

Minutes of the Village Board Meeting held at the HM Firehouse, 455 Route 32, Highland Mills, New York on January 13, 2009 at 7:30PM

Present: Stephanie Berean-Weeks, Mayor  
Neil Crouse, Richard Jackson and Patrick Kinney, Trustees  
Absent: Joann Stabile, Trustee  
Also Present: Richard Golden and Kelly Naughton, Attorneys for the Village; Stuart Turner, Planner; Sandra Capriglione, Zoning Board; Maria Hunter, Planning Board; Dominick Prozzillo, Fire Chief; Michael Phillips, Water/Sewer Deputy Superintendent; Michael Queenan, Town Board

## **I. Public Hearing:**

### **a. Harvesting Permit Application**

A public hearing was held to entertain comments on the application of Arden Properties, Inc., for a special permit pursuant to Chapter 286 of the Village Code to conduct a commercial harvesting operation on their property located on Baileytown Road, south of intersection of the road to Forest Lake. A timber harvesting report has been prepared by DT Mance & Associates, Inc and filed with the Village Clerk on November 24, 2008. The public notice was printed in the Times Herald Record on January 2, 2009 and the following comments were received:

Jack Hurley, representing the applicant, stated the project would begin within the next two weeks since the ground needs to be frozen to do the harvesting. He noted that all of the harvesting would be done within the 400 +/- acres owned by the applicant.

Maria Hunter asked what mitigation controls are being put in place with regards to the trucks traveling on roads. Mr. Hurley stated there would be no Village owned roads crossed in this operation. All roads, paved and graveled, are owned by the applicant on the estate.

Planner Turner stated, as part of his review of the application, he retained the services of consulting forester John Zylstra to assist. Mr. Zylstra has found that this applicant "conducts a professional program". As part of the entire review, the following has been determined: (1) the application and supporting documentation is complete in accordance with Chapter 286-11; (2) a review of the paperwork indicates the property is enrolled in the NYS Real Property Tax Law 480a; (3) the harvest is prescribed and marked by a professional forester, and he or his designee will provide supervision – a State forester will also complete a review of the site on all harvests conducted under the tax law; (4) the Board may want to consider setting a performance bond, as permitted in the Code – this will guarantee compliance with the conditions of the special permit; (5) the Board should consider being named "additionally insured"; (6) applicable conditions outlined in Section 286-11(B)(4) be included as conditions of the special permit; (7) a "Stream Crossing" permit from the DEC will be required. With regards to the SEQRA requirements, the applicant submitted a "Short EAF" form which he feels is appropriate. He suggested the project be declared an "unlisted action" and that it would have a negative declaration (no significant impact) to the environment.

Mayor Berean-Weeks asked who would be monitoring the project. Mr. Hurley stated the forester hired by the applicant would be. The DEC would be conducting visits as well. He noted that all the trees to be harvested are clearly marked prior to the start of the operation.

Trustee Kinney stated that, due to the location of the harvesting being entirely within the boundaries of the applicant property, and due to the size of the property involved, he does not feel that a performance bond is necessary. Mayor Berean-Weeks stated she agreed. It was decided that no performance bond would be required.

With no further comments received, a motion was offered by Mayor Berean-Weeks, seconded by Trustee Crouse, to close the public hearing.

**ADOPTED** AYES 4      Berean-Weeks, Crouse, Jackson, Kinney  
NOES 0

Motion was then offered by Mayor Berean-Weeks, seconded by Trustee Kinney, to declare the Village of Woodbury Village Board as lead agency in the application.

**ADOPTED** AYES 4      Berean-Weeks, Crouse, Jackson, Kinney  
NOES 0

Motion was then offered by Mayor Berean-Weeks, seconded by Trustee Kinney, to declare this application has having an unlisted action.

**ADOPTED** AYES 4      Berean-Weeks, Crouse, Jackson, Kinney  
NOES 0

Motion was then offered by Mayor Berean-Weeks, seconded by Trustee Kinney, to declare this application has having a negative declaration.

