

Minutes of the Town Board Meeting held on September 15, 2022 at 7:30PM

Present: Thomas Burke, Supervisor
Tyler Etzel and Kathryn Luciani, Council

Absent: Timothy Finnegan, Council

Also Present: Joseph McKay, Attorney for the Town; Kevin Phillips, Police Chief; Maria Hunter, Beautification Committee; Cathy Schmidt and Robert Anzalone, Library Board; Brandon Calore, Parks Committee

Update – Eagle Scout Project at Earl Reservoir – Schunnemunk Hiking Path:

Eagle Scout Candidate Kevin Murphy stated he started his project in May and he did not think it was going to be very challenging. He learned very quickly he was wrong due to trees being down, swampy areas and the trail not marking clearly. The work done has been clearing of all debris, construction of a rock span over the marshy area and creating drainage paths to prevent pooling. They have also installed markers providing directions to the hiking trail. He has raised about \$100, and expenses have been about \$300. He is hoping to get more donations and to finalize the project very soon. He requested the Board erect a sign he purchased at the entrance to the park advertising the trail access. He also invited the Board members to a site visit to see the work that was done. Supervisor Burke stated he has seen some of the work and it has been impressive. The Board agreed and recognized all the work that has been done.

Public Comment on Agenda Items:

Maria Hunter stated the July 26 Library Board minutes show the meeting being held at the Central Valley (Ida Cornell) Branch but it was actually held at the Highland Mills (Rushmore Branch). She then noted the Library is overbudget on several line-items, but she has not seen any modification requests submitted to correct them. She is very concerned about their legal costs as taxpayers are paying for both sides of the disagreement.

Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Councilman Etzel, seconded by Councilwoman Luciani, to accept receipt of the minutes of the meeting held September 1, 2022.

ADOPTED AYES 3 Burke, Etzel, Luciani
 NOES 0

b. Approval of Abstract:

Motion was offered by Councilman Etzel, seconded by Supervisor Burke, to approve Revised Abstract 13 by voiding voucher 221068 (check 25861) in the amount of \$17,258. This reduces the total of the abstract to be \$1,231,027.02.

ADOPTED AYES 3 Burke, Etzel, Luciani
 NOES 0

Motion was then offered by Councilman Etzel, seconded by Councilwoman Luciani, to approve Abstract 17 containing vouchers 221526 – 221623 and totaling \$501,728.59.

ADOPTED AYES 3 Burke, Etzel, Luciani
 NOES 0

c. Budget Modification:

Motion was offered by Councilman Etzel, seconded by Councilwoman Luciani, to approve a modification the Police Fund by increasing B3120.202 (Surveillance Equipment) by \$8133 and decreasing B9040.800 (Workers Compensation) by \$8133.

ADOPTED AYES 3 Burke, Etzel, Luciani
NOES 0

d. Acceptance of Resignation – M Furk:

Motion was offered by Councilman Etzel, seconded by Councilwoman Luciani, to accept the resignation of Marri Furk from a position in the library effective September 30, 2022.

ADOPTED AYES 3 Burke, Etzel, Luciani
NOES 0

e. Acceptance of Resignation – A Pirillo:

Motion was offered by Councilwoman Luciani, seconded by Supervisor Burke, to accept the resignation of Anthony Pirillo from the position of part-time Police Officer effective September 2, 2022.

ADOPTED AYES 3 Burke, Etzel, Luciani
NOES 0

EXTRA ITEM – Acceptance of Resignation – K Hurley:

Motion was offered by Supervisor Burke, seconded by Councilman Etzel, to accept the resignation of Kaylee Hurley from the position of dispatcher effective August 31, 2022.

ADOPTED AYES 3 Burke, Etzel, Luciani
NOES 0

f. Authorize Signing of Police Chief Employment Agreement:

Motion was offered by Councilwoman Luciani, seconded by Supervisor Burke, to authorize the Supervisor to sign the employment agreement with Police Chief Kevin Watson, which will be effective September 1, 2022 through December 31, 2026.

ADOPTED AYES 3 Burke, Etzel, Luciani
NOES 0

Old Business:

a. Approve Change Order 27 – John P Burke Pool:

Motion was offered by Supervisor Burke, seconded by Councilman Etzel, to authorize the Supervisor to sign Change Order 27 for the John P Burke Pool project totaling \$56,350 for the purchase of a winter cover for the pool which will reduce maintenance requirements.

ADOPTED AYES 3 Burke, Etzel, Luciani
NOES 0

Supervisor Burke noted with the Change Order the total cost for the pool renovations is \$3,763,593.04. He also noted the contractors were onsite to take extra measurements as they will be assisting our employees to install the new cover. They will train our employees on how to install it and in the spring, they will come and train on how to remove it.

