

Minutes of the Town Board Meeting held on November 3, 2022 at 7:30PM

Present: Thomas Burke. Supervisor  
Tyler Etzel, Timothy Finnegan and Kathryn Luciani (*left early*), Council  
Absent: None  
Also Present: Joseph McKay, Attorney for the Supervisor; Kevin Watson, Police Chief; Joseph Gianzero, Parks Director; Lorelei Pitt, Budget Officer; Brandon Calore, Parks Committee; Maria Hunter, Beautification Committee

**Public Hearing:**

a. FY2023 Preliminary Budget:

A public hearing was held to entertain public comments on the 2023 Preliminary Budget. The public notice was printed in the Times Herald Record on October 25, 2022, with the salaries of the elected officials posted as follows: Town Supervisor \$35,000; Town Clerk \$74,000; Justices (2) \$42,122 each; Council (4) \$11,175 each; Tax Collector \$18,000.

Supervisor Burke thanked all the Board members and Department Heads that worked on the budget to present a fiscally responsible budget that is under the 2% tax cap. He acknowledged those that worked hard to prepare the budget for this evening – Eileen Sutherland and Lorelei Pitt.

The following comments were received (*NOTE - Comments are not in order received but grouped by individual making them*):

Allen Stricoff, regarding line-item SR8160.400, asked why this expense has increased by 50%. Councilman Etzel stated the Town has had a contract with County Waste for the past four years, with no increase. A bid was held a few months ago and they were the lone bidder. This price will be for the next two years, and there is a two-year optional renewal. Supervisor Burke stated there is no change to the services received.

Maria Hunter, regarding L7410.100, asked why so much is being budgeted when it is not all being used currently. She feels if a person is hired for a 20-hour per week position that person should not be permitted to work less. She noted that allowing a position to be held at less hours causes more individuals needing to be hired. Regarding L7410.407, she does not feel that enough has been budgeted based on what has been spent this year. She then thanked the Library Board for utilizing their fund balance to offset the tax levy. Budget Officer Pitt stated when the budget worksession was held with the Library Director supporting data was supplied to justify her budget submission. Councilman Etzel added the Town Board has no control over the spending of the Library, only the amount that the tax levy will be allowed. Supervisor Burke stated the hours used by library personnel is monitored and reviewed with the monthly expenditures.

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

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

Motion was then offered by Councilwoman Luciani, seconded by Councilman Etzel, to adopt the Fiscal Year 2023 budget.

**ADOPTED BY ROLL CALL AS FOLLOWS:**

Supervisor Burke	YES
Councilman Etzel	YES
Councilman Finnegan	YES
Councilwoman Luciani	YES

**Public Comment on Agenda Items:**     *No comments were received.*

**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 October 20, 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 20 containing vouchers 221807 – 221902 and totaling \$519,844.86.

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

c. Budget Modification(s):

Motion was offered by Councilman Finnegan, seconded by Councilman Etzel, to approve modification to the FY2022 budget as follows:

- Town Board – increasing A2401 (Interest) by \$1500, A1010.400 (Town Board Contractual Expenses) by \$1500
- Buildings/Grounds – increasing A1620.468 (Justice Court Renovations) by \$84,607, A599 (Appropriated Fund Balance) by \$61,335 and decreasing A1620.419 (Earl Reservoir Dam) by \$23,272
- Animal Control – increasing A1620.475 (Animal Control Repairs O&M) by \$5700 and decreasing A3510.444 (Schools and Dues) by \$500, A3510.480 (Vaccinations) by \$3000, A3510.100 (Personal Services) by \$2200
- Payroll – increasing A1220.404 (Outsourced Payroll) by \$4800 and decreasing A9050.800 (Unemployment) by \$2000, A9061.800 (Dental Insurance) by \$2800
- Buildings/Grounds – increasing A1620.453 (Diesel/Gas) by \$8500 and decreasing A599 (Appropriated Fund Balance) by \$8500
- Parks – increasing A1620.474 (Parks/Repairs Only) by \$2000 and decreasing A1620.431 (Wildlife Management) by \$2000
- Library – increasing L7410.466 (Expenditure of Donations) by \$800 and decreasing L7410.464 (Equipment Maintenance) by \$800
- Police – increasing B9901.900 (Interfund Transfer) by \$8100 and decreasing B9040.800 (Workers Compensation) by \$8100, then increasing A1620.471 (Police Station Repairs) by \$8100, A5031 (Interfund Transfer) by \$8100
- Police – increasing B4089 (Federal Aid, Other) by \$11,226, B3020.401 (Nixle Program [Alert System]) by \$11,226.

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

**Old Business:**             *There was no old business to discuss.*

**New Business:**

a. Schedule Special Meeting – Interviews for Various Boards/Committees:

Motion was offered by Councilman Finnegan, seconded by Councilwoman Luciani, to schedule a special meeting to be held on December 8, 2022 at 7PM to hold an executive session to interview individuals interested in volunteering for the Board of Assessment Review, Beautification Committee, Library Board and Parks/Recreation Committee.

