

Minutes of the Town Board Meeting held at Town Hall, 511 Route 32, Highland Mills, New York on January 15, 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; Robert Kwiatkowski, Police Chief; Stephen Welle, Village of Harriman Mayor; John Karl, Village of Monroe Mayor

A moment of silence was held in remembrance of former Town Supervisor Joan Caruso, who passed away on January 13, 2009. Joan began working for the Town on October 7, 1985 as an Account Clerk and was promoted in April 1994 to Senior Account Clerk. She was elected as Town Supervisor in November 1995 and served until December 1999.

I. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Councilwoman Gianzero, seconded by Councilman Haviland, to accept the minutes of the regular meeting held December 18, 2008.

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

Motion was then offered by Supervisor Burke, seconded by Councilman Queenan, to accept the minutes of the worksession held December 29, 2008.

ADOPTED	AYES	3	Burke, Levine, Queenan
	ABSTAIN	2	Gianzero, Haviland

Motion was then offered by Councilman Levine, seconded by Councilman Queenan, to accept the minutes of the worksession held January 12, 2009.

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

b. Approval of Abstract:

Motion was offered by Councilwoman Gianzero, seconded by Councilman Levine, to approve Abstract 2, Vouchers #20090088 - #20090159, totaling \$140,446.43.

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

c. Budget Modification:

Motion was offered by Councilman Queenan, seconded by Councilman Levine, to approve a modification to the 2009 operating budget of the Highway Department by increasing DB599 (Appropriated Fund Balance) by \$37,400 and increasing DB5110.456 (Emergency Disaster Clean-up) by \$37,400.

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

d. Acceptance of Resignations:

Motion was offered by Councilman Haviland, seconded by Supervisor Burke, to accept the resignation of Philip Billik from the position of part-time dispatcher in the Police Department.

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

Motion was then offered by Councilwoman Gianzero, seconded by Supervisor Burke, to accept, with regrets, the resignation of Kenneth Newcomb from the position of MEO in the Highway Department effective January 30, 2009.

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

Motion was then offered by Supervisor Burke, seconded by Councilman Queenan, to accept the resignation of Ellen Ward from the Board of Assessment Review effective January 13, 2009.

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

Motion was then offered by Councilman Queenan, seconded by Supervisor Burke, to accept the resignation of Laurie Douthit from the position of clerk in the Police Department effective January 30, 2009.

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

e. Appointment of MEO:

Motion was offered by Councilman Levine, seconded by Councilman Haviland, to approve the appointment of Dennis Tenney to the position of full-time MEO in the Highway Department effective January 20, 2009, pending the signing of all required documents. The position is classified as a Grade IIIB and the rate of pay is \$18.09/hour. Civil Service approved this application on January 8, 2009.

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

f. Appointment of Data Collection Clerk:

Motion was offered by Councilwoman Gianzero, seconded by Councilman Queenan, to approve the appointment of Ellen Ward to the position of part-time real property data collector in the Assessor's Office effective January 20, 2009, pending the signing of all required documents. The position is classified as a Grade IIA and the rate of pay is \$11.31/hour. Civil Service approved this application on January 12, 2009.

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

g. Resolution – Lowering Flag to Half-Staff:

Motion was offered by Councilman Levine, seconded by Councilman Queenan, to adopt the following resolution:

WHEREAS, the Town Board of the Town of Woodbury finds that it is appropriate to commemorate the death of a person who served as a public servant for the Town that contributed greatly to the community; and

WHEREAS, New York State Executive Law Article 19 provides for the rules and manner of display that shall be deemed the proper manner to display the flag; and

WHEREAS, New York State Executive Law Article 19 permits the Town Board the authority to lower the flag to half-staff to commemorate those individuals that contributed to the community.

NOW, THEREFORE, BE IT

RESOLVED by the Town Board of the Town of Woodbury to empower the Supervisor or Town Board to, when a person who served as a public servant for the Town of Woodbury, and in doing so contributed to the community, passes away, lower the flags maintained by the Town will be lowered to half-staff for a period of one-day, preferably the date of the memorial service.

