

Minutes of the Town Board Meeting held on September 1st, 2022, at 7:30PM

Present: Thomas Burke, Supervisor
Tyle Etzel, Timothy Finnegan and Kathryn Luciani, Council

Absent: None

Also Present: Joseph McKay, Attorney for the Town; Joseph Gianzero, Parks/Buildings/Grounds; Kevin Watson, Chief of Police

Public Comment on Agenda Items:

Ms. Hunter inquired about an item on the abstract for the library. Supervisor Burke advised her the payment to the attorney on the abstract came out of the library's budget.

Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Councilman Finnegan, seconded by Councilwoman Luciani, to accept receipt of the minutes of the meeting held on August 11th, 2022.

ADOPTED AYES 4 Burke, Etzel, Finnegan, Luciani
NOES 0

b. Approval of Abstract:

Motion was offered by Councilman Etzel, seconded by Councilwoman Luciani, to approve Abstract 13 revised reduced by \$502.00 for voucher #22-1105 which has been voided and added to current abstract #16.

ADOPTED AYES 4 Burke, Etzel, Finnegan, Luciani
NOES 0

c. Approval of Abstract:

Motion was offered by Councilman Etzel, seconded by Councilman Finnegan, to approve Abstract 16 containing vouchers 22-1405 – 22-1525 and totaling \$373,928.48.

ADOPTED AYES 4 Burke, Etzel, Finnegan, Luciani
NOES 0

d. Modifications to 2022 Budget:

Motion was offered by Councilman Etzel, seconded by Councilman Finnegan, to approve the following modification to the 2022 budget:

- Parks – decreasing A0599 (Appropriated fund balance) by \$42,830, decreasing A7110.436 (JPB Pool Water) by \$42,830.
- Parks – decreasing A7110.200 (Equipment) by \$17,308, decreasing A0599 (Appropriated fund balance) by \$10,000 and decreasing A0599 (appropriated fund balance) by \$7,308.
- Justice Court – increasing A1110.200 (Justice court equipment) by \$1,170 and decreasing A1110.430 (transportation & Travel) by \$1,170.
- Basketball Court/ Justice Court Renovations & Park Repairs- Increasing A1620.474 (parks repairs) 107,088, increasing A1620.468 (justice court renovations) \$124,728, Increasing A0599 (Appropriated Fund Balance) \$56,816, decreasing A1420.400 (attorney) 10,000, decreasing A1420.414 (attorney litigation) \$50,000, decreasing A1620.465 (blacktopping) \$55,000,

decreasing A7110.100 (parks salaries) \$10,000 and decreasing A9060.800 (Health NYSHIP) \$50,000

- Garage Doors- Increasing A1620.477 (building & grounds building repairs) \$2960.00 and decreasing A1620.493 (historical library repairs) \$2960.

ADOPTED AYES 4 Burke, Etzel, Finnegan, Luciani
NOES 0

New Business:

- a. Approve Attorney settlement agreement

Motion was offered by Councilman Etzel, seconded by Councilman Finnegan, to adopt the following resolution authorizing Catania, Mahon & Rider, PLLC to settle potential claims against the Town of Woodbury, and authorizing the firm and/or the Supervisor to execute documents needed to effectuate the settlement:

WHEREAS, the town is aware of potential claims against the Town, relating to personnel matter: and

WHEREAS, these claims may result in a lawsuit being brought against the Town; and

WHEREAS, the Town attorney has reviewed the potential claims and discussed them with the Town Board; and

WHEREAS, the Town Board of the Town of Woodbury finds that it is in the best interest of the Town of Woodbury to settle these potential claims, if possible;

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town's Attorneys, Catania, Mahon & Rider, PLLC, shall have the authority to settle the matter described herein on behalf of the Town of Woodbury, and the Town Board directs the Town's Attorneys and/or the Town Supervisor to execute stipulation of settlement and any other documents necessary to effectuate the terms of the settlement, in accord with the terms discussed with the Town Board, by the Town Attorney in an attorney- client session.

