

Minutes of the Town Board Meeting held at Town Hall, 511 Route 32, Highland Mills, New York, on December 18, 2008 at 7:30PM

Present: John Burke, Supervisor
Geraldine Gianzero, Councilwoman
Amidee Haviland, Councilman

Absent: Carlton Levine (*arrived late*) and Michael Queenan, Councilmen

Also Present: Richard Liberth, Attorney for the Town; Robert Kwiatkowski, Police Chief

I. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Councilman Haviland, seconded by Supervisor Burke, to accept the minutes of the regular meeting held December 4, 2008.

ADOPTED AYES 3 Burke, Gianzero, Haviland
NOES 0

Motion was then offered by Councilwoman Gianzero, seconded by Supervisor Burke, to accept the minutes of the worksession held December 15, 2008.

ADOPTED AYES 3 Burke, Gianzero, Haviland
NOES 0

b. Approval of Abstract:

Motion was offered by Councilman Haviland, seconded by Councilwoman Gianzero, to approve Abstract 27, Vouchers #20082553 - #20082682, totaling \$195,047.48.

ADOPTED AYES 3 Burke, Gianzero, Haviland
NOES 0

c. Budget Modifications:

Motion was offered by Supervisor Burke, seconded by Councilman Haviland, to approve a modification to the budget of the General Fund by increasing A599 (Appropriated Fund Balance) by \$1,430 and increasing A9050.400 (Unemployment Insurance) by \$1,430.

ADOPTED AYES 3 Burke, Gianzero, Haviland
NOES 0

Motion was then offered by Councilwoman Gianzero, seconded by Supervisor Burke, to approve a modification to the budget of the Highway Fund by decreasing DB5142.466 (Salt) by \$6,700 and increasing DB5130.455 (Tires) by \$5,200 and increasing DB5110.469 (Drainage Pipe) by \$1,500.

ADOPTED AYES 3 Burke, Gianzero, Haviland
NOES 0

Motion was then offered by Supervisor Burke, seconded by Councilman Haviland, to approve a modification to the budget of Town Clerk's Department by decreasing A1410.430 (Transportation/Travel) by \$300 and decreasing A1410.444 (School/Dues) by \$550 and increasing A1410.411 (Office Supplies) by \$850.

ADOPTED AYES 3 Burke, Gianzero, Haviland
NOES 0

Motion was then offered by Councilman Haviland, seconded by Supervisor Burke, to approve a modification to the budget of the Justice Court by increasing A3089 (NYS Aid) by \$2,234 and increasing A1110.200 (Equipment) by \$2,058 and increasing A1110.411 (Office Supplies) by \$176.

ADOPTED AYES 3 Burke, Gianzero, Haviland
NOES 0

II. Old Business:

There was no old business to discuss.

III. New Business:

a. Authorize Supervisor to Sign – Runoff Claims Agreement:

Motion was offered by Councilwoman Gianzero, seconded by Councilman Haviland, to authorize the Supervisor to sign the “2009 Workers’ Compensation Claims Runoff Management Agreement” with Wright Risk Management noting the cost of \$500 per open claim.

ADOPTED AYES 3 Burke, Gianzero, Haviland
 NOES 0

b. Return Letter of Credit – HLCC Properties:

Motion was offered by Councilwoman Gianzero, seconded by Supervisor Burke, to approve the return of Letter of Credit #1857 issued for HLCC Properties in the amount of \$81,380, as recommended by Engineer Lindsay.

ADOPTED AYES 3 Burke, Gianzero, Haviland
 NOES 0

IV. Department Reports:

a. Supervisor’s Report:

Motion was offered by Councilman Haviland, seconded by Councilwoman Gianzero, to approve the Supervisor’s Report for November 2008 with receipts totaling \$209,423.47 and disbursements totaling \$1,354,187.89.

ADOPTED AYES 3 Burke, Gianzero, Haviland
 NOES 0

- b. Town Clerk’s Report – November 2008
- c. False Alarm Report – October 2008
- d. Parks/Recreation Minutes – December 9, 2008
- e. Animal/Goose Control Report – November 2008
- f. Police/Communications Report – November 2008
- g. Beautification Commission Minutes – October 28, 2008
- h. Library Minutes – October 29, 2008
- i. Budget vs. Actual – November 2008

V. Public Comment:

Supervisor Burke, and the Board, wished everyone happy holidays. He then updated the public on the response and action taken during the recent storm that was experienced. A state of emergency was declared by Mayor Berean-Weeks and him on December 12. The “Emergency Disaster Plan” was implemented. He recognized the following entities: Orange and Rockland, Village Board, Town Board, Highway Department, Police Department, Ambulance Corps, Fire Department, the Red Cross and the MW School District. Councilman Haviland noted that Wal-Mart donated a pallet of water and breakfast one morning. He feels that this is the perfect time to review the plan and determine which sections worked and which need improvement. Councilwoman Gianzero added this was the first time the plan was needed to be implemented and she feels it went incredibly well. She also acknowledged the assistance of the Water/Sewer Department. Supervisor Burke added that the massive clean-up has begun and requested residents to continue to be patient.

Chief Kwiatkowski commended all the departments that were on-hand during the storm. He feels it is commendable how they all worked well with each other and Orange and Rockland. He explained, in detail, the steps that were followed during the storm to ensure that all work and residents were assisted as quickly as possible.

Robin Crouse stated she feels that the Town is very blessed with the caliber of the EMS and Town/Village department employees. She added that the Animal Control Officers should also be acknowledged. She then asked when the report prepared by Riddick Associates was filed with the County and Supervisor Burke stated in mid-November. She then stated she heard, prior to the start of the meeting, the Board discussing a situation regarding the refuse collection contract and she asked for further information. Supervisor Burke stated it is a current legal situation that Attorney Liberth would be updating the Board on in executive session this evening. He noted that the changeover will continued until further notice.

8:05PM – Executive Session:

Motion was offered by Supervisor Burke, seconded by Councilman Haviland, to enter into an executive session, pursuant to Article 7 of the Public Officers Law, to discuss one item relating to contractual negotiations (Dispatcher contract) and two items relating to litigation (County Waste and Woodbury Development LLC).

ADOPTED AYES 3 Burke, Gianzero, Haviland
 NOES 0

Councilman Levine arrived during the executive session.

The Board exited the executive session and a motion was offered by Supervisor Burke, seconded by Councilwoman Gianzero, to authorize Attorney Liberth to settle the “Woodbury Development LLC vs. Board of Assessment Review and the Town of Woodbury” tax certioraris for the tax years 2005 – 2007 (Index Numbers 4650/05, 5358/06 and 6518/07).

ADOPTED AYES 4 Burke, Gianzero, Haviland, Levine
 NOES 0

VI. Adjournment:

With no further business to discuss, a motion was offered by Supervisor Burke, seconded by Councilwoman Gianzero, to adjourn the meeting at 9:10PM.

ADOPTED AYES 4 Burke, Gianzero, Haviland, Levine
 NOES 0

Desiree Potvin, Town Clerk