

Minutes of the Town Board Meeting held at Town Hall, 511 Route 32, Highland Mills, New York on March 19, 2009 at 7:30PM

Present: John Burke, Supervisor  
Geraldine Gianzero, Councilwoman  
Amidee Haviland, Carlton Levine and Michael Queenan, Councilman

Absent: None

Also Present: Nicholas Pascale, Attorney for the Town; Peter Stabile, Highway Superintendent; Robert Kwiatkowski, Police Chief; Maria Hunter, Village Planning Board; Sandra Capriglione, Village Zoning Board

Supervisor Burke and the Town Board congratulated Councilman Queenan on his election as Mayor of the Village of Woodbury.

**I. Administrative Business:**

a. Acceptance of Minutes:

Motion was offered by Councilman Levine, seconded by Councilman Haviland, to accept the minutes of the regular meeting held March 5, 2009.

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

b. Approval of Abstract:

Motion was offered by Supervisor Burke, seconded by Councilwoman Gianzero, to approve Abstract 6, Vouchers #20060499 - #20090645, totaling \$247,973.23.

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

c. Budget Modification(s):

Motion was offered by Councilman Queenan, seconded by Supervisor Burke, to approve a modification to the budget of the General Fund by decreasing A1620.421 (CV Pond Repairs) by \$7,000; decreasing A1620.462 (Repairs & Material) by \$3,531 and increasing A1620.409 (Plumbing) by \$10,531.

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

Motion was then offered by Councilman Levine, seconded by Councilman Queenan, to approve a modification to the budget of the Supervisor's Office by decreasing A599 (Appropriated Fund Balance) by \$2,943 and increasing A1220.403 (Bank Analysis Charges) by \$2,943.

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

Supervisor Burke explained the Town has been conducting business with Bank of America for a number of years. Even though the Town has millions of dollars in its accounts, the fees still exceed the interest earned. Clerk Potvin and Account Clerk Eileen Sutherland have begun meeting with different banks to see if it may be in the best interest of the Town to switch institutions. He will keep the Board aware of the information received.

Motion was then offered by Councilman Haviland, seconded by Councilwoman Gianzero, to approve a modification to the budget of the Highway Department by decreasing DB5110.469 (Drainage Pipe) by \$2,000 and increasing DB5110.423 (Safety Equipment) by \$2,000.

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

**II. Old Business:**

a. Authorize Supervisor to Sign – Maser Consulting Proposal:

Councilwoman Gianzero asked if this proposal is being approved pending the passing of the referendum. Supervisor Burke stated he would like to approve the proposal regardless of the outcome of the vote because he believes a second opinion on the plans is important. Councilman Levine added the information that results from this review may be beneficial to the voters. All Board members agreed the review should be done. A motion was offered by Councilman Levine, seconded by Councilman Haviland, to authorize the Supervisor to sign the proposal received from Maser Consulting for the review of the plans and specifications for the pending improvements to the Central Valley Pool. The review will involve their geotechnical and water engineering departments.

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

EXTRA ITEM – Update of Close Circuit Television for Police Department:

Attorney Pascale stated he has reviewed the procurement policy and determined the Board can authorize the Police Chief to accept a proposal other than the low bidder if specific and valid reasons are stated. Chief Kwiatkowski, at the worksession, stated his reason for wanting the second lowest proposal (CCI Systems - \$5,890) is because of past experience of working with the company. Additionally, their proposal was all inclusive whereas the lowest bidder (Turnkey Enterprises Contracting Co - \$4,897.98) would charge an extra hourly rate if conditions are experienced that were not expected. Additionally, the lower bidder is unable to conduct any maintenance to the system once installed. The second lowest bidder has a dedicated individual assigned to the Police Department and is located locally. Attorney Pascale stated these are valid, justified reasons for not using the low bidder for this purchase.

**III. New Business:**

a. Ratification of Dispatchers Contract:

Motion was offered by Councilwoman Gianzero, seconded by Councilman Queenan, to ratify the “Memorandum of Agreement” between the Town of Woodbury and the Town of Woodbury Police Benevolent Association, Inc (Dispatchers).

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

Councilman Haviland stated this whole process has been a long one. He reminded the public that a fact-finder issued an opinion which was accepted by the Board but rejected by the Union. Due to the tireless efforts of Supervisor Burke, a settlement was finally reached, which was very close to the recommendation made by the fact-finder. Supervisor Burke recognized the efforts of Councilwoman Gianzero, Councilman Queenan and former Councilman Aronowitz, all of whom dedicated a lot of time and effort on this issue.

**IV. Department Reports:**

a. Supervisor’s Report:

Motion was offered by Councilman Levine, seconded by Councilman Haviland, to approve the Supervisor’s Report for February 2009 with receipts totaling \$2,219,506.24 and disbursement totaling \$838,094.72.

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

b. Town Clerk’s Report – February 2009

c. False Alarm Report – January 2009

d. Parks/Recreation Minutes – March 10, 2009

e. Animal/Goose Control Report – February 2009

f. Police/Communications Report – February 2009

g. Beautification Commission Minutes – None Received



Councilwoman Gianzero	AYES
Councilman Haviland	AYES
Councilman Levine	AYES
Councilman Queenan	AYES

**VI. Public Comment:**

John Smith stated he would like clarification on some rumors that he has heard throughout Town. The first one is regarding fees paid to Engineer Lindsay in relation to the improvements to the Central Valley Pond. He FOILed all payments made to Engineer Lindsay but has been told that there was one for either \$78,000 or \$87,000 which was not on the information he reviewed. Supervisor Burke stated he is not aware of the information that was provided to Mr. Smith as part of his FOIL but he will research the issue. Mr. Smith stated the second rumor was that Councilman Queenan had a personal relationship with the representative from Maser Consulting. Councilman Queenan stated Mr. Fetherston lives on the same street he does but other than that, there is no personal relationship. Supervisor Burke added that Maser Consulting was the firm that served as site inspectors when the improvements to the CV Pond were done two years ago. Councilwoman Gianzero added Maser Consulting was first contracted with as site inspectors for the BMW application, which was prior to Councilman Queenan serving on the Town Board. Mr. Smith asked when the Board will address the question of the public referendum and Supervisor Burke stated the Board is currently in discussions with the Town Attorney and the issue will be discussed at the March 30 worksession.

**VII. Adjournment:**

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

<b>ADOPTED</b>	AYES	5	Burke, Gianzero, Haviland, Levine, Queenan
	NOES	0	

Desiree Potvin, Town Clerk

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