

Minutes of the Town Board Meeting held at Town Hall on May 6, 2010 at 7:30PM

Present: John Burke, Supervisor

Carlton Levine and Frank Palermo, Councilmen

Absent: Amidee Haviland and James Skoufis (*arrived late*), Councilmen

Also Present: Richard Liberth, Attorney for the Town; Robert Kwiatkowski, Police Chief; Maria Hunter, Village Planning Board

I. Public Hearing:

a. Orange County Community Development FY2011 Grant:

A public hearing was held to entertain public suggestions for projects to be submitted for funding under the FY2011 Orange County Community Development program. The public notice was printed in the Times Herald Record on April 27, 2010 and the following comments were received:

Ben Meyers suggested some improvements to the Ida Cornell Library be applied for, noting the fascia board is riddled with carpenter bee, the benches outside need to be repaired or replaced (as well as all the benches scattered through Town). Councilman Palermo suggested some tables be purchased for the outside as well so residents can utilize the new WiFi outdoors and indoors. Supervisor Burke stated the Buildings/Grounds Department will look into the issues raised regarding the bees and the benches.

Supervisor Burke stated he would like to see if some funding could be secured to assist with the Estrada Road bridge repairs.

With no further comments received, a motion was offered by Councilman Levine, seconded by Councilman Palermo, to close the public hearing.

ADOPTED AYES 3 Burke, Levine, Palermo

NOES 0

It was noted that, as in the past, Engineer Lindsay will meet with the representative from the Office of Community Development to determine which, if any, of the suggested projects would be eligible for funding. NOTE – the following comments were received during public comment by Maria Hunter (who was not present for the hearing) as additional projects to be submitted for funding: 1) the disabled access ramp for Town Hall is in need of repair, especially the unstable railing; 2) sidewalks be installed along Route 32 from Ridge Road to Brigadoon Boulevard; 3) a study be funded to determine what can be done with the tree/monument at Perrone Circle.

b. Introductory Local Law 1 of 2010 – Animals:

A public hearing was to be held to entertain public comments regarding an amendment to Chapter 85, Article IV, entitled “Animals” to provide for a fee for all animals. Due to an issue with the publication of the notice, a motion was offered by Councilman Palermo, seconded by Councilman Levine, to reschedule the public hearing to be held on May 20, 2010 at 7:30PM.

ADOPTED AYES 3 Burke, Levine, Palermo

NOES 0

II. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Councilman Palermo, seconded by Councilman Levine, to accept the minutes of the regular meeting held April 15, 2010.

ADOPTED AYES 3 Burke, Levine, Palermo
NOES 0

Motion was then offered by Supervisor Burke, seconded by Councilman Palermo, to accept the minutes of the worksession held May 3, 2010.

ADOPTED AYES 3 Burke, Levine, Palermo
NOES 0

b. Approval of Abstract:

Motion was offered by Councilman Levine, seconded by Councilman Palermo, to approve Abstract 10, Vouchers #2010761 - #20100884, totaling \$111,349.30.

ADOPTED AYES 3 Burke, Levine, Palermo
NOES 0

c. Budget Modification(s):

Motion was offered by Supervisor Burke, seconded by Councilman Levine, to approve a modification to the budget of the Parks Department by increasing A2680 (Insurance Recoveries) by \$13,970 and increasing A7110.462 (Repairs/Materials Replacement) by \$13,970.

ADOPTED AYES 3 Burke, Levine, Palermo
NOES 0

Councilman Skoufis arrived to the meeting.

Motion was then offered by Councilman Levine, seconded by Councilman Palermo, to approve a modification to the budget of the Library by decreasing L7410.437 (Audio/Visual) by \$2000 and increasing L7410.435 (Books) by \$2000.

ADOPTED AYES 4 Burke, Levine, Palermo, Skoufis
NOES 0

Motion was then offered by Supervisor Burke, seconded by Councilman Palermo, to approve a modification to the budget of the Police Department by decreasing B3120.206 (Tracs) by \$1880 and increasing B3120.204 (Mobile Data Terminals) by \$1880.

