. @ \$15.00 per hour.

Motion was offered by Councilman Arone, seconded by Councilwoman Hernandez, to appoint Dawn McFarland to the position of part-time (maximum ten hours per week) temporary library clerk at a rate of \$15.00 per hour. No start date was provided.

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

c. Appoint Alba Pichardo as Part-Time Clerk in Assessor's Office; 19 or 20 hrs. @ \$16.36 per hour:

Motion was offered by Councilman Hunter, seconded by Councilwoman Hernandez, to appoint Alba Pichardo to the position of part-time (no more than 20 hours per week) clerk in the Assessor's Office at a rate of \$16.36 per hour with a start date of July 8, 2019.

ADOPTED AYES 4 Palermo, Arone, Hernandez, Hunter

NOES 0

d. Authorize the Supervisor to sign Chief Watson's contract:

Motion was offered by Councilman Hunter, seconded by Councilwoman Hernandez, to authorize the Supervisor to sign the new Police Chief's contract.

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

Chief Watson stated he appreciates the extension and the support of the Board. He was not looking for this to happen but when he was approached by Councilman Arone and Councilman Essig he agreed to it.

e. Presentation from John Petroccione re: new pool:

The Board had a preliminary map that they reviewed while the presentation was given. Mr. Petroccione stated he initially met to go over the CV Pool renovations that were done about ten years ago where the bottom was finished with asphalt and painted. There is currently significant leakage on an ongoing basis occurring there. He feels the mechanical system is very good equipment and he does not propose to make any significant changes to that system. He is doing preliminary sketches now and will prepare some estimates to give the board an idea of what things will cost so they can determine what they want or don't want based on the costs. Once all the plans are finalized the board can go out to bid on the project. Councilman Arone asked how long construction will take and Mr. Petroccione estimated about twelve months, which would include demolition. Councilman Hunter asked if the entire pool is asphalt and Mr. Petroccione stated all but a prefab wall by the diving well. Councilman Hunter asked if it all will be removed and Mr. Petroccione stated yes there will be an entirely new pool which will be about 1/4 of the size of what is currently there. It will have steel reinforced shotcrete. Councilwoman Hernandez asked what some of the disadvantages if the Board wanted to just patch up the current bottom. Mr. Petroccione stated the biggest issue is the dramatic loss of water, noting the well is currently running at 90gpm just to maintain the water level. Councilwoman Hernandez asked since the Town is using treated water to fill the pool is this loss affecting the local wells and water supply. Councilman Hunter stated the residents surrounding the pool are all connected to municipal water and there are no private wells in that area. Mr. Petroccione stated the chemicals used in the pool are similar to what is used in the drinking water so although it is not favored, there is no risk. Councilwoman Hernandez asked what the benefits are of downsizing the pool versus keeping it the size that it currently is. Mr. Petroccione stated the current size of the pool has a very significant mechanical system which is bigger than a lot of water parks have. Reducing the size of the pool would enable you to run it using less of the system and to have a back-up. Councilwoman Hernandez stated that would mean the costs to run the pool would be reduced and Mr. Petroccione stated yes and fewer chemicals would be needed as well. It will also help with water clarity issues and maintaining chemical levels. Councilman Arone asked what other projects Mr. Petroccione has worked on. Mr. Petroccione stated the YMCA in Middletown and Monroe, most day camps and most hotels in the area. He has submitted proposals to Lego Land but they are not far enough into the project yet. Councilman Arone stated this will be the third time the pool is being resurfaced and warranty is a concern. Mr. Petroccione stated the mechanical system is great and the Town's previous engineer did what he could with the budget he was provided to make it work. The asphalt is not typical construction but that is not the fault of the previous engineer. Councilwoman Hernandez stated the pool is currently being used and the Board does not want to interrupt service to the residents. She stressed this will not be rushed through and asked if the current pool can be used for another season before the construction starts. Mr. Petroccione stated it has been his experience that once the Orange County Department of Health knows you are working on a solution they are usually okay and will not close you down. Supervisor Palermo stated the Town purchases an enormous amount of paint to seal the pool and was told that it is no longer available.

Since that is the way the pool has been sealed he was told nothing else can be used. Mr. Petroccione stated that is correct as nothing else would be able to bond to the surface unless you strip off the product completely from the asphalt. Supervisor Palermo stated so the Town is in a situation where it will need to build a new pool. He noted he has been looking for “pool experts” to help with this situation and he looks forward to working with Mr. Petroccione on this issue to find a solution.

IV. Board Meeting Comments:

Councilwoman Hernandez stated in light of the things going on in Town she encourages the residents to be part of the change they want to see in the community. The Boards want to hear from the residents and she encourages them to attend meetings and not go to just social media, noting the Board members may be able to provide more information or provide the reason why the Board does something. She then wished everyone a happy Independence Day.

