Minutes of the Virtual Town Board Meeting held on April 16, 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; Various Members of the Public

I. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Councilwoman Hernandez, seconded by Councilman Etzel, to accept receipt of the minutes of the meeting held April 2, 2020.

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

b. Approval of Abstract:

Motion was offered by Councilman Burke, seconded by Councilman Etzel, to approve Abstract 7 containing 200555-200605 and totaling $180,410.04.

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

II. New Business:

a. Authorize the Town Clerk to advertise for #2 Fuel Oil Bids:

Motion was offered by Supervisor Palermo, seconded by Councilwoman Hernandez, to authorize the Town Clerk to advertise for bids for the purchase of Fuel Oil No 2 for various Town facilities for the 2020/2021 season (July 1 – June 30).

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

b. Authorize the Supervisor to sign renewal agreement with Stratagems Securities:

Councilman Etzel asked why the John Burke Pool is not included in the proposal and Supervisor Palermo stated the equipment is not yet installed there and it will come with a one-year warranty so no proposal would be needed. Councilman Hunter asked if someone from the will be present when the maintenance is scheduled/done and Supervisor Palermo stated Director Gianzero will be since he runs the Buildings/Grounds Department. Councilman Etzel asked about the remote support and Supervisor Palermo stated he negotiated this and there will be no charge. Clerk Potvin noted the proposal includes equipment that the Village owns at the Water/Sewer facilities and at the Highway Garage. Supervisor Palermo stated he will ask the vendor for a new proposal since those two areas are not under the Town's responsibility. This issue will be tabled to a future meeting.

c. Discussion/Authorize Attorney for the Town to research and work with Orange County on the transfer of Town Property located at Nininger and Dunderberg Road:

Supervisor Palermo stated the developer of Woodbury Villages (fka Woodbury Junction/WP3) is required a part of the Village Planning Board's approval to construct a right-hand turn lane from Nininger Road. He spoke with William Brodsky today and there are two permits pending – one for a traffic light and one for the right-hand turn lane. Attorney McKay stated the County sent a letter to the Town stating that a work permit had been requested in connection with the installation of a traffic light and road work, and that some of the work was to be performed on town property. The County is asking

for proof that the town consents to the work being performed on its property, by an easement or some other document. He will be researching what type of work is being performed and on what lot(s). The County indicated that it might be willing to take title to the lot(s). Once he has more information, he will advise the Board if an easement, deed or some other document is required. He has prepared a resolution for the Board to consider this evening. He noted this research will take some time to do to make sure the details are correct. Supervisor Palermo stated permit were issued in 2017 and he suggested Attorney McKay obtain a copy of them from the Village Building Department has it will explain what is being done. Attorney McKay stated he spoke to the attorney for the contract several times today and he is moving forward with the work that the Board will be authorizing him to do. Councilman Burke stated this intersection is highly used during the school year and with the completion of the new Route 32/87/17 interchange he asked if a new traffic study should be conducted to see if this will impact the flow of traffic. Supervisor Palermo stated the Planning Board has already determined that this turn lane is required. The only question before the Town Board is whether the land needed should be deeded to the County or an easement granted for access. Attorney McKay added in order for more Certificate of Occupancies to be able to be issued by the Building Department for this development this needs to be completed. Councilwoman Hernandez agreed with Councilman Burke. When the site plan was approved by the Planning Board the traffic pattern was not as it is now. She asked if a traffic light is installed how will it affect the design pattern. Councilman Hunter stated the interior road between the High School and Elementary School was created to have the buses avoid the needed to use Nininger Road to access Route 32. Councilman Etzel stated he believes the County and the State knew this light was going to be installed and all it will do is improve the traffic in this area. Supervisor Palermo stated it is not up to the Town Board to decide on the light and he agrees it will improve the traffic flow. He added the light will be a pulse type so there will be no back-up. He also noted if the Town Board does not approve this the County will take the property through eminent domain. He feels giving the land to the County will remove the Town from all liability. He then read a letter he said was from Erik Denega OC Commissioner of Road and Public Works (it was from Anthony Trochiano, Principal Engineer) address to Eli Ravitz and dated April 8, 2020. He noted further that he did get a letter from the Village Building Department as well.

Motion was offered by Councilman Etzel, seconded by Councilwoman Hernandez, to adopt the following resolution:

WHEREAS the Town has received correspondence from the County of Orange indicating that road work permits have been applied for in connection with the installation of a traffic light at Ninninger and Dunderberg roads; and

WHEREAS Orange County's review indicates that a portion of the work is to be performed on Town property; and

WHEREAS Orange County is seeking confirmation from the Town that it consents to the work being performed.

NOW, THEREFORE, IT IS HEREBY

RESOLVED that the Town Board hereby authorizes the Town Attorney to review and research the work to be performed, and to prepare such documents as may be necessary for review and further action by the Town Board.

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

d. Discussion regarding KJ Pipeline:

Supervisor Palermo stated he meet with Gedalye Szegedin while at a County sewer meeting and they discussed the request for the tax-exempt status (he noted their attorney was present for this

discussion as well). He agreed and said he would have Attorney McKay schedule the meeting. Attorney McKay stated he sent an email to their attorney requesting some dates for a meeting to be scheduled. Their attorney agreed they wanted to meet but no further correspondence was received after that. Supervisor Palermo stated by law the Town can tax these properties, adding the Village of Kiryas Joel has taken the Town to court several times for this same issue and the Town has been successful. If the Board decides to deny the request, the Village can still apply before the Board of Assessment Review and plead their case to them.