ADOPTED AYES 4 Burke, Levine, Palermo, Skoufis
NOES 0

Motion was then offered by Councilman Levine, seconded by Councilman Skoufis, to approve a modification to the budget of the Refuse District by increasing SR599 (Appropriated Fund Balance) by \$871 and increasing SR8160.400 (Contractual Expenses) by \$871.

ADOPTED AYES 4 Burke, Levine, Palermo, Skoufis
NOES 0

d. Appointment to Beautification Commission:

Motion was offered by Supervisor Burke, seconded by Councilman Palermo, to appoint Desiree Potvin to the Beautification Commission.

ADOPTED AYES 4 Burke, Levine, Palermo, Skoufis
NOES 0

e. Appointment to Justice Court:

Motion was offered by Supervisor Burke, seconded by Councilman Palermo, to promote Carol Garen from part-time Court Clerk to full-time Court Clerk in the Justice Court (filling the vacancy made by Janet Weissman) beginning May 10, 2010, subject to the signing of all required documents.

ADOPTED AYES 4 Burke, Levine, Palermo, Skoufis
 NOES 0

III. Old Business:

a. Change Order #1 – CV Pond Phase III Improvements – Electrical Work:

Motion was offered by Councilman Levine, seconded by Councilman Skoufis, to approve Change Order #1 for the Central Valley Pond Improvements Phase III Electrical Work because the new equipment (recirculation pumps, filters, etc.) within the filter building requires three-phase electrical service to be installed by Orange & Rockland. The work will consist of a new or replacement utility pole with required anchorage, approximately 335 feet of upgraded overhead wires and all associated work along Buena Vista Terrace. The change order totals \$12,459 which is a direct charge by Orange & Rockland.

ADOPTED AYES 4 Burke, Levine, Palermo, Skoufis
 NOES 0

It was noted that this was a planned expense and that the Board has been waiting for Orange & Rockland to contact the Town about the cost of this work.

IV. New Business:

There was no new business to discuss.

V. Public Comment:

Councilman Skoufis reminded that Woodbury Spring Cleaning is scheduled for May 15 and will begin at 10AM at the Central Valley Elementary School.

Ben Meyers thanked Councilman Skoufis for organizing the Spring Cleaning event. He asked for clarification on the electrical work being done by Orange & Rockland for the CV Pond Improvements and Supervisor Burke stated it is as recommended by the General Contractor, Electrical Contractor and our engineers. Mr. Meyers asked if the amount charged is par for the work being done or can it be negotiated. Supervisor Burke stated that Orange & Rockland is not open to negotiations so there is nothing that can be done with the amount they are charging. Mr. Meyers thanked the Town Board and the Parks Commission for the work they are doing to have the CV Pond open for the summer. Mr. Meyers then noted that the striping done by the State on Route 32 in Central Valley is wearing away. Supervisor Burke stated the State was there this afternoon and believes the striping is being addressed. Mr. Meyers then noted that speeding along Route 32 and on Smith Clove Road by the Post Office has been a nuisance and requested a police presence there.

Maria Hunter reminded that the Woodbury Firecracker Festival is scheduled for July 3 and listed the events that are scheduled.

8PM – Executive Session:

Motion was offered by Councilman Palermo, seconded by Councilman Levine, to enter into an executive session pursuant to Article 7 of the Public Officers Law to discuss one item of possible litigation regarding the Morgan Court retention pond.

ADOPTED AYES 4 Burke, Levine, Palermo, Skoufis
NOES 0

After exiting executive session, a motion was offered by Supervisor Burke, seconded by Councilman Skoufis, to authorize Attorney Liberth to pursue collection of the fine imposed upon Linro Enterprises (Morgan Court retention pond).

ADOPTED AYES 4 Burke, Levine, Palermo, Skoufis
NOES 0

VI. Adjournment:

With no further business to discuss or comments received, a motion was offered by Councilman Palermo, seconded by Councilman Levine, to adjourn the meeting at 8:25PM.

ADOPTED AYES 4 Burke, Levine, Palermo, Skoufis
NOES 0

Desiree Potvin, Town Clerk