**ADOPTED** AYES 4      Berean-Weeks, Crouse, Jackson, Kinney  
NOES 0

Motion was then offered by Mayor Berean-Weeks, seconded by Trustee Crouse, to authorize the Village Clerk to prepare a special permit on the application of David Mance, Registered Forester, for the Arden Properties, Inc., owner of property, for commercial harvesting and for the Mayor to sign said permit.

**ADOPTED** AYES 4      Berean-Weeks, Crouse, Jackson, Kinney  
NOES 0

## **II. Administrative Business:**

### **a. Acceptance of Minutes:**

Motion was offered by Mayor Berean-Weeks, seconded by Trustee Crouse, to accept the minutes of the regular meeting held December 9, 2008.

**ADOPTED** AYES 4      Berean-Weeks, Crouse, Jackson, Kinney  
NOES 0

### **b. Approval of Abstract:**

Motion was then offered by Trustee Crouse, seconded by Mayor Berean-Weeks, to approve Abstract 14, Vouchers #20080903 - #20081081, totaling \$312,886.66.

**ADOPTED** AYES 4      Berean-Weeks, Crouse, Jackson, Kinney  
NOES 0

### **c. Budget Modification:**

Motion was offered by Mayor Berean-Weeks, seconded by Trustee Kinney, to approve a modification to the budget of the General Fund totaling \$7500 as follows: decrease A1010.430 (VB – Transportation/Travel) \$200; decrease A1410.430 (VC – Transportation/Travel) \$200; decrease A1610.407 (Heat/Air – Use/Repair) \$4650; decrease A3410.464 (FD – Jaws Testing) \$2000; decrease A9050.800 (Unemployment Insurance) \$150; increase A1010.411 (VB – Office Supply) \$200; increase A1410.411 (VC – Office Supply) \$200; increase A1610.400 (Real Estate Taxes) \$4550; increase A1920.400 (Municipal Dues) \$100; A3410.463 (FD – SCBA Testing) \$2000; increase A9040.800 (Workers’ Compensation Insurance) \$150.

**ADOPTED** AYES 4      Berean-Weeks, Crouse, Jackson, Kinney  
NOES 0

Motion was offered by then offered by Trustee Crouse, seconded by Trustee Kinney, to approve a modification to the budget of the General Fund by increasing A2116 (Escrow Deposit) \$350,000 and increasing A8020.400 (Escrow Payments) \$350,000.

**ADOPTED** AYES 4      Berean-Weeks, Crouse, Jackson, Kinney  
NOES 0

d. Advertise for Bids – Sale of Surplus Equipment:

Motion was offered by Mayor Berean-Weeks, seconded by Trustee Kinney, to authorize the Village Clerk to advertise for the bids for the sale of a 1990 Ford F-350 with CET Skid Unit and all equipment as listed in the specifications prepared by Chief Prozzillo. The Board set a minimum bid of \$7500.

**ADOPTED** AYES 4      Berean-Weeks, Crouse, Jackson, Kinney  
NOES 0

EXTRA ITEM – Use of Building Request:

Motion was offered by Mayor Berean-Weeks, seconded by Trustee Jackson, to approve the request to use the meeting room by the Orange County Assessor’s Association on the first Thursday of each month from 10AM – Noon.

**ADOPTED** AYES 4      Berean-Weeks, Crouse, Jackson, Kinney  
NOES 0

EXTRA ITEM – Increase Mileage Reimbursement Rate:

Motion was offered by Trustee Kinney, seconded by Mayor Berean-Weeks, to acknowledge the Internal Revenue Service’s increase in the mileage reimbursement rate to \$0.55 per mile effective January 1, 2009.

**ADOPTED** AYES 4      Berean-Weeks, Crouse, Jackson, Kinney  
NOES 0

**III. Old Business:**

a. VOTE – Outdoor Public Assembly Local Law:

Motion was offered by Trustee Kinney, seconded by Trustee Crouse, to adopted Local Law 1 of 2009 enacting a new Chapter 243 of the Code of the Village of Woodbury entitled “Public Assembly, Outdoor” as follows:

SECTION 1:

CHAPTER 243 “PUBLIC ASSEMBLY, OUTDOOR”.

