

Minutes of the Town Board Meeting held October 7, 2021 at 7:40PM

Present: Frank Palermo, Supervisor
Thomas Burke, Thomas Etzel, Jacqueline Hernandez and Robert Hunter
Absent: None
Also Present: Joseph McKay, Attorney for the Town; Kevin Watson, Police Chief; Joseph Gianzero, Working Parks Leader; Maria Hunter, Beautification Committee; Laurie Tautel, County Legislator

I. Courthouse Resolution Presentation

Supervisor Palermo introduced Lisa Holton, daughter of late Town Justice Edward Kellman, who read the following resolution:

WHEREAS, Edward J Kellman was a longtime Town of Woodbury resident and World War II veteran; and

WHEREAS, Edward J Kellman, or “Coach Kellman”, as he was known by many, served as Athletic Director for the Monroe-Woodbury Central School District for 29 Years, where he mentored countless students; and

WHEREAS, Edward J Kellman served the Town as a member of the Town of Woodbury Planning Board, and as a member of the Town Parks & Recreation Committee; and

WHEREAS, Edward J Kellman was elected Town Justice in 1971 and served continuously in that position for 34 years, until his death in 2005; and

WHEREAS, the Town Board wishes to honor Edward J Kellman for his many years of exemplary service to the Town and local community;

NOW, THEREFORE, BE IT

RESOLVED that the Town of Woodbury court building is hereby named the “Judge Edward Kellman Court House”.

Motion was offered by Councilman Burke, seconded by Councilwoman Hernandez, to approve the above resolution.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
 NOES 0

II. Public Hearing – Tax Cap Override Local Law:

A public hearing was held to entertain public comments on Introductory Local Law 3 of 2021 with would override the tax levy limit established in General Municipal Law Section 3-c for the FY2022, if necessary. The public notice was printed in the Times Herald Record on September 28, 2021 and the no comments were received. Motion was then offered by Councilman Hunter, seconded by Councilman Burke, to close the public hearing.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
 NOES 0

Motion was then offered by Councilman Hunter, seconded by Councilwoman Hernandez, to adopt the following resolution:

WHEREAS, a resolution was duly adopted by the Town Board on September 16, 2021, scheduling a public hearing to be held by said Governing Body on October 7, 2021 at 7:30PM, to hear all interested parties on a proposed local law which will override the tax cap pursuant to Section 3-c of General Municipal Law; and

WHEREAS, the Town Board designates itself as Lead Agency with respect to the SEQRA review of the foregoing proposed local law, preliminarily classified the proposed action as an Unlisted action under SEQRA, and scheduled a SEQRA public hearing with respect to the action; and

WHEREAS, notice of said public hearing was duly advertised in the Times Herald-Record, the official newspaper of said Town, on September 28, 2021 according to law; and

WHEREAS, said public hearing was duly held on October 7, at or about 7:30PM, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Town Board has reviewed the proposed local law, the short environmental assessment form prepared in connection therewith, and considered the public comment provided at the aforesaid public hearings, and after due deliberation thereon.

NOW, THEREFORE, BE IT HEREBY

RESOLVED by the Town Board of the Town of Woodbury that:

- 1) the proposed local law constitutes an Unlisted action pursuant to SEQRA;
- 2) the proposed local law has no significant adverse environmental impacts and the Town Board hereby issues a negative declaration thereon;
- 3) the adoption of the proposed local law is in the best interests of the residents of the Town, and the Town Board hereby adopts said Local Law 3 of 2021, entitled "Tax Cap Override"; and
- 4) the Town Clerk is hereby directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Woodbury, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

ADOPTED BY ROLL CALL AS FOLLOWS:

Supervisor Palermo	YES
Councilman Burke	YES
Councilman Etzel	YES
Councilwoman Hernandez	YES
Councilman Hunter	YES

III. Public Input: *No public comments were received.*

IV. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Councilman Hunter, seconded by Councilwoman Hernandez, to accept receipt of the minutes of meeting held September 16, 2021.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
 NOES 0

b. Approval of Abstract:

Motion was offered by Supervisor Palermo, seconded by Councilman Burke, to approve Abstract 19 containing vouchers 211376 – 211533 and totaling \$743,612.39.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
 NOES 0

c. Budget Modifications:

Motion was offered by Councilman Burke, seconded by Councilwoman Hernandez, to approve the following modifications to the 2021 budget:

- Animal Control – increasing A3510.469 (Food Supplies) by \$500 and increasing A2706 (ACO Donations) by \$500
- General Fund – increasing A1910.400 (Unallocated Insurance) by \$6573 and decreasing A9040.800 (Workers Compensation) by \$6573
- Buildings/Grounds – decreasing A1620.405 (Custodial Supplies) by \$1000, A1620.421 (John Burke Pool Maintenance/Repairs) by \$1000, A1620.475 (Animal Control Repairs & O&M) by \$1500 and increasing A1620.432 (PPE Supplies) by \$1000, A1620.453 (Diesel/Gas) by \$1000, A1620.463 (Tools) by \$1500
- Interfund Transfer – increasing DB9901.900 (Interfund Transfer) by \$38.50, DB599 (Appropriated Fund Balance) by \$38.50, B5031 (Interfund Transfer) by \$38.50, B510 (Estimated Revenues) by \$38.50
- Library – increasing L7410.444 (School and Dues) by \$500, L7410.428 (Children’s Programming) by \$1000 and decreasing L7410.466 (Expenditure of Donations) by \$500, L7410.437 (AV Equipment) by \$1000
- Supervisor’s Office – increasing A1220.444 (School and Dues) by \$24 and decreasing A1220.411 (Office Supplies) by \$24
- Police Fund – increasing B3010.100 (Compensated Absences) by \$5844 and decreasing B3020.100 (Salaries) by \$5844
- Buildings/Grounds – increasing A1620.434 (Licenses/Permits) by \$2420 and decreasing A1620.402 (Electricity) by \$2420

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
 NOES 0

V. New Business:

a. Review/Approve Proposal – Maintenance of Boilers at Various Town Facilities:

Motion was offered by Councilman Burke, seconded by Councilwoman Hernandez, to authorize the Supervisor to sign the proposal received from Mike Lennon, Inc., to have the boilers at the following facilities serviced and inspected at a cost of \$2000 (does not include any additional material needed to be done at time): Central Valley Library, Highland Mills Library, Police Station, Gatehouse, Historical Society and Courthouse.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
 NOES 0

b. Review/Approval Proposal – Non-Contracted Services for John P Burke Pool Redesign:

Motion was offered by Councilman Burke, seconded by Councilwoman Hernandez, to approve the proposal submitted by John Petroccione, PE, PLLC totaling \$10,103.75 for a redesign change of scope to increase the pool size and add accommodations for a future slide.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
 NOES 0

c. Authorize Supervisor to Sign - Change Order #3 John P Burke Pool Project:

Motion was offered by Supervisor Palermo, seconded by Councilman Burke, to authorize the Supervisor to sign Change Order #3 for the John P Burke Pool project totaling \$76,740.45 which will include all of the electrical work required on the original plans, including amendments made by Change Order #2.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
 NOES 0

d. Authorize Supervisor to Sign – Change Order #4 John P Burke Pool Project:

Motion was offered by Councilman Hunter, seconded by Councilman Burke, to authorize the Supervisor to sign Change Order #4 for the John P Burke Pool project totaling \$19,803 for the removal of a tree.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
 NOES 0

e. Approval of Updated UPSEU Grade Plan:

Motion was offered by Supervisor Palermo, seconded by Councilman Burke, to adopt the updated UPSEU Grade Plan as printed at the end of these minutes.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
 NOES 0

f. Schedule Special Meeting – Interviews for Vacancy on Parks Committee:

Motion was offered by Councilman Burke, seconded by Councilwoman Hernandez, to schedule a special meeting to be held on October 20, 2021 at 6PM to interview candidates for the vacancy on the Parks Committee.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
 NOES 0

g. Permanent Appointment of Sergeant - Kristin Potter:

Motion was offered by Councilman Burke, seconded by Councilwoman Hernandez, to permanently appoint Kristin Potter to the position of Police Sergeant with a start date of October 7, 2021.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
 NOES 0

h. Permanent Appointment of Sergeant – Christopher Correa:

Motion was offered by Councilman Etzel, seconded by Councilman Burke, to permanently appoint Christopher Correa to the position of Police Sergeant with a start date of October 8, 2021.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
 NOES 0

i. Permanent Appointment of Sergeant – Eric Hardin:

Motion was offered by Councilman Etzel, seconded by Councilwoman Hernandez, to permanently appoint Eric Hardin to the position of Police Sergeant with a start date of October 9, 2021.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
 NOES 0

The Board collectively congratulated each Sergeant on their permanent appointment.

j. Acceptance of Resignation – E Lopez:

Motion was offered by Supervisor Palermo, seconded by Councilman Hunter, to accept, with regrets, the resignation of Eydie Lopez from the Board of Assessment Review effective immediately.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
 NOES 0

The Board collectively thanked Mrs. Lopez for their service and wished her well in her future endeavors.

VI. Old Business:

a. 2021 Tentative and Final Assessment Rolls

Supervisor Palermo stated the 2021 Tentative and Final Assessment rolls have been posted on the Town's website.

VII. Board Member Comments

Councilwoman Hernandez noted the Town's website is continually updated and she encourages residents to use it as a resource. October is Breast Cancer Awareness month and she asked that we keep those individuals/families in our thoughts. She also reminded all there will be a movie night at the Reservoir for Hispanic Heritage month that she urged all to attend. She thanked the Buildings/Grounds and Parks Department for all the great work they have done at the parks and the oversight of the pool construction.

Councilman Burke stated he conducted a site visit of the Sensory Park and he believes when it is completed it will be something that residents will be proud of. The construction of the pool is moving along on schedule. The Buildings/Grounds staff are on site and the contractor has been very complimentary of them. The company hired is doing an outstanding job, as are the consultants. He noted that everything being done there has a purpose. If a stake is moved or tampered with, it will affect the timeline. He thanked the Police for adding additional patrols of the area for security purposes and he appreciates everyone's support of the project.