New Business:

a. Schedule Budget Worksessions:

Motion was offered by Councilman Etzel, seconded by Councilwoman Luciani, to schedule budget worksessions to be held at 4:30PM on October 11 (Police Fund), 6:30PM on October 12 (General

Fund); 6:30PM on October 19 (all other funds). All session will be held at the meeting room at Town Hall and Department Heads will be invited to attend. The sessions will be open to the public but there will be no public comment.

ADOPTED AYES 3 Burke, Etzel, Luciani
NOES 0

b. Advertise for Upcoming Expiring Terms – Parks/Library/Beautification/BOAR:

Motion was offered by Councilman Etzel, seconded by Councilwoman Luciani, to authorize the Town Clerk to advertise for the upcoming expiring terms (December 31) on the Parks/Recreation Committee, Library Board, Beautification Committee and the Board of Assessment Review (September 30). Letters due by close of business on October 28.

ADOPTED AYES 3 Burke, Etzel, Luciani
NOES 0

c. Schedule Public Hearing – Adoption of Special District Assessment Rolls:

Motion was offered by Supervisor Burke, seconded by Councilman Etzel, to schedule a public hearing to be held on October 6, 2022 at 7:30PM to entertain public comment on the 2023 special district assessment rolls for the Consolidated Sewer District, Highland Lake Estates Sewer District and Refuse District. Supervisor Burke noted these hearings are held to provide residents with the ability to request the Board to correct the number of units they are being charged if they reside in a district, should an error exist. The hearing is not about the amount of taxes paid for each district.

ADOPTED AYES 3 Burke, Etzel, Luciani
NOES 0

d. Schedule Public Hearing – FY2023 Preliminary Budget:

Motion was offered by Supervisor Burke, seconded by Councilman Etzel, to schedule a public hearing to be held on November 3, 2022 at 7:30PM to entertain public comment on the preliminary budget for fiscal year 2023.

ADOPTED AYES 3 Burke, Etzel, Luciani
NOES 0

e. Schedule Public Hearing – Introductory Local Law 2 of 2022 – Tax Cap Override:

Motion was offered by Councilman Etzel, seconded by Supervisor Burke, to adopt the following resolution:

WHEREAS, the Town Board wishes to set a time and place for a public hearing to consider Introductory Local Law 2 of 2022 entitled "Tax Cap Override – FY2023"; and

WHEREAS, the Town Board hereby determines that it will be the lead agency with respect to the review of the proposed local law (the "project") in accord with New York State Environmental Quality Review Act ("SEQRA") and part 617 of the regulations implementing SEQRA, since there are no other agencies that have the authority to approve the project; and

WHEREAS, the Town Board hereby preliminary classifies the action as an unlisted action under SEQRA.

NOW, THEREFORE, LET IT BE HEREBY

RESOLVED, that a public hearing shall be held by the Town Board in order to receive comments and suggestions regarding the proposed local law and to review any potential adverse environmental impacts of the proposed local law, on October 6, 2022 at 7:30PM at the Village Hall located at 455 Route 32, Highland Mills, New York; and it is further

RESOLVED, that the office of the Town Clerk is authorized and directed to cause public notice of said hearing to be given as provided by law.

ADOPTED AYES 3 Burke, Etzel, Luciani
 NOES 0

EXTRA ITEM – Additional Tax Exemption – Volunteer Firemen/Ambulance Members:

Supervisor Burke stated earlier this week the Village held a special election and their efforts to provide an additional tax exemption on property assessment for the volunteer firemen that live in Woodbury in the amount of \$500 was successful. He would like Town Board to consider directing Attorney McKay to conduct research to see if the Town can do the same thing and what the process to do so would be. He also would like research begun to see if the volunteer Ambulance Corps members could also benefit from this type of additional exemption, which Mayor Giacomazza stated at a recent Village Board meeting the Village is pursuing as well.

Motion was offered by Councilwoman Luciani, seconded by Councilman Etzel, to authorize Attorney McKay to conduct research and report back to the Board what steps would need to be followed to provide an additional tax exemption for town taxes to the volunteer firefighters and ambulance members of Woodbury an additional exemption of \$500 on their property assessment.

ADOPTED AYES 3 Burke, Etzel, Luciani
 NOES 0

Supervisor Burke stated he will be writing a letter to the Superintendent of the Monroe-Woodbury and Cornwall School Districts, as well at the County, to ask each to consider doing the same.

EXTRA ITEM – Agreement to Establish Escrow:

Attorney McKay stated there has been trespassing on Town property at top of Hadley Farm Road to access a shul. Members of the shul have requested the Town consider a proposal and they were told they would need to bear the cost of such review pursuant to the Taxpayers Protection Law. Motion was offered by Councilman Etzel, seconded by Supervisor Burke, to adopt the following resolution:

WHEREAS, Congregation Beis Hamedrasch of Woodbury has requested that the town board approve access to its premises over an easement owned by the town, so that it may access its premises through the WP3 development; and

WHEREAS, advice from the town’s attorneys and engineers will be needed to review the Congregation’s application; and

WHEREAS, the Congregation has agreed to pay all costs associated with the review of the proposal by the town's professionals.