**§ 243-1. Legislative Purpose and Intent.**

The purpose of this local law is to provide opportunities for outdoor public gatherings while at the same time protecting the general public health, safety, and welfare by reducing traffic congestion and noise and providing for the free movement of all emergency services to affected properties.

**§ 243-2. Definitions.**

For the purpose of this chapter, the following definitions shall apply:

**PUBLIC ASSEMBLY/GATHERING:** Any event, the majority of which occurring outdoors, held on property within the Village, including all buildings or portions of buildings located

thereon, used for gathering together persons for amusement, athletic, civic, dining, education, entertainment, patriotic, political, recreational, religious, social, or similar purposes, whether for profit or not-for-profit, with the intended, likely or actual result of attracting 200 or more persons to such event per day. Public assemblies shall include, but not be limited to, circuses, concerts, demonstrations, festivals, farmers' markets, carnivals, street fairs, craft fairs, car shows, plays, speaking events, sporting events, public and private parties, weddings, celebrations, parades and firework displays.

**STRUCTURE:** As defined in the Village Zoning Code, and specifically for the purposes of this Chapter, any object used to house persons or animals, or to be used in connection with such public assembly such as tents, stages, cooking or vending facilities, restrooms, seating areas, etc.

### **§ 243-3. Permit Requirements.**

#### **1. Schedule of Permits.**

A permit is required for a public assembly in any zoning district. Permits shall be applied for and secured from the following persons or Boards, based on the intended, likely, or actual total number of persons, including participants, observers, sponsors, etc. ("attendees") that will be on the property during the event:

#### Attendees

200-1000/day: Code Enforcement Officer                      1000+/day: Planning Board

Such permit may be granted, with or without conditions, only upon a finding that such public assembly is planned in such a manner as to ensure the health, safety and welfare of the attendees and the public.

**2. Time for Filing.** All permit applications for a public assembly must be received 60 days prior to the event.

**3. Permit Application Requirements.** All permit applications shall include the following:

- a. A statement of the name, age and residence address of the applicant; if applicant is an entity, the name and address of the entity, and the names and addresses of the directors, partners, principles or members. The name and address of the applicants who shall be authorized, and shall agree by verified statement, to accept notices and/or summonses issued with respect to violations of any law, ordinances, rules or regulations.
- b. A statement containing the name and address of the record owner of the subject property or properties authorizing the use of such property or properties.
- c. The proposed dates and hours of such proposed assembly.
- d. The expected maximum number of persons intended to use the property each day, at any one time, and collectively over the course of the event.
- e. The expected number of automobiles and other vehicles intended to arrive and depart from the property each day, at any one time, and collectively over the course of the event.
- f. The purpose of the public assembly, including the nature of all of the activities to be carried on.
- g. A properly scaled map showing (1) the size of the property, (2) the zoning district(s) in which it is located, (3) the streets or highways abutting said property, and (4) the