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

It was noted that the flags located on Town property will be lowered to half-staff on the day of former Town Supervisor Joan Caruso's memorial service.

II. Old Business:

a. Discussion – Monroe/Harriman Consolidated Fire District:

Motion was then offered by Councilwoman Gianzero, seconded by Councilman Haviland, to adopt the following resolution:

RESOLVED that the Woodbury Town Board approves the hiring of Kornfield, Rew, Newman & Simeone as the attorneys for the formation of a Joint Fire District in the Town of Monroe at one-third of the total cost not to exceed \$75,000. (Any additional expenses must be brought to the attention of all boards involved.) The municipalities involved in this process are the Town of Monroe, the Village of Monroe, the Village of Harriman and the Town of Woodbury. The costs will be split three ways equally as outlined in the letter from Frank Simeone (dated December 30, 2008) with the Town of Monroe, the Village of Monroe and the Village of Harriman being billed and paying separately. The Town of Woodbury will bear no expense; and be it

FURTHER RESOLVED, that the Town of Monroe will serve as the lead grant applicant for the NYS Department of State Local Government Shared Services, Part 2A – High Priority Grant in the amount of \$50,000. The municipalities agree to pay the local share of 10% or \$5000, in the same manner proscribed above (with Woodbury bearing no expense). The local share will come from monies raised by taxes; and be it

FURTHER RESOLVED, that the Woodbury Town Board authorizes Supervisor John Burke to execute all necessary financial and/or administrative processes relating to the grant program. The two representatives appointed as liaisons to the steering committee are Supervisor Burke and Councilman Queenan.

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

Supervisor Burke stated the process of creating this joint district will take several months (it is expected to be in place by January 2011). Attorney Liberth stated he spoke with Frank Simeone about the concerns that were addressed at the worksession. He believes that the existing verbal agreement between Woodbury and Harriman will be put in writing so that there will be no changes to the status Woodbury currently has. Mayor Welle assured the Board that there is no intentions to change the current arrangement that is in place.

b. Discussion – Association of Towns Resolutions:

Motion was offered by Councilman Queenan, seconded by Supervisor Burke, to direct the Voting Delegate or Alternate Voting Delegate to cast the following votes on behalf of the Town of Woodbury at the Annual Business Meeting of the Associations of Towns to be held on February 18, 2009:

- | | | |
|-----|--|-----|
| 1. | Preserve and Strengthen Home Rule | AYE |
| 2. | Mandate Relief | AYE |
| 3. | Highway and Transportation Funding | AYE |
| 4. | Highway Mutual Aid | AYE |
| 5. | Local Road Classification | AYE |
| 6. | Water/Wastewater and Stormwater Infrastructure Aid | AYE |
| 7. | Preserve and Strengthen Local Government's Role
in the Siting of Energy Generation Facilities | AYE |
| 8. | Publication of Legal Notices | AYE |
| 9. | Preservation of Town Registrars of Vital Statistics | AYE |
| 10. | Economic Stimulus | AYE |
| 11. | GML 207C Disability Benefits for Law Enforcement | AYE |

12. Reform Real Property Tax System AYE
ADOPTED AYES 5 Burke, Gianzero, Haviland, Levine, Queenan
NOES 0

III. New Business:

a. Appointment of Voting Delegates – Association of Towns:

Motion was offered by Councilwoman Gianzero, seconded by Councilman Queenan, to designate the following named persons to attend the Annual Business Session of the Association of Towns of the State of New York, to be held in New York City, on February 18, 2009, and to cast the vote of the Town, pursuant to Section 6 of Article III of the Constitution and By-Laws of said Association: Town Clerk Desiree Potvin, Delegate, Tax Collector Carol Herb, Alternate.

