

Minutes of the Town Board Worksession held at Town Hall, 511 Route 32, Highland Mills, New York on May 18, 2009 at 7:30PM

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

Absent: None

Also Present: Richard Liberth, Attorney for the Town; Dennis Lindsay, Engineer for the Town

**1. Home Rule Resolution – Special/Improvement Districts:**

Supervisor Burke stated that the resolution that was adopted last month needs to be modified since the special/improvement districts have already been transferred to the Village. Motion was offered by Supervisor Burke, seconded by Councilman Levine, to adopt the following resolution requesting legislation from the State Assembly and Senate to return responsibility of the special districts back to the Town of Woodbury:

**WHEREAS**, as a result of the incorporation of the Village of Woodbury on August 28, 2006, and by operation of New York State Village Law, all Special Districts of the Town of Woodbury wholly contained within the boundaries of the new Village ceased to exist and were automatically transferred to the Village of Woodbury on June 1, 2007, as were the employees related to such Special Districts on January 1, 2008, and

**WHEREAS**, the Village of Woodbury desires to more efficiently operate, administer, expand and enlarge all such Special Districts in accordance with New York State law, except the former Fire District, by transferring the responsibility for such Special Districts back to the Town of Woodbury, and

**WHEREAS**, the Village of Woodbury lacks the legal authority to accomplish the above by local law,

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Woodbury hereby authorizes the Supervisor and Town Clerk to execute and file any and all necessary documents to request the New York State Legislature to enact a Special Law pursuant to Article IX of the New York State Constitution to accomplish the following:

1. The transfer to the Town of Woodbury of all authority, responsibility, assets, debts, liabilities, contracts, causes of action and other entitlements for all former Special D Districts of the Town that had been transferred to the Village by operation of New York State law as a result of the incorporation of the Village of Woodbury, except for the former Fire District, and
2. That the Village employees related to such Special Districts continue in the same positions as employees of the Town of Woodbury and have all the rights provided by New York State Civil Service Law, and local and collective bargaining agreements, as if their former positions had not previously been transferred to the Village but had continued with the Town of Woodbury.

**ADOPTED BY ROLL CALL AS FOLLOWS:**

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

Vacant Board Position

**Attorney/Client Meeting:**

Supervisor Burke stated the Board will enter into an attorney/client meeting after adjournment to discuss with its consultants the report prepared by Maser Consulting regarding the planned improvements to the Central Valley Pond. A full presentation to the public will be made at the May 21 meeting.

**2. Adjournment:**

With no further business to discuss, a motion was offered by Supervisor Burke, seconded by Councilman Haviland, to adjourn the meeting at 7:35PM.

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

Desiree Potvin, Town Clerk  
(from notes prepared by Supervisor Burke)