

Minutes of the Town Board Meeting held at the Senior Center/Virtually on November 5, 2020 at 7:30PM

Present: Frank Palermo, Supervisor  
Thomas Burke, Tyler Etzel, Jacqueline Hernandez and Robert Hunter, Council  
Absent: None  
Also Present: Joseph McKay, Attorney for the Town, various members of the public

**I. Public Hearing:**

a. Fiscal Year 2021 Preliminary Budget:

A public hearing was held to entertain public comments on the Preliminary Budget for Fiscal Year 2021. The public notice was printed in the Times Herald Record on October 27, 2020 and the following comments were received:

John Smith stated he is disappointed with the salary portion of budget, mainly the Town Justice positions. He has conducted a study about how many hours they put in during the nights they work and he estimates it to be about 108 hours, which is equivalent to \$305/hour. He then added the taxpayers are also paying for insurance coverage for each judge as well. He recommended the salary for Town Justice be reduced by \$5000 each and then \$5000 again the following year, adding that he is sure they will not quit if the Board reduced the salaries. He feels they are relatively part-time employees and the Town should not be paying their insurance nor should they be offered health benefits. He then stressed the Board needs to encourage more individuals to run for the office of Town Justice, adding a person does not need to be an attorney to serve as justice. He then noted there are other costs in salaries for the courts - two or three clerks, a county attorney, three monitors – which is another \$100,000 bringing the total in salaries to almost \$200,000. Last year it was said the court brings in a lot of revenue but he does not believe that to be accurate. He feels a study should be done by the Town Board to see what savings could possibly be available within this department.

Cathy Schmidt stated the numbers in the budget do not match the numbers discussed at multiple meetings held with the Director. There was no communication made to the Library about the new figures and she feels the Library Board should have been made aware of these changes and an explanation should have been provided. She stressed the numbers do not match what was agreed upon at the meetings. Supervisor Palermo stated the reason there is a difference is because when the Board met with Sara it was made clear to her that there was going to be a hiring freeze. Sara gave a good reason as to why the Library Board wanted to hire a Librarian 2 position and the Board agreed but took the money from the fund balance to provide the salary for that individual. Mrs. Schmidt stated this was not something that the Library Director was aware of and stated again the numbers in the budget this evening does not match the numbers finalized at the budget worksession and there was no communication about the changes that were made.

With no further comments received, a motion was 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 Councilwoman Hernandez, seconded by Councilman Hunter, to adopt the Fiscal Year 2021 budget.

**ADOPTED BY ROLL CALL AS FOLLOWS:**

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

Councilman Hunter

YES

*Note – full budget is printed in the beginning of the minute book for 2021.*

Supervisor Palermo thanked everyone, especially Lorelei Pitt, for all the work they have done to produce a good budget. He also thanked the Town Board for doing a good job as well.

**II. Public Input:**

Cathy Schmidt, regarding mid-term appointment of a Trustee, stated the Library Board President sent a letter to the Town Board to hopefully resolve the vacancy about a month ago and there has yet to be a response from any member of the Town Board. She stated she appreciated that Supervisor Palermo called into the last Library Board meeting but the letter was not discussed. She noted everyone has a difference of opinion on this issue. Supervisor Palermo provided the Library Board with Section 260 of the Board of Education Law but she feels that is not the correct section, it should be Section 226. Section 226 states it is the Library Board’s responsibility to fill a vacancy. She noted this is a volunteer position and she believes both Boards want to do what is right for the community. She then asked Supervisor Palermo to change his position on the issue. Supervisor Palermo stated he did call into the recent Library Board meeting and he was not acknowledged until 25 minutes after he did so. Mrs. Schmidt noted it was stated the Board saw he was in the room but that his phone was trying to establish a connection. Supervisor Palermo stated he did get the email from the Library Board containing Section 226 but that section specifically refers to elected Library Trustees which does not pertain to the Woodbury Library Board. Mrs. Schmidt stated the Library Board spoke with RCLS about this issue and they agreed the applicable section is 226. Supervisor Palermo stated the Library Board followed the wrong process. They stated they have a serious of questions they ask candidates but they did not do so nor did they even interview the individual they selected. The President does not appoint a person to the Library Board and then demand the Town Board to approve it. Supervisor Palermo stated that he will not reconsider his position on the issue. Mrs. Schmidt then stated the interviews that will be held in December she will be attending and asked why only one member from the Library Board can attend. Supervisor Palermo stated that is how it has been done and it is a courteous the Town Board allows. Mrs. Schmidt stated she feels the Library Board should be involved in the process so that the Town Board can be aware of what the Library Board wants and needs to benefit the library and community. Supervisor Palermo stated the Town Board will fill the seat with whom they feel is appropriate but the Library Board can submit a recommendation. Mrs. Schmidt stated the Library Board would like to have the ability to make the decision based on what they need for their purposes and she does not understand why the Town Board would overrule what the Library Board wants and needs. She wanted to make it very clear the Library Board feels they should decide what is best for their Board.