Annie McGuinness noted that some individuals cannot come to speak at meetings because their schedule does not permit it. She is attending this morning to discuss the proposed casino. She has issues with the way the Town and Village have had unofficial meetings with Senator Skoufis. She will be FOILING all the texts and emails relating to it. Regarding the digging up of the Nepera site, she feels there is a lack of information that could cause health problems to our school children. She knows people that worked at Nepera that now have several types of cancer and they are trying to get help with that. She thinks the way this was pushed through the Senate in the middle of the night without anyone knowing is wrong. She acknowledged there was an article printed in April that said it was a long shot and she hopes the Town Board does the right thing for the constituents. Councilwoman Hernandez stated the Town Board has no say regarding the finalization of the project and the idea was entertained because it included addressing the contaminated site. Mrs. McGuinness stated the Board represents the public and the public was not solicited for input on the issue. Councilwoman Hernandez stated she understands but these were brief discussions that were held and the Town Boards interests were in learning about the project due to the remediation of the site. Mrs. McGuinness stated the interests were financial. Councilwoman Hernandez stated she did not say that and the interest was the health risk and condition of the property, which is the Town Boards primary focus. Councilman Hunter stated all the Board members live here and he has no plans to move. He wants to see the right thing done as it effects his future as well.

Supervisor Palermo stated that if an individual attacks the Town Board or himself he will respond with facts and not allegations or off the cuff things like what he had to listen to at the last Village Board meeting. Trustee Giacomazza stated it was very convenient for the Supervisor to make this meeting at 10AM but this meeting was approved on April 4 since the regular meeting would have been July 4. The special meetings are always rescheduled to 10AM. Trustee Giacomazza also stated he was speaking to a Town Board member that said he knew nothing about the VLT issue but he did not say who. He assumes it was Councilman Essig since the other Board members present today told him they did not speak to him. Supervisor Palermo then provided the following timeline of events relating to the VLT issue:

- On April 18 he met with Senator Skoufis and Harriman Mayor Welle in Harriman to be discussing the issue. He let the Town Board know about it at that time. Trustee Egan was not at the meeting but was told that he did speak to the Senator. Therefore, all three Boards were aware that something might be happening. Senator Skoufis explained this was something that could be possible but a lot of things needed to happen first (MGM and Resorts World to agree, state legislation to pass and the Governor to sign, Nepera site be cleaned up). He just wanted to let each entity know what was in the works. Senator Skoufis also stated that if any municipality

was against this issue he would not move forward with it. Supervisor Palermo noted they were not all in crazy favor for it but feels nothing should be turned down without more information. Supervisor Palermo stated that Trustee Giacomazza also stated that at the last Village Board that he, Supervisor Palermo, is a full-time Supervisor, which he is. His door is always open and an appointment is never needed. He will also come to your home to talk if that is more convenient. He is annoyed that Trustee Giacomazza is telling people to go talk to him when he had invited him twice to come and speak to him and he has not.

- On June 4 he received a text from Senator Skoufis that MGM and Yonkers had an agreement. Mayor Welle replied "great", he replied "great news" and Trustee Egan replied "fantastic looking forward to something good". Supervisor Palermo stated it appears that the view of what occurred have been stated differently publically.
- On June 20 another text was received from Senator Skoufis asking if all were available at 4PM for a conference call to discuss this issue and answer questions. He also asked that another Board member attend. Mayor Welle states he was available as did Supervisor Palermo. Trustee Egan stated he was not available. Senator Skoufis stated he would reach out to Trustee Giacomazza. Trustee Egan stated he was delayed in responding because he was contacting Trustee Giacomazza and Mayor Queenan but both turned down the opportunity to attend.

Supervisor Palermo stated he feels it is a disgrace to try to fool the public. Both Trustee Giacomazza and Mayor Queenan turned down the opportunity to be involved and to be informed. He also noted most of the project will be in Harriman and they will have the final say on the project. He is in favor of cleaning up Nepera, adding the entity that bought the property specializes in cleaning up brownfields. He asked them why nothing has been done to date and was told they are dealing with the NYSDEC, which has been difficult. The Town has also been involved in a tax certiorari with them that cannot be resolved because of the NYSDEC. His hope is now that the bill is sign the NYSDEC may move on it. He feels the cleaning of the property should not be ignored and that it will be overseen by several agencies. The money that the Town will be getting from this issue will be used to hire additional officers that will be needed. He noted the Town will be able to sit with the entity and they have asked for a list of what the Town wants. He will work with Mayor Welle on this list and he expects to sit at the table and be part of the process. He stressed the Town Board will represent the Town and do the best it can to protect it. He feels what was said at the last Village Board meeting is nonsense and wrong. He noted we all live here and want it to turn out the right way. He feels that saying this will only bring the wrong kind of people is wrong as well, adding our Police Department would not allow for that to occur. Councilman Arone stated he wants it to be clear that this has not been approved yet and it still needs to go through the Planning Board process. He noted it may not even come and he has a long list of questions that he wants addressed. Supervisor Palermo stated hopefully there will be no more whining and he finds it hard to believe that Trustee Egan did not inform anyone on the Village Board what was going on. He feels we all need to work together and not fight.

V. Adjournment:

With no further business to conduct a motion was offered by Councilman Hunter, seconded by Councilwoman Hernandez, to adjourn the meeting at 10:55AM.

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

Desiree Potvin, Town Clerk