Motion was then offered by Councilman Hunter, seconded by Councilman Burke, to approve the following resolution:

WHEREAS on or about March 10, 2020, the Town of Woodbury ("Town") received a written request from the Village of Kiryas Joel ("Village") seeking to have certain properties owned by the Village located within the Town exempted from taxation pursuant to Real Property Tax Law section 406(3); and

WHEREAS the Village's request seeks an exemption from taxation for the parcels identified by section, block and lot as: 213-1-64.1; 213-1-49; 202-1-19; 247-4-16; 205-4-8; 999-7-1 and 999-7-2, based upon the assertion that the parcels are used for "water supply purposes"; and

WHEREAS the Village's letter offered to meet with Town representatives to discuss potential settlement of tax certiorari actions now pending between the Town and the Village, and to "explain further the basis for [its] request [for the tax exemptions] and of their beliefs that it should be granted"; and

WHEREAS the Town accepted the Village's offer to meet to discuss the pending actions and the requested exemptions but received no further communication from the Village.

NOW, THEREFORE, BE IT HEREBY

RESOLVED that pursuant to the authority vested in the Town Board by Real Property Tax Law section 406(3), the requested tax exemptions for the properties listed herein are denied.

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

e. Reappointment of Warren Greher to fill Board of Assessment position; term will run through 09/30/2021

It was noted that the time for Mr. Greher to take his Oath of Office from his initial appointment that occurred on March 17, 2020 expires today. Since the Oath was not administered, the position becomes vacant. Motion was offered by Supervisor Palermo, seconded by Councilwoman Hernandez, to reappoint Warren Greher to the Board of Assessment Review with a term to expire September 30, 2021.

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

EXTRA ITEM – Schedule Informational Meeting for Pool Renovations:

The Board discussed, a length, their desire to use this time productively since many residents are home and may have the opportunity to review the proposed pool options. Due to social distancing, the planned public forums cannot be held. Councilwoman Hernandez explained her plan to host two virtual sessions at which she will prepare a PowerPoint© presentation and answer questions as they are submitted through the chat functions. The Town Engineer and the Pool Engineer will participate. Director Gianzero will daily post billboards outside the Community Center and the public can drive by to see them during the day and it will be on the website as well. The Board is also purchasing the centerfold of the Photo News that will show the three proposals and inform the public of the virtual sessions. The ad will also explain estimated cost analysis for each concept and a survey for residents to fill out and submit. She believes the Board has come up with many ways to keep the residents informed

of this important issue. After some further discussion, it was decided the virtual sessions will be held at 7:30PM on May 13 and at 10AM on May 16. The surveys will need to be submitted by May 17.

III. Departmental Reports:

a. Supervisor's Report – February 2020:

Motion was offered by Councilwoman Hernandez, seconded by Councilman Burke, to approve the Supervisor' Report for February 2020 with receipts totaling $203,483.70 and disbursements totaling $1,217,884.82.

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

b. Town Clerks Report – February 2020 and March 2020
c. Building & Grounds – February 2020 and March 2020
d. ACO Report – February 2020 and March 2020
e. Police/Communications Report – February 2020 and March 2020
f. Beautification Committee – March 5, 2020 Minutes
g. Library – February 25, 2020 Minutes
h. Parks & Recreation – February 18, 2020 Minutes
i. Budget vs. Actual – February 2020 and March 2020

IV. Board Meeting Comments:

Councilman Burke thanked all the employees for the great job they are doing during. He noted are parks are being maintained to get ready for the season, the Police Department has been making multiple rounds throughout the community and the Town Clerk's office is working extra hours to be there for the public. He feels it is important that everyone maintains their social distance and he feels our community is doing a terrific job.

Councilwoman Hernandez stated she agreed and feel the Buildings/Grounds Department is doing an impeccable job. She is glad to see that everything that is being requested to be done by other departments is getting done the next day which is great. She noted the Police Department is getting a lot of calls about individuals gathering in Town. She asked that the calls continue and the Police will disburse the gatherings, as will security at the parks. She encouraged the residents to go outside for fresh air but do so at a safe distance. She also recognized the Senior Center and the great job the director is doing there helping with meal and food delivery. She thanked Christopher Miele and Christopher O'Connor for donating groceries for seniors that are unable to go food shopping. She also posted information on the Town's website for small business owners and programs the State has made available to help financially.

Councilman Etzel asked all wear a facemask when they go outside.

Councilman Hunter stated he completely agrees with Councilman Burke's comments. The Town departments are doing well under these stressful times. He also thanked the volunteer ambulance and fire members for being on the front lines. He also acknowledged Assemblyman Schmitt who is working with Falkirk and delivering free meals twice a week to residents that need it, adding Mayor Egan is involved as well.

Clerk Potvin announced her office is still selling licenses and assisting the public as normal, just doing so by phone instead of in person. She then noted the passing of Emily McKay.

Supervisor Palermo announced the Memorial Day parades has been canceled and it is being discussed to maybe hold it around Labor Day instead. He thanked Rena Rizata and her son Rojan (a former junior deputy supervisor) – they made about 175 masks for the seniors. He also thanked the Upper Room kids as well. He is amazed how people are helping in this time of need.

V. Adjournment:

With no further business to discuss, a motion was offered by Councilwoman Hernandez, seconded by Councilman Burke, to adjourn the meeting at 8:45PM.

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

Desiree Potvin, Town Clerk