

Minutes of the Town Board Meeting held on February 6, 2020 at 7:30PM

Present: Frank Palermo, Supervisor
Thomas Burke, Tyler Etzel, Jacqueline Hernandez and Robert Hunter, Council
Absent: None
Also Present: Joseph McKay, Attorney for the Town; Kevin Watson, Police Chief; Joseph Gianzero, Parks Director; Clara Rivera, Account Clerk

Pledge of Allegiance Led by Sean and Anna Carsley - Junior Deputy Supervisors

I. Public Input: *No public input was received.*

II. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Councilman Hunter, seconded by Councilwoman Hernandez, to accept receipt of the minutes of the meeting held January 16, 2020.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

b. Approval of Abstract(s):

Motion was offered by Councilman Hunter, seconded by Councilman Burke, to approve Revised Abstract 24 by voiding voucher 20192140 (check #21944) in the amount of \$20.34. This reduces the total of the abstract to be \$228,209.32.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

Motion was then offered by Councilman Etzel, seconded by Councilwoman Hernandez, to approve Abstract 2 containing vouchers 200117 – 200236 (less voided voucher 200210) and totaling \$447,935.37.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

c. Approval of Budget Modification(s):

Motion was offered by Councilwoman Hernandez, seconded by Councilman Etzel, to approve a modification to the 2019 budget as follows:

- General Fund – increasing A1620.493 (Historical Library Repairs) by \$9013 and decreasing A1620.453 (Diesel/Gas) by \$24, A1620.446 (Community Center Propane) by \$5074, A1620.462 (Repairs/Materials) by \$3915

and modifications to the 2020 budget as follows:

- General Fund – increasing A6510.400 (Veterans Services) by \$1000 and decreasing A7550.400 (Celebrations) by \$1000;
- Justice Court – increasing A1110.200 (Equipment) by \$1016 and A3021 (State Aid, Court Facilities) by \$1016.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

III. New Business:

a. Resolution – Urging Repeal of NYS Criminal Justice Bail Report:

Motion was offered by Councilman Burke, seconded by Councilman Etzel, to adopt the following resolution of the Town Board of the Town of Woodbury urging the New York State Legislature to consider immediate changes to the newly enacted Criminal Justice Reform Laws:

WHEREAS, in April 2019 the New York State Legislature passed sweeping criminal justice legislation changing, among other things, the use of bail and rules regarding the sharing of evidence in criminal proceedings; and

WHEREAS, the changes went into effect January 1, 2020; and

WHEREAS, prior to the changes taking effect, many district attorneys, other law enforcement officials, and residents of New York State expressed serious concern regarding the new laws, including the elimination of the ability for a judge to set bail in many instances, impacted discovery timelines in criminal proceedings, and law enforcement's compromised ability to safely engage witnesses; and

WHEREAS, although the laws were passed with the intention of reforming injustices within the criminal justice system, which we are fully in favor of, we firmly believe that the unintended consequences pose serious risk to the public safety of our communities.

NOW, THEREFORE BE IT

RESOLVED by the Town Board of the Town of Woodbury to urge the New York State Legislature to immediately revise the newly enacted criminal justice reform laws to address the concerns of New York State Attorney General Letitia James, district attorneys, and law enforcement officials throughout the state, while maintaining the intent of the laws which were to alleviate disparities within our system; and be it

FURTHER RESOLVED that the Town Clerk is hereby directed to forward a copy of this resolution to New York State Senator James Skoufis and New York State Assemblyman Colin Schmitt.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
 NOES 0

b. Resolution - Authorize Settlement of Tax Certiorari Proceeding(s):

Motion was offered by Councilman Hunter, seconded by Councilwoman Hernandez, to adopt the following resolution of the Town Board of the Town of Woodbury authorizing the law firm of Catania, Mahon & Rider, PLLC to settle the tax certiorari proceeding commenced by Paradigm Tax Group:

WHEREAS, an action was filed by Paradigm Tax Group pursuant to Article 7 of the New York Real Property Tax Law challenging the 2018 and in 2019 tax assessments for the properties located at Section 227, Block 6, Lot 3.2 ("45 Buena Vista") & Section 239, Block 2, Lot 28 ("57 Rockridge Drive") & Section 239, Block 1, Lot 28 ("4 Walnut Way").