- size and location of any existing and proposed buildings or structures to be utilized. Any such structure shall be required to have or secure prior to the public assembly a building permit and meet all criteria of the New York State Building Codes.
- h. A plan or drawing showing the method to be used for the disposal of sanitary sewage.
  - i. A plan or drawing showing the method to be used for the supply, storage and distribution of potable water.
  - j. A properly scaled plan or drawing showing the layout of any parking area for automobiles and other vehicles and the means of ingress and egress to such parking area. Such parking area shall provide one parking space for every four persons in attendance at any one time. Appropriate handicap parking shall be provided. If determined to be advisable by the Building Inspector then any proposed parking on public streets or rights-of-way shall also be approved by the appropriate authority having jurisdiction over such streets or rights-of-way (*e.g.*, Highway Superintendent, NYS Department of Transportation, Orange County Department of Public Works). All parking on public streets or rights-of-way, or private property not part of the event property, shall be prohibited unless approved by the appropriate agency or private party.
  - k. A statement specifying the method of storage and disposal of any garbage, trash, rubbish or other refuse.
  - l. If a person or entity other than the person or entity applying for the permit will be engaged in the sale and distribution of food and beverage, the name and address of such person or entity shall be submitted. Approval from the Department of Health may be required.
  - m. A statement specifying the precautions to be utilized for fire protection, and a properly scaled map specifying the location of existing and to-be-marked fire lanes, and water supply lanes for fire control.
  - n. A statement specifying the facilities to be available for emergency treatment of any person who might require immediate medical or nursing attention.
4. Approval Prior to Issuance. Prior to issuing any permit under this chapter, the applicant shall secure the approvals of any or all of the following governmental agencies as deemed applicable by the permitting authority:
- a. The New York State and Orange County Health Departments.
  - b. The New York State Department of Environmental Conservation.
  - c. The Village Engineer and the Village Sewer Superintendent as to any proposed sanitary sewage disposal system.
  - d. The New York State and Orange County Health Departments, the Village Engineer and, if applicable, the New York State Department of Environmental Conservation, as to any proposed system for the supply, storage and distribution of water.
  - e. The Orange County Department of Public Works, the New York State Department of Transportation, the Orange County Sheriff's Department, the New York State Police, the Town of Woodbury Police, and the Chief of the Fire Department as to the proposed parking area and means of ingress and egress to such parking area.
  - f. The Code Enforcement Officer as to the proposed type, number and location of any sound-producing equipment.
  - g. The New York State and Orange County Health Departments and the Code Enforcement Officer as to the proposed method of preparing, selling or distributing food or beverage and the removal of trash, rubbish or garbage arising therefrom.

- h. The Orange County Sheriff’s Department, the Town of Woodbury Police Department and the New York State Police as to any proposed private security or police protection.
- i. The Chief of the Fire Department and the Fire Coordinator of Orange County as to any proposed fire protection system.
- j. The Code Enforcement Officer and Village Engineer as to any proposed outdoor lights and signs.
- k. The Orange County Health Department as to any proposed facilities for emergency medical or nursing treatment.
- l. The Code Enforcement Officer and Village Engineer as to any proposed camping or housing facilities.

5. Issuance of Permit.

- a. No permit shall be issued, and no occupancy authorized, until (1) the Code Enforcement Officer has reviewed all application materials and inspected the premises to be permitted; (2) the permitting authority is satisfied that there has been compliance with the provisions of this chapter, the Uniform Code and all other applicable laws, ordinances, codes, rules and regulations pertaining to places of public assembly; and (3) the required fees have been paid.
- b. If, after the review described above, the permitting authority is satisfied that the place of public assembly meets all applicable standards, it shall issue a public assembly permit and an occupancy poster detailing the maximum number of attendees permitted and the expiration date of such permit.

6. Security and Parking Management. In the event the review determines that normal traffic patterns are likely to be disrupted by the event, the applicant shall provide adequate security personnel and parking management personnel to ensure the safe and free flow of traffic. The Code Enforcement Officer may be guided by the following table in determining adequate coverage:

<u>Attendees</u>	<u>Security</u>	<u>Parking Management</u>
200 – 499	1	2
500 or more	+1 for each add’l 250	+1 for each add’l 250

7. Permit Exemptions. The following events shall not require an application for a permit:

- a. Events sanctioned by a school district that are entirely contained on school district property.
- b. Events sanctioned by a religious entity that are entirely contained on such entity’s property.
- c. Woodbury Village and Town sponsored events.
- d. Funerals.

8. Conditions for Granting Permit.

- a. No permit shall be issued unless the permittee furnishes the Village with written authorization to permit the Village or its lawful agents to go upon the subject property for the purpose of inspecting the same, providing adequate police or fire protection and protecting persons and property from danger.
- b. No permit shall be issued unless the applicant furnishes the Village with a comprehensive liability insurance policy, issued by a company duly licensed by the

State of New York, insuring the applicant against liability for damage to persons or property with a limit no less than \$500,000 for bodily injury or death, and a limit of no less than \$100,000 for property damage. Said policy shall name the Village and its agents as additional insureds and shall be non-cancelable without prior written notice to the Village.

