

Minutes of the Virtual Town Board Meeting held on September 3, 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

Public Comment on Agenda Items:

John Smith congratulated everyone on the job they did to restore the pool bond vote. Supervisor Palermo stated it was because of Senator Skoufis.

Maria Hunter reminded everyone that September 111 Memorial Service will be held at 7PM at the Highland Mills Firehouse/Village Hall by the monument that was erected by the Beautification Committee.

I. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Councilman Burke, seconded by Councilman Hunter, to accept receipt of the minutes of the meeting held August 20, 2020.

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

b. Approval of Abstract:

Motion was offered by Supervisor Palermo, seconded by Councilman Etzel, to approve Abstract 16 containing vouchers 201160 – 201205 and totaling \$45,485.22.

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

c. Approval of Budget Modifications:

Motion was offered by Supervisor Palermo, seconded by Councilwoman Hernandez, to approve modification to the 2020 budget as follows:

- Police Fund – increasing B9060.801 (HRA MVP) by \$54,000 and decreasing B9060.800 (Health Insurance) by \$54,000;
- Refuse Fund – increasing SR9060.801 (HRA MVP) by \$11,397 and decreasing SR9060.800 (Health Insurance) by \$11,397.

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

II. New Business:

a. Schedule Public Hearing – Introductory Local Law 1 of 2020 Tax Cap Override:

Motion was offered by Councilman Burke, seconded by Supervisor Palermo, to adopt the following resolution to schedule a public hearing for Introductory Local Law 1 of 2020 entitled “Tax Cap Override:

WHEREAS, the Town Board wishes to set a time and place for a public hearing to consider Introductory Local Law 1 of 2020 entitled "Tax Cap Override"; and

WHEREAS, the Town Board hereby determines that it will be the lead agency with respect to the review of the proposed local law (the “project”) in accord with New York State Environmental Quality

Review Act (“SEQRA”) and part 617 of the regulations implementing SEQRA, since there are no other agencies that have the authority to approve the project; and

WHEREAS, the Town Board hereby preliminary classifies the action as an unlisted action under SEQRA;

NOW, THEREFORE, LET IT BE HEREBY

RESOLVED, that a public hearing shall be held by the Town Board in order to receive comments and suggestions regarding the proposed local law and to review any potential adverse environmental impacts of the proposed local law, on October 1, 2020 at 7:30PM at the Town Meeting Room located in the lower level of 615 Route 32, Highland Mills, New York; (or virtually if the Governor’s Executive Order 202.1 is extended) and it is further

RESOLVED, that the office of the Town Clerk is authorized and directed to cause public notice of said hearing to be given as provided by law.

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

b. Schedule Public Hearing - Special District Assessment Rolls:

Motion was offered by Supervisor Palermo, seconded by Councilman Etzel, to schedule a public hearing to be held on October 1, 2020 at 7:30PM to consider any objections to the adopting of the following special assessment rolls: Consolidated Sewer District. Water District 6 (Amdur Park), Refuse District, Sewer District 1 (Valley Forge) and Highland Lake Estates Sewer District.

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

c. Schedule Public Hearing – Introductory Local Law 2 of 2020 Codebook Cleanup:

Motion was offered by Councilman Etzel, seconded by Councilwoman Hernandez, to adopt the following resolution to schedule a public hearing to be held on Introductory Local Law 2 of 2020 entitled “Repeal of Various Chapters of the Town Code”:

WHEREAS, the Town Board wishes to set a time and place for a public hearing to consider Introductory Local Law 2 of 2020 entitled "Repeal of Various Chapters of the Town Code"; and

WHEREAS, the Town Board hereby determines that it will be the lead agency with respect to the review of the proposed local law (the “project”) in accord with New York State Environmental Quality Review Act (“SEQRA”) and part 617 of the regulations implementing SEQRA, since there are no other agencies that have the authority to approve the project; and

WHEREAS, the Town Board hereby preliminary classifies the action as an unlisted action under SEQRA;

NOW, THEREFORE, LET IT BE HEREBY

RESOLVED, that a public hearing shall be held by the Town Board in order to receive comments and suggestions regarding the proposed local law and to review any potential adverse environmental impacts of the proposed local law, on October 1, 2020 at 7:30PM at the Town Meeting Room located in the lower level of 615 Route 32, Highland Mills, New York; (or virtually if the Governor’s Executive Order 202.1 is extended) and it is further

RESOLVED, that the office of the Town Clerk is authorized and directed to cause public notice of said hearing to be given as provided by law.

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

d. Authorize Supervisor to sign “Police Traffic Services Program” document:

Motion was offered by Councilman Etzel, seconded by Councilwoman Hernandez, to authorize the Supervisor to sign the contract and signatory page for the \$10,010 grant the Police Department received to participate in the statewide Police Traffic Services Program through the Governor’s Traffic Safety Committee. This program will increase seatbelt usage and reduce dangerous driving behaviors in an effort to reduce serious injury and death from traffic crashes.

