

Minutes of the Town Board Meeting held at Town Hall on February 17, 2011 at 7:30PM

Present: John Burke, Supervisor
Amidee Haviland, Frank Palermo and James Skoufis, Councilmen
Absent: Carlton Levine, Councilman
Also Present: Richard Liberth, Attorney for the Town; Peter Stabile, Highway Superintendent; Robert Kwiatkowski, Police Chief; Dorothy Morris, Library Board; Jennifer Bradshaw, Library Director; Michael Queenan, Village Mayor; Maria Hunter and Lorraine McNeill, Village Planning Board; Sandra Capriglione, Village Zoning Board

I. Executive Session:

Motion was offered by Councilman Palermo, seconded by Councilman Haviland, to enter into an executive session pursuant to Article 7 of the Public Officer to discuss one item of personnel relating to employment in the Police Department.

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

II. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Councilman Haviland, seconded by Councilman Palermo, to accept the minutes of the regular meeting held February 3, 2011.

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

Motion was offered by Supervisor Burke, seconded by Councilman Palermo, to accept the minutes of the worksession held February 14, 2011. Councilman Skoufis stated he felt a large portion of the meeting was omitted from the minutes (a discussion was held when public comment was solicited that was not recorded). Clerk Potvin explained that public comment at worksessions have never been included in the minutes, or listed as an item on the agenda for worksessions. She noted that the minutes of worksessions began when she took office in 1999 and the purpose was to have a record of the deliberations of the Board on specific issues. She added that the NYS Open Meetings Law states the only information required in minutes is decisions, motions and local laws enacted by the Board. Public comment is not required to be included in the minutes, although she does include it in the minutes of the regular meetings.

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

b. Approval of Abstract:

Motion was offered by Councilman Haviland, seconded by Councilman Skoufis, to approve Abstract 4, Vouchers #20110297 - #20110474 (less Voucher 20110473 – Check 4330 and Voucher 20110467 – Check 4258), totaling \$317,448.66.

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

c. Appointment of Police Officer:

Motion was offered by Supervisor Burke, seconded by Councilman Palermo, to appoint Eric B Hardin as a full-time Police Officer effective February 28, 2011 (starting salary pursuant to the 2008-2012 PBA Contract - \$53,747), pending Civil Service approval and the signing of all required Town documents.

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

III. Old Business:

a. Small Business Energy Efficiency Incentive – CV Library:

Supervisor Burke stated, as a result from the NYSEDA Energy Audit program, a study was done of the electrical usage at the Central Valley Library. Orange & Rockland offers a "Small Business Energy Efficiency" grant program where they will pay 70% of the costs for upgrading the electrical units and fixtures for better efficiency. The total cost of the upgrades is \$3,029.70. Orange & Rockland will pay \$2,120.79 and the Town will pay \$908.91. He stated this is the same project as was done last year at the Highway Garage. No modification is required for this endeavor at this time and the work is slated to begin next week.

IV. New Business:

a. Announce Completion of 2010 Annual Accounting:

Supervisor Burke announced that the Annual Accounting of the 2010 records, as required pursuant to Section 62 of Town Law, was completed this week. He acknowledged Councilman Haviland for the time he committed during the process.

b. Sponsor Woodbury Spring Cleaning Day:

Motion was offered by Supervisor Burke, seconded by Councilman Haviland, to sponsor the Second Annual Woodbury Spring Cleaning Day schedule to be held on May 7, 2011 and to authorize Supervisor Burke to sign the building use forms with the MWCSO for use of the Smith Clove Elementary School parking lot.

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

c. Resolution Opposing O&R Proposed Rate Increase:

Motion was offered by Councilman Skoufis, seconded by Councilman Haviland, to adopt the following resolution opposing the proposed rate increase by Orange & Rockland:

WHEREAS, Orange & Rockland Utilities, Inc., (hereinafter "O&R"), as a subsidiary of an investor-owned company, must demonstrate profitability to its shareholder; and

WHEREAS, O&R must very occasionally request from the Public Service Commission (hereinafter "PSC") rate increases in order to sustain said profitability in light of increasing government fees, increasing property taxes, expanding services, inflation, and other variables; and

WHEREAS, the Town of Woodbury Town Board believes that a 7.3% delivery plus commodity rate increase is excessive given the financial hardship that many of Woodbury's ratepayers presently face; and

WHEREAS, the Town of Woodbury Town Board believes that O&R can meet its financial responsibility to its shareholder with a far lower rate increase.