WHEREAS, Paradigm sought a reduction in the 2018 assessment against 45 Buena Vista from \$158,900.00 to \$91,300.00 and in the 2019 assessment against 45 Buena Vista from \$158,900.00 to \$103,320.00; and

WHEREAS, Paradigm sought a reduction in the 2018 assessment against 57 Rockridge Drive from \$101,985.00 to \$97,400.00: and

WHEREAS, Paradigm sought a reduction in the 2018 assessment against 4 Walnut Way from \$93,700.00 to \$77,200 and in the 2019 assessment against 4 Walnut Way from \$93,700.00 to \$81,265.00; and

WHEREAS, the Town Assessor, after performing a detailed analysis of the 2018 & 2019 assessments of the aforementioned parcels, proposed a \$43,900.00 reduction in the 2018 & 2019 assessments of 45 Buena Vista resulting in a new assessment of \$115,000.00 for 45 Buena Vista way in both 2018 & 2019; and

WHEREAS, the new assessment would result in a refund to the Petitioner of \$2,851.37 in school taxes, \$507.53 in town taxes, \$ 254.26 in village taxes and \$403.90 in county taxes for the 2018-2019 tax year; and

WHEREAS, the new assessment would result in a refund to the Petitioner of \$2,911.58 in school taxes, \$511.56 in town taxes, \$243.47 in village taxes and \$433.03 in county taxes for the 2019-2020 tax year; and

WHEREAS, in consideration of the reduction of the 45 Buena Vista Property assessment, the Petitioner has agreed to discontinue the Petition regarding 57 Rockridge Drive for 2018 in its entirety; and

WHEREAS, in consideration of the reduction of the 45 Buena Vista Property assessment, the Petitioner has agreed to discontinue the Petitions regarding 4 Walnut Way for 2018 & 2019 in their entirety; and

WHEREAS, pursuant to Section 727 of the New York Real Property Tax Law, the assessment fixed for 2019 would be frozen as to 227, Block 6, Lot 3.2 for the 2020, 2021 and 2022 tax years; and

WHEREAS, Petitioner, Paradigm is willing to accept the reduction proposed by the Town Assessor and has signed a stipulation to that effect; and

WHEREAS, the Town Board of Woodbury has discussed and considered the issues related to the settlement of this matter; and

WHEREAS, the Town Board of the Town of Woodbury finds that it is in the best interest of the Town of Woodbury to settle this matter and is willing to accept the reduction in the assessment proposed by the Town Assessor from \$158,900.00 to \$115,000.00 for the tax years 2018 & 2019; and

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town's attorneys Catania, Mahon & Rider, PLLC shall have the authority to settle the matter described herein on behalf of the Town of Woodbury and the Board directs the Town's attorneys and/or the Town Supervisor to execute the stipulation of settlement and any other necessary documents on behalf of the Town of Woodbury.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
 NOES 0

c. Authorize Supervisor to sign Woodbury Field & Streams Club Agreement:

Motion was offered by Councilman Hunter, seconded by Councilman Burke, to authorize the Supervisor to sign an agreement with the Woodbury Field & Steam Club for the Woodbury Police Department to continuing using the range on their property. This agreement is for the term of January 1, 2020 thru December 31, 2023.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
 NOES 0

d. Authorize Supervisor to Sign Various Proposals with Stratagem Security System:

Motion was offered by Councilman Etzel, seconded by Councilwoman Hernandez, to authorize the Supervisor to sign the following proposals relating to the upgrades to our security systems with Stratagem Security System:

- Police Department –\$938.47 – Replace existing strike at side door, replace intercom at side door, test with dispatch
- Central Valley Library - \$4598.40 – Install security system with keypad, motion detectors, window contacts, door contacts, panic buttons, wireless panic pendants and outdoor siren/strobe

- Highland Mills Library/Senior Center - \$6598.51 – Install security system with keypad, motion detectors, door contacts, panic buttons, wireless panic pendants, outdoor siren/strobe
- Supervisor’s Office - \$588.39 – Install panic button.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
 NOES 0

e. Authorize Supervisor to sign Stryker Agreement for AED:

Motion was offered by Councilman Etzel, seconded by Councilwoman Hernandez, to authorize the Supervisor to sign an agreement with Stryker for the maintenance of three AED units at the Police Department for a total cost of \$1188.00.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
 NOES 0

f. Approve revised start date for Police Officer Dominick Gonzalez; Jan. 21, 2020:

Motion was offered by Supervisor Palermo, seconded by Councilwoman Hernandez, to revise the start date of Police Office Dominick Gonzalez to be January 21, 2020.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
 NOES 0

g. Schedule Special Meeting - Interviews for Parks & Recreation Committee:

Motion was offered by Councilman Hunter, seconded by Councilman Etzel, to schedule a special meeting to be held on February 26, 2020 at 7PM for the Town Board to hold an executive session to conduct interviews for the one vacant seat on the Park and Recreation Committee with a term due to expire December 31, 2024.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
 NOES 0

h. Promotion of Clara Rivera to Account Clerk:

Motion was offered by Councilman Etzel, seconded by Councilwoman Hernandez, to promote Clara Rivera to the position of Account Clerk effective February 10, 2020. This position will be paid an hourly rate of \$20.6501, is an UPSEU Grade Level 5 and is 35 hours per week.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
 NOES 0

Supervisor Palermo stated he no longer has an official secretary but Mrs. Rivera does a great job and wears many hats.

i. Appointment of Elaine Larsson as Senior Center Part-Time Clerk:

Motion was offered by Councilwoman Hernandez, seconded by Supervisor Palermo, to appoint Elaine Larsson as Senior Center part-time Clerk effective January 23, 2020. This position will be paid an hourly rate of \$17.5317, is an UPSEU Grade Level 1 and is for 20 hours per week.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
 NOES 0

Councilwoman Hernandez asked if Mrs. Larsson will be filling the position vacated by Rick Walls. Supervisor Palermo stated no Christine Kirk filled that position and Mrs. Larsson will be doing the work that Mrs. Kirk formally did (maintaining the books, making appointments and occasionally traveling with the members).

j. Appointment of Christopher Sutherland as Part-Time ADCO:

Motion was offered by Councilman Etzel, seconded by Supervisor Palermo, to appoint Christopher Sutherland as a part-time Animal/Dog Control Officer effective February 10, 2020. This position will be paid an hourly rate of \$17.5317, is an UPSEU Grade Level 1 and is for 20 hours per week.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

Councilwoman Hernandez asked if this is a replacement position and Supervisor Palermo stated there are five individuals that work this department – one recently resigned and one is returning to school.

k. Appointment of Samantha August as Part-Time ADCO:

Motion was offered by Councilwoman Hernandez, seconded by Councilman Burke, to appoint Samantha August as a part-time Animal/Dog Control Officer effective February 10, 2020. This position will be paid an hourly rate of \$17.5317, is an UPSEU Grade Level 1 and is for 20 hours per week.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

l. Appointment of Elijah Jonas as Temporary Library Clerk:

Motion was offered by Supervisor Palermo, seconded by Councilman Hunter, to appoint Elijah Jonas as a temporary Library Clerk at an hourly rate of \$15.00 with an employment term of February 10, 2020 thru August 10, 2020.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

Councilman Burke asked if this is position being filled or is it only for six months. Supervisor Palermo stated people come in and out of this position. The Library hires a person as a temporary and if they work out they move onto be permanent.

m. Acceptance of Resignation - Ingrid Barbosa-Limon:

Motion was offered by Councilman Hunter, seconded by Councilwoman Hernandez, to accept the resignation of Ingrid Barbosa-Limon from the position of part-time Dispatcher effective January 14, 2020.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

IV. Board Meeting Comments

Councilman Burke congratulated Mrs. Rivera on her promotion and he feels she does a terrific job. He feels there was a great showing at the pancake breakfast held this past weekend. The event has been held since 2015 at the Village Hall and this year it was moved to the Community Center. He was happy to see that the Village still participates in the event. He then noted a meeting was held earlier this week regarding the pool redesign plans and he thanked each member of the Parks Committee for attending. He feels the process is going well.

Councilwoman Hernandez congratulated all hired this evening and Mrs. Rivera on her promotion – whom she feels is diligent and efficient. She noted that this Tuesday there is an Art Council meeting that will be held at the Community Center and she encouraged all to join and attend. She thanked everyone that participated in the efforts to win the HGTV “Main Street Makeover” contest – including the Town and Village Departments. She reminded residents to check their emails often for announcements that come from the Parks Department for the events and programs they are offering.

Regarding the pool redesign, the Board is working on a timeline and are aiming to have all finalized in June. There have been two meetings held between the Board and Parks Committee with the consultants. She is hoping to get the public the final design concept soon. She then noted Orange & Rockland will be installing smart meters in Town and more information can be found on the website.

Councilman Etzel congratulated all the new hires and Mrs. Rivera on her promotion. He thanked Supervisor Palermo for taking him on a tour of the Town recently so he can see all the facilities and meet the employees. He thought it was interesting and he looks forward to working with everyone.

Councilman Hunter stated a letter was received from a resident that was recently involved in an accident praising Officer Robert Thomas for his professionalism and conduct.

Parks Direct Gianzero thanked, on behalf of the John P Burke Scholarship Committee, all that participated, helped and attended the pancake breakfast that was held this past weekend. Clerk Potvin announced \$1070 was raised at this event. He then thanked Village Water/Sewer employee Michael Garry for volunteering his time to set-up the audio/visual equipment at the Community Center to create a theater experience for movie nights, which will next be held on February 21.

Supervisor Palermo announced that he has met several times with Mayor Egan and they plan to meet on a regular basis to stay in communication with each other and help each other wherever possible. He is confident that a solution to the lawsuit can be met and that the meetings that have been held have been very productive.

8:05PM – Executive Session:

Motion was offered by Councilwoman Hernandez, seconded by Councilman Burke, to enter into an executive session pursuant to Public Officer Law Section 105(1)(d) to discuss one item relating to the litigation known as the Town of Woodbury vs. the Village of Woodbury.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
 NOES 0

No minutes of the executive session were recorded.

V. Adjournment:

With no further business to discuss, a motion was offered by Supervisor Palermo, seconded by Councilman Burke, to end the executive session and adjourn the meeting at 9:12PM.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
 NOES 0

Desiree Potvin, Town Clerk