

Minutes of the Village Board Meeting held at Town Hall on May 29, 2014 at 7PM

Present: Timothy Egan, Deputy Mayor  
Neil Crouse, Thomas Flood and David Sutz, Trustees

Absent: Michael Queenan, Mayor

Also Present: Robert Weyant, Highway Superintendent; Jessica McClennan, Deputy Village Clerk/Treasurer; William McClennan, Water/Sewer Superintendent; Michael Phillips, Assistant Water/Sewer Superintendent; Robert Hunter, Town Council; Michael Garry, Water/Sewer Employee

**I. Administrative Business:**

a. Acceptance of Minutes:

Motion was offered by Trustee Sutz, seconded by Trustee Flood, to accept the minutes of the regular meeting held May 8, 2014.

**ADOPTED** AYES 4 Egan, Crouse, Flood, Sutz  
NOES 0

b. Approval of Abstract:

Motion was offered by Trustee Sutz, seconded by Trustee Crouse, to approve Abstract 24 containing vouchers 131489 – 131634 (voiding voucher 131490, check#13058) and totaling \$178,650.79.

**ADOPTED** AYES 4 Egan, Crouse, Flood, Sutz  
NOES 0

c. Budget Modification:

Motion was offered by Trustee Flood, seconded by Trustee Sutz, to approve a modification to the budget of the General Fund by decreasing A1010.403 (VB – Videographer) by \$183, A1330.401 (TxColl – Telephone) by \$7, A1410.435 (VB-Law Book) by \$203, A8020.402 (Comprehensive Plan) by \$15,000, A1610.407 (Gen-Heat/Air Use/Repair) by \$74, A3410.425 (FD-OSHA Physicals) by \$7911 and increasing A1010.100 (VB-Personal Service) by \$1, A1010.412 (VB-Awards/Recognition) by \$182, A1330.412 (TxColl – Postage) by \$7, A1410.401 (FOIL Copies) by \$3, A1410.454 (VC-Advertising) by \$200, A1420.401 (Attorney-Contractual) by \$15,000, A1610.403 (Payroll Prep) by \$74, A3410.201 (FD-Equip-Long-Term) by \$5600, A3410.204 (FD-Chief Vehicles) by \$1411, A3410.401 (FD-Telephone) by \$900.

**ADOPTED** AYES 4 Egan, Crouse, Flood, Sutz  
NOES 0

d. Change in Civil Service Title – William McClennan:

This item is tabled until a future meeting due to ongoing union negotiations.

e. Authorize Signing of Contract – Water/Wastewater Administrator:

This item is tabled until a future meeting due to ongoing union negotiations.

f. Appointment to Planning Board/Zoning Board of Appeals:

Motion was offered by Trustee Sutz, seconded by Trustee Flood, to appoint Andrew Giacomazza to the Zoning Board of Appeals, with a term to expire May 31, 2019, to fill the seat vacated by Anthony Mickolajczyk.

**ADOPTED** AYES 4 Egan, Crouse, Flood, Sutz  
NOES 0

Motion was then offered by Trustee Crouse, seconded by Trustee Sutz, to reappoint Maria Hunter to the Planning Board with a term to expire May 31, 2019.

**ADOPTED**      AYES    4            Egan, Crouse, Flood, Sutz  
                     NOES    0

g. Appointment of Chairpersons – Planning Board and Zoning Board of Appeals:

Motion was offered by Trustee Crouse, seconded by Trustee Flood, to appoint Maria Hunter as Chairperson of the Planning Board and Victor Ferrarelli as Chairperson of the Zoning Board of Appeals for FY2014/2015.

**ADOPTED**      AYES    4            Egan, Crouse, Flood, Sutz  
                     NOES    0

h. Closing of Escrow Account:

Motion was offered by Trustee Sutz, seconded by Trustee Flood, to close escrow account D496 (Kloss). This application before the Planning Board has been completed and all consultant fees have been paid.

**ADOPTED**      AYES    4            Egan, Crouse, Flood, Sutz  
                     NOES    0

i. Waive Permit Fee – HMFC/Town of Woodbury Fireworks Display:

Motion was offered by Trustee Crouse, seconded by Trustee Sutz, to waive the fire permit fee for the Highland Mills Fire Company/Town of Woodbury Fireworks display planned for July 5, 2014.

**ADOPTED**      AYES    4            Egan, Crouse, Flood, Sutz  
                     NOES    0

EXTRA ITEM – Correction of Taxes:

Motion was offered by Trustee Flood, seconded by Trustee Sutz, to amend the FY2014/2015 tax roll to make corrections to property owned by the Town of Woodbury as follows: 225-1-4.4 was taxed for \$4.47 and should be \$0.00; 225-1-7.1 was taxed for \$82.14 and should be \$0.00; 248-1-64.22 was taxed for \$38.37 and should be \$18.37.