NOW, THEREFORE, IT IS HEREBY

RESOLVED, by the Town Board of the Town of Woodbury, that the Supervisor is authorized to execute the escrow agreement, as prepared by counsel for the town, with the Congregation.

ADOPTED AYES 3 Burke, Etzel, Luciani
 NOES 0

Department Reports/Committee Minutes:

a. Supervisor Report – August 2022

Moton was offered by Councilman Etzel, seconded by Councilwoman Luciani, to approve the August 2022 Supervisor’s Report with receipts totaling \$114,722.82 and disbursements totaling \$1,308,071.71.

ADOPTED AYES 3 Burke, Etzel, Luciani
 NOES 0

- b. Town Clerk's Report – August 2022
- c. Animal Control Report – August 2022
- d. Police/Communications Report – August 2022
- e. Buildings/Grounds Report – August 2022
- f. Parks and Recreation Committee Minutes – July 19 and August 16, 2022
- g. Police Commission Minutes – August 11, 2022
- h. Library Director Report – July and August 2022
- i. Library Board Minutes – July 26 and August 23, 2022
- j. Beautification Committee Minutes – August Annual Report
- k. Budget vs. Actual – August 2022

Public Comment:

Rachel Bruce stated the Highland Mills Food Pantry is in dire need of donations. She also stated she is happy to see the Town Board is looking into the ability to provide an additional tax exemption to volunteer firefighters and ambulance members.

Brandon Calore stated the recent movie night at the reservoir was a huge success with 100 attendees. He thanked Jay's Deli for donating pizza. He then announced some upcoming events planned for Halloween. He also noted he has registered the Town to participate in the "National Night Out" next year. A committee will need to be formed in January to plan the event – nothing the purpose is to build a police partnership with the community. He stressed it is also an opportunity for businesses and civic organizations to participate and educate the community on what they offer. Supervisor Burke asked if this is something that should be done in connection with First Responder's Day and Mr. Calore stated not really since one is for the community and one is to recognize first responders. A discussion was held about where the event would be held, which would be decided/discussed by the planning committee. Mr. Calore then wished Director Gianzero a speedy recovery from his recent surgery.

Maria Hunter spoke about concerns she has about the Library Board/library and the need for both Boards to work together to resolve the library issues. She asked who owns the Central Valley library and Attorney McKay stated research shows the building is owned by the Woodbury Public Library, not the town. Supervisor Burke stated there is a worksession scheduled for October 6 with the Library Board (with their attorney) and he hope is to discuss/resolve all issue. The Board then discussed the thought that perhaps the worksession would not be held that evening due to availability of the Library Board's attorney. ~~Cathy Schmidt spoke from the audience that there are still documents the Town Board requested be supplied prior to the worksession being scheduled.~~ Mrs. Hunter also noted there is nothing in the Town Code not providing for any duties/responsibilities for the Library Board, as it does for other committees. She stressed her concerns about the Library Director not ensuring she is spending within the approved budget, the fund balance the library has, and if the Town should be doing work or employing staff in the Central Valley library is it is not owned by the Town. She stressed she feels events the library plans are great but who is insuring the Central Valley library against liability. Supervisor Burke noted the Library Director is aware that a budget modification needs to be submitted for the over expenditures that currently exist in her spending. He noted further the Town Board is available to meet with the Library Board on October 6 but it was stated this evening that will not be happening. He will reach out to see if they will be able to meet on October 20 instead. Mrs. Hunter then stated the Beautification Committee will be out erecting decorations for the autumn and Halloween.

Board Member/Department Comment:

Attorney McKay stated he would like to set dates for the meeting with the Congregation on Hadley Farm Road. This meeting will be held during the day in his office with two Board members present. He requested that several dates be provided so the Congregation has options to select from,

Chief Watson thanked the Board members for the contract extension and that he appreciates the confidence the Board has in him. Supervisor Burke stated he feels Chief Watson does is terrific.

Councilwoman Luciani thanked all that voted for the two propositions at the special Village election held earlier this week that will benefit the Fire Department. She noted volunteerism is hurting and she appreciates those that came out to vote. She then noted some upcoming events that are planned.

Councilman Etzel commended the Parks Department and Buildings/Grounds for all the work they did over the summer this year.

Supervisor Burke stated Director Gianzero is in his thoughts while he recovers from a recent procedure. He congratulated Councilman Finnegan on his recent wedding.

Adjournment:

With no further comments received or business to discuss, a motion was offered by Councilman Etzel, seconded by Councilwoman Luciani, to adjourn the meeting at 8:50PM.

ADOPTED AYES 3 Burke, Etzel, Luciani
 NOES 0

Desiree Potvin, Town Clerk