**III. Administrative Business:**

a. Acceptance of Minutes:

Motion was offered by Councilwoman Hernandez, seconded by Councilman Hunter, to accept the minutes of the meeting held October 15, 2020.

**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 Revised Abstract 16 by voided voucher 201190 (check #22946) in the amount of \$3150 (replaced with voucher 201428, check #23168 as other parts of the original payment were not voided). This reduces the total of the abstract to be \$44,995.22.

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

Motion was then offered by Councilwoman Hernandez, seconded by Councilman Etzel, to approve Abstract 20 containing vouchers 201429 – 201521, 201524 (less voucher 201468, check #23238) and totaling \$340,535.22.

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

c. Approval of Budget Modifications:

Motion was offered by Supervisor Palermo, seconded by Councilman Burke, to approve the following modifications to the 2020 budget:

- Buildings/Grounds – increasing A1620.425 (Landscaping) by \$6704, decreasing A1620.414 (Architect/Engineer Earl EAP & Imp) by \$2840, A1620.465 (Blacktopping) by \$3864;
- Justice Court – increasing A1620.447 (Reno to Court & New Town Hall) by \$5500, decreasing A1620.465 (Blacktopping) by \$5500;
- Buildings/Grounds – increasing A1620.462 (Repairs/Mate) by \$5603 and decreasing A1620.465 (Blacktopping) by \$5603;
- Unemployment – increasing A9050.800 (Unemployment) by \$9985, B9050.800 (Unemployment) by \$10,000 and decreasing A9040.800 (Workers Compensation) by \$9985, B9040.800 (Workers Compensation) by \$10,000;
- Animal Control – increasing A2707 (ACO Gift Cards) by \$2600 and increasing A3510.407 (Gift Card Expenditures) by \$2600;
- Library – increasing L7410.400 (Contractual Expense) by \$756, L7410.465 (Processing Supplies) by \$1000, L9050.800 (Unemployment) by \$2000, L9060.801 (HRA MVP Health Insurance) by \$6000 and decreasing L7410.200 (Equipment) by \$756, L7410.411 (Office Supplies) by \$1000, L7410.100 (Personal Services) by \$2000, L9060.800 (Health Insurance) by \$6000;
- Refuse – increasing SR8160.100 (Personal Services) by \$2300, SR9030.800 (FICA) by \$176, SR1980.400 (MTA Payroll Tax) by \$8, SR599 (Appropriated Fund Balance) by \$1684 and decreasing SR8160.410 (Advertising & Mailing) by \$300, SR9010.800 (Retirement) by \$500;
- Buildings/Grounds – increasing A1620.452 (Vehicle Maintenance) by \$2000 and decreasing A1620.421 (John Burke Pool Maintenance/Repairs) by \$2000.