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

b. Authorize to File – Engineer for the Town:

Motion was offered by Councilman Queenan, seconded by Supervisor Burke, to authorize Dennis Lindsay, as the Engineer for the Town, to file applications to all regulatory agencies, as required, on behalf of the Town of Woodbury for those projects authorized by the Town Board in 2009.

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

c. Authorize Return of Road Opening Bond – Weber Plumbing:

Motion was offered by Councilman Queenan, seconded by Supervisor Burke, to authorize the return of the money, plus interest earned to date, posted for Road Opening Permit #04-2007 by Weber Plumbing for work done on a new driveway for Best Budget Inn. This return is recommended by Superintendent Stabile.

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

EXTRA ITEM – Postage Meter:

Clerk Potvin informed the Board that the meter that is currently owned by the Town is obsolete and may not be able to be repaired if parts are needed. She added that meter currently costs the Town approximately \$300 annually for maintenance, \$250 annually for the meter rental and \$500 annually for the postage increase updates to the scale. She contacted two companies for quotes on new machines (all of which are state bid prices). In comparing the options of buying versus leasing, she recommends that the Town lease the equipment as the cost is less expensive. Additionally, at the end of the lease, the Town would own the machine for \$1. Based on this recommendation the following prices are noted:

Pitney Bowes	51 month lease	\$131 per month
Neopost	63 month lease	\$132 per month

She noted that machine offered by Neopost handles a higher volume and has more capabilities than the machine offered by Pitney Bowes. Neopost is also our current contractor and, if the Town selects their machine, we will receive a refund for the maintenance/rental contract on the existing machine as well as not have to pay for the recent postage increase update (approximately \$250). After further discussion by the Board, a motion was offered by Councilman Haviland, seconded by Councilwoman Gianzero, to authorize the Supervisor to enter into a 63 month, state-bid, lease/purchase agreement with Neopost for a new postage machine.

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

IV. Department Reports:

a. Supervisor’s Report:

Motion was offered by Supervisor Burke, seconded by Councilman Levine, to approve the December 2008 Supervisor’s Report with receipts totaling \$185,500.49 and disbursements totaling \$901,260.07.

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

- b. Town Clerk’s Report – December 2008
- c. False Alarm Report – November 2008
- d. Parks/Recreation Minutes – None Received
- e. Animal/Goose Control Report – December 2008
- f. Police/Communications Report – December 2008
- g. Beautification Commission Minutes – None Received
- h. Library Minutes – None Received
- i. Budget vs. Actual – Not Received

V. Public Comment:

Councilman Queenan congratulated Legislator Roxanne Donnery on her appointment to Chairperson of the Orange County Legislature.

Clerk Potvin noted the character generator on the public access channel has a virus and is being worked on by Cablevision. It may take some time to repair but there will be a page set that explains it. The videos can still be played and viewed.

Superintendent Stabile gave a status update on the clean-up of the ice storm that occurred in December. He noted that a majority of the Town has been done but there are still a number of trees (approximately ten) that have to be removed before the clean-up is completed. He noted the debris that remains is frozen so the backhoe, rather than the chipper, is needed to remove it. Regarding snow removal, he once again reminded the public that parking on the streets during inclement weather, including rain, will result in tickets being issued or cars being towed. He added that residents that use contractors to remove snow from their driveways will be issued tickets if the contractor pushes snow into the roadway after it had been plowed.

John Smith asked for an update on the FEMA funding that was being sought to offset the costs of the disaster clean-up. Superintendent Stabile stated FEMA funding is based on the total cost of expense incurred by County. The cost has to exceed \$1.2 million before FEMA funding reimbursements would be considered. The Governor has asked that FEMA declare a State of Emergency for the area but no word has been received if this has occurred.

VI. Adjournment:

With no further comments received or business to discuss, a motion was offered by Councilman Queenan, seconded by Supervisor Burke, to adjourn the meeting at 8:30PM.

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

Desiree Potvin, Town Clerk