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

Councilman Etzel asked if this grant will create additional hours in the department or be a reimbursement for existing, regular hours. Supervisor Palermo stated he is not sure but there needs to be dedicated hours towards the program.

e. Accept Auction results for surplus equipment:

Motion was offered by Supervisor Palermo, seconded by Councilman Burke, to accept the auction results and award the sale of the following:

Lot #	Type	Qty	LotPrice	Extended	Surcharge Paid	Bidder #	Seller #
Sold (8)				2,529.00			
1	2005 Chevrolet Tahoe 4X4. VIN: 1GNEK13T25J220941. Body: SUV 4D. Engine: Vortec 5.3L V8 SFI. Mileage: 104,088. Runs & drives. ABS/Check Engine lights on. Title &	One Lot	1	2,100.00	2,100.00	33	44291
2	Office electronics including Brother EM-530 typewriter, Sharp XE-A107 cash register, NEC MultiSync LCD monitor, ink cartridges, (5) keyboards, (2) mice, (2) bar code scanners,	One Lot	1	1.00	1.00	2	44291
3	(7) Cloth covered stacking chairs.	One Lot	1	4.00	4.00	2	44291
4	Office furniture including (12) cloth covered wooden chairs, (2) small cloth couches, & coffee table. Excluding other lots.	One Lot	1	3.00	3.00	17	44291
5	Boxes of misc. books.	One Lot	1	200.00	200.00	20	44291
6	Furniture including Computer catalog stand, 2-door Metal Cabinet, (1) Wooden Magazine Stand, Podium, (5) Plastic end of shelf displays. Excluding other lots.	One Lot	1	1.00	1.00	30	44291
7	Office electronics including Brother MFC printer, Brother SX-4000 typewriter, HP Laser Jet Pro 400 printer. Excluding other lots.	One Lot	1	60.00	60.00	16	44291
8	Boxes of misc. books.	One Lot	1	160.00	160.00	20	44291

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

f. Authorize Supervisor to sign Change Order 1; 2; and 3; for the Courthouse Roof Contract:

Motion was offered by Councilman Burke, seconded by Councilwoman Hernandez, to authorize the Supervisor to sign the following change orders relating to the Courthouse Roof Replacement project:

- Change Order #1 – Totaling \$6,789.75 – Description Air Monitoring – Reason for Change Order not provided
- Change Order #2 – Totaling \$38,382.14 – Description Roof Sheathing – Reason for Change Order not provided
- Change Order #3 – Totaling (\$4,736.24) – Description Roof Sheathing – Reason for Change Order not provided

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

Councilman Burke asked if this will finalize all expenses related to the roof repairs and Supervisor Palermo stated yes.

g. Renew MVP Health Insurance Policy:

Motion was offered by Supervisor Palermo, seconded by Councilman Hunter, to authorize the Supervisor to sign the MVP renewal for health insurance for the Town Employees that are enrolled in this program for December 1, 2020 – November 30, 2021. There was a 5.6% increase in premiums and a 5.4% increase in HRA fees.

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

h. Renew CDPHP (Delta Dental) Dental Insurance Policy:

Motion was offered by Councilwoman Hernandez, seconded by Councilman Hunter, to authorize the Supervisor to sign the CDPHP renewal for dental insurance for the Town employees for 2021. It was noted that there was no increase to premium rates.

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

i. Town Board to sign Tax Collector Bond:

The Board members signed the bond for the Tax Collector/Deputy Tax Collector for the collection of property taxes in 2021. This is required to be filed with the County Clerk in order for the collection warrant to be issued.

j. Scheduling of Interviews - Library Board:

Motion was offered by Supervisor Palermo, seconded by Councilwoman Hernandez, to schedule a special meeting to be held at 6PM on September 10, 2020 in the Town Meeting Room to hold an executive session to conduct interviews for a vacancy on the Library Board.

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

EXTRA ITEM - Letter to Access Property to Remove Trees from Town Land-Locked Property:

Motion was offered by Councilman Hunter, seconded by Councilman Burke, to authorize the Supervisor to sign a letter of understanding with the owner of 48 Hadley Farm Road. The letter will permit the Town to access town owned land-locked property adjacent to 48 Hadley Farm Road for the purpose of removing fallen or deteriorated trees. The work will be done this month and the Town will be sure to restore the property to the condition it currently is in.