- c. Where the expected maximum number of persons shall exceed 1,000 persons at any public assembly, as a condition of the granting of the permit, the Board of Trustees may require the permittee to pay for such police protection as may be deemed necessary by the Board of Trustees to adequately and safely control and protect the assembly, the assembly area, and traffic in and about the area of the assembly. However, in such circumstances, the permittee shall not be required to pay in excess of the actual cost for such police protection, and in no event for more than two police officers for the first 1,000 persons of the assembly nor for more than one police officer for each additional 1,000 persons of the assembly.
- d. Permits may be issued upon such other conditions as the permitting authority may reasonably impose to ensure compliance with this Chapter and for the general protection of the health, safety and welfare of the public and of property within the Village.

9. Denial of Permit; Restrictions; Expiration.

- a. The permitting authority may deny the issuance of a permit, even one containing conditions, if it finds that a public assembly is not able to properly safeguard the health, safety, and welfare of persons or property. The denial shall be in writing and shall set forth the reason therefore. The permitting authority shall approve or deny the permit within 14 days after a full submission to it by an applicant, except as otherwise allowed by an extension in writing granted by the applicant. However, if the permitting authority does not approve or deny the permit within the said 14 days, or within such time as extended by the applicant, the permit is not deemed to be granted, but the applicant may bring a CPLR Article 78 action against the permitting authority to address the delay.
- b. If a permit is granted, such permit shall set forth the maximum number of attendees to be permitted to assemble at any one time. The permitting authority, in determining such maximum limit, shall take into consideration the capacity of the site, the facilities to be available and the availability of public highways and other means of transportation to and from the site. In case of entertainment, the applicant shall limit all ticket sales for each performance or series of performances for which admission will be granted to such maximum number and shall include such limitations in all advertising.
- c. Each permit shall expire at the end of the event for which it is issued.

10. Modification or Rescission of Permit. If, after a permit is issued, the Board of Trustees, and/or the Code Enforcement Officer, determines that any of the representations and/or statements contained in the application or any of the conditions of their permit have not been complied with, including limitations on the number of attendees, the Board of Trustees and/or the Code Enforcement Officer may serve upon the permittee's agent for the service of process (as noted in the public assembly application), a two-day notice of hearing specifying the manner in which the permittee has not complied with the terms of its permit. At such

hearing the Board of Trustees and/or the Code Enforcement Officer, for good cause, may modify or rescind such permit, absolutely or upon conditions.

11. Permit Fee. The applicant shall pay to the Village at the time the application is submitted an application fee of \$50 and a fee of \$50 per day for each day of operation. If the public assembly requires Planning Board approval, an escrow account must be established to cover the costs for review as provided by Section 143-3 (C) of Village Code. If the Code Enforcement Officer determines a permit application is identical to one previously reviewed and approved for the identical applicant and event, such identical application shall not require an escrow account. The permit fee shall be waived for not-for-profit entities that request such waiver from the Board of Trustees.

**§ 243-4. Penalties for Offenses.**

1. Any person or entity who shall sponsor, allow, let or permit to be used property for the purpose of a public assembly, or any person who shall cause the gathering, collecting or congregating of persons constituting a public assembly without having a written permit in accordance with the provisions of this chapter shall be guilty of a violation of this chapter.
2. A violation of any of the provisions of this chapter shall be a misdemeanor, and shall be punishable as hereinafter provided.
3. A separate offense against this chapter shall be deemed committed on each day during or on which a violation occurs or continues. A separate penalty may be imposed for each separate offense.
4. For each violation of this chapter, the violator shall be subject to a fine of not more than \$500 per day of the assembly or imprisonment not to exceed one year, or to both such fine and imprisonment.

**SECTION 2: SAVINGS CLAUSE.**

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**SECTION 3: SUPERSEDING PROVISION.**

To the extent that any State or local laws fail to provide specific authority for this Local Law, or otherwise appear to be in conflict with this Local Law, then such laws are hereby superseded by this Local Law pursuant to New York Municipal Home Rule Law and the common law.

**SECTION 4: EFFECTIVE DATE.**

This Local Law shall take effect immediately upon the filing of this Local Law with the New York Secretary of State in the manner provided for in the Municipal Home Rule Law.

