

Minutes of the Village Board Meeting held at Town Hall on June 27, 2013 at 7PM

Present: Michael Queenan, Mayor
Neil Crouse, Thomas Flood and David Sutz, Trustees
Absent: Timothy Egan, Trustee (*arrived late*)
Also Present: Timothy Arone, Town Council

I. Public Hearing:

a. Continuation – Dedication of Montesi Drive for Submission of Documents:

A public hearing was continued from the May 9 meeting for the sole purpose of the submission of any further documents and/or proof of compliance on part of WPF Construction Corporation regarding the offer of dedication of Montesi Drive. Mayor Queenan noted that there is still an impasse between the developer and some of the residents with regards to obtaining the easements that are required with the dedication. He, with Town Supervisor John Burke, has scheduled a meeting in July with the residents of Montesi Drive to try to resolve all outstanding issues. Motion was then offered by Trustee Crouse, seconded by Trustee Sutz, to continue the public hearing to July 25, 2013 at 7PM for the sole purpose of the submission of any further documents and/or proof of compliance on part of WPF Construction Corporation.

ADOPTED AYES 4 Queenan, Crouse, Flood, Sutz
NOES 0

II. 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 June 13, 2013.

ADOPTED AYES 4 Queenan, Crouse, Flood, Sutz
NOES 0

b. Approval of Abstract:

Motion was offered by Trustee Flood, seconded by Trustee Sutz, to approve Abstract 2 containing Vouchers 130075 – 130148 and totaling \$348,021.80.

ADOPTED AYES 4 Queenan, Crouse, Flood, Sutz
NOES 0

c. Fire Department Equipment Requisition:

Motion was offered by Trustee Crouse, seconded by Trustee Sutz, to approve Fire Department Requisition 2013-14 totaling approximately \$386.23 for the purchase of parade equipment.

ADOPTED AYES 4 Queenan, Crouse, Flood, Sutz
NOES 0

Trustee Egan arrived.

d. Employee Acknowledgments:

Mayor Queenan acknowledged the following employees for their years of employment and service to the Woodbury community: Jeffrey Saracino – 20 years; Michael Phillips and Gary Thomasberger – 25 years; and William McClennan – 35 years.

III. Old Business: *There was no old business to conduct.*

IV. New Business:

a. Resolution – Uniform Notice of Claim Act:

Clerk Potvin explained that on June 15 the Uniform Notice of Claim Act was modified to establish a uniform procedure for servicing Notices of Claim prior to the commencement of a legal action against a government entity. Previously, the municipalities attorney or designate official (usually the Clerk) were required to be served. The law now permits the Secretary of State of be served on behalf of the municipality for a fee to not exceed \$250, which the municipality will received half of. The amended law requires municipalities to file a certificate with the Secretary of State identifying the name and address to which the Notice of Claim served on the Secretary of State should be sent, along with the municipality’s share of the fee. A motion was then offered by Trustee Sutz, seconded by Trustee Egan, to adopt the following resolution designating the New York State Secretary of State as agent for service of a Notice of Claim:

WHEREAS, the New York State Senate has passed, and the New York State Governor has signed into effect, the Uniform Notice of Claim Act (hereinafter the “Act”).

WHEREAS, Section Six (§6) of the Act amends the General Municipal Law by adding a new Section Fifty-Three (§53), effective June 15, 2013; and

WHEREAS, New York General Municipal Law §53(2) requires that all public corporations, who are entitled to service of a Notice of Claim as a condition precedent to commencement of an action or proceeding shall file a Certificate with the Secretary of State designating the Secretary of State as agent for service of a Notice of Claim; and

WHEREAS, the Village of Woodbury must file such Certificate with the Secretary of State no later than thirty (30) days of the date upon which General Municipal Law §53 took effect.

NOW, THEREFORE, the Village Board of Trustees of the Village of Woodbury, duly convened in regular session, does hereby resolve as follows:

Section 1. The Clerk of the Village of Woodbury be and she hereby is directed and empowered to forward to the New York State Secretary of State a Certificate, pursuant to General Municipal Law § 53, designating the Secretary of State as agent for service of a Notice of Claim where a Notice of Claim is required by law as a condition precedent to the commencement of an action or special proceeding against the Village of Woodbury, or any officer, appointee or employee of the Village and to take any and all other actions required to carry out the provisions of this Resolution .

Section 2. This Resolution shall take effect immediately.

ADOPTED BY ROLL CALL AS FOLLOWS:

Mayor Queenan	AYE
Trustee Crouse	AYE
Trustee Egan	AYE
Trustee Flood	AYE
Trustee Sutz	AYE

b. Schedule Public Hearing – Harvesting on Estrada Road:

Motion was offered by Trustee Crouse, seconded by Trustee Sutz, to schedule a public hearing to be held on July 25, 2013 at 7PM to entertain public comments on the application for harvesting submitted by Thomas Immel for property located at 300 Estrada Road, Central Valley. The harvesting will be done on fifteen acres and will also consist of cleaning up storm damage to timber and dead ash. A Short Environmental Assessment Form and a Timber Harvest Report have been submitted with the application and are on file in the Village Clerk’s Office.

ADOPTED	AYES	5	Queenan, Crouse, Egan, Flood, Sutz
	NOES	0	

c. Liquor License Application Notification:

This item has been tabled until a response from the Police Department is received.

V. Board Member/Department Comment:

Trustee Crouse congratulated Mayor Queenan and Trustees Flood and Egan on their re-election. He then noted that even though the voting hours were extended, voter turnout was still lacking. He feels that Woodbury needs to prove to the County and State that we are a voting force. The Board members all agreed. Mayor Queenan and Trustees Egan and Flood thanked all that voted (there were 270 voters).

VI. Public Comment: *There was no public comment.*

VII. Adjournment:

With no further business to discuss or comments received, a motion was offered by Trustee Sutz, seconded by Trustee Flood, to adjourn the meeting at 7:10PM.

ADOPTED AYES 5 Queenan, Crouse, Egan, Flood, Sutz
 NOES 0

Desiree Potvin, Village Clerk