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

**IV. New Business:**

a. Proclamation – School Choice Week January 24-30, 2021:

Motion was offered by Councilman Etzel, seconded by Councilwoman Hernandez, to adopt the following proclamation:

**WHEREAS**, all children in WOODBURY should have access to the highest-quality education possible; and

**WHEREAS**, WOODBURY recognizes the important role that an effective education plays in preparing all students in WOODBURY to be successful adults; and

**WHEREAS**, quality education is critically important to the economic vitality of WOODBURY; and

**WHEREAS**, WOODBURY is home to a multitude of high-quality public and nonpublic schools from which parents can choose for their children, in addition to families who educate their children in the home; and

**WHEREAS**, educational variety not only helps to diversify our economy, but also enhances the vibrancy of our community; and

**WHEREAS**, WOODBURY has many high-quality teaching professionals in all types of school settings who are committed to educating our children; and

**WHEREAS**, School Choice Week is celebrated across the country by millions of students, parents, educators, schools and organizations to raise awareness of the need for effective educational options.

**NOW, THEREFORE, BE IT PROCLAIMED** that the Woodbury Town Board does hereby recognize January 24 – 30, 2021 as WOODBURY School Choice Week.

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

b. Resolution – Approve Summary Plan Description – MVP Health Insurance/HRA:

Motion was offered by Councilman Etzel, seconded by Councilman Hunter, to adopt the following resolution approving the Summary Plan Description in relation to the

**RESOLVED**, that the form of amended and restated Welfare Benefit Plan, effective December 01, 2020, presented to this meeting is hereby approved and adopted, and that the proper agents of the Employer are hereby authorized and directed to execute and deliver to the Administrator of said Plan one or more counterparts of the Plan.

**RESOLVED**, that the Administrator shall be instructed to take such actions that the Administrator deems necessary and proper in order to implement the Plan, and to set up adequate accounting and administrative procedures for the provision of benefits under the Plan.

**RESOLVED**, that the proper agents of the Employer shall act as soon as possible to notify the employees of the Employer of the adoption of the Plan and to deliver to each employee a copy of the Summary Plan Description of the Plan, which Summary Plan Description is hereby approved.

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

c. Authorize Supervisor to sign MOA Jewish Family Services:

Motion was offered by Councilman Burke, seconded by Councilwoman Hernandez, to authorize the Supervisor to sign the “Memorandum of Understanding” with Jewish Family Services for the Friendly Visitor Program in 2021, pending review by Attorney McKay.

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

Attorney McKay stated the agreement mentions certain insurance requirements which he will review.

d. Central Hudson Easement – Hadley Farm Road:

Supervisor Palermo stated a resident at 48 Hadley Farm Road has requested a connection for natural gas from Central Hudson. Attorney McKay provided the Board with a brief memo about this issue and believes this is a standard form provided by Central Hudson. Motion was offered by Councilman Hunter, seconded by Councilwoman Hernandez, to authorize the Supervisor to sign the “Grant of Gas Lines Right-of-Way” with Central Hudson on Town Property known on the Tax Map as Section 254, Block 1, Lot 24.2.

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

e. Authorize Supervisor to FY2020 GASB Proposal with CBIZ:

Motion was offered by Councilman Etzel, seconded by Councilwoman Hernandez, to authorize the Supervisor to sign the agreement with CBIZ Valuation Group for the GASB fixed asset reporting for fiscal year 2020.

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

f. Authorize Town Clerk to Advertise for Various Committee Expiring Terms:

Motion was offered by Councilman Burke, seconded by Councilwoman Hernandez, to authorize the Town Clerk to advertise for letters of interest from individuals interested in volunteering for seats that are expiring on the Beautification Committee, Board of Assessment Review, Library Board and Parks Committee. Letters should be submitted to the Town Clerk by close of business on November 30, 2020.

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

g. Schedule Special Meeting - Interviews for Tax Collector Position:

Motion was offered by Supervisor Palermo, seconded by Councilwoman Hernandez, to schedule a special meeting to be held at 6PM on November 9, 2020 at the Community Center to conduct interviews for the upcoming vacancy in the position of Tax Collector.