**ADOPTED**      AYES    4            Egan, Crouse, Flood, Sutz  
                     NOES    0

**II. Old Business:**

a. Discussion – Website Proposals:

Trustee Egan stated at the last meeting he was asked by the Board members to prepare a memo summarizing the proposals that were received for the Village’s website. The deliverables requested from each vendor were website redesign, website updates/maintenance, website hosting, self-serve document upload, self-serve banner maintenance and online payments for village departments. He then summarized the memo that he prepared as follows:

- Hunter GD would prefer to keep the ability to upload documents as the responsibility of the vendor. Regarding online payments, they offered the opinion that the village should decide which service to use and offered to integrate whichever service is decided into the website. The redesign is the least expensive as are the recurring monthly costs.
- e-Diner offered all the deliverables requested but were the most expensive and charged an additional cost for hosting.
- Business Automation Services (BAS) included all of the deliverables as requested but the redesign cost of the website was more expensive than what was proposed by Hunter GD.

At the last meeting the Board members requested that additional quotes be obtained but he noted that he did not do this since the three proposals received were made public. The Board discussed the issue in more detail and it was decided to renew the services with Hunter GD for one year and re-evaluate again prior to the terms expiration. Hunter GD submitted two proposals, one with them doing the document upload and one with employees doing so.

Motion was offered by Trustee Crouse, seconded by Trustee Flood, to contract with HunterGD for the term of June 1, 2014 – May 31, 2015 at the cost of \$2,300, which includes employees being able to upload documents themselves.

**ADOPTED**      AYES    4            Egan, Crouse, Flood, Sutz  
                     NOES    0

b. Schedule Public Hearing – Dedication of Apisson Trail:

Motion was offered by Trustee Sutz, seconded by Trustee Flood, to schedule a public hearing to be held on June 26, 2014 at 7PM to entertain public comments on the offer of dedication of Apisson Trail.

**ADOPTED**      AYES    4            Egan, Crouse, Flood, Sutz  
                     NOES    0

EXTRA ITEM – Authorize Mayor to Sign FY2015 OCCD Application:

Motion was offered by Trustee Crouse, seconded by Trustee Sutz, to authorize the Mayor to sign the FY2015 Orange County Community Development grant application. We are applying for \$224,000 to fund access for the disabled to the M-W Education Center (278 Route 32, Central Valley) building if it becomes a Woodbury Municipal Center.

**ADOPTED**      AYES    4            Egan, Crouse, Flood, Sutz  
                     NOES    0

**III. New Business:**

a. Acceptance of Proposal – FY2014/2015 Insurance Policy:

Motion was offered by Trustee Sutz, seconded by Trustee Flood, to authorize the Mayor/Deputy Mayor to sign the insurance renewal proposals for FY2014/2015 at a total premium of \$99,580 plus a \$1,738.39 annual capitalization fee. This is a decrease from last year's premium of \$105,892 due to a change in carrier.

**ADOPTED**      AYES    4            Egan, Crouse, Flood, Sutz  
                     NOES    0

b. Resolution – Urban County Cooperation Agreement:

Motion was offered by Trustee Crouse, seconded by Trustee Flood, to adopt the following resolution authorizing the Village of Woodbury to enter into an amendment to the existing corporation agreement dated July 1, 2008, as amended, with the County of Orange for the purpose of undertaking Community Development and Home Programs for the program year commencing Federal Fiscal Years 2015, 2016, 2017 (and for successive three year qualification periods as provided for in the automatics renewal provision) pursuant to the Housing and Community Development Act of 1974, as amended and Title II of the National Affordable Housing Act of 1990, as amended:

**WHEREAS**, the Secretary of the U.S. Department of Housing and Urban Development ("HUD") authorized, under Title 1 of the Housing and Community Development Act of 1974, as amended and Title II of the National Affordable Housing Act of 1990, as amended to make grants to states and other units of general local government to help finance Community Development and Affordable Housing Programs; and

**WHEREAS**, it is desirable and in the public interest that the Village of Woodbury participate in aforesaid Community Development and HOME Programs for the program year commencing Federal Fiscal Years 2015, 2016, 2017, (and successive three year qualification period); and

**WHEREAS**, Section 99-h of the General Municipal Law of the State of New York grants to any municipal corporation the power, either individually or jointly with one or more other municipal corporations, to apply for, accept and expend funds made available by the Federal government either directly or through the state, pursuant to the provisions of any Federal Law which is not inconsistent with the statutes or constitution of this state, in order to administer, conduct or participate with the Federal government in programs relating to the general welfare of the inhabitants of such municipal corporation; and

