

Minutes of the Village Board Meeting held at Town Hall on April 25, 2013 at 7PM

Present: Michael Queenan, Mayor
Neil Crouse, Timothy Egan, Thomas Flood and David Sutz, Trustees
Absent: None
Also Present: Robert Weyant, Highway Superintendent; Maria Hunter, Planning Board; Keith Foley,
Second Assistant Fire Chief

I. Presentation – Eagle Scout Project:

A presentation was given by Robert Lutz on a project he would like to do to achieve his Eagle Scout status. His project is to place paver stone in existing flower beds outside Village Hall. He would also like to construct two benches to be placed on the paver stones. This will enable people to be able to sit and wait for meetings at Village Hall as well as improve the look of the area. The estimated cost of the project is \$770 which Mr. Lutz plans to obtain through fundraising. The project should take approximately eight weeks to complete. Superintendent Weyant stated he would be able to provide the pavers and sand for the project at no cost. Motion was offered by Trustee Egan, seconded by Trustee Sutz, to approve the project and authorize Mayor Queenan to sign the application.

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

II. Public Hearing:

a. Donation Bins Local Law:

A public hearing was held to entertain public comment on Introductory Local Law 2 of 2013 entitled “Donation Bins” creating a new Chapter 111 of the Village Code. The public notice was printed in the Times Herald Record on April 17, 2013 and the following comments were received:

Maria Hunter stated she feels that the bins should be in compliance with the site plans approved by the Planning Board and she was told the proposed law addresses that issue. Mrs. Hunter then stated she has concerns about the bins being unsightly and she was told the proposed law addresses that issue. She further stated she is concerned about the existing bins being grandfathered and she was told the proposed law addresses that issue. She added that some people will like the law and some will not. Mayor Queenan stated the intent of the law is to control the number of bins in the Village and their appearance, not to regulate the industry. Trustee Sutz added a reasonable law was needed to address the issues.

Trustee Crouse noted there is one bin in the Village that is solely for the collection of books and feels that should be added to the law. Clerk Potvin noted that would cause the proposed law discussed this evening to be voided and a new draft with a new public hearing would be needed. Trustee Crouse would also like see definitions for “sponsor” and “owner” added. He added there may be a typo in the law that refers to “unincorporated” areas of the Village and he feels it should say “incorporated”. Clerk Potvin will check with the attorney on that particular wording.

With no further comments received, a motion was offered by Trustee Sutz, seconded by Trustee Flood, to close the public hearing.

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

The Board discussed voting on the proposed law this evening but decided to table the vote to the next meeting, May 9, to hear from the attorney about the possible typo.

b. Water Local Law:

A public hearing was held to entertain public comments on Introductory Local Law 3 of 2013 entitled "Water" amending Chapter 298 of the Village Code. The public notice was printed in the Times Herald Record on April 17, 2013 and the following comments were received:

Mayor Queenan explained that water rates have not been increased since 1999 however expenses continue to increase. In an effort to control costs and hopefully make the area self-sufficient, we are slightly increasing the rates and changing our billing from quarterly to tri-annually,

With no further comments received, a motion was offered by Trustee Sutz, seconded by Trustee Crouse, to close the public hearing.

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

Motion was then offered by Trustee Crouse, seconded by Trustee Flood, to adopt Local 2 of 2013 entitled "Water" as follows:

Section 1. Section 298-24(A) is hereby repealed and replaced as follows:
"Any person committing an offense against any provision of this article shall, upon conviction, be guilty of a violation of this article, punishable by a fine of not less than \$200 nor more than \$1,000 or by imprisonment for a term not exceeding 15 days, or by both such fine and imprisonment. The continuance of an offense for each day (24 hours) shall be deemed a distinct and separate violation."

Section 2. Section 298-14 is hereby repealed and replaced as follows:
"Bills for water service shall become due and payable to the Village of Woodbury, and such payment shall be made to the Village of Woodbury at the Village Clerk's Office, tri-annually for the periods ending on the last days of January, May and September of each year."

Section 3. Section 298-27(C) is hereby repealed.

Section 4. Section 298-29 of the Code of the Village of Woodbury is hereby repealed and replaced as follows:

§ 298-29. Establishment of water rates.

A. The following water rates are hereby established for and to be paid by all water users within the Consolidated Water area:

Number of Gallons (four month period)	Tri-annual Billing Rates
Up to 15,000	\$20
15,001 – 20,000	\$20, plus \$2.00 per 1000 gallons over 15,000
20,001 – 25,000	\$30, plus \$3.00 per 1000 gallons over 20,000
25,001 – 40,000	\$45, plus \$3.50 per 1000 gallons over 25,000
40,001 – 70,000	\$97.50, plus \$4.00 per 1000 gallons over 40,000
Over 70,001	\$217.50, plus \$4.50 per 1000 gallons over 70,000

B. The following rates are hereby established for and to be paid by all water users within the Amdur Park (Water 6) Area:

Number of Gallons (four month period)	Tri-annual Billing Rates
Up to 15,000	\$30
Over 15,000	\$30, plus \$2.25 per 1000 gallons over 15,000

Section 5. **Effective Date.**

This local law shall take effect on June 1, 2013 and after filing with the Secretary of State in Albany, whichever is later.