NOW, THEREFORE, BE IT

RESOLVED by the Town of Woodbury Town Board to oppose the O&R rate increase as it presently stands and urges the PSC to limit any increase to a more reasonable and sensitive level.

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

A copy of this resolution will be sent to Jaclyn Brillings, Secretary of the NYS Public Service Commission.

V. Department Reports:

a. Supervisor's Report:

Motion was offered by Councilman Palermo, seconded by Councilman Haviland, to approve the January 2011 Supervisor's Report showing receipts totaling \$4,319,820.85 and disbursements totaling \$997,348.40.

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

b. Town Clerk's Report – January 2011

c. False Alarm Report – December 2010

d. Parks/Recreation Minutes – February 8, 2011

e. Animal/Goose Control Report – January 2011

f. Police/Communications Report – January 2011

g. Beautification Commission Minutes – No Meeting Dec 2010 or Jan 2011

- h. Library Minutes – November 30, 2010
- i. Budget vs. Actual – January 2011

VI. Public Comment:

Councilman Palermo congratulated Dorothy Morris on being designated as Chairperson of the Library Board. He also thanked Councilman Skoufis for preparing the resolution opposing the O&R rate increase at no cost to the Town.

Councilman Skoufis stated he has been pushing the Town Board to consider a local law that would enable the residents to have a voice in their government’s agenda-setting process. The law he proposes would require the Board to hold a vote, whether in favor or against, on any relevant issue that is submitted by a pre-determined percentage of residents on a signed petition. The proposed law would contain simple provisions pertaining to relevancy that would restrict frivolous issues or issues that may be outside the jurisdiction of the Board. During discussion with Board members, some have told him that they may be opposing this proposed law. He asked that they reconsider as he will be drafting this law for the Board to entertain scheduling a public hearing for.

Sandra Capriglione stated she was annoyed that the minutes of the worksession did not contain the discussion that was held between the Town Board members and the public. She feels that the issue was important and that the Board should reconsider what information is printed in the minutes. At the last meeting Supervisor Burke stated the Board would be discussing the consolidation efforts at the 2/14 worksession but did not indicate that the discussion would be held in a closed session. At the worksession Councilman Skoufis stated he did not understand why the discussion was going to be held in closed session and Supervisor Burke responded that it was protocol. Mrs. Capriglione stated she does not understand why the Town Board is not discussing this issue openly in front of the public and feels the public has the right to know the opinions of the Board members on this issue. Supervisor Burke stated the Board members are gathering information and have questions that need to be addressed. The closed session was necessary to obtain advice for counsel, which was stated at the worksession. Mrs. Capriglione asked if the issue was listed on the agenda as an item for discussion would the minutes have reflected the conversation that was held and Clerk Potvin stated that it would have.

Dorothy Morris informed the Board and public of some upcoming events being held at the Gatehouse Learning Center. The exhibit planned for this year is the “Farm, Family and Industry in Woodbury – Revolutionary War to Civil War”. She added that also occurring this year is the partnering with the Senior Center and Library to expand ways to present historical information to the public.

Library Director Bradshaw announced that the 10th Annual “Woodbury Reads” book this year is “Three Cups of Tea” by Greg Morteson. She informed the Board and public of some upcoming events being held at the Library and announced that the annual report was submitted to the State on February 11. After it is accepted by the Library Board and RCLS, she will distribute a copy to each Board member. Councilman Palermo thanked Director Bradshaw for her informative presentation.

VII. Adjournment:

With no further comments received or business to discuss, a motion was offered by Councilman Skoufis, seconded by Councilman Palermo, to adjourn the meeting at 8:15PM.

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

Desiree Potvin, Town Clerk