ADOPTED AYES 4 Burke, Etzel, Finnegan, Luciani
NOES 0

- b. Approve attorney retainer agreement

Motion was offered by Councilman Etzel, seconded by Councilwoman Luciani, adopt the following resolution authorizing the Town Supervisor to execute a retainer agreement with Mark L. Schuh, ESQ. as special counsel for Town of Woodbury

WHEREAS, the Town of Woodbury has been made aware of potential claims against the Town;

WHEREAS, the Town Board and the Town Attorney have determined that it is necessary to retain outside legal counsel to fully resolve these matters; and

WHEREAS, the Town Board and the Town Attorney have determined that Mark L. Schuh, Esq. is well qualified to serve as special counsel for personnel matters;

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that the Town Board authorizes the Town Supervisor to execute a retainer agreement with Mark L. Schuh, Esq., to serve as special legal counsel, with respect to these potential claims at an hourly rate of \$350.00

ADOPTED AYES 4 Burke, Etzel, Finnegan, Luciani
NOES 0

c. Appointment of PT Library Clerk K Kimmel

Motion was offered by Councilman Etzel, seconded by Councilwoman Luciani, to appoint Karelisa Kimmel as PT Library Clerk at UPSEU Grade 2 (\$19.8017/hour) with a start date of September 6th

ADOPTED AYES 4 Burke, Etzel, Finnegan, Luciani
 NOES 0

Supervisor Burke stated that the entire board is in agreement that moving forward any town appointments will be made when the Town Board meets the potential hire, like done with every other department.

d. Authorize Supervisor to sign – School Resource Officer Agreement Renewal

Motion was offered by Councilman Finnegan, seconded by Councilwoman Luciani, to authorize Supervisor to sign School Resource Officer agreement dating September 1st, 2022- June 30th, 2023

ADOPTED AYES 4 Burke, Etzel, Finnegan, Luciani
 NOES 0

e. Discussion of status agreement for Country Crossing Eruv

This item was tabled

f. EXTRA ITEM- Approve Proposal received from Stratagem for cameras

Motion was offered by Councilman Finnegan, seconded by Councilwoman Luciani, to approve installation of a network video system at John P Burke Memorial Pool for a cost of \$58,926.99- all items purchased from a state bid

ADOPTED AYES 4 Burke, Etzel, Finnegan, Luciani
 NOES 0

g. EXTRA ITEM- Approve proposal received from D Lux Electrical Projects for the electrical work

Motion was offered by Councilman Finnegan, seconded by Supervisor Burke, to approve D Lux Electrical Projects electrical work in the amount of \$6,000 for John P Burke Memorial Pool

ADOPTED AYES 4 Burke, Etzel, Finnegan, Luciani
 NOES 0

Public Comment:

Mr. Calore stated the camp out at the Rez was a complete success and they have received very positive feedback regarding it. He thanked all involved in the success of the camp out. September 10th will be movie on the beach at dark.

Mrs. Hunter beautification committee plans on doing some different things for Halloween this year. She is working with D Lux Electrical to figure out the poles that will need electrical for the decorations throughout the next seasons. She asked Supervisor Burke to find out from Senator Skoufis what is the status of the use of the \$100,000 grant as she does not think it is being used for what was agreed upon. Supervisor Burke agreed to investigate this.

Ms. Bruce inquired why the Eruv agreement would fall under Town business and not the Village. The Eruv was not discussed tonight and had to be investigated and researched further.

Board Member/Department Comment:

Director Gianzero reminded everyone this is the last weekend for swimming. The rez is closed for swimming as many lifeguards have gone back to school but the pool will be open this weekend, with a DJ and food truck Saturday. He reminded everyone that the Rez will still be open to have BBQ's and use the beach area, playgrounds etc., just no swimming.

Supervisor Burke stated regarding the Rez being closed he wanted to remind the public that the Rez was opened on Memorial Day sooner than the pool and we do not have the staff to fulfil both swimming locations this weekend. He stated Joe has done a great job balancing the staffing as best he could and communicates daily.

Joe provided an update on the pool cover, that will arrive in October. Until it arrives, they will keep the filters and chlorine going to ensure the pool stays healthy. The bid came down in price as Buildings & Grounds will be helping drill holes.

Councilwoman Luciani wished everyone a safe Labor Day. Reminded the public that we are in a drought and to be very careful with bon fires and BBQ's this weekend.

Councilwoman Luciani reminded the public of the special vote for the fire department September 13, 2022.

Councilman Etzel thanked Director Gianzero for a tremendous season and Brandon for all the great events.

Adjournment:

With no further business to discuss or comments received, a motion was offered by Councilman Etzel, seconded by Councilman Finnegan, to adjourn the meeting at 8:07PM.

ADOPTED	AYES	4	Burke, Etzel, Finnegan, Luciani
	NOES	0	

Nicole Young, Deputy Town Clerk