Leader Gianzero stated when the large tree was removed at the pool the rings were counted and it was determined the tree was 264 years old. Sadly, it was rotting from the inside and could not be saved which is one of the reasons it was removed. This week his department has been working at the Historical Society. The Highway Department was acknowledged for their assistance with the disabled access ramp. Halloween weekend there are a lot of events planned (movie night, trunk-or-treat, party at the Rez). The Suicide Awareness walk held a few weeks ago was very successful and it will be held again last year. He then noted 8965 individuals used the park this year and 1659 guests. The first session of Camp Rez had 64 attendees and the second session 51 attendees. The parks employed 50 people this year and 34 were Woodbury residents. Councilman Burke asked for an update on the pickleball court and Supervisor Palermo stated bidding will be done later this month since the project is not available on state bid.

Maria Hunter stated she procured three 4" rounds from the tree that was cut down. The Beautification Committee will be looking to do something with them, noting one of the Buildings/Grounds employees does woodworking with epoxy. Work is being done on to add ten more utility poles to the list for holiday streetlight décor. The Winter Wonderland at the Rez is being added to this year since it was very well received last year. Halloween and fall decorations are being done this month.

Chief Watson thanked the Board for making the permanent appointments this evening. He then cautioned residents regarding the expected increased traffic this upcoming holiday weekend.

Supervisor Palermo thanked Legislator Tautel for attending the meeting this evening. He then noted the abstract this evening includes nine checks to residents on Cottonwood Court which

represents the remaining balance of what was once a special district for road improvements that were taxed solely to the residents on that street. His office is currently working on refunds for the same reason for the residents of Amdur Park. The Sensory Park structures should be completed next week and the following week the rubber flooring will be laid. He hopes to have a grand opening shortly thereafter. The vacancy on the Board of Assessment Review, along with the term that expires this year, will be interviewed in December and the appointment done in January, as is the past practice. He then noted last night the Board held its first budget worksession and no member of the public attended. Lastly, he suggested the Board consider erecting a solar farm on the Gasho property.

VIII. Adjournment:

With no further business to discuss or comments received, a motion was offered by Supervisor Palermo, seconded by Councilman Burke, to adjourn the meeting at 8:20PM.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
 NOES 0

Desiree Potvin, Town Clerk

LOCAL LAW NO 3 OF 2021

A local law to override the tax levy limit established in General Municipal Law §3-c

Be it enacted by the Town Board of the Town of Woodbury as follows:

Section 1. Legislative Intent

It is the intent of this local law to allow the Town of Woodbury to adopt a budget for the fiscal year commencing January 1, 2022 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Woodbury, County of Orange, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2022 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

Grade

Position

2022 UPSEU GRADE PLAN

1	Animal/Dog Control Officer (Entry) Clerk (Entry) Custodial Worker (Entry) Groundskeeper I UPSEU TABLE (B) Laborer (Entry) Real Property Data Collector(Entry)
2	Animal/Dog Control Officer Clerk Clerk to the Town Justice (Entry) Court Clerk (Entry) Library Clerk(Entry) Real Property Data Collector Parks Dept. Clerk (Entry)
3	Assessor's Clerk (Entry) Groundskeeper Union B Schedule Groundskeeper UPSEU Table (B) Custodial Worker
4	Groundskeeper Union B Schedule Groundskeeper UPSEU Table (B)
5	Account Clerk (Entry) Animal/Dog Control Officer Assistant Assessor (Entry) Senior Citizens Activity Leader (Entry) Clerk Clerk to the Town Justice Court Attendant (Entry) Court Clerk Custodial Worker Parks Department Clerk Police Records Clerk Principal Library Clerk (Entry) Senior Library Clerk(Entry) Library Assistant Spanish/English (Entry) Library Assistant Children's Services (Entry) Library Assistant (Entry)

Grade

Position

2022 UPSEU GRADE PLAN

6	Account Clerk Assessor's Clerk Clerk to the Town Justice Real Property Data Collector Senior Account Clerk (Entry) Senior Citizens Activity Leader	Police Records Clerk
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7	Clerk (Court) Library Technician(Entry) Parks Department Clerk Principal Library Clerk Technical Support Assistant (Entry) Clerk (Parks)	
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8	Assistant Assessor Clerk (Court) Clerk (Parks) Library Assistant Library Assistant/Children's Services (Entry) Senior Library Clerk Senior Groundskeeper UPSEU Table (B) Senior Groundskeeper Union(B)	
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9	Librarian I (Entry) Account Clerk Principal Library Clerk Technical Support Assistant	
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10	Assistant Assessor Court Clerk Library Assistant Library Assistant/Children's Services Librarian II Children's Services (Entry) Librarian II (Entry)	
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11	Account Clerk	
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12	Account Clerk Court Clerk Librarian I	
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Grade

Position

2022 UPSEU GRADE PLAN

13	Account Clerk Court Attendant Court Clerk Librarian II Librarian II Children's Services
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14	Account Clerk Court Clerk
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15	Senior Account Clerk
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16	Senior Account Clerk
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ES 10/1/2021