**WHEREAS**, applications for grants to finance Community Development and Affordable Housing Programs under the Housing and Community Development Act of 1974, as amended and the National Affordable Housing Act of 1990, as amended and any "eligible Activities" thereunder are not inconsistent with the statutes or constitution of this state; and

**WHEREAS, VILLAGE** shall take all actions necessary to assure compliance with the COUNTY'S certification under Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, regarding Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and affirmatively furthering fair housing. The COUNTY and the VILLAGE shall also comply with Section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975. Furthermore, the COUNTY and the VILLAGE shall comply with all other applicable New York State and Federal laws and regulations. In addition, CDBG funding of activities in, or in support of, VILLAGE is prohibited if the VILLAGE does not affirmatively further fair housing within its own jurisdiction or the VILLAGE impedes COUNTY'S actions to comply with the COUNTY'S fair housing certification. VILLAGE shall indemnify, defend and hold harmless COUNTY from any non-compliance with affirmatively furthering fair housing by VILLAGE that result in funding sanctions or other remedial actions by the United States Department of Housing and Urban Development and/or the federal government against COUNTY.

**WHEREAS**, The **VILLAGE** as a cooperating unit of local government has adopted and is enforcing:

- a) A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
- b) A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstrations within jurisdictions.

**WHEREAS**, participation by the County of Orange, as an urban county in the Community Development and HOME programs require that the Village of Woodbury and the County of Orange cooperate in undertaking or assisting in undertaking, community renewal and lower income housing assistance activities. Specifically urban renewal and publicly assisted housing, pursuant to said Act specifically those activities authorized by statutes and pursuant to Articles 9 and 17 of the New York State Constitution; and

**WHEREAS**, the County and Village of Woodbury will cooperate in developing Community Development and Affordable Housing Programs and applications for the Community Development Block Grant Entitlement Program and the HOME Investment Partnership ("HOME Program") which will be designed primarily for the purpose of meeting the priority needs and objectives of the participating localities based upon an inventory of the community development and housing needs developed mutually by local and County officials;

**WHEREAS**, VILLAGE may not sell, trade, or otherwise transfer all or any portion of such funds to another such metropolitan city, urban county, unit of general local government or Indian tribe, or

insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under Title I of the [Housing and Community Development] Act [of 1974]. This requirement is contained in the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2014, Pub. L. 113-76.

**WHEREAS**, this VILLAGE Board deems it to be in the public interest for the Village of Woodbury to enter into an Amendment to the existing Cooperation Agreement dated July 8, 1993, as amended, with the County of Orange for the aforesaid purpose;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Mayor/Deputy Mayor be and he hereby is authorized and directed to execute a Cooperation Agreement Amendment between the Village of Woodbury and the County of Orange for the purpose of undertaking Community Development and HOME Programs pursuant to the Housing and Community Development Act of 1974, as amended and Title II of the National Affordable Housing Act of 1990, as amended, for the program year commencing Federal Fiscal Years 2015, 2016, 2017 (and successive three year qualification periods).

**ADOPTED**      AYES    4            Egan, Crouse, Flood, Sutz  
                      NOES    0

**IV. Public Comment:**

John Smith asked for a summary of the public hearing that was held on May 22 regarding the casinos. Deputy Mayor Egan stated the hearing was held at the IBEW Union Hall regarding the application of Caesars and Flaum Management Company for a casino resort. There were approximately 300 people present and about 34 individuals spoke (24 were strongly in favor, eight were either against or vehemently against and the remainder had no opinion). The presentation was very detailed and the meeting ended around 9:30PM. Written public comments will be accepted until 4PM on June 2 and the Board plans to take action on June 12 whether to support or not support that application.

**V. Board Member/Department Head Comment:**

Trustee Crouse stated he has been in touch with the Department of State to obtain grant money for the Education Center for better access for the disabled. Their grant cycle is in June so hopefully additional funds will be able to be obtained.

**7:25PM – Executive Session:**

Motion was offered by Trustee Sutz, seconded by Trustee Crouse, to enter into an executive session pursuant to Article 7 of the Public Officers Law to discuss one item relating to the negotiations of the Water/Sewer employees union contract.

**ADOPTED**      AYES    4            Egan, Crouse, Flood, Sutz  
                      NOES    0

It was noted that Superintendent McClennan and Village Clerk Potvin will attend the executive session.

**VI. Adjournment:**

With no further business to discuss, a motion was offered by Trustee Sutz, seconded by Trustee Crouse, to end the executive session and adjourn the meeting at 8:35PM.

**ADOPTED**      AYES    4            Egan, Crouse, Flood, Sutz  
                      NOES    0

Desiree Potvin, Village Clerk