

Minutes of the Town Board Meeting held at Town Hall, 511 Route 32, Highland Mills, New York on April 2, 2009 at 7:30PM

Present: John Burke, Supervisor
Geraldine Gianzero, Councilwoman
Amidee Haviland, Carlton Levine and Michael Queenan, Councilmen
Absent: None
Also Present: Richard Liberth, Attorney for the Town; Peter Stabile, Highway Superintendent; Maria Hunter, Village Planning Board

I. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Councilwoman Gianzero, seconded by Councilman Levine, to accept the minutes of the worksession held March 16, 2009.

ADOPTED AYES 4 Burke, Haviland, Levine, Gianzero
ABSTAIN 1 Queenan

Motion was then offered by Councilman Levine, seconded by Supervisor Burke, to accept the minutes of the regular meeting held March 19, 2009.

ADOPTED AYES 5 Burke, Haviland, Levine, Queenan, Gianzero
NOES 0

Motion was then offered by Councilman Levine, seconded by Councilwoman Gianzero, to accept the minutes of the worksession held March 30, 2009.

ADOPTED AYES 5 Burke, Haviland, Levine, Queenan, Gianzero
NOES 0

b. Approval of Abstract:

Motion was offered by Councilman Queenan, seconded by Councilman Levine, to approve Abstract 7, Vouchers #20090646 – #20090744, totaling \$204,005.29.

ADOPTED AYES 5 Burke, Haviland, Levine, Queenan, Gianzero
NOES 0

c. Approval of Budget Modification:

Motion was offered by Supervisor Burke, seconded by Councilman Levine, to approve a modification to the budget of the Parks Department by increasing A2705 (Gifts and Donations) by \$87,054 and increasing A7110.412 (Engineering Services) by \$87,054.

ADOPTED AYES 4 Burke, Levine, Queenan, Gianzero
ABSTAIN 1 Haviland

d. Acceptance of Bids – Parks Concession:

Deputy Town Clerk Zwicker stated the notice advertising for bids was printed in the Times Herald Record on March 8, 2009 and the opening was held on March 30, 2009. No bids were received. Councilman Levine suggested that the specifications be looked at again. He believes that is why we are not getting any bids. Supervisor Burke said he will ask the Parks Commission to look it over and make it a little more attractive to prospective vendors.

II. Old Business:

a. Announce Public Vote – CV Pond Bond Resolution:

Supervisor Burke announced that a public vote will be held on May 5, 2009 from Noon until 9PM at the Town Hall and the proposition to be voted on is as follows:

SHALL the bond resolution of the Town of Woodbury, New York, entitled: "Bond Resolution of the Town of Woodbury, New York, adopted February 5, 2009, authorizing the construction of various improvements to the Central Valley Pool; stating the estimated maximum cost thereof is \$1,400,000; appropriating said amount therefore, including the expenditure of \$500,000 general funds and/or parkland funds currently available or expected to become available to pay a part of said appropriation; and authorizing the issuance of \$900,000 bonds of said Town to finance the balance of said appropriation," BE APPROVED?

Supervisor Burke said the Board will wait and see the outcome of the public vote to be held May 5 before any decisions are made as to whether or not the Central Valley Pool will be opened.

III. New Business:

a. Home Rule Resolution – Hotel/Motel Tax:

Motion was offered by Councilwoman Gianzero, seconded by Supervisor Burke, to adopt the following resolution requesting the enactment of New York Assembly Bill #A.1793 authorizing the Town of Woodbury to impost a hotel and motel tax in the Town of Woodbury:

WHEREAS, the Town of Woodbury, Orange County, New York, has made a request for the enactment of certain "Home Rule" Legislation by the New York State Legislature authorizing the imposition of a hotel and motel tax in the Town of Woodbury; and

WHEREAS, pursuant to that "Home Rule" request there has been introduced in the New York State Assembly Bill #A.1793, which Bills authorize the imposition of a hotel and motel tax in the Town of Woodbury; and

WHEREAS, the Town Board of the Town of Woodbury wishes to express its support for the passage of Assembly Bill #A.1793 and to authorize the transmittal of such support to both houses of the New York State Legislature.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Woodbury requests the enactment of New York State Assembly Bill #A.1793 authorizing the imposition of a hotel and motel tax in the Town of Woodbury; and be it

FURTHER RESOLVED, that the Town Board authorizes the Town Clerk to transmit this resolution together with any other necessary documentation to both houses of the New York State Legislature forthwith.

ADOPTED BY ROLL CALL AS FOLLOWS:

Supervisor Burke	AYES
Councilwoman Gianzero	AYES
Councilman Levine	AYES
Councilman Queenan	AYES
Councilman Haviland	AYES

b. Home Rule Resolution – Special/Improvements Districts:

Motion was offered by Councilwoman Gianzero, seconded by Councilman Levine, to adopt the following resolution requesting the enactment of New York State Assembly Bill #A.2698 amending the Village Law, in relation to continuing the existence and operation of the Special Districts and Improvements Districts of the Town of Woodbury that are wholly contained in the Village of Woodbury:

WHEREAS, the Town of Woodbury, Orange County, New York, has made a request for the enactment of certain "Home Rule" Legislation by the New York State Legislature authorizing the continued existence and operation of the special districts and improvement districts of the Town of

Woodbury that are wholly contained in the Village of Woodbury; and

WHEREAS, pursuant to that "Home Rule" request, there has been introduced in the New York Assembly Bill #A.2698, which Bills authorize the continued existence and operation of the special districts and improvements districts, regardless of the incorporation of the Village of Woodbury; and

WHEREAS, the Town Board of the Town of Woodbury wishes to express its support for the passage of Assembly Bill #A.2698 and to authorize the transmittal of such support to both houses of the New York State Legislature.

NOW, THEREFORE, IT IS

RESOLVED, that the Town Board of the Town of Woodbury requests the enactment of New York State Assembly Bill #A.2698 authorizing the continued existence and operation of the special districts and improvement districts of the Town of Woodbury that are wholly contained in the Village of Woodbury, regardless of the incorporation of the Village of Woodbury; and

RESOLVED, that the Town Board authorizes the Town Clerk to transmit this resolution together with any other necessary documentation to both houses of the New York State Legislature forthwith.

ADOPTED BY ROLL CALL AS FOLLOWS:

Supervisor Burke	AYES
Councilwoman Gianzero	AYES
Councilman Haviland	AYES
Councilman Levine	AYES
Councilman Queenan	ABSTAIN

IV. Public Comment

John Smith said he had some questions about Central Valley Pool that he was hoping to get answers to. He wanted to know if the engineers were going to look at the clarity of the water as well as the filtration system. He was assured that everything will be looked at pending the outcome of the public vote. Councilman Haviland said the current consultants will be looking at the design as well. John Smith then asked why we have to call it a swimming pool and not a bathing beach like it was called before. Supervisor Burke said we were under direct orders from the Department of Health to put a filtration system and call it a pool. John Smith then wanted to know what the operational costs would be if all goes forward. Supervisor Burke estimates the final cost to be \$1,400,000.00. He also said that a working operational number is in the current budget. Councilman Haviland said minimal cost if any may occur but they will not be significant.

V. Adjournment

With no further business to discuss or comments received, a motion was offered by Councilman Levine, seconded by Councilwoman Gianzero, to adjourn the meeting at 8:10PM

ADOPTED AYES 5 Burke, Gianzero, Haviland, Levine, Queenan
NOES 0

Michele Zwicker, Deputy Town Clerk

The Board entered into a closed session after adjourning the meeting.