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

k. Update on Village vs. Town Lawsuit:

Supervisor Palermo noted that in the beginning of the year he met with Mayor Egan twice. He felt the discussions were very positive and an agreement was met with support from a majority of the new Village Board. The Town then had a surveyor mark the area that the Town wanted returned as part of the settlement. The Town adopted a resolution in July authorizing the offer of a settlement and it was thought that the Village would adopt their own resolution at one of their August meetings. That was not done. The hope is that the Village Board acts very soon to approve the settlement so we can move forward. Councilwoman Hernandez stated the residents have spoken and the Town Board is working really hard to address the needs of the community by bringing the litigation to an end. She hopes the Village Board meet these expectations prior to the end of the year.

III. Board Meeting Comments

Councilman Burke stated he has been in contact with MWCSO Superintendent Rodriguez and Patrick Cahill about the SRO agreement. They received the contract with the amendments that were made as prepared by Attorney McKay. He received a call today that it has been forwarded to their attorney and we should hear back from them early next week. He then thanked Senator Skoufis for stepping in to help resolve the voting issue for the September 9 pool bond vote. He also thanked Clerk Potvin for the time she has put into planning the vote. He then thanked all the Parks and Building/Grounds employees for the fantastic job they did over the summer. He then asked about the newly installed traffic light at the intersection of Dunderberg/Nininger and when it will be operational. Supervisor Palermo stated it is unknown who exactly installed it but he did ask Attorney McKay to look into it. He also spoke to William Brodsky. The County required the traffic device to be installed and they gave the permits that were required. He does not know when it will be operational. Councilman Burke stated he hopes it will be working in time for when school opens. Attorney McKay stated the portions that were installed were pursuant to the original Planning Board approvals that were issued many years ago. The County has issued the appropriate permits and the Town has a signed agreement with the developer and received the required insurance documents. He will be speaking with the developer's attorney to determine when the light will be operational. One of the developers, VMG, still needs to provide a survey of the Town property that they need access too as well as the insurance documents. It has also been requested that they obtain permits from the Village.

Councilman Hunter encouraged everyone to come out and vote on September 9 for the pool bonding. He feels it is an important and vital part of our parks department and something that people move to our Town to enjoy. He added it is also something that you can see your tax dollars being used for.

Councilwoman Hernandez stated she is excited the pool vote is finally here after over a year of planning, discussion and community involvement. She is hoping there will be a lot of advertising done to remind the public that the vote is scheduled for September 9, 9AM-9PM at the Senior Center. She acknowledged the efforts of Senator Skoufis to ensure the vote could be held. She then thanked the Parks and Buildings/Grounds Department employees for all the work they did over the summer. The residents were happy that we had at least one park open. She then noted if the COVID-19 numbers remain low she is hoping the State will allow other aspects of the parks to be open for use. She then thanked the Mayor and Village Board for assisting in addressing the traffic enforcement and the Highway Superintendent for erecting more signage on the street reminding motorists to slow down. She concluded by stating the children in our community will be going through a stressful time acclimating themselves to the new way of attending school in a virtual format. She will be working with the library to offer some support programs.

Councilman Etzel stated he was introduced to the budget process this week and thanked all the departments that he met with for the work they have done, adding they were thorough and helped speed the process along. They each took into consideration the towns financial situation due to COVID. He also reminded everyone to vote on September 9.

Clerk Potvin explained the COVID procedures that will be in place for the September 9 pool vote.

Supervisor Palermo stated it has been a very hectic couple of days. We received a call on Monday that the vote couldn't be held and work was done to cancel the vote. Then on Tuesday he

received a call from Senator Skoufis that he was going to see what he could do to enable us to have the vote. Then we were informed today that the vote could be held as scheduled. The reason for the turmoil was an Executive Order that was signed by the Governor on August 24 would require absentee ballots but it was determined that this type of election was not affected by the order. He thanked Clerk Potvin for all the work she has done planning the vote. He urged everyone to vote on September 9 for the pool bonding. Labor Day weekend is this weekend which means the swimming season at the park will come to a close. He stated he appreciates all the work that the employees of the Parks and Buildings/Grounds Departments have done to make the season as wonderful as it has been. There was a COVID incident this past week but the individual had been retested and proper notification was done allowing us to be cleared to reopen. The Town has started its budget preparations and he thanked Councilman Etzel for participating this week, adding that Councilman Burke will be involved tomorrow. The Department Heads have come prepared with explanations for each expenditure they are requesting. He also reminded everyone about the memorial ceremony on September 11 at the 9-11 memorial monument and he urged everyone to attend. He noted we all need to get along and not fight over senseless issues. We are one country and you never know what will happen tomorrow. He then again thanked Senator Skoufis for his help and coming through for the residents of Woodbury.

IV. Adjournment

With no further comments or business to discuss, a motion was offered by Councilwoman Hernandez, seconded by Councilman Burke, to adjourn the meeting at 8:25PM.

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

Desiree Potvin, Town Clerk