**ADOPTED BY ROLL CALL AS FOLLOWS:**

Mayor Berean-Weeks	AYES
Trustee Crouse	AYES
Trustee Jackson	AYES
Trustee Kinney	AYES
Trustee Stabile	ABSENT

b. Discussion – Repairs to Circulator Pump:

Motion was offered by Trustee Kinney, seconded by Trustee Jackson, to authorize the Mayor to sign the proposal from A-Star to repair the spare circulator pump at a cost of \$489.95.

**ADOPTED** AYES 4 Berean-Weeks, Crouse, Jackson, Kinney  
NOES 0

c. Discussion – Indexing Software:

Clerk Potvin stated she obtain three quotes for software to index documents. Unfortunately, they are not in any way similar to conduct a true comparison. The quotes received were as follows:

ISYS Search Software	Software/Maintenance	\$712.50
General Code Publishers	Software/Maintenance	\$1445 plus imaging
Toshiba	Software/Main/Equip	\$4900

The cost to turn on the scanning capabilities on the photocopier without the software program is \$1594. After a discussion, it was decided that Clerk Potvin would obtain quotes for the purchase of a scanner and Acrobat Adobe for the Board to entertain at the next meeting. Motion was then offered by Trustee Kinney, seconded by Trustee Jackson, to enter into an agreement with ISYS Search Software for a document indexing system at a cost of \$712.50 (\$570 software/ \$142.50 one-year maintenance).

**ADOPTED** AYES 4 Berean-Weeks, Crouse, Jackson, Kinney  
NOES 0

d. Update - Outdoor Maintenance Proposals:

Mayor Berean-Weeks stated letters were sent to ten companies in the area and no responses were received. She will follow-up with telephone calls. Trustee Crouse noted that, although the Town plows the parking lot, there is no one to remove the snow from the sidewalks or entrances. Mayor Berean-Weeks stated she shovels the snow sometime. Chief Prozzillo stated the firemen usually do it as well.

e. Update – Annual Contracts for Service:

Attorney Naughton stated she contacted GenTech about service for the generator and they will have some information for her by the end of next week. She contacted A-Star and they were not willing to give her information about the general maintenance and work they have done on the air conditioning/heating units. She will be reviewing their invoices for the past few years to determine what should be included in specifications. She was able to speak with a representative from Simplex/Grinnell and obtain information to prepare specifications for services to the sprinkler system. Mayor Berean-Weeks stated she would like to table this discussion until the next meeting so the Board can have the opportunity to review the specifications prior to letting them out.

f. Discussion – Polizzi Zoning Issues:

Mayor Berean-Weeks stated Dr. Polizzi contacted her for an update on his zone change request and she informed him the Board is currently finalizing the Comprehensive Plan and will then be working on the zoning.

**IV. New Business:**

a. Discussion – Monroe/Harriman Consolidated Fire District:

Trustee Crouse stated he spoke with Village of Harriman Mayor Welle regarding the verbal agreement that Harriman has had with the Woodbury Fire Department for more than twenty years. As part of this formation, the agreement would be put in writing so that there would be absolutely no impact to the Woodbury Fire Department. Mayor Berean-Weeks stated she spoke with Frank Simeone, who sent a letter to the Town Board detailing the plans to create a Joint Fire District between the Town of Monroe, Village of Monroe and Village of Harriman. She was informed that the process is in its early stages and that the Village of Woodbury would not be involved at all. Attorney Golden stated he will be speaking with Mr. Simeone as well for further clarification. Chief Prozzillo stated he does not believe this issue will affect his Department in any way. He is just concerned that the verbal agreement stays as is (Woodbury responds to calls on Interstate 87 and Harriman responds to Nepera).

b. Request for Sewer Waiver – JK Development Corp:

A request was received from John Shafran to construct a septic system on his property located at Section 202, Block 1, Lot 42 (off of Ridge Road) since there is currently a court stayed issued for the additional capacity that was made available to the Consolidated Sewer area. Section 272-20 of the Village Code permits the Village Board to approve a waiver if capacity is not available. Attorney Golden noted that waivers are usually granted with conditions. Clerk Potvin has provided the Village Board a copy of a waiver format that the Town Board had approved in the past. Attorney Golden would like Engineer Lindsay to review this format prior to the Board granting approve. Mayor Berean-Weeks stated this issue would be tabled until the next meeting.

c. Discussion – Water/Sewer Equipment/Storage Garage:

A letter was received from Superintendent McClennan requesting the purchase of a backhoe and storage garage using funds from the Capital Reserve account for Equipment. It was decided that Attorney Golden would work with Superintendent McClennan to create specifications to be let out for bids. The issue will be discussed at the next meeting.

d. Resolution – Payment of Utility Invoices:

Motion was offered by Trustee Kinney, seconded by Mayor Berean-Weeks, to adopt the following resolution:

**WHEREAS**, the Village Board of the Village of Woodbury receives utility bills for telephone and electric usage each and every month; and

**WHEREAS**, the Village Board pays invoices an average of two times per month when it performs its audit of abstracted vouchers; and

**WHEREAS**, some utility bills are received and due before the Board can move to approve payment incurring late fees that, at times, can be quite costly; and

**WHEREAS**, the New York State Comptroller’s Office has opined that utility bills can be paid prior to an abstract of audited vouchers being approved, so long as a resolution has been adopted by the governing Board approving such payment.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Village Board of the Village of Woodbury does hereby adopt this resolution to approve payment of only the utility bills that may come due prior to the adoption of an abstract of audited vouchers so late fees will not be incurred.

**ADOPTED** AYES 4      Berean-Weeks, Crouse, Jackson, Kinney

NOES 0

## **V. Board Member/Department Comment**

Trustee Crouse stated he attended the monthly meeting of the Southeast Orange County Transportation and Land Use Task Force this evening. There will be an e-mail received within the next two weeks regarding the Federal Government's proposed stimulus package. It relates to the funding of projects by the Department of Transportation. A discussion was held at the meeting about the planned improvements to Route 32/17/6 and it is believed that the funding will still be available for this project. There is a public hearing scheduled for sometime in February and will be held in Woodbury.

Trustee Kinney stated he was experiencing some issues with the website but they are being worked on.

Mayor Berean-Weeks stated she met with a reporter from the Photo News this evening regarding the Village's financial status and the effects of the current economic crisis.

Clerk Potvin announced the passing of former Town Supervisor Joan Caruso. The Town Board will be adopting a resolution on January 15 that would permit them to lower flags on town property to half-staff. This is permitted pursuant to the NYS Executive Law. The Board asked that a copy of the resolution to be supplied so they can consider adopting a similar one at their next meeting.

Planner Turner stated the Comprehensive Plan is fairly close to completion for the Village Board's review. He would like to meet with the Board and Attorney Golden to discuss issues in an attorney/client privileged meeting. Mayor Berean-Weeks stated the Board would do so after adjournment.

## **VI. Public Comment:**

Sandra Capriglione asked Clerk Potvin what program is currently used by other municipalities in the area. Clerk Potvin stated Orange County was a test site for ISYS when it was first created. The project was begun by Orange/Ulster BOCES.

Michael Kling asked for some direction on how to dissolve the Village. Attorney Golden stated it would not be appropriate for the Village to advise the public on how to do this and suggested Mr. Kling contact an attorney for clarification.

Robert Hunter asked Clerk Potvin if she will "back-up" her documents that are going to be converted to electronic format as they are more damageable than paper. Clerk Potvin stated she currently backs-up her data to a flash drive, noting she will be asking the Board to budget for a fire safe to be purchased in the next fiscal year. She then noted that the paper documents will also be retained for the retention period as set forth by the NYS Archives Retention Schedule.

## **VII. Adjournment:**

With no further comments received or business to discuss, a motion was offered by Mayor Berean-Weeks, seconded by Trustee Kinney, to adjourn at 9:15PM.

**ADOPTED** AYES 4      Berean-Weeks, Crouse, Jackson, Kinney  
                 NOES 0

Desiree Potvin, Village Clerk