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

EXTRA ITEM – Schedule Public Hearing – Introductory Local Law 3 – Repeal Local Law 1:

Since the budget stayed below the tax cap, a motion was offered by Supervisor Palermo, seconded by Councilwoman Hernandez, to schedule a public hearing to be held on November 19, 2020 at 7:30PM at the Community Center to entertain public comments on Introductory Local Law 3 of 2020 which will replace Local Law 1 of 2020 entitled “Tax Cap Override”.

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

**V. Old Business:**

a. Discussion on Parkland Fees:

Supervisor Palermo stated he heard that the Village Board stated at their last meeting that they want to keep the parkland fees. He noted we are all one community and the Village would like to buy property with the fees to make trails. He noted the Town owns property across from the High School which he feels is a great place for a trail to be constructed. It has a pond at one end that could also be stocked with fish. He feels combined the resources is a good idea and this is his suggestion. At the next worksession, which will be held on November 16, the Town Board will be meeting with the Parks Committee. He will invite the Village Board to attend as well to discuss his proposal.

**VI. Board Meeting Comments:**

Councilman Burke stated this was his first time going through the budget process and this was an incredible year to do so. He thanked the Town Board for their support and working with him so he can learn. He also thanked Lorelei, Clara and Eileen for their support during the process. He believes the budget was well done and the Board made good decisions about some items. He then noted he attended a meeting with Councilman Etzel, Parks Director Gianzero, Mayor Egan, Superintendent Weyant and Building Inspector Thomasberger to discuss the soil that the Town needs for the pool

renovations. He believes it was a successful meeting and it will be a project for us all to work together on.

Councilman Etzel stated Superintendent Weyant has been very helpful working with the Town on the pool renovations. He then noted the budget process was long and drawn out but that it all came together in the end.

Councilman Hunter stated it has been a unique year for the budget process, but he feels the Department heads came through with tight budgets and each gave up a lot of things. He feels the taxpayers appreciate the efforts and the “give and take” that went on with the various departments.

Councilwoman Hernandez thanked the Board, Budget Officer Pitt and Eileen Sutherland for all the work and help on the budget process. She felt this budget was extremely challenging and in the beginning the numbers were looking dismal. She felt the Town Board was very conscious of the impact the budget would have to the community and each department was held to be very accountable. The Board did not want to layoff any employees while keeping the budget as low as possible. She thanked the Department Heads for the work they have done this year, adding many municipalities in the County are struggling, including the County itself. She then noted the election season is over and she congratulated those that won and added she is blessed to continue to work as a Councilperson and Deputy Supervisor. Moving forward, she hopes strides are made so that all work together with genuine intentions. She noted the community has struggled a lot with the division and the steps for healing have been put in place. She thanked the residents that have come out to support both sides for participating in the process. Regarding the pool improvements, the town is at the point where it can go out to bond as the Governors edict causing the delay has been lifted. She pointed out the delay will also cause a delay in the proposed construction schedule. She thanked Superintendent Weyant and the Village for all the work the Highway Department has done to help keep costs down and save the Town money.

Supervisor Palermo stated the Governor has approved the bond can move forward. Regarding the budget, he thanked Eileen and Lorelei for “crunching the number” and in the end the budget remained under the tax cap. He congratulated all that ran and won their elections, especially Senator Skoufis and Assemblyman Schmidt.

**8:33PM Executive Session:**

Motion was offered by Supervisor Palermo, seconded by Councilman Burke, to enter into an executive session with Chief Watson and Lieutenant Phillips to discuss an item of personnel. Lieutenant Phillips indicated the Board may be taking action upon exiting the executive session.

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

*No information was provided to the Clerk’s office if any action was upon exiting executive session.*

**VII. Adjournment:**

*No information was provided to the Clerk’s office about who made the motion, who seconded the motion and what time the meeting was adjourned.*

Desiree Potvin, Town Clerk