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

b. Respond to Lead Agency – Ridge Road Bridge Repairs:

Supervisor Burke stated notification was received, in accordance with Article 8 of the State Environmental Conservation Law, that the Village of Woodbury Board of Trustees is proposing the repair of the Ridge Road Bridge and the installation of scour protection, involving land located with frontage along Ridge Road and County Route 105. The Village Board had found that the project: (1) is subject to SEQRA, (2) may involve one or more agency, (3) preliminary classified as an Unlisted action and (4) coordinated review is appropriate. The Village Board has also designated itself of Lead Agency for this project. He asked if the Town Board consents to this designation or not. Motion was then offered by Councilwoman Luciani, seconded by Councilman Finnegan, to consent to the Village of Woodbury Board of Trustees as serving Lead Agency for the Ridge Road Bridge repair project.

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

Supervisor Burke stated he met with Superintendent Weyant and Mayor Giacomazza to discuss the work that needs to be done. They are hopeful a temporary bridge will start construction and installation around Thanksgiving, with the permanent bridge being installed by late spring/early summer. The Town and Village will be splitting the cost of this project until FEMA renders its final decision. He then thanked Superintendent Weyant for this tireless effort working with FEMA.

c. Authorize Supervisor to Sign Agreement – PERMA Tail Claims:

Motion was offered by Councilman Etzel, seconded by Councilwoman Luciani, to authorize the Supervisor to sign the agreement with PERMA for the third-party administration of “tail claims”. There currently exists one tail claim.

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

EXTRA ITEM – Resolution – Settle Tax Certiorari – FBG Wall, LLC:

Motion was offered by Councilman Finnegan, seconded by Councilwoman Luciani, to adopt the following resolution authorizing the Town Attorney to settle tax certiorari proceedings commenced in 2021 and 2022 by FBG WALL, LLC against the Town of Woodbury, and authorizing the firm and/or Supervisor to execute documents needed to effectuate the settlement:

**WHEREAS** FBG Wall, LLC (“FBG”) filed tax certiorari petitions against the Town pursuant to Article 7 of the New York Real Property Tax Law, challenging the tax assessments of certain property owned by FBG within the Town of Woodbury for the years 2021 and 2022; and

**WHEREAS** the attorneys for FBG have set forth an offer of settlement and the offer was reviewed by the Town’s attorneys and the Assessor of the Town of Woodbury; and

**WHEREAS** the Town Board of the Town of Woodbury has reviewed, considered and discussed the issues related to the settlement of these actions; 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 this matter.

**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 the stipulation of settlement and any other documents necessary to effectuate the terms of the settlement.

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

**Public Comment:**

Rachel Bruce congratulated the Board on passing a successful budget. She noted she attended some of the worksessions that were held, and she appreciates the attention to detail paid by the Board. She also recognized Supervisor Burke for the pay decrease he took next year.

Brandon Calore stated the Halloween event at the park last weekend was a success and he thanked all that helped to make that day a success, especially the Buildings/Grounds Department. He then thanked the Chamber for hosting their annual Trunk-or-Treat event, which was very well attended. Regarding the budget, he learned a lot during the process, felt all involved did a great job and also felt it was inspiring to see everyone work together.

*Councilwoman Luciani left the meeting.*

**Board Member/Department Comment:**

Beautification - Maria Hunter thanked the Board for approving their budget. Over the next few weeks, the décor in town will be transitioning from Halloween/fall into winter/holiday décor. They have an application in with Orange & Rockland to approve additional poles for street decorations. She then noted the Chambers Trunk-or-Treat event was well attended with 22 trunks participating.

Parks/Buildings & Grounds – Director Gianzero asked all to drive slowly at the park facilities. The reservoir will be lowered later this month to take care of the invasive mussels and water crest. He also noted upcoming winter/holiday events will be announced over the next couple of weeks. The bathrooms at the facilities will be closed this week for winterization. Supervisor Burke thanked Director Gianzero for looking into grants for the parks and acknowledged the \$76,000 grant for Brickley Field to replace the playground equipment.

Councilman Finnegan stated all the events held for Halloween were great. He announced there will be a Veteran Day ceremony held at the Cemetery of the Highland on November 11 at 11AM. Councilman Etzel thanked all that planned or worked on all the Halloween events and reminded all the Election Day is next week. Supervisor Burke noted the Town is expected to have a surplus in mortgage tax revenue this year. He also announced that a grant has been received for tactical vests in the Police department.

**Adjournment:**

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

**ADOPTED**      AYES    3            Burke, Etzel, Finnegan  
                     NOES    0

Desiree Potvin, Town Clerk