Section 6. Savings Clause.

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered

ADOPTED BY ROLL CALL AS FOLLOWS:

Mayor Queenan	AYES
Trustee Crouse	AYES
Trustee Egan	AYES
Trustee Flood	AYES
Trustee Sutz	AYES

c. 2014 Orange County Community Development Grant:

A public hearing was held to entertain public suggestions for projects to be submitted for funding through the 2014 Orange County Community Development Grant program. The public notice was printed in the Times Herald Record on April 18, 2013 and the following project suggestions were received:

Mayor Queenan suggested improvements to the Animal Shelter. Clerk Potvin noted the shelter is owned by the Town but believes the recommendation for improvements to it were made at the Town's public hearing held last week.

Trustee Flood stated the access roads to the Village's pump stations and sewer plants are in need of repairs and maintenance. Trustee Sutz added that fencing is needed or needs to be repaired at these facilities as well.

Maria Hunter stated she feels creating a water district would qualify under the public works section and that doing so would create a financial hardship on the group of people that would benefit from its formation. She feels this would cover the income requirements to meet this grant.

Trustee Sutz suggested improvements to the Brigadoon Sewer Plant.

With no further suggestions received, a motion was offered by Trustee Crouse, seconded by Trustee Egan, to close the public hearing.

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

Mayor Queenan noted a certified copy of the minutes of this public hearing will be forwarded to the Village Engineer for the application process.

III. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Trustee Egan, seconded by Trustee Flood, to accept the minutes of the regular meeting held April 11, 2013

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

b. Approval of Abstract:

Motion was offered by Trustee Sutz, seconded by Trustee Crouse, to approve Abstract 21 containing vouchers 121354 – 121394 and totaling \$90,707.67.

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

NOES 0

IV. Old Business:

a. Acceptance of Bids – Roselawn Road Sewer Stabilization:

A bid opening was held on April 17, 2013 and the notice was printed in the Times Herald Record on April 5, 2013. The following bids were received:

Jorrey Excavating, Inc., Middletown, NY	\$31,000.00
TAM Enterprises, Inc., New Hampton, NY	\$34,560.00
Boyce Excavating, Inc., Middletown, NY	\$39,347.30
SITA Construction Co., Inc., Goshen, NY	\$50,800.00
Cal Mart Enterprises, Inc., Congers, NY	\$68,000.00

Correspondence from the Village Engineer indicates that it is their opinion the bid received from Jorrey is a competitive price of the work involved. Motion was then offered by Trustee Sutz, seconded by Trustee Crouse, to award the contract for the Roselawn Road Sewer Stabilization project to Jorrey Excavating, Inc., in the amount of \$31,000.

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

b. Discussion – W/S Flood Barriers Project:

A bid opening was held on April 17, 2013 and the notice was printed in the Times Herald Record on April 5, 2013. No bids were received. Correspondence from the Village Engineer indicates that since the size of the project was considered to be small, as well as the uniqueness of the work involved, potential bidders thought is may be better suited for carpenters or masons. He recommends rebidding the project. Motion was offered by Trustee Sutz, seconded by Trustee Crouse, to authorize the Village Engineer to advertise for bids for the Water/Sewer Department Flood Barriers project.

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

V. New Business:

a. Authorize Mayor/Clerk to Sign Collector’s Warrant:

Motion was offered by Trustee Flood, seconded by Trustee Egan, to authorize the Mayor and Clerk to sign the Fiscal Year 2013/2014 Collecting Officer’s Warrant.

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

b. Accept Slate of Officers – Fire Chief’s:

Motion was offered by Trustee Egan, seconded by Trustee Sutz, to accept the following slate of Fire Chief’s as voted upon by the Fire Department at their annual meeting held April 11, 2013: Pasquale Prozzillo, Fire Chief; Scott McClennan, First Assistant Chief; Keith Foley, Second Assistant Chief.

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

Mayor Queenan noted that also elected that evening was Asa Blum as Department President, Edward Smith as Vice President, Douglas DeSisto as Recording Secretary and Joseph Wagner as Treasurer.

c. Approve Fee Waiver – Public Assembly:

Motion was offered by Trustee Crouse, seconded by Trustee Sutz, to waive the public assembly fee for Keller William Realty to hold their annual garage sale fundraising event on June 1, 2013. Funds raised this year will benefit the Highland Mills Methodist Church Food Pantry and the KW Cares Fund.

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

VI. Board Member/Department Comment

Trustee Crouse reminded everyone that April 27 is the Third Annual Spring Clean event beginning at 10AM at the Smith Clove Elementary School. He announced the events planned for the day and recognized the efforts of Superintendent Weyant.

VII. Public Comment: There was no public comment received.

VIII. Adjournment

With no further comments received or business to discuss, a motion was offered by Trustee Sutz, seconded by Trustee Crouse, to adjourn the meeting at 7:30PM.

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

Desiree Potvin, Village Clerk